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# 2023 Country Reports on Human Rights Practices: Yemen

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## EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Yemen during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by the government or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including reportedly unlawful or widespread civilian harm, enforced disappearances or abductions, torture, physical abuses, and conflict-related sexual violence; unlawful recruitment or use of children in armed conflict by the parties in Yemen; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and the enforcement or threats of enforcement of criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions of religious freedom; restrictions on freedom of movement within the territory of a state and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on and harassment of interna

human rights organizations; extensive gender-based violence, including domestic and intimate partner violence, sexual violence, child, early, and forced marriage, and female genital mutilation; crimes involving violence targeting migrants; crimes, violence, or threats of violence motivated by antisemitism; trafficking in persons, including forced labor; laws criminalizing consensual same-sex sexual conduct between adults, which were enforced; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer or intersex persons; and existence of the worst forms of child labor.

This report covers abuses by the government (sometimes referred to as the Republic of Yemen Government) and other actors who exerted control over areas of the country (including the United Arab Emirates-backed Southern Transitional Council), otherwise referred to as “the parties in Yemen.” The Iran-backed Houthi movement, officially known as Ansar Allah, controlled the former capital of Sana’a, including remnants of former state institutions and entities located there, as well as much of northern Yemen, where approximately 80 percent of the citizens lived.

The government did not take credible steps to identify and punish officials who may have committed human rights abuses.

Nongovernmental actors, including the Houthis, tribal militias, and terrorist groups (including al-Qa’ida in the Arabian Peninsula and a local branch of ISIS), committed significant abuses with impunity. The Houthis confiscated state resources, collected “taxes” on the business sector, and diverted humanitarian assistance. The Houthis misused remnants of former anti-corruption authorities to stifle dissent and repress political opponents. Houthi control in the north severely reduced the government’s capacity to conduct investigations into abuse or corruption.

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## Section 1.

# Respect for the Integrity of the Person

## **A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS**

There were numerous reports of government, progovernment, rebel, terrorist, and foreign forces committing arbitrary or unlawful killings.

Established in 2012 by Presidential Decree No. 140, the National Commission for the Investigation of Alleged Violations of Human Rights (the National Commission) was the lead body within the government tasked with opening formal inquiries into allegations of “human rights violations by all parties to the conflict.” In their reporting period from the beginning in August 2022 and ending July 31, the National Commission investigated 76 cases of alleged extrajudicial killings across the country. The National Commission found 15 cases were committed by government-backed military and security forces, and 35 cases of reported killings committed by the Houthis.

The local human rights nongovernmental organization (NGO) Mwatana reported that forces backed by the United Arab Emirates’ (UAE) Southern Transitional Council (STC) were responsible for eight incidents they documented during the year and that the Houthis were responsible for five incidents.

The National Commission reported that on February 18, Omar Abdul Basit Ha’il al-Qadsi, a member of the 170th Air Defense Brigade that reported to the Republic of Yemen Government (ROYG), shot and killed Anwar Abdul Fattah Hassan al-Soufi in al-Noor City in the Ta’iz Governorate. The military’s prosecution issued an arrest warrant for al-Qadsi but did not compel him to appear before the judiciary for further investigation.

On April 21, media reported progovernment personnel from the Shabwah Defense Forces shot and killed Abdullah bin Abdullah Abd Rabbuh al-Bani as he departed the airport prayer area in Biyhan District, Shabwah Governorate. Armed individuals blocked al-Bani’s car, preventing his departure, and opened fire, killing al-Bani and injuring six others. The attorney general commissioned a team to investigate the case, and several suspects were referred to the judiciary for trial.

On March 30, local and international press reported Houthi forces had detained, tortured, and killed activist Hamdi Abdul Razaq, known on the internet as “al-Mukhol.” Houthi forces allegedly detained him for his critical statements on social media regarding Houthi leadership and their relationship with Iran.

The National Commission reported that on March 16, Qais Saleem Musfir al-Munbah was stopped for an identity check at a Houthi-controlled checkpoint. When al-Munbah explained he did not have an identity card with him, Houthi-affiliated security forces refused him passage and insisted that he return with identification documents. When he attempted to bypass the checkpoint, the Houthi guards shot and killed him.

## **B. DISAPPEARANCE**

There were numerous reports of disappearances by or on behalf of government, progovernment, Houthi, terrorist, and foreign forces. Mwatana reported 102 enforced disappearances during the year, attributing 41 to security forces loyal to the ROYG, nine to what Mwatana referred to as the Joint Forces (an umbrella term referring to UAE-backed anti-Houthi armed groups), and two to the progovernment international coalition led by Saudi Arabia. Mwatana attributed 49 of disappearances to the Houthis and was unable to attribute one disappearance to any party to the conflict. Mwatana noted the full count was likely much higher by all actors.

There was no update by year's end on the whereabouts of 11 current and former local employees of the U.S. embassy, detained by the Houthis since October 2021. None of the employees had been "charged" with a crime as of year's end.

Human Rights Watch (HRW) reported that UAE-backed forces, in particular the STC, arbitrarily arrested and forcibly disappeared individuals at two informal detention facilities.

In a July report, the Abductees' Mothers Association recorded 56 cases of civilians disappeared in 2022, of which it said 41 were taken by Houthi forces, eight by STC security forces, three by security agencies affiliated with the ROYG, and four by the Joint Forces. There were no reports that the government made significant efforts to prevent, investigate, or punish these acts.

## **C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES**

The constitution and law prohibited torture and other such practices, but there were credible reports that government officials and progovernment, foreign, Houthi, and terrorist forces committed such abuses, including against journalists, human rights defenders (HRDs), and migrants. Although the law lacked a comprehensive definition of torture, there were provisions allowing prison terms of up to 10 years for those convicted of torture. Mwatana reported it documented 57 cases of torture and other inhuman and degrading treatment during the year, attributing 21 to forces loyal to the ROYG, 21 to the Joint Forces, five to the Saudi-led coalition, and nine to the Houthis. In a February report, the UN Panel of Experts on Yemen (POE) assessed that the parties in Yemen engaged in torture and other forms of mistreatment. Journalists, HRDs, and migrants were among the victims of these abuses.

Mwatana's October 11 submission for the country's Universal Periodic Review (UPR) listed 70 incidents of torture carried out by what the group referred to as governmental forces and 117 by STC forces between 2019 and July 2023.

Mwatana also reported widespread torture by government forces in the Political Security Prison in the city of Seiyun in the Wadi Hadhramawt District. One prisoner reported under the pseudonym of Sami Haider that he had endured torture and degrading treatment, including suspension by iron shackles, beatings and whippings with wires, and dousing with cold water for hours.

The POE's February report included interviews from 12 former detainees who reported being abducted by the Houthis, detained for several months or years in different locations, and subjected to inhuman and degrading treatment, including severe beatings using batons and wires, electric shocks, suspending by the arms for hours, and repeated spraying with ice-cold water. In July, al-Arabiya reported the Houthis moved detained former model and actress Entisar al-Hammadi to solitary confinement, after allegedly beating her with an electrical cable.

Impunity was a significant problem among government security forces, including a lack of effective mechanisms to investigate and prosecute abuse. Civilian control of security agencies was weak. There was no information that the government, STC, or Houthis took any accountability measures for these abuses.

