

# YEMEN 2019 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Yemen is a republic with a constitution that provides for a president, a parliament, and an independent judiciary. In 2012 the governing and opposition parties chose Vice President Abd Rabbuh Mansour Hadi as the sole consensus candidate for president. Two-thirds of the country's eligible voters confirmed him as president, with a two-year mandate. In 2014 Houthi forces aligned with forces loyal to former president Ali Abdullah Saleh occupied the capital, Sana'a, igniting a civil conflict between Houthi forces and the Republic of Yemen Government (ROYG) that continued through the year.

The primary state security and intelligence-gathering entities, the Political Security Organization (PSO) and the National Security Bureau (NSB), came under Houthi control in 2014, although their structure and operations appeared to remain the same. The ROYG staffed the PSO and the NSB in areas under its control. By law the PSO and the NSB report first to the interior minister and then to the president; coordination efforts between the PSO and the NSB were unclear.

The Criminal Investigation Division reports to the Ministry of Interior and conducts most criminal investigations and arrests. The paramilitary Special Security Forces was under the authority of the interior minister, as was the counterterrorism unit. The Ministry of Defense supervised units to quell domestic unrest and to participate in internal armed conflicts. Civilian authorities did not maintain effective control over security forces. Houthis controlled most of the national security apparatus in sections of the north and some former state institutions. Competing tribal, party, and sectarian influences further reduced ROYG authority, exhibited in August when United Arab Emirates (UAE)-funded Security Belt Forces (SBF), many of which aligned with the secessionist Southern Transitional Council (STC), took over Aden and several other southern territories.

In 2014 the Houthi uprising compelled the ROYG to sign a UN-brokered peace deal calling for a "unity government." The ROYG resigned after Houthi forces, allied with former president Ali Abdullah Saleh's General People's Congress (GPC) party, seized the presidential palace in 2015. Houthi forces then dissolved parliament, replacing it with the Supreme Revolutionary Committee. Hadi escaped house arrest and fled to Aden, where he declared all actions taken by Houthi forces in Sana'a unconstitutional, reaffirmed his position as president, pledged to uphold

the principles of the 2014 National Dialogue Conference, and called on the international community to protect the country's political process.

After Houthi forces launched an offensive in southern Yemen and entered Aden in 2015, Hadi fled to Saudi Arabia, and Saudi Arabia formed a military coalition, Operation "Decisive Storm," on behalf of the ROYG. Peace talks in Kuwait in 2016 between the Houthis and ROYG ended inconclusively. In 2017 Houthi forces killed Saleh after he publicly split from the Houthis and welcomed cooperation with the coalition. In December 2018 direct talks between the ROYG and Houthis under UN supervision in Sweden led to agreements on a ceasefire in and around the city and port of Hudaydah, as well as on prisoner exchanges and addressing the humanitarian situation in Taiz. These agreements were not effectively implemented; hostilities--including Houthi drone strikes and coalition airstrikes--continued throughout the year.

Significant human rights issues included: unlawful or arbitrary killings, including political assassinations; forced disappearances; torture; arbitrary arrest and detention; harsh and life-threatening prison conditions; political prisoners; arbitrary infringements on privacy rights; criminalization of libel, censorship, and site blocking; substantial interference with freedom of assembly and association; the inability of citizens to choose their government through free and fair elections; pervasive corruption; recruitment and use of child soldiers; pervasive abuse of migrants; and criminalization of consensual same sex sexual conduct between adults.

Impunity for security officials remained a problem, in part because the government exercised limited authority and in part due to the lack of effective mechanisms to investigate and prosecute abuse and corruption. The ROYG took steps to investigate, prosecute, and punish officials who committed human rights abuses, but had limited capacity due to the ongoing civil war. Houthi control over government institutions in the north severely reduced the ROYG's capacity to conduct investigations.

Nonstate actors, including the Houthis, tribal militias, militant secessionist elements, al-Qa'ida in the Arabian Peninsula (AQAP), and a local branch of ISIS committed significant abuses with impunity. Saudi-led coalition airstrikes resulted in civilian casualties and damage to infrastructure.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were numerous reports current or former members of the security forces committed arbitrary or unlawful killings. Politically motivated killings by nonstate actors, including Houthi forces, militant secessionist elements, and terrorist and insurgent groups claiming affiliation with AQAP or ISIS, also continued during the year (see section 1.g.).

In July, Amnesty International reported the Houthi-led Specialized Criminal Court (SCC) sentenced to death 30 academics and political figures from Sunni Islamist political party Islah for what Amnesty International called trumped up charges for peacefully exercising their right to freedom of expression. Among the 30 was professor and political figure Youssef al-Bawab. Detained since 2016, he has reportedly been subject to torture, forced disappearance, delayed proceedings, and an unfair trial. He lacked access to adequate medical care and legal counsel, and has been held incommunicado since April. As of November these death sentences had not been carried out.

In September the UN High Commissioner for Human Rights (OHCHR) reported close to 90 individuals assassinated in shootings or explosions in Aden and proximate governorates by the Southern Transitional Council, the UAE, and affiliated groups between October 2015 and May.

On June 5, according to the UN Group of Eminent International and Regional Experts on Yemen (Group of Experts), a Houthi sniper deliberately targeted and killed a 13-year-old boy near a water source in Taiz. The group assessed that, given the precision of the weapon and the location and timing, the sniper deliberately targeted the boy.

### **b. Disappearance**

There were reports of politically motivated disappearances and kidnappings of individuals associated with political parties, nongovernmental organizations (NGOs), and media outlets critical of government security forces and the Houthi movement (see section 1.g.). Houthis and their allies sometimes detained civilian family members of government security officials. The Houthis targeted and detained foreigners, including those believed to be working for foreign diplomatic missions.

From February 1 to July 31, the government's National Commission to Investigate Alleged Violations to Human Rights (NCIAVHR) documented 374 cases of arbitrary arrests and enforced disappearances committed by various parties to the conflict. Of these cases the NCIAVHR attributed the majority (332) to the Houthis. Human Rights Watch (HRW) also reported during the year the Houthis continued to carry out arbitrary arrests and kidnappings (see section 1.g.).

The UN Group of Experts documented that during the year the Houthis used enforced disappearance as a form of punishment. After a detainee reportedly denounced the mistreatment of him and his fellow detainees during a public court hearing on April 2, he was forcibly disappeared for more than a month and missed his next court session.

In July the Committee to Protect Journalists (CPJ) reported security forces affiliated with the governor of al-Mahra province arrested freelance journalist Yahya al-Sawari, who attempted to interview civilians wounded by Saudi-backed forces in the region. Al-Sawari reportedly escaped from captivity on August 27 after 56 days in detention.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibits torture and other such abuses. Although the law lacks a comprehensive definition of torture, there are provisions allowing prison terms of up to 10 years for acts of torture.

The UN and human rights organizations continued to report torture and other forms of mistreatment were common in Houthi, Emirati, and ROYG controlled detention facilities. For more information, see section 1.g. Physical Abuse, Punishment, and Torture.

According to the UN Group of Experts, torture and sexual violence were reported at al-Bureiqa, controlled by the UAE and affiliated forces, at the Houthi-controlled PSO, and the NSB. At these facilities personnel treated detainees brutally, including whippings, beatings, electric shocks, and mock executions. Solitary confinement and extreme sexual violence were also reported at al-Bureiqa.

UN investigators confirmed 37 cases of sexual violence perpetrated by the SBF and members of the ROYG between 2016 and 2019. In March, AI reported three cases of child rape, including children as young as eight, in addition to a fourth

case of threatened child rape, perpetrated by Islah-aligned militiamen supported by the Saudi-led coalition. According to multiple NGO reports, Yemeni guards working at detention centers allegedly administered by forces aligned with the UAE used sexual torture and humiliation to “break” inmates. The UAE denied any involvement in torture of prisoners.

The UN Group of Experts also reported the Houthis used rape and sexual violence against detainees as an interrogation technique.

### **Prison and Detention Center Conditions**

Prison conditions were harsh and life threatening and did not meet international standards. The ROYG exercised limited control over prison facilities. In past years government officials and NGOs identified overcrowding, lack of professional training for corrections officials, poor sanitation, inadequate access to justice, intermingling of pretrial and convicted inmates, lack of effective case management, lack of funding, and deteriorating infrastructure as problems within the 18 central prisons and 25 reserve prisons (also known as pretrial detention centers). Lacking special accommodations, authorities held prisoners with physical or mental disabilities with the general population. The OHCHR reported conditions of detention facilities deteriorated, including overcrowding, damaged buildings, and shortages of food and medicine.

