

# YEMEN 2018 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 Vice President Abd Rabbuh Mansour Hadi was chosen by the governing and opposition parties as the sole consensus candidate for president. Two-thirds of the country's eligible voters went to the polls to confirm Hadi as president, with a two-year mandate. The transitional government he headed sought to expand political participation to excluded groups, including women, youth, and minorities. In 2014 Houthi forces aligned with forces loyal to former president Ali Abdullah Saleh occupied the capital Sana'a, igniting a civil war between Houthi forces and the Republic of Yemen Government (ROYG) that continued through year's end.

Civilian authorities did not maintain effective control over all of the security forces. Houthis controlled most of the national security apparatus and some former state institutions. Competing family, tribal, party, and sectarian influences also reduced ROYG authority.

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 seized the presidential palace in January 2015. In February 2015 Houthi forces dissolved parliament, replacing it with the Supreme Revolutionary Committee, allied with former president Ali Abdullah Saleh's General People's Congress (GPC) party. Hadi escaped house arrest in Sana'a and fled to Aden, where he declared all actions taken by Houthi-Saleh 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 Yemen's political process.

In March 2015 Houthi forces launched an offensive in southern Yemen and entered Aden, forcing Hadi to flee to Saudi Arabia. In March 2015 a military coalition led by Saudi Arabia initiated Operation "Decisive Storm" on behalf of the ROYG. In December 2017 Saleh publicly split from the Houthis and welcomed cooperation with the coalition; he was killed by Houthi forces two days later. In May the Saudi-led Coalition began a major push in its coastal offensive toward the port city of al-Hudaydah in hopes that military pressure would bring Houthis holding the city to the negotiating table. The Coalition continued air and ground operations against the Houthis throughout the year. In December direct talks

between the ROYG and Houthis at UN-led consultations in Sweden led to agreements on a ceasefire and redeployment from Hudaydah, Yemen's most important commercial port, as well as on prisoner exchanges and addressing the humanitarian situation in Taiz. In other parts of Yemen, hostilities--including Coalition airstrikes--have continued.

Human rights issues in the country 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; and criminalization of consensual same sex-sexual conduct.

The ROYG took steps to investigate, prosecute, and punish officials who committed human rights abuses; however, impunity was persistent and pervasive. Houthi influence over government institutions severely reduced the ROYG's capacity to conduct investigations.

Saudi-led Coalition airstrikes resulted in civilian casualties and damage to infrastructure on multiple occasions. Non-state actors, including Houthis, tribal militias, militant secessionist elements, al-Qaida in the Arabian Peninsula (AQAP), and a local branch of ISIS, reportedly committed significant abuses with impunity.

## **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 that current or former members of the security forces committed arbitrary or unlawful killings. Politically motivated killings by non-state actors, including Houthi forces and terrorist and insurgent groups claiming affiliation with AQAP or ISIS, also increased significantly during the year (see section 1.g.).

As many as 27 clerics were killed in Aden and nearby areas. On May 9, an unknown gunman killed cleric Safwan al-Sharjabi as he walked along a crowded road in Aden. Many of the assassinated clerics, including Sharjabi, were members of Yemen's influential Islamist political party, known as Islah. Brig. Gen. Shalal

Ali Shaiya, head of Aden's security and a top leader of the secessionist Southern Transitional Council, denied speculation that his forces were behind the killings. He blamed Islamist extremists. Secessionist officials said the Islah party was responsible for the clerics' assassinations. These officials alleged Islah was killing the moderate clerics to replace them with more extreme voices. No group claimed responsibility for any of the assassinations, and no perpetrators were arrested.

Following their assassination of former president Ali Abdullah Saleh in December 2017, Houthis actively targeted members of his political party, the General People's Congress (GPC). Press reported that during the year Houthis either abducted or executed hundreds of GPC members in a crackdown on Saleh loyalists.

### **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. Non-state actors targeted and detained foreigners, including those believed to be working for foreign diplomatic missions.

The government's National Commission to Investigate Alleged Violations to Human Rights (NCIAVHR) documented 3,697 cases of arbitrary detention, torture and enforced disappearance committed by parties to the armed conflict from February 1 to July 31. Of these, 3,036 cases were committed by Houthi militias and 661 cases were committed by the ROYG and Coalition forces.