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

Conditions in prisons and detention centers operated by the government, STC, Houthis, and rural tribes under areas of their respective control were harsh and life-threatening. Monitoring organizations reported overcrowding, limited ventilation, extremely high temperatures and humidity, and lack of access to natural light, bathroom facilities, health care, water, and sufficient meals.

**Abusive Physical Conditions:** The Global Organized Crime Index characterized conditions in prisons operated by the parties in Yemen as difficult, citing security and health concerns as the most serious.

The Abductees' Mothers Association reported cases of partial paralysis, loss of hearing and sight, and death as the result of inadequate health care in detention centers. Many detainees

also raised complaints before the court regarding the lack of health care in government-controlled detention centers. Some detainees contracted diseases during their arrests, resulting in the deterioration of their health. Court decisions to refer detainees to doctors and specialists were often ignored by security agencies overseeing the detention facilities.

The National Commission conducted field visits to prisons in the governorates of Ta'iz, Hudaydah, Aden, Dhalea, and Marib. The National Commission reported numerous instances of insufficient food provisions and inadequate healthcare, which prison administrators blamed on overcrowding caused by a backlog in the courts.

The Abductees' Mothers Association also reported on poor conditions in the Houthi-run "Security and Intelligence Prison" in Sana'a. Detainees reportedly lacked access to health care. The Organization for Rights and Liberties (SAM), an NGO based in Geneva, found that at times when detainees were taken to the hospital, the detainees' families were forced to cover their medical expenses, although the Abductees' Mothers Association noted at times prisoners were denied medicine provided by families. The group also reported that prisoners lacked blankets at several detention facilities under Houthi control.

In December, the magazine UNIPATH cited the Yemeni Organization for Detainees and Abductees to report that the Houthis operated 639 "prisons," of which 230 were public and 298 were secret facilities, as well as 111 specially created "prisons" located under Houthi-controlled buildings.

On April 16, the Houthis and the government plus the Saudi-led coalition released a total of 887 detainees in a prisoner exchange. Media reported alleged mistreatment and torture by detainees held by both sides, including physical abuse as well as inadequate food and medicine.

**Administration:** Limited information was available on prison administration. There was no information on whether authorities conducted investigations of credible allegations of mistreatment. There was no ombudsman to serve on behalf of prisoners and detainees.

Authorities across the country kept women who had completed their sentences in prisons and detention facilities if there was no male guardian to accompany them on release, or released them only to women's shelters if their families refused to receive them.

**Independent Monitoring:** The government, STC, and Houthis denied independent human rights observers and humanitarian organizations access to detention facilities. Monitoring

organizations generally obtained information regarding the condition of prisons and detention facilities from released detainees and their family members. They also reported receiving threats related to their work, particularly from the Houthis.

#### **D. ARBITRARY ARREST OR DETENTION**

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The parties in Yemen did not observe these requirements.

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

The law stated authorities could not arrest individuals unless they were apprehended while committing a criminal act or served with a warrant. The law required authorities to arraign a detainee within 24 hours or release them. A judge or prosecuting attorney had to inform the accused of the basis for the arrest when deciding whether detention was required. The law stipulated authorities could not hold a detainee longer than seven days without a court order. The law prohibited incommunicado detention, provided detainees the right to inform their families of their arrest, and allowed detainees to decline to answer questions without an attorney present. It also required the government to provide attorneys for indigent detainees, prohibited arrests or serving subpoenas between sundown and dawn, and contained provisions for bail. UN bodies, NGOs, and media reporting concluded the parties in Yemen frequently violated these laws and international human rights norms.

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

Houthi-controlled entities and “courts” were accused of granting bail only if they received a bribe. Tribal mediators commonly settled cases in rural areas without reference to the formal court system. 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 any formal trial or judicial sentencing.

**Arbitrary Arrest:** The POE reported the government judicial system was weak and that the parties to the conflict and security forces largely disregarded even the few court rulings on cases of arbitrary arrest or detention.

Local NGOs reported arrests by unidentified authorities and frequent incommunicado detentions for long periods of time. From August 1, 2022, to July 31, the National Commission investigated 689 cases of “detention and disappearances,” including 152 cases allegedly perpetrated by the government and affiliated security entities and 516 cases allegedly perpetrated by the Houthis.

Mwatana reported that by the year’s end it had documented 216 arbitrary detentions and 42 incidents to internationally recognized government forces, 38 incidents to the STC, five incidents to the Joint Forces and 131 incidents to the Houthis.

Mwatana reported that on October 23 government forces conducted an extensive campaign targeting civilians for arrests and detentions in Hadramawt Governorate. According to their reporting, the Houthis also launched a widespread campaign of detention of dissidents during the September 26 Revolution celebrations.

The Houthis did not provide any information regarding the situation of three UN staff members in their custody, two since November 2021 and one since August. A staff member of NGO Save the Children, Hisham al-Hakimi, died in Houthi custody in September. The Houthis had not provided information regarding the circumstances of his death as of year’s end.

The law prohibited arrests or serving subpoenas between sundown and dawn, but local NGOs reported governmental and Houthi security agents regularly detained some persons suspected of crimes from their homes at night without warrants.

**Pretrial Detention:** Limited information was available on pretrial detention practices, but persons arrested were frequently denied their constitutional right to be charged within 24 hours. Prolonged detentions without charge or, if charged, without a public preliminary judicial hearing within a reasonable time were believed to be common practices by the parties in Yemen, despite their prohibition by law.

## **E. DENIAL OF FAIR PUBLIC TRIAL**

The constitution provided for an independent judiciary, but there were no indications that any form of independent judiciary existed. The government generally did not respect judicial

independence and impartiality.

A July report from Abductees Mothers Association documented the failure of the Special Criminal Court in government-controlled Aden to provide a fair public trial to 14 defendants accused of forming an armed gang in 2018. The report noted that the defendants' confessions were extracted under torture, that all charges were baseless and fabricated, and that the defendants were denied judicial proceedings within a reasonable timeframe. In 2022, the defendants were acquitted but released only after they undertook an extended hunger strike.

SAM Organization for Rights and Freedoms, Yemeni Coalition, U.S. Center for Justice, and other local and international human rights organizations released a statement in February calling on Houthi-affiliated "authorities" to end "political trials" against detainees and dissidents. It also urged the government to respect international standards and release detained activists. The groups found the Houthi-controlled "Specialized Criminal Court" in Sana'a did not follow procedures meeting minimum fair trial standards. SAM also found that government and STC courts issued inordinately harsh sentences to at least 32 public figures, including journalists and activists, five of whom were sentenced to death in Marib, although charges were not publicly specified.

On April 16, as part of the nearly 900-person prisoner exchange with the government and the Saudi-led coalition, the Houthis released journalists Abdul Khaleq Amran, Tawfik al-Mansouri, Hareth Homaid, and Akram al-Walidi, whom they had detained for eight years on charges of spying for Saudi Arabia.

## **Trial Procedures**

The law provided the right to a fair and public trial, but the judiciary generally did not enforce that right. Criminal defendants were commonly denied the following rights: a presumption of innocence; prompt informing of the charges; a fair, timely, and public trial; presence at their own trial; communication with an attorney of their choice; adequate time and facilities to prepare a defense; free assistance of an interpreter if necessary; opportunity to confront prosecution or plaintiff witnesses and present one's own witnesses and evidence; not be compelled to testify or confess guilt; and an appeal.