Tribes in rural areas operated unauthorized “private” detention centers based on traditional tribal justice. Tribal leaders occasionally placed “problem” tribesmen in private jails, which sometimes were simply rooms in a sheikh’s house, to punish them for noncriminal actions. Tribal authorities often detained persons for personal reasons without trial or judicial sentencing.

Reports from human rights organizations and the International Organization for Migration (IOM) indicated authorities and smugglers throughout the country detained migrants in Hudaydah, Aden, and other parts of the country, often in inhumane conditions and subject to repeated abuses of human rights including indiscriminate violence and rape (see section 2.f.).

On September 1, the International Committee of the Red Cross (ICRC) estimated an airstrike, which media reports attributed to the Saudi-led Coalition, killed more than 100 prisoners at a Houthi-run detention center in Dhamar (see section 1.g.).

Physical Conditions: The continuing armed conflict negatively affected the condition of prisons. Observers described most prisons, particularly in rural areas, as overcrowded with poor sanitary conditions, inadequate food and access to potable water, and inadequate medical care. Limited information was available on prison populations during the year. Political prisoners reportedly faced torture, abuse, and other forms of mistreatment, while all prisoners experienced harsh physical conditions.

Media and international NGO reporting in past years found squalid conditions in Houthi detention facilities, including food infested with cockroaches, widespread torture, and absence of any medical care. According to the OHCHR, Houthi-affiliated tribal militias, known locally as popular committees, operated at least eight detention facilities in Sana'a, including Habra in the al-Shu'ub District, Hataresh in the Bani Hashaysh District, and al-Thawra and the House of Ali Mohsen al-Ahmar in Haddah.

In a September 2018 HRW report, individuals formerly detained by the Houthis claimed prison guards beat and tortured them and described poor hygiene, limited access to toilets, and lack of food and health care. They said many formal and all informal detention facilities refused access to family members. There was no defined process for detainees to challenge their detention or report mistreatment. In many instances Houthi guards moved detainees between facilities without notifying family members.

No credible statistics were available on the number of inmate deaths during the year (see section 1.a.).

Administration: Limited information was available on prison administration since the Houthi takeover in 2014. Poor recordkeeping and a lack of communication between prisons and the government made it difficult for authorities to estimate accurately the size of the prison population.

There was no ombudsman to serve on behalf of prisoners and detainees. Authorities generally allowed visitors to see prisoners and detainees when family members knew a detainee's location but granted limited access to family members of those accused of security offenses. They generally allowed prisoners and detainees to engage in religious observances.

Impunity for security officials remained a problem, in part because the government exercised limited authority and in part due to the lack of effective mechanisms to

investigate and prosecute abuse and corruption. Civilian control of security agencies continued to deteriorate as regional efforts to promote national reconciliation stalled. Exacerbating the problem of impunity, interest groups-- including former president Saleh's family and other tribal and party entities-- expanded their influence over security agencies, often through unofficial channels rather than through the formal command structure.

Independent Monitoring: The continuing conflict prevented substantial prison monitoring by independent human rights observers.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, but both continued to occur. The UN Group of Experts reported all parties to the conflict engaged in arbitrary detentions and held detainees incommunicado during the year. The law prohibits arrests or serving subpoenas between sundown and dawn, but local NGOs reported authorities took some persons suspected of crimes from their homes at night without warrants. Ministry of Interior security forces remained largely under Houthi control at year's end.

The UN Group of Experts found reasonable grounds to believe arbitrary detentions continued to be carried out during the year in a network of unofficial detention facilities operated by the UAE, Security Belt and Shabwah Elite, including facilities known as "Bir Ahmed I," "Bir Ahmed II," and at facilities at al-Bureiqa coalition base and the coalition al-Rayyan Airbase in Hadramaut governorate.

Amnesty International reported Houthis continued to arbitrarily arrest and detain scores of critics and opponents in areas under their control. Detained individuals included journalists (see section 2.a.), private individuals, human rights defenders, and members of the Baha'i community.

#### **Arrest Procedures and Treatment of Detainees**

Since its relocation in 2015 to Aden, the ROYG lost control over much of the court and prison systems, and both deteriorated. The law provides that authorities cannot arrest individuals unless they are apprehended while committing a criminal act or being served with a summons. In addition, authorities must arraign a detainee within 24 hours or release him. The judge or prosecuting attorney, who decides whether detention is required, must inform the accused of the basis for the arrest. The law stipulates authorities may not hold a detainee longer than seven

days without a court order. The law prohibits incommunicado detention, provides detainees the right to inform their families of their arrest, and allows detainees to decline to answer questions without an attorney present. The law states the government must provide attorneys for indigent detainees. United Nations, NGO, and media reporting concluded that all parties to the conflict frequently ignored these stipulations during the year. The law contains provisions for bail, and Houthi authorities in particular were accused of allowing bail only if they received a bribe. Tribal mediators commonly settled rural cases without reference to the formal court system.

Detainees often did not know which investigating agency arrested them, and the agencies frequently complicated matters by unofficially transferring custody of individuals between entities.

Arbitrary Arrest: In September the UN Group of Experts reported their investigations confirmed continuing widespread arbitrary detention throughout the country, with most detainees receiving no information on the reasons for their arrests or the charges against them, denial of access to lawyers or a judge and held incommunicado for prolonged or indefinite periods. They also reported parties to the conflict used undeclared detention facilities in an apparent attempt to put detainees outside the reach of the law.

Houthi forces and their allies arbitrarily detained persons and kept them in temporary prisons, including at military sites. The UN Group of Experts documented the Houthis detaining anyone “engaged in activities perceived as opposed to or not endorsing their war efforts.” NGOs reported Houthi forces denied requests for family visits and for legal representation. In an HRW report released in September 2018, former detainees recounted instances where Houthis held individuals unlawfully to extort money from relatives or to exchange them for those held by opposing forces. The report documented dozens of such cases since 2014.

Other nonstate actors also arbitrarily detained persons, including migrants.

Pretrial Detention: Limited information was available on pretrial detention practices during the year, but prolonged detentions without charge or, if charged, without a public preliminary judicial hearing within a reasonable time were believed to be common practices despite their prohibition by law. Staff shortages, judicial inefficiency, and corruption caused trial delays.

HRW noted in 2018 that in several cases in which individuals disappeared into detention centers allegedly run by UAE-supervised forces in the south, the Aden prosecutor's office issued release orders that were not respected. In 2018 the human rights NGO Mwatana claimed those detained by the Houthis often were not informed of the charges against them. In some cases detainees who were issued release orders from the Houthi-controlled courts had yet to be released.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

Information was limited on whether persons arrested or detained were entitled to challenge the legal basis of their detention in court. The law provides that authorities must arraign a detainee within 24 hours or release him. It also provides that the judge or prosecuting attorney must inform the accused of the basis for the arrest. The ROYG, however, lacked the capacity to enforce the law.

OHCHR reported in 2018 that in Aden and Mukalla, areas nominally controlled by the Hadi government, detainees carried out hunger strikes to protest the absence of due process.

**e. Denial of Fair Public Trial**

The OHCHR reported the criminal justice system had become largely defunct in the areas where progovernment forces reclaimed control, with coalition-backed forces filling the void. In most cases, as documented by the OHCHR, detainees were not informed of the reasons for their arrest, were not charged, were denied access to lawyers or a judge, and were held incommunicado for prolonged or indefinite periods.

The constitution provides for an independent judiciary, but under Houthi control, the judiciary was weak and hampered by corruption, political interference, and lack of proper legal training. Judges' social and political affiliations, as well as bribery, influenced verdicts. The government's lack of capacity to enforce court orders, especially outside of cities, undermined the credibility of the judiciary. Criminals threatened and harassed members of the judiciary to influence cases.

Houthi authorities sentenced Hamed Kamal bin Haydara, a Bahai, to public execution in January 2018 after detaining him since 2013 without trial. The NSB claimed he was guilty of apostasy, proselytizing, and spying for Israel. Bin Haydara reported authorities tortured him during the first 45 days of his detention. After their takeover, Houthis kept him imprisoned and continued court proceedings against him. Bin Haydara remained in prison while appealing his sentence.

The Bahai International Community reported six Bahais were detained in Sana'a because of their beliefs. The Houthis prosecuted more than 20 Bahais, including leaders of the community; they were reportedly prosecuted for apostasy and espionage. The Houthis first charged these individuals, including eight women and one girl, in September 2018 and initially the judge, prosecutor, and other court officials were the only individuals present.

### **Trial Procedures**

The law considers defendants innocent until proven guilty. Trials were generally public, but all courts may conduct closed sessions “for reasons of public security or morals.” Judges, who play an active role in questioning witnesses and the accused, adjudicate criminal cases. Defendants have the right to be present and to consult with an attorney in a timely manner. Defendants can confront or question witnesses against them and present witnesses and evidence on their behalf. The law provides for the government to furnish attorneys for indigent defendants in serious criminal cases; in the past the government did not always provide counsel in such cases. The law allows defense attorneys to counsel their clients, address the court, and examine witnesses and any relevant evidence. Defendants have the right to appeal and could not be compelled to testify or confess guilt. There was limited information available regarding respect for due process during the year.