An Associated Press (AP) investigation in June alleged that 18 United Arab Emirates (UAE)-administered clandestine detention centers operated by Yemeni guards in eastern Yemen held hundreds of prisoners suspected of terrorism without charge or trial. The ROYG stated it had no control over the alleged UAE-run prisons. Several dozen detainees were reportedly released in the days following publication of the AP report.

The Baha'i International Community reported armed soldiers linked to the Houthis in Sana'a seized Abdullah Al-Olofi, the spokesperson for the Yemeni Baha'i community, on October 11 and took him to an unknown location. He was released several days later.

### **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.

According to multiple NGO and press reports, Yemeni guards working at detention centers allegedly administered by forces aligned with the UAE (see section 1.b.) used sexual torture and humiliation to “break” inmates. In a letter to Human Rights Watch (HRW) in April, the ROYG acknowledged that 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. The UAE denied any involvement in torture of prisoners.

The Office of the UN High Commissioner for Human Rights (UNOHCHR) reported that Security Belt Forces (SBF), part of the ROYG yet reportedly funded and directed by the UAE, committed rape and other forms of serious sexual violence targeting foreign migrants, internally displaced persons (IDPs), and other vulnerable groups. The SBF have since 2017 controlled the Al Basateen area of the Dar Saad district of Aden, which hosts a population of at least 40,000 refugees and IDPs. Residents reported that SBF regularly abducted and raped, or threatened to rape, women to extort money from their families and communities. The authorities did not conduct investigations or make arrests in relation to these violations, which were still being reported in May.

During the year UNOHCHR continued to receive information concerning ill-treatment and torture of detainees at the Political Security Organization (PSO) and the National Security Bureau (NSB), as well as the Criminal Investigation Department and in the Habrah and al-Thawra prisons in Sana’a, as well as other facilities under Houthi control.

Torture and other forms of mistreatment were common in Houthi detention facilities and by Houthis, according to NCI/VHR, international NGOs, and media reporting. An HRW report released in September documented 16 cases in which Houthis treated detainees brutally after arbitrarily arresting them, often in ways that amounted to torture, including whippings and hanging on walls with arms shackled behind the back. A December 7 AP report documented numerous cases

of torture, including hanging prisoners by their genitals and burning them with acid. In some cases, Houthi minders would torture detainees to obtain information or confessions. An advocacy group associated with families of detainees alleged that 126 individuals died from torture in Houthi detention since 2014.

### **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). Without special accommodations, authorities held prisoners with physical or mental disabilities with the general population. The UNOHCHR reported during the year that conditions of detention facilities deteriorated, including overcrowding, damaged buildings, and shortages of food and medicine.

Media and international NGO reporting during the year found squalid conditions in Houthi detention facilities, including food infested with cockroaches, widespread torture, and absence of any medical care. According to the UNOHCHR, 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.

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

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.

Prior to the outbreak of the conflict, local NGOs reported that prison authorities held juveniles with adults in some rural and women's prisons as well as in some prisons in the capital. By custom, young children and infants born in prison remained in custody with their mothers until age nine. Prison authorities performed pregnancy tests on all female prisoners upon entry into a facility.

Political prisoners reportedly faced torture, abuse, and other forms of mistreatment, while all prisoners experienced harsh physical conditions.

In a report released by HRW in September, individuals formerly detained by the Houthis claimed prison guards beat 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. Under past practice, prisoners could submit complaints to judicial authorities; according to NGO reports, authorities largely ignored such complaints. 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.

Independent Monitoring: The continuing conflict prevented substantial prison monitoring by independent human rights observers. International monitors were granted limited access to some facilities allegedly administered by UAE-aligned forces.

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

The law prohibits arbitrary arrest and detention, but both continued to occur. The law prohibits arrests or serving subpoenas between sundown and dawn, but local NGOs reported that authorities took some persons suspected of crimes from their homes at night without warrants. Ministry of Interior security forces remained largely under the control of Houthis at year's end.

Amnesty International (AI) reported that professor and political figure Mustafa al-Mutawakel was arbitrarily arrested by ROYG forces in Marib in April 2017. At year's end, he remained in detention without charge.

In August the Houthis detained and continued to hold Kamal Al-Shawish, a co-founder of NGO Mwatana. Mwatana has been an outspoken critic of human rights conditions in the country.