Trials were generally supposed to be public, but courts could and did conduct closed sessions "for reasons of public security or morals." Judges played an active role in questioning witnesses and the accused while adjudicating criminal cases. The law required the

government to furnish attorneys for indigent defendants in serious criminal cases, but the government often did not provide counsel in such cases. There was no information regarding whether defendants had adequate time and facilities to prepare a defense or to free assistance of an interpreter. The law allowed defendants to confront or question witnesses against them and present witnesses and evidence on their own behalf.

The government limited access to due process. For example, a court of limited jurisdiction considered security cases and 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 in security cases reportedly did not have full access to their clients' charges or court files.

In addition to established courts, there was a tribal justice system for noncriminal matters. Tribal judges, usually prominent sheikhs, adjudicated noncriminal cases under tribal law, which usually involved public accusation without the formal filing of charges. Tribal mediation often emphasized social cohesion over punishment, sometimes at the expense of the accused's fair trial guarantees. The public often respected the outcomes of tribal processes more than the formal court system, which many viewed as corrupt and lacking independence.

### **Political Prisoners and Detainees**

There were numerous reports of political prisoners and detainees held by the parties in Yemen.

Amnesty International reported that during a hearing in March, Ahmad Maher, a journalist detained by STC forces, told a judge at the STC's "Specialized Criminal Court" that he had been subjected to torture and that his confession was extracted under duress. Maher was arrested by STC forces in August 2022, and Amnesty reported he was repeatedly subjected to torture and other mistreatment and was denied access to adequate health care, including for injuries sustained as a result of torture. The group reported that as of December, he had conducted several hunger strikes protesting his detention in Bi'r Ahmad prison in Aden.

In March, local and pan-Arab media reported the Houthi-controlled "Specialized Criminal Court" had "sentenced" three YouTubers, who had posted videos critical of the Houthis' handling of the economy and accusing them of corruption, to "prison terms" ranging from six months to three years and fined them 10 million Yemeni riyals each (\$40,000). Houthi-

controlled media released confession videos, which some believed to be coerced, of the detainees, but the defendants recanted the confessions before they were “sentenced.”

The Houthis continued the “prosecution” of more than 20 Baha’is on charges of apostasy and espionage dating from 2018. On May 25, Houthi forces broke into a private residence in Sana’a where Baha’is were meeting and detained and subsequently disappeared 17 persons. Human rights groups widely reported the incident as the targeting of Baha’is solely on the basis of their religious belief. The Houthis did not file “charges” against any of the 17 Baha’is they detained, seven of whom were released, and 10 of whom remained in detention at the end of the year, according to Baha’is of the United States.

(For more detail on the Houthis persecution of the Bahai’s, see the Department of State’s *International Religious Freedom Country Report for Yemen*.)

## **F. TRANSNATIONAL REPRESSION**

Not applicable.

## **G. PROPERTY SEIZURE AND RESTITUTION**

Freedom House reported the conflict affected government enforcement of property rights, making it difficult for individuals to own property or seek restitution for seized property. The Yemeni Journalists Syndicate in Aden reported security forces affiliated with the STC seized its offices in February.

According to the February POE report, the Houthis continued judicial procedures to seize assets and properties from Baha’is, even though many of the defendants had been expelled from the country.

The February POE report noted disputes over land and property were a long-standing problem. The POE investigated one case where a Houthi supervisor in the Zubaid, Beit al-Faqih, and al-Jarrahi Districts forced residents in those areas to cede their lands. When they refused, Houthi forces overran the village with military vehicles, bulldozers, and tractors, beat women with rifle butts, and “arrested” approximately 76 citizens, many of whom were released only after signing documents handing over their lands.

## **H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE**

The law prohibited arbitrary or unlawful interference with an individual's privacy, family, home, or correspondence, but the government generally failed to effectively enforce this law. The law required the attorney general personally to authorize telephone call monitoring and reading of personal mail and email, but there was no indication authorities followed the law.

According to human rights NGOs, Houthi agents searched homes and private offices, monitored telephone calls, read personal mail and email, and otherwise intruded into personal matters without even the pretense of "warrants" or authorization from Houthi "courts."

## I. CONFLICT-RELATED ABUSES

Although the UN-mediated truce between the ROYG and the Houthis formally expired in October 2022, its terms largely remained in place during the year. As a result of the UN-mediated truce in 2022, cross-border aerial attacks between Saudi and Houthi forces were limited compared with earlier years. The UN Civilian Impact Monitoring Project (CIMP) reported the year saw the lowest annual civilian casualty count on CIMP's records since it started reporting in the country in 2018, with 1,675 civilian casualties reported, including 284 children.

**Killings:** Despite the truce, Mwatana reported the parties in Yemen used shelling, ammunition, land mines, and other explosive devices that resulted in the killings and injuries of hundreds of individuals and destroyed civilian infrastructure.

An August 21 HRW report found that Saudi security forces on the border with Yemen killed at least 650 Ethiopian migrants and asylum seekers who tried to cross the border between March 2022 and June 2023. CIMP reported more than one-third of all civilian casualties in the country during the year were the result of violence in Saada's western border with Saudi Arabia, with 586 civilian border casualties, constituting a 58 percent increase compared with the 372 reported in 2022. CIMP reported that 343 of these casualties were the result of shelling and another 240 were killed or injured by border outpost and patrol shootings. CIMP reported that 81 percent of the 432 civilian casualties caused by shelling took place in Saada, typically in the form of machine gun fire from border outposts and patrols on the Saudi border.

(See the *Country Report for Human Rights Practices* for Saudi Arabia for additional information.) Mwatana reported 32 incidents of ground shelling during the year, resulting in 77 casualties, including 46 children and eight women. It attributed seven incidents to the internationally

recognized government forces, one incident to the Joint Forces, one to the STC, 18 incidents to the Houthis, and eight incidents to Saudi border guard units.

Mwatana documented 165 incidents involving land mines and explosive devices, which led to the injury and loss of life for 306 civilians, among them 200 children and 25 women. It reported government forces were linked to four landmine incidents and 15 incidents with other explosive weapons, the STC was responsible for one landmine incident and six other explosive device incidents, and the Houthis for 77 landmine incidents and 51 other explosive device incidents.

On August 15, government investigator Adnan al-Muhya was killed while leading the investigation into the July 21 killing of World Food Program staff member Moayad Hameidi. Both killings occurred in areas of the Ta'iz Governorate controlled by the government but pan-Arab media reported al-Qaeda in the Arabian Peninsula (AQAP) was likely responsible for the incidents.

**Abductions:** On November 19, Houthi forces seized the Bahamas-flagged, Japanese-operated cargo ship *MV Galaxy Leader* as it was transiting the Red Sea and forced it to anchor near Hudaydah Port. The Houthis detained the ship's multinational crew including Bulgarian, Mexican, Romanian, Ukrainian, and Filipino citizens. The Houthis continued to detain the ship and its crew at year's end, despite calls by the UN Security Council and other international actors for their release.