A court of limited jurisdiction considers security cases. A specialized criminal court, the State Security Court, operated under different procedures in closed sessions and did not provide defendants the same rights provided in the regular courts. Defense lawyers reportedly did not have full access to their clients' charges or court files. The lack of birth registration compounded difficulties in proving age, which reportedly led courts to sentence juveniles as adults, including for crimes eligible for death sentences (see section 6, Children).

In addition to established courts, there is a tribal justice system for noncriminal issues. Tribal judges, usually respected sheikhs, often also adjudicated criminal cases under tribal law, which usually involved public accusation without the formal filing of charges. Tribal mediation often emphasized social cohesion more than punishment. The public often respected the outcomes of tribal processes more than the formal court system, which was viewed by many as corrupt and lacking independence.

### **Political Prisoners and Detainees**

There were numerous reports of political prisoners and detainees.

According to the UN Group of Experts, the UAE and Yemeni militias aligned with it continued to detain individuals for their alleged political associations or for exercising their human rights, including journalists, activists, and religious leaders. According to a 2018 Amnesty International report, many of the arrests were based on “unfounded suspicions” of being members of AQAP or the Islamic State, but included critics of the coalition and its allies, including activists and journalists and members of Islah, a political party that is often associated with the Muslim Brotherhood.

According to the UN Group of Experts, in February the Public Prosecutor issued a decision requesting the Ministry of the Interior release Mohammad Mohammad Qahtan, a leading member of the Islah Party who was detained by Houthi forces in 2015. The Head of the Political Security detention center had reportedly not respected the prosecution order as of September.

Following their takeover of state institutions, Houthis detained activists, journalists, demonstration leaders, and other political figures representing various political groups and organizations opposed to the Houthis. They did not charge detainees publicly, and severely restricted or barred information to and access by local or international human rights organizations. NGOs claimed that, absent public charges, it was often difficult to determine whether authorities held detainees for criminal or political activity.

### **Civil Judicial Procedures and Remedies**

The law provides a limited ability to pursue civil remedies for human rights violations as tort claims against private persons. There were no reports of such efforts during the year. Citizens cannot sue the government directly but may petition the public prosecutor to initiate an investigation.

#### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits these actions, but Houthi authorities continued such interference. According to human rights NGOs, Houthi security actors searched homes and private offices, monitored telephone calls, read personal mail and email, and

otherwise intruded into personal matters without legally issued warrants or judicial supervision.

The law requires the attorney general personally authorize telephone call monitoring and reading of personal mail and email, but there was no indication the law was followed in practice.

Citizens may not marry a foreigner without permission from the Ministry of Interior, the NSB, and, in some instances, the PSO, under a regulation authorities enforced arbitrarily. The ministry typically approved marriages to foreigners if they provided a letter from their embassy stating the government of the non-Yemeni spouse had no objection to the marriage and presented a marriage contract signed by a judge. There was no available information on current practice.

The UN Group of Experts reported the Houthis threatened and harassed relatives of disappeared detainees who were searching for the whereabouts of their loved ones.

#### **g. Abuses in Internal Conflict**

The UN Group of Experts again concluded that the ROYG, Houthis, and Saudi-led coalition had “committed acts that may amount to war crimes, including murder, torture, cruel or inhuman treatment” and other alleged abuses. The United Nations, NGOs, media outlets, and humanitarian and international organizations reported what they characterized as disproportionate and indiscriminate use of force by all parties to the continuing conflict, causing civilian casualties and damage to infrastructure resulting from shelling and airstrikes.

In 2014 the Houthis took control of the capital and occupied many government offices, precipitating the relocation of President Hadi and his government in 2015 to the southern port city of Aden. The ensuing conflict continued throughout the year. The UN-led peace process included attempts to re-establish a cessation of hostilities at intervals throughout the year, despite limited implementation of the agreements reached during peace talks in Stockholm in December 2018. Since 2015 Iran provided hundreds of millions of dollars in support to the Houthi rebels and proliferated weapons that exacerbated and prolonged the conflict. Houthi rebels used this funding and the weapons to launch attacks against civilians and civilian infrastructure both within Yemen and in Saudi Arabia. Throughout the year the Saudi-led coalition continued military operations against Houthis, with an active but declining military role by the UAE.

The Yemeni government re-established a presence in Aden and additional areas in the south in 2016. While the president, vice president, and foreign minister remained in exile in Saudi Arabia, the remainder of the cabinet moved to Aden in October 2018. On August 9, clashes broke out in Aden and several other southern territories controlled by Security Belt Forces, many of which aligned with the secessionist Southern Transitional Council (STC). This resulted in the takeover of Aden by the STC, and the Aden-based ROYG ministers fled to Riyadh. The STC remained in full control of Aden until the Riyadh Agreement, signed on November 5. Following the Riyadh Agreement, members of the Yemeni government, including the prime minister, returned to Aden in November.

As a result of the fighting, the humanitarian situation in the country deteriorated significantly, with 20 million individuals experiencing food insecurity (including 9.9 million “acutely” food insecure) and 24.1 million individuals--80 percent of the country’s population--expected to require humanitarian assistance during the year, according to the United Nations. An estimated 3.6 million citizens remained internally displaced during the year. The UN estimated only 50 percent of health facilities remained functional.

Because of damage to health facilities and water and sanitation infrastructure, the country continued to experience several major cholera outbreaks. The World Health Organization (WHO) reported 764,549 suspected cholera cases, including 992 associated deaths from January 1 through October 31.

Killings: According to OHCHR from March 2015 to June there were at least 18,922 civilian casualties, with 7,292 killed and 11,630 injured in the conflict, and a 12 percent increase in the civilian death toll from June 2018 to June 2019. Since the conflict began, more than 7,500 children have been killed or injured. UNICEF reported that since December 2018, an average of eight children per day were killed due to war-related violence. The UN Group of Experts assessed the actual death toll is likely higher than these estimates, given restrictions on UN researchers’ access.

The UN Group of Experts, which continued to investigate airstrikes that had disproportionate impact on civilians, noted that while the number of coalition airstrikes reportedly decreased compared with previous years, “the patterns of harm caused by airstrikes remained consistent and significant.”

In March a Saudi airstrike hit close to a hospital 60 miles northwest of Saada. The NGO Save the Children, which supports the hospital, reported that eight persons were killed, including five children, and several were unaccounted for following the strike.

From May 16 to May 26, 27 children were killed as a result of escalating violence in Sana'a and Taiz, according to a UNICEF press release.

In April, HRW reported 15 children were killed and more than 100 civilians were injured when a Houthi-controlled warehouse storing volatile material caught fire and exploded in the Sawan neighborhood of Sana'a. HRW released a report urging the Houthis to stop storing large quantities of volatile materials near civilian-populated areas.

The ICRC reported that on September 1 an airstrike hit a building serving as a Houthi detention facility in Dhamar. The ICRC estimated more than 100 prisoners were killed in the attack and another 40 were wounded. Media reports attributed the strike to the Saudi-led coalition.

Media, NGOs, and the NCI/VHR reported civilian casualties resulted from indiscriminate shelling by Houthis and their affiliated popular committees.

According to the Armed Conflict Location and Event Data Project, between January 2015 and June of this year, nearly 5,500 fatalities were caused by remote explosives, improvised explosive devices, and landmines; Houthis were responsible for the majority of these explosions. HRW reported in April that Houthi forces used landmines in six governorates, including in residential areas, which appear to have killed and maimed hundreds of civilians since the conflict began, including 140 civilians killed in the Hodeida and Taiz governorates between January 2018 and April.

Yemeni officials estimated Houthi forces have laid more than one million landmines in the country, making it one of the world's most heavily mine-impacted countries. In August 2018 Coalition demining teams reported decommissioning more than 300,000 mines and explosive remnants of war over the past two years. The internationally funded United Nations Development Program demining program implemented by the Yemen Executive Mine Action Center returned more than 2.7 million square meters of land and cleared 64,259 explosive hazards during the year. As of December the Saudi-funded Masam demining program had cleared 120,145 mines and other explosive hazards since the program began in 2018.

HRW reported during the year demining efforts were often carried out using dangerous methods that did not comply with international mine action standards and that a number of deminers were killed in the line of duty, including five foreign demining experts who died in a January demining accident in Marib.