AI reported that Houthis continued to arbitrarily arrest and detain scores of critics and opponents in areas under their control. Detained individuals included journalists, private individuals, human rights defenders and members of the Baha'i community.

### **Role of the Police and Security Apparatus**

The primary state security and intelligence-gathering entities, the PSO and the NSB, came under Houthi control in 2014, although their structure and operations appeared to remain the same. The Yemeni government, however, maintained its own appointments to the PSO and NSB in the parts of the country under government control. By law the PSO and NSB report first to the interior minister and then to the president. The relationship and coordination efforts between the PSO and NSB were unclear. The law charges the PSO with identifying and combating political crimes and acts of sabotage. There was no clear definition of many of the NSB's duties.

The Criminal Investigation Division reports to the Ministry of Interior and conducted most criminal investigations and arrests. The ministry's paramilitary Special Security Forces, often responsible for crowd control, was under the direct authority of the interior minister, as was the counterterrorism unit. The Ministry of Defense also employed units under its formal supervision to quell domestic unrest and to participate in internal armed conflicts.

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

mechanisms to investigate and prosecute abuse and corruption. The SSF, the Yemen Special Operations Forces, the Presidential Guard (formerly the Republican Guard), the NSB, and other security organizations ostensibly reported to civilian authorities in the Ministry of Interior, Ministry of Defense, and Office of the President. Civilian control of these agencies continued to deteriorate, however, 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.

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

Since its relocation in 2015 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 these stipulations were frequently ignored by all parties to the conflict 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. Prior to the Houthi takeover, security forces routinely detained relatives of fugitives as hostages until the fugitive was located. Authorities stated they detained relatives only when the relatives obstructed justice, but human rights organizations rejected this claim.

Arbitrary Arrest: Prior to the outbreak of conflict, authorities did not record many detainees' names, did not transfer some detainees to official detention centers, and arrested and released many detainees multiple times during the year. In September



the UN Group of Eminent Experts on Yemen reported their investigations confirmed widespread arbitrary detention throughout the country, with most detainees receiving no information of 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. The UN Group of Eminent Experts further reported that parties to the conflict were using undeclared detention facilities in an apparent attempt to put detainees outside the reach of the law.

Between October 2016 and April, Coalition forces arrested 148 fishermen, who were reportedly taken to detention facilities in Saudi Arabia and were held incommunicado. Most were released, but 18 fishermen, all held for more than one year, remained missing.

In many areas, Houthi forces and their allies arbitrarily detained persons and kept them in temporary prisons, including at military sites. Other non-state actors also arbitrarily detained persons. NGOs reported that Houthi forces denied detainees family visits or legal representation. In an HRW report released in September (see section 1.c.), 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.

The UN Group of Eminent Experts on Yemen concluded the Houthis had “committed acts that may amount to war crimes, including cruel treatment and torture [and] outrages upon personal dignity.” The experts documented the Houthis detaining students, human rights defenders, journalists, perceived political opponents and members of the Baha’i community.

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.

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.

UNOHCHR reported that in Aden and Mukalla, areas controlled by the Hadi-government, detainees carried out hunger strikes protesting the absence of due process. HRW noted 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.

Mwatana claimed that those detained by the Houthis were often 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.

#### **e. Denial of Fair Public Trial**

The UNOHCHR 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 UNOHCHR, 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 and occasional bribery influenced verdicts. The government's lack of capacity and reluctance at times 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 Baha'i, to public execution on January 2 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 awaiting execution.

The Baha'i International Community and AI reported that more than 20 Baha'is, including national-level leaders, were indicted in a September 15 Sana'a court hearing without being notified of the trial. The Houthi-controlled court accused them of apostasy and espionage. Only the judge, prosecutor, and other court officials were present at the beginning of the hearing. In a subsequent hearing on

September 29, the judge asked the prosecutor to publish the names of the accused in a newspaper and ordered their properties frozen until the court reached a verdict.

### **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.

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.

An AI report stated the UAE and Yemeni militias aligned with it detained 51 men between 2016 and May in five provinces in the southern portion of the country. Of

the 51, 19 were missing at year's end. Many of those taken into custody were arrested on unfounded terrorism-related charges, activists say. AI added that many of the arrests were based on "unfounded suspicions" of being members of al-Qaida or the Islamic State. Rather, AI reported, those detained included critics of the coalition and its allies, including activists and journalists and members of Islah, a political party that is the country's branch of the Muslim Brotherhood.