Tribal militias and terrorist groups, including AQAP and a local branch of ISIS, committed significant abuses, including abductions. Pan-Arab media linked AQAP to the August 28 abduction of two Doctors without Borders staff members in the Ma'rib Governorate.

**Physical Abuse, Punishment, and Torture:** The POE assessed that torture and mistreatment were endemic and committed by the parties in Yemen. The POE documented that Security Belt Forces in government-controlled Aden abducted Ahmed Maher, a freelance journalist and former editor of the *Marsad Aden* news website, and his brother and held them at Bi'r Ahmad prison, where they subjected them to treatment potentially amounting to torture and coerced them to confess to terrorism-related offenses.

The POE documented interviews with 12 victims the Houthis detained, tortured, maimed, and, in some cases, sexually violated in Houthi detention facilities. The POE detailed one instance of a young woman subjected to torture and sexual violence during her more than 17 months in various Houthi detention centers.

**Child Soldiers:** The parties in Yemen were implicated in child soldier recruitment and use. The Secretary of State determined Yemen had governmental forces and Houthi armed groups that recruited or used child soldiers during the reporting period of April 2022 to March 2023. See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

A Mwatana report in March documented the recruitment and use of a total of 3,402 child soldiers recruited between 2015 and March. Government forces recruited 552 children, Saudi and UAE-led coalition forces recruited 284 children, and Houthi forces recruited at least 2,566 children.

According to an Arab News report on May 1, government officials and activists alleged the Houthis used "summer camps" to radicalize and indoctrinate children and recruit them as soldiers. According to reports, the Houthis threatened to treat those who refused to attend as foreign collaborators, detaining several activists for failure to attend such events. SAM reported that in one camp children as young as seven were taught to clean weapons and dodge missiles.

The lack of a consistent system for birth registration compounded difficulties in proving age, which at times contributed to the recruitment of children into the military.

**Other Conflict-related Abuse:** The parties in Yemen routinely imposed severe restrictions on the movement of persons, goods, and humanitarian assistance. HRW reported the government impeded aid through "the imposition of complex bureaucratic requirements on aid agencies that have impacted millions of civilians' ability to access it." They also documented many cases of aid interference and obstruction by Houthi forces, including violence against aid staff and their property and attempts to control aid monitoring and recipient lists to divert aid for political patronage purposes.

In a report released on January 30, the UN Office for the Coordination of Humanitarian Affairs (OCHA) noted 727 incidents across the country where access to humanitarian aid and services was affected from October to December 2022. OCHA also confirmed in an August 16 press release that aid workers experienced interference, with UN national women staff facing extensive movement restrictions.

Mwatana's submission for the country UPR documented 29 incidents where government forces obstructed humanitarian aid access, including hindering the passage of trucks

transporting food assistance, between 2019 and July. It also documented 30 incidents where forces described as UAE-backed obstructed humanitarian aid access.

Mwatana documented 165 incidents of attacks on schools, hospitals, and other civilian infrastructure carried out by all parties to the conflict. In their submission to the country's UPR, Mwatana reported there were many cases in which schools were used as prisons, military bases, and detention centers. Between 2019 and July 2023, Mwatana attributed at least 91 incidents to forces it described as UAE-backed and 19 incidents to government forces in which these groups used schools for military bases or detention centers.

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## Section 2.

# Respect for Civil Liberties

## **A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA**

The constitution restricted freedom of expression, specifying members of the press were permitted to exercise that right only within the limits of the law. The law also called for journalists to uphold national unity and prohibited criticism of the head of state. Government-aligned actors did not respect even these restricted rights, and the Houthis significantly restricted freedom of expression in areas under their control through violence and intimidation.

**Freedom of Expression:** All parties to the conflict severely restricted freedom of expression. Women HRDs, journalists, and activists faced specific repression based on gender. HRDs faced harassment, threats, and smear campaigns from the government, Saudi-led coalition, and Houthi forces.

NGO Reporters Without Borders wrote that journalists faced abuses by the parties to the conflict and ran the risk of being abducted, mistreated, tortured, or killed.

The Yemeni Journalists Syndicate reported 82 violations against journalists, workers, and media outlets during the year, with slightly more than half attributed to the government. They reported five journalists detained at year's end. The STC held Ahmed Maher and Naseh Shaker, Houthi forces held Waheed al-Sufi and Nabil al-Sadawi, and AQAP held Muhammed Qaid al-Maqri.

On March 6, Reporters Without Borders reported that STC personnel expelled the Yemeni Journalists Syndicate from its Aden headquarters on February 28 and threatened the organization's president with death if he did not leave. The STC denied using force to take over the building, claiming the government owned the building and the Yemeni Journalists Syndicate was an illegitimate entity that had exceeded its legal mandate and violated labor laws.

Freedom House reported freedom of expression and private discussion were severely limited because of intimidation by armed groups and unchecked surveillance by the Houthis. In multiple instances, Houthi-controlled entities went to the homes of activists and political leaders opposed to the Houthis and threatened detention to intimidate perceived opponents and silence dissent.

**Violence and Harassment:** Progovernment militias, Houthis, and tribal militias were responsible for a range of abuses against media outlets.

Freedom House assessed in its annual Freedom in the World Report that journalists endured violent attacks and enforced disappearances committed by all sides in the conflict.

On June 13, the International Federation of Journalists reported prosecutors in government-controlled Marib issued arrest warrants against five journalists investigating alleged corruption in the judiciary of Marib: Ali al-Faqih, editor in chief of the website *al-Masdar Online*; Ahmed Yahya Ayed and Muhammad Musad al-Salihi, editors in chief of the news outlet *Marib Press*; and the bureau chiefs of two television channels, Yemen Shabab and al-Mahreya.

On May 28, STC-affiliated officials on the island of Socotra arrested two French journalists, Quentin Mueller and Sylvain Mercadier, demanding the journalists disclose the names of their sources and their meeting places and confiscating their passports, laptops, cameras, and books. The officials reportedly questioned Mueller about previous reporting on UAE interference in Yemen in a 2021 al-Jazeera documentary.

On June 5, Houthi security services in Amran City jailed journalist Fahd al-Arhabi for publishing information on a Houthi politician who appropriated land belonging to workers of a state-owned cement factory.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** All parties to the conflict routinely retaliated against media outlets and workers expressing critical views and censored media outlets in areas under their control.

All parties to the conflict restricted access for international reporters, as well as rights documentation bodies. Reporters Without Borders noted objective reporting on the war was rare because the parties to the conflict controlled the media outlets and threatened independent journalists with arbitrary detention and abusive treatment.

On June 18, government authorities in Marib arrested and imprisoned writer Manea Suleiman for opinions he shared on social media. He remained in detention at year's end, and authorities prevented his family from communicating with him.

Freedom House assessed in their March report that the government historically controlled much of the terrestrial television and radio. Houthis reportedly regularly blocked certain news websites, online messaging and social media platforms, and satellite broadcasts.

**Libel/Slander Laws:** The law criminalized criticism of the "person of the head of state," the publication of "false information" that might spread "dissent and division among the people," materials that might 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."