The coalition conducted investigations of civilian casualties, acknowledged mistakes, and committed to reviewing targeting procedures. The coalition's Joint Incident Assessment Team (JIAT), based in Riyadh and consisting of 14 military and civilian members from coalition member states, investigated some incidents of airstrikes that reportedly resulted in civilian casualties. The OHCHR and others asserted the JIAT's investigations did not provide sufficient transparency on the targeting process for strikes. HRW stated in a 2018 report that the JIAT's public conclusions raised serious questions regarding the ways in which the JIAT conducted investigations and applied international humanitarian law.

Other deaths resulted from attacks and killings by armed groups, including terrorist groups AQAP and ISIS-Yemen. The two groups carried out several deadly attacks against government representatives and installations, Houthi combatants, members of southern movements, and other actors, including an August 2 attack in which AQAP gunmen stormed al-Mahfad army base in southern Abyan province, killing at least 19 soldiers.

In April, Doctors without Borders (MSF) suspended work at Al Sadaqah hospital in Aden after unknown armed men kidnapped and killed a patient.

Abductions: HRW reported the Houthi-controlled Political Security Office kidnapped individuals for ransom, sometimes letting months pass before informing relatives they were detained. The UN Group of Experts found PSO members were "profiting from detentions."

According to the CPJ, on July 27, armed men kidnapped former *Akhbar al-Youm* journalist Abdul Hafiz al-Samadi as he was heading to a grocery store in Sanaa. Media reports alleged he was being held by Houthis, and his whereabouts were unknown at year's end.

On August 6, according to Reporters without Borders, unknown armed men took *Mareb Today* website editor, Eyad Saleh, from his apartment in Aden to an unknown location, and his whereabouts remained unknown at year's end.

Physical Abuse, Punishment, and Torture: Torture and other forms of mistreatment were common in Houthi, UAE, and ROYG controlled detention facilities, and during the year the UN Group of Experts on Yemen assessed there were reasonable grounds to believe the governments of Yemen, Saudi Arabia and the United Arab Emirates, as well as the Houthis, engaged in torture and other mistreatment.

The UN Group of Experts documented detention-related violations, including arbitrary detention and mistreatment, at ROYG-administered al-Mounawara Central Prison in al-Mukalla. In a letter to HRW in April 2018, the ROYG acknowledged some security forces were not fully under their control, and confirmed they had issued an order to close one facility and terminate the employment of its director. President Hadi ordered an investigation into the reports of torture. There was no information available regarding the results of this investigation.

The UN Group of Experts reported that during the year the Houthis used torture and mistreatment of detainees in detention facilities under their control. Allegations included punching, kicking, beating with metal bars, sticks and guns, whipping with electric cables and electric shock, hanging from the ceiling for hours, and nail removal. The UN Group of Experts continued to investigate allegations concerning mistreatment and torture of detainees in facilities under Houthi control, such as the PSO and the NSB, as well as the Criminal Investigation Department and in the Habrah and al-Thawra prisons in Sana'a.

The UN Group of Experts reported in September that during the year all parties to the conflict committed sexual violence against detainees. According to Amnesty International, a pattern of impunity and reprisals discouraged families from reporting such incidents.

OHCHR reported SBF committed rape and other forms of serious sexual violence targeting foreign migrants, internally displaced persons (IDPs), and other vulnerable groups (see sections 2.e. and f.).

Child Soldiers: Although law and ROYG policy expressly forbid the practice, the UN Group of Experts assessed that during the year both Coalition-backed forces and Houthi forces continued to conscript or enlist children younger than 18 into armed forces or groups and used them to participate actively in hostilities, with cases of recruitment and use of boys as young as 12 years old. The UN Special Representative of the Secretary-General for Children and Armed Conflict reported

more than 3,000 verified cases of children being recruited throughout the war by the end of 2018. The Yemeni Armed Forces, Houthi-affiliated resistance groups, and the UAE-affiliated SBF, Giants Brigade and Shabwah Elite have all been documented as having recruited children, according to the UN Group of Experts.

Nearly two-thirds of these cases were attributed to Houthi forces, who routinely used children to staff checkpoints, act as human shields, or serve as suicide bombers. According to a February 2018 Amnesty International report, Houthi representatives ran local centers where young boys and men were encouraged to fight. One source said the Houthis imposed recruitment quotas on local representatives. OHCHR has reported Houthi forces also forcibly recruited children in schools, hospitals, and door-to-door or used appeals to patriotism and financial incentives. In addition media reported the Saudi coalition recruited children from southern Yemen to fight along the Saudi-Yemeni border.

Tribes, primarily affiliated with the Houthis, but also including some armed and financed by the ROYG to fight alongside its regular army, used underage recruits in combat zones, according to reports by international NGOs, such as Save the Children. Combatants reportedly included married boys between the ages of 12 and 15 in fighting in the northern tribal areas; tribal custom considered married boys as adults who owe allegiance to the tribe. As a result, according to international and local human rights NGOs, one-half of tribal fighters were youths younger than age 18. Other observers noted tribes rarely placed boys in harm's way but used them as guards rather than fighters.

The lack of a consistent system for birth registration compounded difficulties in proving age, which at times contributed to the recruitment of minors into the military. The United Nations also documented the deprivation of liberty of boys by armed forces and groups for their alleged association with opposing parties.

Also see the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

**Other Conflict-related Abuse:** All parties to the conflict routinely imposed severe restrictions on movements of people, goods, and humanitarian assistance. Food insecurity, fuel shortages, damage to local infrastructure, and lack of access for and bureaucratic constraints on humanitarian organizations to reach vulnerable populations contributed to the deteriorating humanitarian situation. Researchers and NGOs reported significant challenges and delays in the distribution of aid around the country due to a confluence of factors including bureaucratic

constraints, airport closures, port closures, frequent checkpoints on roads, and restricted access to Houthi-controlled areas. In December the Houthi Supreme Council on Management of Humanitarian Aid and International Coordination (SCHAMCHA) issued new decrees that put in place tighter restrictions than in the past, including a 2 percent tax on all NGO projects in order to fund SCHAMCHA directly. The United Nations reported there were more than 30 front lines where relief workers must negotiate passage with various armed groups, which complicated and delayed aid delivery.

There was a marked increase in food insecurity throughout the country, and rates of acute malnutrition were high among IDPs and other vulnerable groups. According to the United Nations, 65 percent of the total population was food insecure, 9.9 million were acutely food insecure, and 7.4 million children were malnourished. As of August an estimated 400,000 children were suffering severe acute malnutrition. According to the United Nations, there were 24.1 million individuals in need of aid. Across the country it was estimated more than 15.9 million individuals were completely reliant on humanitarian food assistance.

The Houthis imposed ad hoc and unpredictable requirements on humanitarian organizations throughout the year, such as visa restrictions and delayed approval of project design, making implementation of humanitarian programs difficult in areas under their control.

The government, the coalition, or both delayed or denied clearance permits for some humanitarian and commercial aid shipments bound for rebel-held Red Sea ports and government-controlled ports. The coalition continued to place restrictions on certain cargoes, and its secondary clearance process led to uncertainty and delays experienced by vessels approved by the UN Verification and Inspection Mechanism for Yemen.

The Houthi militias' forceful takeover of government institutions led to other dire economic consequences--nonpayment of workers' wages and allegations of widespread corruption, including at checkpoints controlled by Houthi militias--that severely affected the timely and efficient distribution of food aid and exacerbated food insecurity. According to HRW the Houthi-laid landmines blocked humanitarian aid, made access to farm and grazing lands and water facilities unsafe, and prevented displaced families from safely returning home.

Militias held trucks containing food, medical supplies, and aid equipment at checkpoints and prevented or delayed them from entering major cities.

There were reports of attacks on health-care facilities and health-care workers. Physicians for Human Rights confirmed 10 armed attacks against healthcare facilities and personnel between January and July, including the bombing of a fleet of ambulances by the Saudi-led coalition in March. On November 6, MSF reported a hospital it runs in Mokha was partially destroyed when an air attack hit the surrounding buildings, including a military warehouse. Media reports claimed the Houthis were responsible for the attack.

There were reports of the use of civilians to shield combatants. Houthi forces reportedly used captives as human shields at military encampments and ammunition depots under threat of coalition airstrikes.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

Although the constitution provides for freedom of expression, including for the press “within the limits of the law,” the Press and Publications Law calls for journalists to uphold national unity and prohibits criticism of the head of state. The Houthis did not respect the rights as provided in the constitution, and the government was unable to enforce them.

Freedom of Expression: All parties to the conflict severely restricted the right to freedom of expression, and female human rights defenders, journalists, and activists faced specific repression on the basis of gender. Local human rights defenders faced harassment, threats, and smear campaigns from the government, Saudi-led coalition, and Houthi forces. In multiple instances Houthis went to the homes of activists, journalists, and political leaders opposed to the Houthis and used the threat of arrest and other means to intimidate perceived opponents and to silence dissent.