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 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 required that 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 that the government of the non-Yemeni spouse had no objection to the marriage and presented a marriage contract

signed by a judge. Bribes frequently facilitated approval. There was no available information on current practice.

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

In 2014 Houthis took control of the capital and occupied many government offices, precipitating the relocation of President Hadi and his government in 2015. The ensuing conflict continued as of year's end. The UN-led peace process included attempts to re-establish a cessation of hostilities at intervals throughout the year, the most recent in December. These efforts made some progress, although the conflict continues. Throughout the year, the Saudi-led Coalition continued military operations against Houthis, including an active military role by the UAE.

The Yemeni government re-established a presence in Aden and additional areas in the South in 2016. On October 18, Abdulmalik Maeen Saeed replaced Ahmed Bin Dagher as prime minister of Yemen. Part of the cabinet remained in Aden with Saeed, with some cabinet members also present in Marib. President Hadi remained abroad in Saudi Arabia.

Throughout the year, clashes occurred as warring parties lost and regained territory. The military's loyalty was divided among numerous local actors. Armed clashes expanded to several areas of the country among Houthis, supporters of the Islah Party (Sunni Islamist) and the Rashad Party (Salafi), armed separatists affiliated with the southern separatist movement Hirak tribal forces, progovernment resistance forces, and Saudi-led coalition ground forces, with participation by elements of the ROYG's armed forces. Terrorist groups, including AQAP, carried out many deadly attacks against government representatives and installations, Houthi combatants, members of Hirak, and other actors accused of behavior violating sharia law.

In June the Coalition began a ground offensive on Hudaydah led by the UAE and Yemeni forces. The Coalition captured the airport in the south of the city and eventually Kilos 16 and 10, effectively restricting movement and travel for individuals and goods to Sana'a.

International observers criticized all parties to the conflict for civilian casualties and damage to infrastructure resulting from shelling and airstrikes.

As a result of the fighting, the humanitarian situation in the country deteriorated significantly, with 8.4 million individuals at potential risk for famine and a

reported 80 percent of the country's population requiring humanitarian assistance by year's end, according to the United Nations. An estimated 2.3 million citizens remained internally displaced during the year. The United Nations estimated that only 55 percent of health facilities remained functional.

The country experienced a cholera outbreak in 2016 and a second, larger surge in April 2017 that the United Nations reported was the largest outbreak worldwide, with more than one million suspected cases. The World Health Organization reported more than 79,500 suspected cases and 166 associated deaths between July 15 and September 22.

Killings: 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.

Per UNOHCHR, from March 2015 to June, there were at least 16,706 civilian casualties, with 6,475 killed and 10,231 injured in the conflict. According to their data, Coalition air strikes caused most of the documented civilian casualties. UNOHCHR's Group of Experts reviewed 60 instances where air strikes hit residential areas, killing more than 500 civilians, and 29 incidents where air strikes hit public spaces, killing more than 300 civilians. For example, on August 9, a Coalition airstrike hit a school bus in Sa'ada governorate, killing at least 40 and wounding 79, including a significant proportion of schoolchildren. The Coalition later determined the school bus incident was "unjustified."

Media and NGOs also reported civilian casualties also resulted resulting from indiscriminate shelling by Houthis and their affiliated popular committees. In an August 17 report, the UN Group of Eminent Experts cited instances of women and children hit by shelling and sniper fire by Houthi forces around Taiz while in their homes or outside acquiring water or food. On August 8, fragments from a missile fired into Saudi Arabia by Houthi forces killed one civilian and injured 11, according to Saudi media reports.

Following a visit to Aden early in the year, HRW reported in an April statement that Houthi forces used land mines in six governorates, including in residential areas, which appear to have killed and maimed hundreds of civilians since the conflict began. According to the Armed Conflict Location and Event Data Project, mines laid by Houthi forces killed 222 civilians since 2016. A March report by Conflict Armament Research found that roadside bombs in Yemen were similar to bombs used by Hezbollah and Iran-linked insurgents in Iraq and Bahrain. In

August Coalition demining teams reported decommissioning more than 300,000 mines explosive remnants of war (ERW) over the past two years. Additionally, internationally funded ERW clearance operations carried out by the United Nations Development Programme cleared 5.1 million square meters and more than 136,000 explosive hazards in 2017.