On January 14, Houthi "courts" charged Mustafa al-Mumari and Ahmed Hajar with spreading false information, defamation, and inciting violence after posting a 10-minute YouTube video titled, "The Sanaa government loots the wealth of Yemen and Yemenis." The video named specific Houthi officials, accused them of corruption, and criticized tax policies in Houthi-controlled territory.

**Nongovernmental Impact:** Nongovernmental actors inhibited freedom of expression, including for members of the press.

## **Internet Freedom**

All parties to the conflict censored online content. Internet access was significantly limited and disrupted by the conflict. Censorship affected internet freedom, and there were notable cases of Houthi intrusion into cyberspace.

Monitoring and information platform the Observatory for Media Freedoms in Yemen reported in its biannual report that on January 9, the Public Funds Prosecution in the government-controlled Hadramawt Governorate held its second hearing in the trial of journalist Ali Salem al-Awbathani. Al-Awbathani was charged with defaming a scientific institution in a posting on

his personal Facebook page. The complaint was brought against him by the Presidency of Hadramawt University. The case was later adjourned.

Various sources confirmed the Houthi-controlled “Public Telecommunications Corporation” and internet service providers systematically blocked user access to websites and internet domains that the Houthis deemed dangerous to their political agenda.

On February 14, Scholars at Risk reported Dhamar University had dismissed six students from the mechatronics department for their participation in protests regarding Houthi interference in the university as well as the need for improved laboratory facilities.

## **B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION**

The law provided for the freedoms of peaceful assembly and association, but all parties to the conflict failed to respect these rights. The government and all parties to the conflict restricted the freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

In September, Amnesty International reported all parties to the conflict curtailed peaceful assembly of HRDs, journalists, political opponents, and perceived critics. It also reported Houthi agents carried out a “wave of arrests rounding up scores of largely peaceful demonstrators” carrying Yemeni Republic flags who gathered to commemorate the anniversary of the country’s September revolution.

### **Freedom of Association**

The law provided for freedom of association, but it also regulated the activities of associations and foundations and the establishment and activities of NGOs. Government authorities required annual NGO registration. The law required the government to provide a reason for denying registration, such as deeming an NGO’s activities “detrimental” to the state, but the government complied with this provision inconsistently. The law prohibited NGO involvement in political or religious activities and required government observation of NGO internal elections.

Civil society organizations reported the Ministry of Social Affairs and Labor and the Ministry of Planning and International Cooperation used conflicting directives governing engagement

between international and national organizations to increase oversight and control over humanitarian funding. NGOs reported these requirements made it difficult to implement their programs.

In July, a Mwatana field study described wide-ranging restrictions and repressive policies imposed on civil society by all the parties to the conflict.

There were NGO reports that the Houthis harassed and detained activists and shut down numerous NGOs, often citing treason or conspiracy with foreign powers. Houthi-controlled entities created the “Executive Office for Monitoring Operations of International Organizations,” reportedly to monitor NGO activity. As a result, several NGOs originally based in Sana’a moved to Aden, other cities in government-controlled areas, or abroad.

Restrictions on movement by women significantly constrained humanitarian and NGO activities, and in some cases the Houthis deliberately targeted women working for NGOs and humanitarian organizations.

### **C. FREEDOM OF RELIGION**

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

### **D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY**

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation; however, the government and all parties to the conflict often did not respect those rights.

**In-country Movement:** Progovernment forces, the Houthis, and tribal forces maintained checkpoints on major roads. In many regions, armed tribesmen frequently restricted freedom of movement, operated 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 hindered the movement of goods and persons throughout the country, including hampering the delivery of humanitarian aid and commercial shipments.

In July, the conflict analysis NGO ACAPS confirmed movement restrictions in areas controlled by each party to the conflict continued impacting the safety and security of humanitarians and

movement of commodities.

Houthi forces had kept the main roads in and out of the city of Ta'iz closed since 2015, severely restricting freedom of movement for civilians and impeding the flow of essential goods, medicine, and humanitarian access to residents. The Houthis agreed under the terms of the truce to negotiate with the government on restoring access to Ta'iz roads, but there was no progress while the truce remained in effect, and the roads remained closed as of year's end.

Women did not enjoy full freedom of movement, although restrictions varied by location. The Office of the UN High Commissioner for Refugees (UNHCR) reported harassment at checkpoints of women and girls not accompanied by a male escort, as well as inability to afford transport, hampered women's ability to reach health, nutrition, and other services.

Houthi "authorities" required women to show *mahram* (guardianship) permission and have their guardian (father, brother, husband, or son) present to obtain or renew personal identity cards, despite the law not requiring such conditions.

The Houthis increased the enforcement of mahram requirements, even though the law did not impose such requirements. The Houthis largely enforced mahram through verbal directives and governorate-level localized circulars. Tribal authorities in areas bordering Houthi-controlled territory also imposed mahram requirements. The unclear Houthi directives concerning mahram requirements resulted in some Sana'a-based car rental agencies refusing to rent vehicles to women or to sell seats to women for travel in shared vehicles.

**Foreign Travel:** Limited commercial flights operated with few interruptions out of Sana'a International Airport under Houthi control, allowing residents to travel to Jordan and onward. International flights also operated from the government-controlled airports of Aden, Seyun, and Ar-Ryan.

Houthi "authorities" imposed mahram requirements on women seeking to travel internationally or obtain or renew passports and prevented HRDs from traveling.

On September 30, Houthi agents prevented Mwatana chairperson Radya al-Mutawakel, vice chairperson Abdul-Rashid al-Faqih, and three other Mwatana staff from traveling through Sana'a International Airport. The five HRDs were released without charges after interrogation, but the Houthi agents banned them from travel indefinitely.

**Exile:** There were no known reports that the government forcibly exiled political opponents but there were reports that the Houthis forcibly exiled political opponents, HRDs, religious minorities, and others.

## **E. PROTECTION OF REFUGEES**

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** According to Integral Human Development, access to asylum procedures was restricted. The law did not provide for the granting of asylum or refugee status, and the government had not established a system for providing protection to refugees. No domestic law addressed the granting of refugee status or asylum, and there was no system for providing protection to asylum seekers. UNHCR was able to conduct some refugee status determinations in the country, although this did not guarantee individuals protection under the law. According to UNHCR, the government granted prima facie status to Somali nationals. The Houthis attempted to take over the refugee status determination process in areas under their control, leaving many refugees with lapsed documentation. According to UNHCR, asylum seekers were not registered in Houthi-controlled, northern areas of the country.

The government lacked the capacity to provide physical protection to refugees, many of whom were held in detention centers operated by the Houthis in the north and by the government in the south. Smuggling groups often helped de facto authorities run these detention centers. According to UNHCR, approximately 65 percent of asylum seekers resided in southern governorates.

According to the October UNHCR *Strategy and Action Plan*, there were more than 71,000 refugees and asylum seekers in the country, mainly from Ethiopia and Somalia.

**Abuse of Refugees and Asylum Seekers:** An August 21 HRW report alleged that the Houthis had a significant role in trafficking, extorting, imprisoning, and abusing of migrants in camps in the north. The report found that Houthi forces coordinated and facilitated access to the border for smugglers in Saada Governorate and sometimes collected migrants injured during their crossing into Saudi Arabia from hospitals in Saada and forcibly return them to smugglers in the camps. Interviewees alleged Houthi forces often extorted bribes from the migrants or transferred them to what migrants described as detention centers, where migrants suffered abuse until they paid an exit fee.