Press and Media, Including Online Media: Prior to the outbreak of conflict, the transitional government approved legislation to regulate broadcasting and television channels. A number of domestic private stations operated under media production company permits, and several stations broadcast from abroad for domestic audiences.

Violence and Harassment: The government was unable to take any substantive steps to protect journalists from violence and harassment. Progovernment popular

resistance forces, Houthis, and tribal militias were responsible for a range of abuses against media outlets.

In May, Amnesty International reported the Houthis had detained 10 journalists since 2015 on false charges, and subjected the journalists to torture and other forms of abuse.

In August the CPJ documented that military authorities detained three journalists, Munir Talal, Mahfouz al-Baaithi, and Yahya al-Baaithi, at a hotel in the city of Taiz, accusing them of belonging to a militia. Authorities released them after making them pledge not to write or publish anything on their detention.

Progovernment forces, including Security Belt and Hadrami forces, harassed media and monitors by raiding civil society organizations, and detaining journalists and demonstrators for publicizing complaints about detention practices and military operations. The CPJ reported in 2018 an armed raid in March of that year on the offices of al-Shomou Foundation, believed to be pro-ROYG. The men set fire to the presses used to print the weekly *al-Shomou* and daily *Akhbar al-Youm* newspapers. The president of al-Shomou Foundation told the CPJ the attackers arrived in vehicles and wore uniforms consistent with the Security Belt forces that operate in and around Aden. Three weeks later, Security Belt forces abducted seven *Akhbar al-Youm* staff from the same location and released them after one month.

Censorship or Content Restrictions: The Houthis controlled several state ministries responsible for press and communications, including the Ministry of Telecommunications. In that capacity they selected items for formerly government-run broadcast and print media and did not allow reports critical of themselves. The Ministry of Telecommunications and internet service providers reportedly blocked websites and domains authorities deemed critical of the Houthi agenda. OHCHR reported Houthi forces censored television channels and banned newspapers from publication.

Libel/Slander Laws: The law criminalizes criticism of the “person of the head of state;” the publication of “false information” that may spread “dissent and division among the people;” materials that may lead to “the spread of ideas contrary to the principles of the Yemeni revolution;” and “false stories intended to damage Arab and friendly countries or their relations.” There was no information during the year whether the ROYG or the Houthis used these laws to restrict public discussion or retaliate against journalists or political opponents.

Nongovernmental Impact: International media and human rights organizations said their personnel were unable to obtain coalition permission to use UN flights into and out of Sana'a since 2017. Independent observers must take commercial flights to government-controlled areas in the south and then travel by land across dangerous front lines to other areas. See section 1.g. for reports of abductions of journalists by unidentified armed men.

### **Internet Freedom**

Censorship affected internet freedom, and there were notable cases of Houthi intrusion into cyberspace. The Houthi-controlled Public Telecommunications Corporation systematically blocked user access to websites and internet domains it deemed dangerous to the rebel actors' political agenda.

### **Academic Freedom and Cultural Events**

The NSB maintained permanent offices on campuses, reflecting continued government concern about security and, in some cases, controversial speech. Party-affiliated officials at the Ministry of Higher Education and academic institutions reviewed prospective university professors and administrators for political acceptability before hiring them and commonly showed favoritism toward supporters of specific political parties. There were no reported instances of censored curriculums or sanctioned professors or students; however, after their takeover, Houthi and other actors' incursions onto campuses and detentions of academics appeared designed to intimidate them as perceived opponents.

### **b. Freedoms of Peaceful Assembly and Association**

The law provides for the freedoms of peaceful assembly and association, but these rights were not respected in the majority of the country, i.e., areas which the government did not control.

#### **Freedom of Peaceful Assembly**

The law provides for freedom of peaceful assembly. The Houthis and their affiliates responded to demonstrations and protests in various parts of the country with excessive force.

#### **Freedom of Association**

While the law provides for freedom of association, there were reports Houthis harassed and shut down NGOs. Houthi authorities closed numerous NGOs during the year without proper due process, citing treason or conspiring with foreign powers. Houthi authorities created a new body known as the “Executive Office for Monitoring Operations of International Organizations” that oversees the work of NGOs, reportedly polices NGO activity, and has arbitrarily detained activists and shut down NGOs in Houthi-controlled areas.

The law regulates associations and foundations and outlines the establishment and activities of NGOs. Authorities required annual registration. The law exempts registered NGOs from taxes and tariffs and requires the government to provide a reason for denying an NGO registration, such as deeming an NGO’s activities “detrimental” to the state. It forbids NGO involvement in political or religious activities. It permits foreign funding of NGOs. The law requires government observation of NGO internal elections. There were no known attempts by NGOs to register during the year.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation.

In-country Movement: Rebel forces, resistance forces, security forces, and tribes maintained checkpoints on major roads. In many regions, especially in areas outside effective central security control, armed tribesmen frequently restricted freedom of movement, operating their own checkpoints, sometimes with military or other security officials, and often subjected travelers to physical harassment, extortion, theft, or short-term kidnappings for ransom. Damage to roads, bridges, and other infrastructure from the conflict also hindered the delivery of humanitarian aid and commercial shipments (see section 1.g.).

Women in general did not enjoy full freedom of movement, although restrictions varied by location (see section 6, Women). Some observers reported increased restrictions on women in conservative locations, such as Safadi. Oxfam reported

that in areas controlled by radical Islamic groups such as AQAP, men at checkpoints increasingly insisted on adherence to the “mahram” system, the cultural obligation of women to be accompanied by male relatives in public.

Local observers reported Yemenis from Houthi-controlled areas faced increasing discrimination and difficulties when traveling in the southern portion of the country.

Foreign Travel: The Houthi takeover of Sana’a in 2014 and the government relocation to Aden in 2015 left no official government authority in control of Sana’a airport customs or immigration functions. In 2016 the coalition closed Sana’a International Airport to commercial traffic, permitting only UN humanitarian flights, thereby preventing thousands of local citizens from traveling abroad. Those who needed to leave the country attempt alternative routes that require long journeys across active front lines at high risk and cost.

In the past women needed the permission of a male guardian, such as a husband, before applying for a passport or leaving the country. A husband or male relative could bar a woman from leaving the country by placing a woman’s name on a “no-fly list” maintained at airports. Prior to the conflict, authorities strictly enforced this requirement when women traveled with children, but there were no reports of government authorities enforcing this requirement during the year. There were attempts, however, by the Houthis to impose similar restrictions on women’s international travel. Given the deterioration of infrastructure and lack of security due to the conflict, many women reportedly declined to travel alone (see section 6, Women).

#### **e. Internally Displaced Persons**

Prior to 2014 the transitional government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to IDPs, refugees (see section 2.f.), returning refugees, asylum seekers, stateless persons, and other persons of concern.

The Houthi takeover, coalition airstrikes, and active fighting made it difficult for humanitarian organizations to reach many areas of the country due to security concerns (see section 1.g. Other Conflict-related Abuse).

According to UNHCR’s November 8 operational update, there were approximately 3.6 million IDPs, of whom 80 percent were displaced for more than one year, and

more than 63,080 were displaced since the beginning of the year. There were approximately 1.28 million IDP returnees. The government's IDP registration system has been inactive since the escalation of the conflict in 2015.

Humanitarian organizations' access to IDPs and other vulnerable populations was generally limited and unpredictable due to the continuing conflict; however, many humanitarian organizations maintained a presence in multiple locations throughout the country. According to the United Nations, humanitarian organizations, local NGOs, and charities that still functioned in the capital supported IDPs and other conflict-affected Yemenis in Sana'a and other parts of the country with food, shelter, and nonfood items, among other support. IDPs from Saada reported limited access to cash for purchasing basic household items.

The IOM reported IDPs largely sought refuge with relatives or friends or rented accommodations where many faced frequent threats of eviction due to late payments of rent. Others were housed in unconventional shelters in public or private buildings, such as schools, health facilities, or religious buildings, primarily in Taiz and Lahj. NGOs reported shelter continues to be a primary concern for IDPs. The shifting nature of the conflict displaced many IDPs multiple times as front lines of the conflict change, requiring individuals to seek new shelter with every subsequent displacement. In the first six months of the year, UNHCR and its partners distributed a total of 39,754 basic household items and nonfood-item kits, 10,156 emergency shelter kits, and 513 transitional shelter kits.

OHCHR reported SBF committed rape and other forms of serious sexual violence targeting IDPs (see section 1.c.). The OHCHR condemned retaliatory attacks against and deportations of northerners by the STC in Aden and other southern governorates following the takeover by UAE-funded Security Belt Forces in August.