Other deaths resulted from attacks and killings by armed groups, including AQAP and ISIS.

*The Guardian* newspaper reported that fighting between both sides within the densely populated city of Hudaydah killed at least 150 individuals in the second two weeks of November and led more than 445,000 to flee since the summer.

The UNOHCHR recorded at least 32 instances where Coalition missiles struck humanitarian sites, despite their designation on a no-strike list. On June 11, Medecins Sans Frontieres (MSF) reported that an air strike hit a new cholera treatment center in the Abs district of Hajjah Governorate. MSF indicated that the facility's coordinates were shared with the Coalition on 12 separate occasions.

The Coalition has 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 UNOHCHR and others asserted the Coalition's JIAT investigations did not provide sufficient transparency on the targeting process for strikes and HRW stated that the JIAT's public conclusions raised serious questions regarding the ways in which the JIAT conducted investigations and applied international humanitarian law.

Abductions: The Committee to Protect Journalists (CPJ) documented the abduction of seven *Akhbar al-Youm* staff on March 1, whom Security Belt forces held for a month. Fathi bin Lazraq, editor-in-chief of the newspaper *Aden al-Ghad*, told CPJ the Emergency Battalion in Aden detained him for eight hours on July 1. Lazraq said that the Emergency Battalion operated under the umbrella of the Security Belt forces. Lazraq was eventually released the same day by order of the commander of anti-terror forces.

HRW reported that the Houthi-controlled Political Security Office kidnapped individuals for ransom, sometimes letting months pass before informing relatives they were detained. A woman interviewed by HRW claimed she had paid 1.5

million Yemeni riyals (\$6,000) to Houthi officials over the last three years to free her husband, who remained in Houthi custody. The UN Panel of Experts on Yemen found that Political Security Office members were “profiting from detentions.”

Physical Abuse, Punishment, and Torture: An August HRW report alleged more than 49 persons died as a result of torture administered by Yemeni guards in UAE-operated clandestine detention centers. AI investigated the cases of 51 men detained by Security Belt and Elite Forces between March 2016 and May 2018 in Aden, Lahj, Abyan, Hadramawt, and Shabwa governorates. Current and former detainees and families gave Amnesty accounts of abuse including beatings, use of electric shocks, and sexual violence. One detainee told Amnesty he saw a fellow detainee carried away in a body bag after being repeatedly tortured. Another former detainee said UAE soldiers at a coalition base in Aden repeatedly inserted an object into his anus until he bled. He said he was also kept in a hole in the ground with only his head above the surface and left to defecate and urinate on himself in that position.

HRW reported Houthi forces frequently detained hostages for extortion and profiteering. While detained by the Houthis, detainees described being beaten, whipped, shackled to walls, caned, and threatened with rape or rape of their family members by Houthi officers. Detainees were refused medical assistance or treatment after their abuse and many released suffered from physical and psychological health complications.

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Child Soldiers: Although Yemeni law and ROYG policy expressly forbid the practice, children younger than age of 18 participated in armed conflict for government, tribal, Houthi, and militant forces. The ROYG military strongly denied it recruited child soldiers. Nearly one-third of the combatants in the country were younger than 18, by some estimates. 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 UNOHCHR Secretary-General reported 842 verified cases of recruitment and use of boys as young as 11 years old in 2017. Nearly two thirds of these cases were attributed to the Houthi Forces, with a substantial increase in the number attributed to the Security Belt Forces and the Yemen Armed Forces as compared with 2016. The United Nations also documented the deprivation of liberty of boys by armed forces and groups for their alleged association with opposing parties.

Tribes, primarily affiliated with the Houthis and including some armed and financed by the government to fight alongside the regular army, used underage recruits in combat zones, according to reports by international NGOs, such as Save the Children. The UNOHCHR investigation found information indicating government, Coalition-backed forces, and Houthi forces all conscripted or enlisted children into armed forces or groups and used them to participate actively in hostilities. These reports were strongly denied by the ROYG. Houthis also routinely used children to staff checkpoints, act as human shields, or serve as suicide bombers. Combatants reportedly involved 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 that tribes rarely placed boys in harm's way but used them as guards rather than fighters.