**Employment:** Refugees faced insufficient livelihood opportunities given the pervasive economic challenges. There were also legal barriers to formal employment for refugees, asylum seekers, and migrants.

**Access to Basic Services:** Refugees generally lacked access to basic services due to the conflict. Many health facilities remained 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. According to UNHCR, the Kharaz refugee camp in Lahj Governorate was the only refugee camp in the country and hosted more than 9,600 refugees and asylum seekers.

**Durable Solutions:** The government did not assist in returning or resettling refugees. Instead, the International Organization for Migration reported that during the year it assisted approximately 6,000 migrants and refugees, mostly Ethiopians, to voluntarily return to their home country.

## **F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS (IDPS)**

According to a May report by the Internal Displacement Monitoring Center, approximately 276,000 displacements were recorded across the country in 2022.

For further information about IDPs in the country, please see the materials of the Internal Displacement Monitoring Center: <https://www.internal-displacement.org>.

## **G. STATELESS PERSONS**

There was minimal reporting available on stateless persons.

The country contributed to statelessness through discrimination against women in nationality laws.

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### Section 3.

## Freedom to Participate in the Political Process

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

## **ELECTIONS AND POLITICAL PARTICIPATION**

**Abuses or Irregularities in Recent Elections:** There had been no national elections since the conflict began in 2014. The parliament last convened in April 2022 to grant legitimacy to the Presidential Leadership Council (PLC), which took control after former President Abd Rabu Mansur Hadi stepped down and included political and security leaders from various parties and armed groups.

**Political Parties and Political Participation:** The law required political parties to be national organizations that did not restrict their membership to residents of a particular region or to members of a particular tribe, religious sect, class, or profession. The former ruling General People's Congress party split into several regional factions as well as a separate faction under Houthi control in Sana'a. The sitting cabinet and the PLC included members affiliated with established political parties, as well as other political elements, including the STC. PLC Vice President Tareq Saleh and his National Resistance forces also had a political wing.

**Participation of Women and Members of Marginalized or Vulnerable Groups:** Gendered social norms, security considerations, and disproportionate caretaking responsibilities posed barriers to women participating on equal basis with men in political life. Persons who identified as lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) did not participate openly in the political process.

Women held limited ministerial-level positions in the government. One woman was appointed to Executive Committee of the Consultation and Reconciliation Commission under the PLC, several women served in the larger, 50-member Consultation and Reconciliation Commission, and one woman was named to the government's official delegation for UN-led peace talks. Women remained active in civil society, including participating in protests and demonstrations in the south, developing a feminist road map for peace, negotiating the release of detainees and political prisoners, and working through civil society organizations to hold authorities accountable.

In its *Freedom in the World Report* for the year, Freedom House wrote that the minority group with East African origins known as the *muhamasheen* (marginalized) accounted for as much as 10 percent of the population but suffered discrimination in politics and society. The INSAF Center for Rights and Development reported on other estimates of the muhamasheen population accounting for as much as 12.7 percent of the population. The Sana'a Center reported that the muhamasheen lacked political power in local communities to lobby for inclusion in development projects and humanitarian beneficiary lists.

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#### Section 4.

## Corruption in Government

While the law provided for criminal penalties for corruption by officials, the government did not implement the law effectively. There were numerous reports of government corruption.

**Corruption:** Corruption was pervasive throughout the country, and observers reported petty corruption in nearly every government office. Applicants for government jobs were often expected to purchase their positions via bribery. Observers believed tax inspectors routinely undervalued property assessments and pocketed the difference. Many government officials and civil service employees, including teachers and health-sector workers, went unpaid due to lack of government resources, while public-sector payrolls were padded with “ghost workers” receiving salaries for jobs they did not perform. Corruption also regularly affected government procurement.

Local and international organizations, including Transparency International, agreed corruption was a serious problem in every branch and level of government and among nonstate actors, especially in the security sector. International observers claimed government officials routinely benefited from insider arrangements, embezzlement, and bribes.

The ATWAD Anti-Corruption Organization, an NGO, assessed that the government’s Supreme National Authority for Combatting Corruption (SNACC) suffered from a lack of sufficiently qualified staff and investigators, as well as a lack of independence. The government lacked adequate reporting mechanisms for corruption and written protections for whistleblowers. SNACC struggled to cover its operating expenses and employee salaries during the year.

On August 25, parliament issued a report alleging violations and corruption in the electricity, energy, telecommunications, and financial sectors. The report stemmed from a parliamentary investigation into the sale of the telecommunications company Aden Net to a UAE company. It also accused the electricity ministry of misappropriating funds, purchasing low-quality fuel, and unlawfully waiving tariffs on fuel derivative imports.

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#### Section 5.

## Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged

# Abuses of Human Rights

Domestic and international human rights groups generally operated with restrictions from all parties to the conflict to monitor or investigate human rights conditions and cases and publish their findings. Government officials were rarely cooperative or responsive to the views of these groups.

International NGOs and international organizations faced permission restrictions in accessing Houthi-controlled areas and frequently were not able to operate at full capacity in Sana'a. Local employees of international NGOs and organizations faced potential detention and kidnapping by nongovernmental groups. Employees of local NGOs faced similar restrictions.

The National Opinion Research Center at the University of Chicago discontinued on-the-ground data collection efforts in a human trafficking patterns study, following incidents involving its staff. In February, a visibly terrified resident of Abyan returned to the center's offices a day after being interviewed and asked staff to delete their interview notes without explanation.

**Retribution against Human Rights Defenders:** There were numerous reports of threats or violence against HRDs.

On December 5, a Houthi-controlled court in Sana'a convicted and sentenced to death Fatima Saleh al-Arwali, the former head of the Yemen office of the Arab League's Union of Women Leaders, on charges of collaborating with the enemy. She had no legal representation at the trial, and by year's end, her family had only been able to contact her twice in detention since she was arrested in August 2022.

On July 10, the UN special envoy to Yemen stated the Houthis severely restricted freedom of movement for the United Nations and other international organizations due to mahram requirements and road blockades in Ta'iz and other governorates.

**Government Human Rights Bodies:** The government's National Commission had the mandate to investigate all alleged human rights abuses in the country but was generally ineffective in carrying out its mandate. The commission was nominally independent of the government but did not have enforcement power. The commission investigated and reported on human rights conditions during the year and participated in training with the United Nations.

In September, the National Commission released its 11th periodic report, documenting 2,997 incidents of human rights violations countrywide from August 2022 to July 31. The commission addressed violations committed by the government and government-backed security forces, the Houthis, the Saudi-led coalition, and other parties to the conflict.

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## Section 6.

# Discrimination and Societal Abuses

## **WOMEN**

**Rape and Domestic Violence:** The law criminalized rape of men and women, but it did not criminalize spousal rape. The punishment for rape was imprisonment for up to 25 years. The government did not enforce the law effectively, however. By law, authorities could prosecute rape survivors on charges of fornication if they did not charge a perpetrator with rape. Without the perpetrator's confession, the rape survivor had to provide four male witnesses to the crime. There were no reliable rape prosecution statistics, and the number of rape cases was unknown. Human rights NGOs said sexual assault and gender-based violence were widespread among migrant communities and generally underreported.