#### **f. Protection of Refugees**

UNHCR's Head of Sub Office Aden acknowledged the efforts and hospitality of the government and its people, who have continued to host some 275,000 refugees and asylum-seekers despite the conflict. UNHCR reported more than 97,000 new arrivals of migrants and refugees to the country in the first eight months of the year, marking a 48 percent increase over the previous year, with expectations up to 160,000 could arrive by the end of the year. The IOM estimated 20,000 migrants, a majority of whom were fleeing conflict in the Horn of Africa, traveled by boat to Yemen each month.

The country received refugees from a variety of countries during the conflict. Many refugees became increasingly vulnerable due to the worsening security and economic situation in the country. Somali, Ethiopian, Eritrean, and other refugees, asylum seekers, and migrants shared in the general poverty and insecurity of the country.

According to UNHCR's November *Operational Update*, there were approximately 276,800 refugees and asylum seekers in the country, mostly from Somalia and Ethiopia. Many were attempting to reach or return to Saudi Arabia for work and had entered the country based on false information from smugglers that the conflict in the country was over, according to UNHCR and the IOM. Due to the fighting, many took refuge at the Kharaz camp and towns in the south. The ROYG could not provide physical protection to refugees; many were held in detention centers operated by Houthis in the north and the government in the south. UNHCR claimed there were reports of refugees and migrants facing physical and sexual abuse as well as torture and forced labor, in both Houthi and ROYG-controlled facilities, and that many refugees and migrants were susceptible to trafficking.

Abuse of Migrants, Refugees, and Stateless Persons: OHCHR reported SBF committed rape and other forms of serious sexual violence targeting foreign migrants and other vulnerable groups (see sections 1.c. and 1.g.).

Multiple NGOs and the media continued to report that criminal smuggling groups built a large number of "camps" near the Yemen-Saudi border city of Haradh and in other parts of the country, where militants held migrants for extortion and ransom.

In August, HRW reported migrants from the Horn of Africa were met and captured by traffickers upon arrival of the former in the country. The report stated five migrants who were interviewed said the traffickers physically assaulted them to extort payments from family members or contacts in Ethiopia or Somalia. While camps where migrants were held were run by Yemenis, Ethiopians often reportedly carried out the abuse. In many cases, relatives said they sold assets such as homes or land to obtain the ransom money. After paying the traffickers or escaping, many migrants claimed to have made their way north to the Saudi-Yemen border, crossing in rural, mountainous areas. The Associated Press reported in October hundreds of migrants were held in deplorable conditions and experienced rape, torture, and other abuse at the hands of smugglers.

Refoulement: Eritrean, Ethiopian, and Somali detainees in the Bureiqa migrant detention center near Aden alleged they were not allowed to claim refugee status and that hundreds of fellow detainees were sent back out to sea in overloaded boats. HRW reported in 2018 these deportations resulted in the deaths of dozens of asylum seekers. Information was not available for deportations during the year.

Access to Asylum: No law addresses the granting of refugee status or asylum, and there was no system for providing protection to asylum seekers. In past years, the government provided automatic refugee status to Somalis who entered the country. The Houthis attempted to take over the refugee status determinations process in areas under their control, leading many refugees to have lapsed documentation. UNHCR was generally able to access populations to provide assistance and was working with the Houthis to come to a resolution on registration of refugees. UNHCR continued to conduct refugee status determination in southern territory under government control, in coordination with the government.

In 2018 numerous first-hand accounts corroborated that asylum seekers who registered with UNHCR as refugees had their documentation confiscated upon arrival to Buraika, according to HRW.

Freedom of Movement: Freedom of movement remained difficult for all in the country, including refugees, given the damage to roads, bridges, and other basic infrastructure caused by the conflict. Most of the country's airports incurred significant damage or were closed to commercial traffic, making travel difficult for all, including refugees. In areas controlled by Houthis unofficial checkpoints blocked or delayed the movement of individuals or goods.

The IOM reported both the ROYG and Houthis detained migrants due to concerns they could be recruited by the other party. UNHCR, the IOM, and other humanitarian organizations continued to face challenges accessing detention centers to monitor detained refugees and asylum seekers.

While the government generally deported migrants back to their country of origin, the Houthis frequently detained migrants for indefinite periods. In April, ROYG authorities began detaining large groups of migrants in Abyan, Aden, and Lahj governorates. At the peak of the campaign, approximately 5,000 migrants, including children and women, were held across three sites unfit to accommodate people, such as conflict-damaged sports stadiums. In coordination with partners, the IOM immediately began an emergency response for those detained, providing food, water supply, latrines, and health care. The IOM began assisting migrants

detained in the 22nd of May Stadium to return to Ethiopia under its voluntary returns program, prioritizing women, children, and persons with specific vulnerabilities. Through 22 flights, the IOM returned home 2,742 stranded migrants. As of September the IOM had assisted with more than 3,784 refugee and migrant returns to the Horn of Africa.

During the year Houthi armed groups also continued arbitrarily to detain migrants in poor conditions and failed to provide access to asylum and protection procedures in a facility near the western port of Hudaydah. HRW reported overcrowding, lack of access to medical care, and physical abuse, with detainees showing signs of sores and festering wounds.

Access to Basic Services: Refugees lacked access to basic services due to the ongoing conflict. The United Nations estimated only approximately half of the country's public-health facilities remained functional during the year. Many were closed due to damage caused by the conflict, some were destroyed, and all facilities faced shortages in supplies, including medications and fuel to run generators.

#### **g. Stateless Persons**

Not Applicable.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens with the ability to choose their government peacefully through free and fair periodic elections based on universal and equal suffrage. The outbreak of conflict interrupted a government-initiated new voter registration program. There have been no elections since the outbreak of conflict in 2014.

#### **Elections and Political Participation**

Recent Elections: In 2014 the major political parties, acting within the National Dialogue Conference (NDC), endorsed an extension of President Hadi's term given the conflict. In 2014 13 parties signed a Peace and National Partnership Agreement that temporarily ended the violence associated with the Houthi movement into Sana'a and called for implementation of the NDC outcomes, including holding elections and establishing a new constitution.

In 2015 the Houthis declared the constitution null and void, disbanded parliament, and announced the formation of the appointed Supreme Revolutionary Committee as the highest governing body. Houthi-aligned members of the GPC, the largest political party, announced the formation of a Supreme Political Council and the reconvening of parliament in Sana'a, followed by the announcement of a "national salvation government." The institutions did not receive international recognition as government bodies, and elections for parliament were not held.

The ROYG reconvened parliament for the first time since 2015 in Sayoun on April 13. Parliament has not reconvened since April 13, in part due to events in August when the ROYG was forced out of the temporary capital of Aden to Riyadh.

The UN-led political process continued at year's end. With the November 5 signing of the Riyadh Agreement, the ROYG and Southern Transition Council agreed to end three months of hostilities in the country's south. The Agreement returned the ROYG prime minister to Aden on November 18. It also aims to produce a more inclusive cabinet and bring all military forces under the ROYG umbrella. UN Special Envoy Martin Griffiths intended to reconvene the Yemeni parties for another round of UN-led talks on a comprehensive political settlement in 2020.

Political Parties and Political Participation: The law requires political parties to be national organizations that do not restrict their membership to residents of a particular region or to members of a given tribe, religious sect, class, or profession.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they participated in the 2012 one-candidate election. No women hold high-level positions in either ROYG or Houthi-led ministries. Women have also been underrepresented in UN-led peace talks.

#### **Section 4. Corruption and Lack of Transparency in Government**

While the law provides for criminal penalties for official corruption, the government did not implement the law effectively. During the year there were reports of official corruption. A burdensome criminal judicial process creates a separate legal system for the political elite. According to the constitution, approval of one-fifth of the members of parliament is necessary to conduct a criminal investigation of a deputy minister or higher-ranking official. The law then requires a two-thirds majority in parliament and presidential permission to bring criminal

investigation results to the general prosecutor for indictment. The government did not use the procedure before Houthis disbanded parliament in 2015 and have not used it since.

Corruption: Corruption was pervasive throughout the country, and observers reported petty corruption in nearly every government office. Job applicants were often expected to purchase their positions. Observers believed tax inspectors undervalued assessments and pocketed the difference. Many government officials and civil service employees received salaries for jobs they did not perform or multiple salaries for the same job. Corruption also regularly affected government procurement. Corruption and goods on the black market increased overall in parts of Houthi-controlled areas, particularly in institutions controlled from Sana'a.

Recent analyses by international and local observers, including Transparency International, agreed corruption was a serious problem in every branch and level of government, and especially in the security sector. International observers claimed government officials benefited from insider arrangements, embezzlement, and bribes. Political leaders and most government agencies took negligible action to combat corruption. In the view of informed local observers, the leading cause of the 2011 protests eventually resulting in the current internal conflict was the anger against decades-long pervasive corruption in the central government.