During the year the Houthis and other armed groups, including tribal and Islamist militias and AQAP, increased their recruitment, training, and deployment of children as participants in the conflict. According to a February AI 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. UNOHCHR reported Houthi forces also forcibly recruited children in schools, hospitals, and door-to-door or used appeals to patriotism and financial incentives.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

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

humanitarian organizations to vulnerable populations contributed to the deteriorating humanitarian situation.

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 and misadministration of government institutions led to 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.

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 12 armed attacks against healthcare facilities and personnel, including two attacks on ambulances. On February 24, Al-Thawra Hospital in Taizz closed in protest after masked gunmen kidnapped a doctor at its front gate. On May 6, dozens of armed fighters invaded the hospital's emergency and operating rooms, threatening doctors and shooting a patient. Physicians for Human Rights reported several instances of mortar shells hitting hospitals in Taizz and al-Hudaydah in March, April, and May.

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.

Rebel actors did not respect the rights as provided, 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 and Coalition and Houthi forces.

On March 4, the Houthis released two journalists after almost two years of detention. According to the National Organization of Yemeni Media, 14 others remain detained in Houthi-run prisons.

Press and Media Freedom: 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.

In July the Yemeni Journalists' Syndicate (YJS) announced it had recorded 100 cases of media freedom violations during the first half of the year, including threats of kidnapping, arrest, torture, blocking of news sites, and suspension of salaries, among other threats. According to YJS, the ROYG committed 47 alleged abuses either in government buildings or on security bases, and 39 were committed by the Houthis, six by the Coalition, and eight by unknown individuals.

Violence and Harassment: Progovernment popular resistance forces, Houthis, and tribal militias were responsible for a range of abuses against media outlets. For example, progovernment forces, including Security Belt and Hadrami forces, harassed media and monitors by raiding civil society organizations, and detaining peaceful journalists and demonstrators for publicizing complaints about detention practices and military operations. CPJ reported an armed raid in March 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 CPJ the attackers arrived in vehicles and wore uniforms consistent with the "Security Belt" forces that operate in and around Aden. Three weeks later, seven *Akhbar al-Youm* staff were abducted from the same location.

Houthi militias and forces loyal to Saleh were responsible for a campaign of violence and harassment against journalists, according to Yemeni Journalists

Syndicate, an affiliate of the International Federation of Journalists. The government was unable to take any substantive steps to protect journalists from violence and harassment.

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. According to HRW, authorities frequently compelled detainees to sign contracts promising not to affiliate themselves with groups their captors saw as opposed to Houthi movement.

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 Houthi-controlled Ministry of Telecommunications and internet service providers reportedly blocked websites and domains that authorities deemed critical of the Houthi agenda. UNOHCHR reported that 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.”

Nongovernmental Impact: International media and human rights organizations have said that their personnel were unable to obtain Coalition permission to use United Nations flights into and out of Sana’a since early 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. UNOHCHR reported Houthi forces raided or closed the premises of a large number of civil society organizations and frozen the assets, including bank accounts, of at least two NGOs.

## **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.

According to the International Telecommunication Union, 27 percent of the population used the internet during the year, while 6 percent had internet access at home.

### **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. 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 [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

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

In 2016 the Coalition closed Sana'a International Airport to commercial traffic, permitting only UN humanitarian flights and thereby preventing thousands of local citizens from seeking medical care abroad. Those who need to leave the country attempt alternative routes that require long journeys across active front lines at high risk and cost.

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, returning refugees, asylum seekers, stateless persons, and other persons of concern. The Houthi takeover, Coalition airstrikes, and the Hudaydah offensive, however, made it difficult for humanitarian organizations to reach many areas of the country due to security concerns. The ROYG did not enforce the law, even in government-controlled areas, due to capacity and governance issues.

According to UNHCR, the country's laws and policies were consistent with international standards, but authorities' capacity to protect and assist persons in need was limited. The Houthis imposed ad hoc and unpredictable requirements on humanitarian organizations throughout the year, such as visa restrictions and checkpoints, making implementation of humanitarian programs difficult in areas under their control.

Abuse of Migrants, Refugees, and Stateless Persons: In past years, multiple NGOs reported that criminal smuggling groups built a large number of "camps" near the Yemen-Saudi border city of Haradh, where militants held migrants for extortion and ransom.