In February, the POE reported Houthi use of detention, torture, degrading treatment, and sexual violence on civilians in their custody was widespread. The POE reported former women detainees were particularly vulnerable in Houthi-controlled areas because of the assumption they had suffered sexual violence while in detention, resulting in social ostracism and decreased personal and professional opportunities. Former women detainees of Houthi "prisons" reported to the POE that although they had regained their liberty, they continued to suffer from trauma, receive threats from Houthi operatives, face social rejection, and lack psychosocial support, employment, and other livelihood opportunities.

A woman who escaped Houthi custody in August 2022 was interviewed by the panel in February and described her detention for more than 17 months by the Houthis under charges of working against the Islamic religion and serving the interests of foreign powers. She resisted rape by a Houthi official while in secret detention and was repeatedly physically assaulted by detention center guards. She also stated the Houthis often threatened to publish compromising images of detained women as a means of coercion.

The OCHA Humanitarian Needs Overview confirmed that migrant women and girls faced disproportionate risk of sexual violence. The August HRW report on the Saudi-Yemen border

reported the case of a woman who was allegedly raped and impregnated by a smuggler. The report alleged three of the 10 women and girls interviewed were raped by smugglers or other migrants.

Muhamasheen women were particularly vulnerable to rape and other abuse because negative societal attitudes toward muhamasheen resulted in general impunity for attackers.

The law stated authorities should execute a man convicted of killing a woman, but it allowed leniency for persons guilty of “honor” killings or the violent assault or killing of a woman for perceived “immodest” or “defiant” behavior. The law did not address other types of gender-based abuse, such as forced isolation, imprisonment, or early and forced marriage.

The law provided 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. Survivors rarely reported domestic abuse to police, and criminal proceedings in cases of domestic abuse were rare.

**Female Genital Mutilation/Cutting (FGM/C):** The law did not prohibit FGM/C, but a ministerial directive banned the practice in government institutions and medical facilities, according to HRW. According to a United Nations Population Fund report published in October, the most recent data from 2013 indicated 19 percent of women ages 15 to 49 had undergone FGM/C, with prevalence rates as high as 80 percent and 85 percent in al-Mahrah and Hadramawt Governorates, respectively. FGM/C was less common among girls ages 15 to 19 than among women ages 45 to 49.

**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 did not implement them effectively.

Women could not marry without permission of their male guardians; did not have equal rights in inheritance, divorce, or child custody; and had little legal protection. They experienced discrimination in areas such as employment, credit, pay, owning or managing businesses, education, and housing.

Hospitals often required a male guardian’s consent before admitting a woman, creating significant problems for households with no remaining adult men. Women also faced unequal treatment in courts, where a woman’s testimony equaled half that of a man’s testimony. A

husband could divorce a wife without justifying the action in court, but a woman had to provide justification.

Any citizen wishing to marry a foreigner had to obtain the permission of the Ministry of Interior, the National Security Bureau, and, in some instances, the Political Security Organization under regulations that authorities enforced arbitrarily. A woman wishing to marry a foreigner had to present proof of her parents' approval. A foreign woman who wished to marry a male citizen had to prove to the ministry that she was "of good conduct and behavior." Women experienced economic discrimination, and the Houthis "prohibited" women from participating in certain professions and increasingly limited women's freedom of movement through mahram requirements.

According to international organizations, mahram requirements prevented women and girls, particularly female heads of household, from receiving humanitarian aid, as female staff could not travel to field locations, and it was generally considered inappropriate for male staff to deliver support or assistance to unaccompanied women.

The law prohibited women from working the same hours as men or in jobs deemed hazardous, arduous, or morally inappropriate.

HRW reported in February that the Houthis discouraged women from obtaining work outside of the home through laws barring them from public places and certain workplaces.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The continuing conflict and ensuing humanitarian crisis made it difficult to find reporting on the government's approach to reproductive rights. The conflict led to a breakdown of the health-care system, and women and girls, including survivors of sexual violence, did not have access to essential reproductive health services.

In February, UNFPA reported that less than half of the hospitals remained functional and, of those, only 20 percent of health facilities offered maternal and child health services, due to lack of supplies, staff shortages, damage due to conflict, inadequate equipment and supplies, and inability to meet operational costs. As a result, 5.5 million women and girls of childbearing age and 1.5 million pregnant and breastfeeding women had limited or no access to reproductive health services.

The Houthis prevented health centers and pharmacies in areas under their control from providing any method of family planning to women without a prescription and the presence and consent of their husbands. The Houthis justified this policy and a ban on health workers using illustrated family planning guides as being consistent with “faith identity.”

## **SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION**

Although racial discrimination was illegal, some groups, such as the muhamasheen community and citizens 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, including discrimination in employment. Muhamasheen women were particularly vulnerable to rape and other abuse.

Media reports referencing muhamasheen activists noted that while social castes and slavery were abolished in the 1960s, tribal justice systems reinforced historical patterns of discrimination. Walk Free, an NGO focused on ending modern slavery, estimated in its 2018 report (most recent data available) there were 85,000 victims of modern slavery in the country, or 3.1 percent of the population, but that due to the impossibility of conducting surveys under conflict, the data likely underestimated the problem. This broad category included forced labor and debt bondage, human trafficking, and forced and early marriage.

During the year the Houthis reportedly targeted muhamasheen communities to recruit fighters. INSAF Center for the Rights and Development reported muhamasheen women were also more vulnerable to sexual violence and harassment by Houthi and other combatants, especially at checkpoints.

According to UNICEF, muhamasheen struggled to register their newborns, with only 9 percent holding birth certificates, the absence of which limited access to other government documents, as well as jobs and services.

## **CHILDREN**

**Birth Registration:** There was no universal birth registration. Many parents, especially in rural areas, never registered their children or registered them several years after birth. The requirement that children have birth certificates to register for school was not universally

enforced. The lack of birth registration reportedly led courts to sentence juveniles as adults, including for crimes eligible for the death sentence.

**Education:** Public schooling was free to children through the secondary school level, but HRW reported that many children, especially girls, did not have easy access to education.

Approximately 170,000 teachers in Houthi-controlled provinces had not received regular pay since 2016.

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

**Child, Early, and Forced Marriage:** Early and forced marriage was a significant, widespread problem, exacerbated by the conflict. The United Nations reported forced marriage and child marriage for financial reasons due to economic insecurity was a systemic problem. There was no minimum age for marriage, and girls reportedly married as young as age eight.

According to UNICEF, girls forced into early marriage often remained trapped in a cycle of poverty and unfulfilled potential, and married boys and girls were more vulnerable to being coerced into child labor or recruited into fighting.

**Sexual Exploitation of Children:** The law criminalized the commercial sexual exploitation of children. The law prohibited pornography, including child pornography, although there was no information available on whether the legal prohibitions were comprehensive. The law did not define statutory rape and did not impose a minimum age for consensual sex.

## **ANTISEMITISM**

Media outlets reported that only one Jewish citizen, Levi Salem Musa Marhabi, might remain in the country, and he remained in Houthi-controlled detention.