The Central Organization for Control and Audit (COCA) is the national auditing agency for public expenditures and the investigative body for corruption. COCA reportedly conducted an investigation into alleged malfeasance in the Central Bank of Yemen during the year, although there was no information available regarding the results of the investigation.

Some police stations reportedly maintained an internal affairs section to investigate security force abuses and corruption, and citizens have the right to file complaints with the Prosecutor's Office. The Ministry of Interior had a fax line for citizens to file claims of abuse for investigation. No information was available on the number of complaints the ministry received or investigated or whether the mechanism still existed.

A government plan to collect biometric information on all government employees, including soldiers and other security force members, and to create a central registry designed to eliminate the alleged tens of thousands of fraudulent and duplicate names from the payroll, was suspended following the armed Houthi takeover in 2015. The government also suspended implementation of a payment system for

soldiers and other security force members via bank or post office accounts. Prior to the outbreak of conflict, that system bypassed paymasters who had previously paid soldiers in cash.

Prior to the outbreak of conflict, the independent Supreme National Authority for Combating Corruption (SNACC) received complaints and developed programs to raise awareness of corruption. It included a council of government, civil society, and private-sector representatives. A lack of capacity, particularly in terms of financial analysis, hampered the SNACC. During the year according to the government, the SNACC continued to operate “at minimal levels.” No information was available, however, on the number of complaints received or referrals for prosecution.

Financial Disclosure: The law requires annual disclosure of financial assets by all ministers, deputy ministers, agency heads, members of parliament, and Shura Council members. Filers are to provide disclosures to the SNACC for verification. The information was not publicly available. The SNACC may also request disclosures from any other government employee and provides for penalties for false filing of information. The law does not require disclosure of assets of children or spouses. There was no information on whether officials complied with the law.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

Nonstate actors, including the Houthis, subjected domestic human rights NGOs to significant harassment during the year (see also section 2.b.). In August 2018 the Houthis detained Kamal al-Shawish, a cofounder of NGO Mwatana, and released him in September 2018. Mwatana regularly criticizes human rights conditions in the country.

International human rights organizations stated their personnel were unable to obtain coalition permission to use UN flights into and out of Sana’a since 2017. Independent observers must take commercial flights to government-controlled areas in the south and then travel by land across dangerous front lines to other areas.

The United Nations or Other International Bodies: On October 1, media reports stated Houthi rebels denied entry to OHCHR representative Ahmed Elobeid. When Elobeid landed in Sana’a, Houthi security officers boarded his plane, took

away his travel permit, and ordered his plane to leave. Prior to this incident, OHCHR had published a critical report detailing abuses by all parties in the civil war, including sexual violence against women in Houthi-run prisons.

The ROYG and coalition worked with the United Nations, particularly through the UN Verification and Inspection Mechanism for Yemen, to process delivery of commercial imports and humanitarian aid. The United Nations and humanitarian organizations reported delays and denials of commercial and humanitarian goods to the population remained a concern. All parties permitted access to UN and humanitarian organizations distributing aid, but obstacles remained in delivery due to blockades, checkpoints, road conditions, bureaucratic impediments, and continuing armed conflict (see section 1.g. Other Conflict-related Abuse).

Government Human Rights Bodies: In 2015 Presidential Decree Number 13 established the NCIHVHR as an independent group responsible for investigating all alleged human rights violations since 2011. The commission consists of a chair and eight members with legal, judicial, or human rights backgrounds. The NCIHVHR continued to investigate and report on human rights conditions during the year and conducted training with the United Nations.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: The law criminalizes rape, but it does not criminalize spousal rape. The punishment for rape is imprisonment for up to 25 years. The government did not enforce the law effectively. In 2016 the UN Office for the Coordination of Humanitarian Affairs reported 2.6 million women and girls were at risk for gender-based violence, an increase of 63 percent of those at risk since the conflict began. During the year the United Nations reported incidents of gender-based violence continued to increase. The UN Group of Experts reported SBF personnel continued to engage in rape and kidnappings during the year. The UN Group of Experts noted the role of Houthi rebels, the SBF, and 35th Armored Brigade personnel (over whom the ROYG exercised minimal control) in perpetrating rape and other forms of sexual violence against women and girls (see section 1.g., Physical Abuse, Punishment, and Torture).

There were no reliable rape prosecution statistics, and the number of rape cases was unknown. By law authorities can prosecute rape victims on charges of fornication if authorities do not charge a perpetrator. According to law, without

the perpetrator's confession, the rape survivor must provide four male witnesses to the crime.

There were few publicly reported cases of rape during the year. The UN Group of Experts verified five women were either raped, sexually assaulted, or had direct assault on genitalia while detained at the Houthi-run PSO, the NSB, or other facilities in Sana'a and Ibb.

The law states that authorities should execute a man if convicted of killing a woman. The penal code, however, allows leniency for persons guilty of committing an "honor" killing or violently assaulting or killing a woman for perceived "immodest" or "defiant" behavior. The law does not address other types of gender-based abuse, such as forced isolation, imprisonment, and early and forced marriage.

The law provides women with protection against domestic violence, except spousal rape, under the general rubric of protecting persons against violence, but authorities did not enforce this provision effectively. Victims rarely reported domestic abuse to police and criminal proceedings in cases of domestic abuse were rare.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C, although a 2001 ministerial directive banned the practice in government institutions and medical facilities, according to HRW. There was no data for the year on its prevalence; however, data from media and UN reporting in 2015 suggests the rate was approximately 15 to 20 percent.

Sexual Harassment: No laws specifically prohibit sexual harassment, although the penal code criminalizes "shameful" or "immoral" acts. Authorities, however, rarely enforced the law. Sexual harassment was a major problem for women.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women faced deeply entrenched discrimination in both law and practice in all aspects of their lives. Mechanisms to enforce equal protection were weak, and the government could not implement them effectively.

Women cannot marry without permission of their male guardians, do not have equal rights in inheritance, divorce, or child custody, and have little legal

protection. They experienced discrimination in areas such as employment, credit, pay, owning or managing businesses, education, and housing (see section 7.d.). An estimated 2015 female literacy rate of 55 percent, compared with 85 percent for men, accentuated this discrimination.

A male relative's consent was often required before a woman could be admitted to a hospital, creating significant problems in a humanitarian context in which the men of the household were absent or dead.

Women also faced unequal treatment in courts, where the testimony of a woman equals half that of a man's.

The UN Group of Experts reported 40 cases of women human rights defenders, journalists, and activists facing "gender-based persecution" during the year, which included threats from all sides of the conflict.

A husband may divorce a wife without justifying the action in court. In the formal legal system, a woman must provide justification.

Any citizen who wishes to marry a foreigner must obtain the permission of the Ministry of Interior (see section 1.f.). A woman wishing to marry a foreigner must present proof of her parents' approval. A foreign woman who wishes to marry a male citizen must prove to the ministry that she is "of good conduct and behavior."

Women experienced economic discrimination (see section 7.d.).

## **Children**

**Birth Registration:** Citizenship derives from a child's parents. A child of a Yemeni father is a citizen. Yemeni women may confer citizenship on children born of a foreign-born father if the child is born in the country. If the child is not born in the country, in rare cases the Ministry of Interior may permit a woman to transmit citizenship to the child if the father dies or abandons the child.

There is no universal birth registration, and many parents, especially in rural areas, never registered children or registered them several years after birth. The requirement that children have birth certificates to register for school was not universally enforced, and there were no reports of authorities denying educational or health-care services and benefits to children based on lack of registration.

Education: The law provides for universal, compulsory, and tuition-free education from ages six to 15. Public schooling was free to children through the secondary school level, but many children, especially girls, did not have easy access. For school attendance statistics, see the 2018 *Humanitarian Situation Report* from UNICEF.

UNICEF and other agencies reported an estimated two million children have dropped out of school since 2015. Meanwhile, in 2018 almost three quarters of public school teachers had not been paid their salaries in more than a year, putting the education of an additional 4.5 million children at grave risk.

Child Abuse: The law does not define or prohibit child abuse, and there was no reliable data on its extent. Authorities considered violence against children a family affair.

Early and Forced Marriage: Early and forced marriage was a significant, widespread problem. The conflict likely exacerbated the situation, and the United Nations reported forced marriage and child marriage for financial reasons due to economic insecurity continued to be a systemic problem during the year. There is no minimum age for marriage, and girls reportedly married as young as eight years of age.

Sexual Exploitation of Children: The law does not define statutory rape and does not impose an age limit for consensual sex. The law prohibits pornography, including child pornography, although there was no information available on whether the legal prohibitions were comprehensive. The law criminalizes the prostitution of children. Amnesty International reported children as young as eight were raped in the city of Taiz during the year. It also reported four cases of sexual violence against children reportedly by militiamen aligned with a political party.