UNHCR, the International Organization for Migration (IOM), and other partners continued to face challenges accessing detention centers. UNHCR and IOM negotiated with relevant ministries to find alternative means to monitor refugees and asylum seekers in detention.

IOM recorded more than 50,000 new arrivals of migrants and refugees to the country in the first half of the year. The IOM reported that both the government and Houthis detained migrants due to concerns that they could be recruited by the other party. While the government was able to deport migrants back to their country of origin, the Houthis generally detained migrants for indefinite periods. IOM worked with the Houthis to assist the migrants while in detention. Separately, UNHCR and IOM worked together to provide assisted voluntary returns for migrants and assisted spontaneous returns for Somali refugees. As of October 18, UNHCR and IOM had helped more than 2,600 refugees and migrants to return to the Horn of Africa since the program began in September 2017.

In April HRW reported that government officials tortured, raped, and executed migrants and asylum seekers from the Horn of Africa at the Bureiqa detention center in the southern port city of Aden. The authorities denied asylum seekers an opportunity to seek refugee protection and deported migrants en masse to dangerous conditions at sea. As of April approximately 90, primarily Eritrean, migrants remained in the country.

Houthi armed groups also arbitrarily detained 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. Early in the year, at least one group of migrants--87 individuals, including seven children--held in the Hudaydah facility by Houthi forces were released on condition they travel to Aden. Yemeni soldiers stopped the group along the way and reportedly took them to the Bureiqa detention facility in Aden.

In-country Movement: Rebel forces, resistance forces, security forces, and tribesmen 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. 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 (see section 6, Women) men at checkpoints increasingly insisted on adherence to the “mahram” system, the cultural obligation of women to be accompanied by male relatives in public.

Authorities required travel permits for all non-Yemeni nationals leaving Sana’a.

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

Foreign Travel: 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 authorities enforcing this requirement during the year. There were attempts, however, by 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).

### **Internally Displaced Persons (IDPs)**

According to UNHCR’s *Fact Sheet* for October, there were approximately two million IDPs, of whom 89 percent were displaced for more than one year. There were approximately one million IDP returnees. The government’s IDP registration system has been on pause since the escalation of the conflict in 2015.

Humanitarian organizations’ access to IDPs 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 in Sana’a with food, shelter, and nonfood items. IDPs from Sa’ada reported limited access to cash for purchasing basic household items.



Humanitarian organizations reported that parties to the conflict interfered with the distribution of humanitarian goods. Houthi forces conducted armed robberies and stole vehicles throughout the year, yet this type of limitation generally occurred in conflict hotspots and represented a small fraction of overall aid. Due to general insecurity, humanitarian organizations' access to populations of concern was restricted and somewhat unpredictable. According to the United Nations, there were 22.2 million individuals in need.

There was a marked increase in food insecurity throughout the country, and rates of acute malnutrition were high among IDPs and other vulnerable groups (see section 1.g.). According to Save the Children, 64.5 percent of total population was food insecure, 8.4 million were on brink of starvation, and half of all children in the country were stunted. An estimated 400,000 children were malnourished.

IOM reported that 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 Taizz and Lahj. As of September UNHCR provided core relief items to 383,549 IDP individuals, emergency shelter kits to 59,882 individuals, and rental subsidies for 108,396 individuals. In January UNHCR finalized the construction of 1,700 transitional shelters for IDP families, with 3,200 under construction in Hajjah at year's end. UNHCR provided 27,767 core relief item kits and 4,430 emergency shelter kits to assist families displaced by fighting in al-Hudaydah by the end of September.

The Saudi government-run King Salman Relief Agency set up a temporary camp in September in al-Khawkha to shelter IDPs fleeing al-Hudaydah and supply them with water tanks, mobile clinics and shelter materials, including camps and blankets. The camp could accommodate 420 IDPs and plans to expand operations to eventually benefit 30,000 IDPs.

### **Protection of Refugees**

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 shared in the general poverty and insecurity of the country.

According to UNHCR's September *Fact Sheet*, there were more than 280,000 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 IOM. Due to the fighting, many left Aden and 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 facing physical and sexual abuse as well as torture and forced labor, in both Houthi and ROYG controlled facilities, and that many refugees were susceptible to trafficking.

Refoulement: Eritrean, Ethiopian and Somali detainees of the Bureiqa migrant detention center near Aden alleged they were not allowed to claim refugee status in Yemen and that hundreds of fellow detainees were sent back out to sea in overloaded boats. 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 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 Yemen in territory under government control, in coordination with the government.