The Houthi movement regularly used antisemitic slogans. Anti-Israel rhetoric often blurred into antisemitic propaganda. The Houthis propagated such materials and slogans throughout the year, including adding anti-Jewish slogans and rhetoric into the elementary education curriculum and books. In March, the Yemen Policy Center reported children in Houthi summer camps were instructed to shout the Houthi slogan, which contained the phrase “death to Israel, curse the Jews.”

Members of the Jewish community were not eligible to serve in the military or national government. Government and nongovernment authorities forbade them from carrying the ceremonial national dagger.

## **TRAFFICKING IN PERSONS**

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

## **ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS**

**Criminalization:** The law criminalized consensual same-sex sexual conduct. The penal code stated that “unmarried men shall be punished with 100 lashes of the whip or a maximum of one year of imprisonment, married men with death by stoning”. For women, the penalty for premeditated commission of same-sex consensual behavior was up to three years’ imprisonment; when the offense was committed under duress, the perpetrator was punishable with up to seven years’ detention.

There were no known executions of LGBTQI+ persons during the year.

**Violence and Harassment:** The government did not consider violence or discrimination against LGBTQI+ persons “relevant” for official reporting. No nongovernment reporting was available.

**Discrimination:** Due to the criminalization of and possible severe punishment for consensual same-sex sexual conduct, few LGBTQI+ persons were open regarding their sexual orientation or gender identity. Individuals known or suspected of being LGBTQI+ faced discrimination.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices:** Information regarding involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals was unavailable.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** Information regarding restrictions of freedom of expression, association, or peaceful assembly for

LGBTQI+ persons was not available. LGBTQI+ expression was viewed as taboo and largely hidden due to widespread stigma.

## **PERSONS WITH DISABILITIES**

The constitution and the law affirmed the rights of persons with disabilities. The law granted persons with disabilities the same rights as persons without disabilities, but the government did not effectively enforce it. The law mandated the establishment of special educational institutions to provide basic education to persons with disabilities. The law, however, was not implemented. The law also affirmed the right of persons with disabilities to public education.

The Ministry of Social Affairs and Labor was responsible for protecting the rights of persons with disabilities, but the ministry did not carry out these duties due to the conflict and humanitarian crisis. The Yemen Fund for the Care and Rehabilitation of People with Disabilities reported in 2018, the most current information available, that only 750 students with disabilities were studying at the university level, and that the closure of 300 special education centers had deprived 190,000 students with disabilities of education. Persons with disabilities faced limited access to the workplace and discrimination in hiring. The law reserved 5 percent of government jobs for persons with disabilities, but this was rarely enforced.

In March, Amnesty International reported those with disabilities experienced unique hardship during conflict in the region because they lacked sufficient warning in advance of impending attacks. Families were separated while fleeing, and those with disabilities were left behind.

## **OTHER SOCIETAL VIOLENCE OR DISCRIMINATION**

While there were no reports of social violence against persons with HIV or AIDS, the topic was a socially sensitive taboo and infrequently discussed. Discrimination against persons with HIV or AIDS was a criminal offense. Information was not available regarding incidents of discrimination.

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Section 7.

## **Worker Rights**

### **A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING**

The law provided for the right of citizens employed in the private sector to join unions and bargain collectively. These protections did not apply to public servants, day laborers, domestic servants, foreign workers, and other groups who together made up most of the workforce. The civil service code covered public servants. The law prohibited antiunion retaliation, including prohibiting dismissal for union activities. While unions could negotiate wage settlements for their members and could conduct strikes or other actions to achieve their demands, workers had the right to strike only if prior attempts at negotiation and arbitration failed. Unions had to give advance notice to the employer and the government and receive prior written approval from the executive office of the General Federation of Yemen Workers' Trade Unions before striking. Strikes could not be carried out for "political purposes." The proposal to strike had to be put to at least 60 percent of all workers concerned, of whom 25 percent had to vote in favor of the strike. Foreign workers could join unions but could not hold office.

The government was unable to enforce labor laws due to the conflict. The government did not enforce laws on freedom of association and the right to collective bargaining in areas under its control. Parties to the conflict often accused unions and associations of being linked to a political group or opposition. Additionally, Houthi-controlled former ministries purportedly responsible for the implementation of labor laws in areas under Houthi control did not implement the law in those areas.

Houthi militia members kidnapped Abu Zaid al-Kumaim, a leader of the Yemeni Teachers Club union, from his home in Sana'a on October 9 after he called for payment of public employee salaries. The union issued a statement expressing disappointment that he was "arrested" for asking the Houthis to pay educators who had gone without salaries for the last eight years. In November, SAM Organization for Rights and Liberties reported al-Kumaim's condition significantly deteriorated and that Houthi authorities transferred him temporarily to al-Kuwait hospital after he fell into a coma. According to NGO reports, at year's end he was still detained despite Houthi promises to release him.

## **B. PROHIBITION OF FORCED OR COMPULSORY LABOR**

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

## **C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT**

See 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/>

#### **D. DISCRIMINATION (SEE SECTION 6)**

#### **E. ACCEPTABLE CONDITIONS OF WORK**

**Wage and Hour Laws:** The law provided for a minimum wage for all sectors. The minimum wage for private-sector employees had to at least equal the public-sector minimum wage. The law mandated that wage payments depended on the terms of the employment contract. Employees could be paid on a monthly, fortnightly, weekly, or hourly basis.

The minimum civil service wage was more than the estimated poverty income level, but many civil servants were not paid consistently, and most salaries were too low to provide for a large family. Workdays were limited to eight hours. Work weeks were limited to 48 hours distributed over six working days followed by one day of paid rest. The maximum working hours during the month of Ramadan could not exceed six hours per day or 36 hours per week. The law required an employee's workday to have at least one hour of rest so that any continuous period of work did not exceed five hours. Friday was the day of rest but could be substituted for another day of the week if required for work.

**Occupational Safety and Health:** Occupational safety and health (OSH) laws and standards were not appropriate for the main industries in the country.

Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The law provided workers the right to remove themselves from a hazardous workplace.

The law obligated employers to provide health care to workers for preemployment medical examinations and for periodic medical exams while employed. The conflict made it difficult to verify whether these laws were implemented consistently.

There was no credible information available regarding work-related accidents or fatalities during the year.

**Wage, Hour, and OSH Enforcement:** The government did not, or was unable to, enforce penalties for wage, hour, or OSH violations. No information was available regarding penalties imposed for wage and hour violations or if any were applied. Many workshops and stores

operated 10- to 12-hour shifts without penalty. In practice, the agencies responsible for enforcing wage, hour, and OSH laws did not operate or were significantly impaired, due to the conflict. The number of labor inspectors was insufficient to enforce compliance. Inspectors had no authority to make unannounced inspections and initiate sanctions.

The Organization for Economic Cooperation and Development estimated in March 2021 that informal employment represented 78 percent of total employment. In July, the government reported the informal sector had developed at an “accelerated pace” in recent years due to the impact of conflict and lack of effective economic policies. OSH law did not apply to the informal sector, including domestic servants, casual workers, or agricultural workers. The government did not enforce other labor laws applicable to this sector. Working conditions were poor in the informal sector, and wage and overtime violations were common. Foreign migrant workers, youth, and women workers typically faced the most exploitative working conditions.

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## TAGS

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