Child Soldiers: See section 1.g., Child Soldiers.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **Anti-Semitism**

Approximately 50 Jews remained in the country. According to media reports, most lived in a compound in Sana'a after the Israeli Jewish Agency succeeded in transporting 19 Jews to Israel in 2016. The continuing conflict further weakened law enforcement and targeted discrimination by the Houthi authorities put the Jewish community at risk. Many fled the country as a result.

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

In the past anti-Semitic material was less prevalent than during the year. Media coverage of the country's Jewish population was more positive. The Houthi movement, however, adopted anti-Semitic slogans, including "death to Israel, a curse on the Jews," and anti-Israeli rhetoric often blurred into anti-Semitic propaganda. Houthis continued to propagate such materials and slogans throughout the year, including adding anti-Israeli slogans and extremist rhetoric into elementary education curriculum and books.

Members of the Jewish community are not eligible to serve in the military or national government. Authorities forbid them from carrying the ceremonial Yemeni dagger.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report>.

### **Persons with Disabilities**

Several laws mandate the rights and care of persons with disabilities, but the government did not effectively enforce them. The law permits persons with disabilities to exercise the same rights as persons without disabilities, but this did not happen in practice. Social stigma and official indifference were obstacles to implementation.

Children with disabilities may attend public schools, although schools made no special accommodations for them.

Although the law mandates that new buildings have access for persons with disabilities, compliance was poor.

Information about patterns of abuse of persons with disabilities in educational and mental health institutions was not publicly available.

The Ministry of Social Affairs and Labor is responsible for protecting the rights of persons with disabilities. The ROYG could not continue collaboration with the World Bank to administer a social development fund; the ministry was also unable to oversee the Fund for the Care and Rehabilitation of the Disabled, which provided limited basic services and supported more than 60 NGOs assisting persons with disabilities.

### **National/Racial/Ethnic Minorities**

Although racial discrimination is illegal, some groups, such as the Muhamasheen (marginalized) or Akhdam community, and the Muwaladeen (Yemenis born to foreign parents), faced social and institutional discrimination based on race, ethnicity, and social status. The Muhamasheen, who traditionally provided low-prestige services such as street sweeping, generally lived in poverty and endured persistent societal discrimination. Muhamasheen women were particularly vulnerable to rape and other abuse because of the general impunity for attackers due to the women's low-caste status. The UN Group of Experts reported the Muhamasheen continued to be targets of extreme sexual violence. There were reports of chattel slavery of the Muhamasheen (see section 7.b.).

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The penal code criminalizes consensual same-sex sexual conduct, with the death penalty as a sanction under the country's interpretation of Islamic law. There have been no known executions of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in more than a decade.

The government did not consider violence or discrimination against LGBTI persons "relevant" for official reporting.

Due to the illegality of and possible severe punishment for consensual same-sex sexual conduct, few LGBTI persons were open about their sexual orientation or gender identity. Individuals known or suspected of being LGBTI faced discrimination.

There were no LGBTI organizations. The government blocked access to internet sites containing LGBTI-related content.

### **HIV and AIDS Social Stigma**

While there were no reports of social violence against persons with HIV/AIDS, the topic was socially sensitive and infrequently discussed. Discrimination against persons with HIV/AIDS is a criminal offense, and information was not available on whether there were reports of incidents of discrimination occurring during the year.

## **Section 7. Worker Rights**

Government enforcement of labor law was weak to nonexistent due to the continuing conflict. Labor laws were still in effect, but Houthis controlled the ministries responsible for their implementation.

### **a. Freedom of Association and the Right to Collective Bargaining**

The labor code provides for the right of salaried private-sector employees to join unions and bargain collectively. These protections do not apply to public servants, day laborers, domestic servants, foreign workers, and other groups who together made up the majority of the work force. The civil service code covers public servants. The law generally prohibits antiunion discrimination, including prohibiting dismissal for union activities.

While unions may negotiate wage settlements for their members and may conduct strikes or other actions to achieve their demands, workers have the right to strike only if prior attempts at negotiation and arbitration fail. They must give advance notice to the employer and government and receive prior written approval from the executive office of the General Federation of Yemen Workers' Trade Unions (GFYWTU). Strikes may not be carried out for "political purposes." The proposal to strike must be put to at least 60 percent of all workers concerned, of whom 25 percent must vote in favor for a strike to be conducted.

The government did not enforce laws on freedom of association and the right to collective bargaining.

While not formally affiliated with the government, the GFYWTU was the only official federation and worked with the government to resolve labor disputes. In

practical terms, a union's ability to strike depended on its political strength. Under the transitional government, authorities often accused unions and associations of being linked to a political party.

### **b. Prohibition of Forced or Compulsory Labor**

The penal code prescribes up to 10 years' imprisonment for any person who "buys, sells, gives [a human being] as a present, or deals in human beings." This statute's narrow focus on transactions and movement means the law does not criminalize many forms of forced labor.

The ROYG did not effectively enforce the law due to the continuing conflict and lack of resources.

Although information was limited, in the past there were numerous reports of forced labor in both urban and rural areas. Some sources reported the practice of chattel slavery in which human beings were traded as property continued. No official statistics existed detailing this practice. Sources reported there could be several hundred other men, women, and children sold or inherited as slaves in the al-Hudaydah and al-Mahwit governorates. In some instances employers forced children into domestic servitude and agricultural work (see section 7.c.) and women into domestic servitude or prostitution.

Migrant workers and refugees were vulnerable to forced labor. For example, some Ethiopians, Eritreans, and Somalis were forced to work on khat farms (khat is a flowering plant that contains stimulants); some women and children among this population may also have been exploited in domestic servitude.

See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits child labor, but the government did not implement its regulations effectively. The Combating Child Labor Unit within the Ministry of Social Affairs and Labor was responsible for implementing and enforcing child labor laws and regulations.

The country's minimum employment age is 14 or not lower than the age of completion of compulsory education, which is generally 15.

Children younger than 18 with formal contracts may work no longer than six hours a day, with a one-hour break after four consecutive hours, on weekdays between 7 a.m. and 7 p.m.

Child labor was common, including its worst forms. According to a 2013 International Labor Organization study, the latest available such data, more than 1.3 million children participated in the workforce.

In rural areas family poverty and traditional practice led many children to work in subsistence farming. In urban areas children worked in stores and workshops, sold goods, and begged on the streets. Children also worked in some industries and construction. Continued weak economic conditions forced hundreds of children to seek work in the hazardous fishery, construction, and mining sectors. Children also reportedly worked in dangerous conditions in waste dumps. According to HRW, nearly one-third of all combatants in the country were younger than 18 years of age (see section 1.g., Child Soldiers).

See also the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

#### **d. Discrimination with Respect to Employment and Occupation**

The labor law does not address employment discrimination on the basis of sexual orientation, political opinion, national origin, social origin, gender identity, HIV status, or other communicable diseases. Discrimination based on race, gender, and disability remained a serious problem in employment and occupation. The law reserves 5 percent of government jobs for persons with disabilities and mandates the acceptance of persons with disabilities in universities, exempts them from paying tuition, and requires schools be accessible to persons with disabilities. The extent to which any authority implemented these laws was unclear.

Racial and employment discrimination against the Muhamasheen were problems. Persons with disabilities faced discrimination in hiring and limited access to the workplace (see section 6). Foreign workers may join unions but may not be elected to office. Women were almost absent from the formal labor market, with a labor force participation rate as low as 6 percent.

### **e. Acceptable Conditions of Work**

There was no established minimum wage in the private sector. The minimum civil service wage was more than the estimated poverty income level; however, civil servant salaries have not been paid consistently for several years, and most were too low to provide for a large family.

The law specifies a maximum 48-hour workweek with a maximum eight-hour workday, although many workshops and stores operated 10- to 12-hour shifts without penalty. The 35-hour workweek for government employees was nominally seven hours per day from Sunday through Thursday. The law requires overtime pay and paid holidays and leave and prohibits excessive or compulsory overtime.

The law prescribes occupational safety and health standards. It states every employer must provide industry-appropriate safe and healthy conditions for workers. The law recognizes the right of workers to remove themselves from dangerous work situations, and workers may challenge dismissals based on such actions in court. The safety law does not apply to domestic servants, casual workers, or agricultural workers.

Government enforcement of labor law was weak to nonexistent; penalties, if enforced, were insufficient to deter violations. Working conditions generally were poor, and wage and overtime violations were common. Foreign migrant workers, youth, and female workers typically faced the most exploitative working conditions. Working conditions were poor in the informal sector, which included an estimated 89 percent of the workforce. There was no credible information available regarding work-related accidents or fatalities during the year.