Freedom of Movement: Freedom of movement remained difficult for all in the country, including refugees, given the damage to roads, bridges, and 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 caused unnecessary delays or blocked the movement of individuals or goods.

Access to Basic Services: Refugees lacked access to basic services due to the ongoing conflict. The United Nations estimated that only about 55 percent of 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.

### **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: Elections for the presidency remained pending under the GCC-I, a 2011 regional effort to promote national reconciliation, which superseded elements of the constitution and permitted the extension of President Hadi's term until the development of a transitional political settlement. In 2014 political parties, acting within the National Dialogue Conference (NDC), endorsed that extension. Thirteen parties signed a Peace and National Partnership Agreement in 2014 that temporarily ended the violence associated with the Houthi entrance into Sana'a and called for implementation of the NDC, including holding elections and establishing a new constitution.

In 2015 Houthis declared the constitution null and void, disbanded parliament, and announced the formation of the appointed Supreme Revolutionary Committee as the highest governing body. The Houthi-aligned GPC 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 during the year. The UN-led political process continued at year's end.

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.

### **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. There were reports of official

corruption during the year. 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 that 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 federal government.

The Central Organization for Control and Audit is the national auditing agency for public expenditures and the investigative body for corruption. It has not conducted any known investigations since 2015.

Some police stations reportedly maintained an internal affairs section to investigate security force abuses, 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 security forces, and to create a central registry designed to

eliminate 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 security forces 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. According to the government, the SNACC continued to operate “at minimal levels” during the year. 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**

Most human rights groups reported that they were blocked from accessing the country by Coalition forces who closed Sana’a airport and controlled all flight entry and exit through the capital. After publishing negative reports, international human rights groups were targeted by media affiliated with both the ROYG and Houthi forces. Non-state actors, including the Houthis, subjected domestic human rights NGOs to significant harassment during the year (see also section 2.b.).

The United Nations or Other International Bodies: The Coalition and ROYG 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 UN and humanitarian organizations reported Coalition delays and denials obstructed delivery of 80-90 percent of all commercial and humanitarian goods to the population. All parties permitted access to UN

humanitarian organizations distributing aid, but obstacles remained in delivery due to blockades, checkpoints, road conditions, bureaucratic impediments, and continuing armed conflict.

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.

## **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.

There were no reliable rape statistics. By law, authorities can prosecute rape victims on charges of fornication if authorities do not charge a perpetrator. There were few publicly reported cases of rape during the year. On March 30, a Sudanese mercenary allegedly raped a woman, who gave her name as “Ramadhana,” as she collected firewood in al-Khawkha. Government forces reportedly refused to investigate the incident. According to law, without the perpetrator’s confession, the rape survivor must provide four male witnesses to the crime.

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 beatings, 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 from this year on its prevalence, however data from media and UN reporting in 2015 suggests the rate was around 15-20 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 often absent or dead.

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

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 was 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 reported that nearly half a million children have dropped out of school since the 2015 escalation of conflict, bringing the total number of out-of-school children to two million, according to a UNICEF assessment released in March. Meanwhile, almost three quarters of public school teachers have not been paid their salaries in over 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 local and international NGOs reported an increase in forced marriage and child marriage for financial reasons due to economic insecurity. There is no minimum age for marriage, and girls 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. Article 161 of the Child Rights Law criminalizes the prostitution of children.

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.html>.

### **Anti-Semitism**

Approximately 50 Jews remained in the country; according to media reports, most lived in a closed 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, putting the Jewish community at risk. Many fled the country as a result.

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

Anti-Semitic material was rare. Media coverage of the country's Jewish population was generally positive. The Houthi movement, however, adopted anti-Semitic slogans, including "death to Israel, a curse on the Jews," and anti-Israeli rhetoric at times blurred into anti-Semitic utterances. 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. According to media reports, a senior AQAP leader called for violence against Jews in a video disseminated online in January, in which he said "the Muslims inside the occupied land must kill every Jew, by running him over, or stabbing him, or by using against him any weapon, or by burning their homes."

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

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

Several laws mandate the rights and care of persons with disabilities, but the government did not 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.

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 that schools be accessible to persons with disabilities. The extent to which any authority implemented these laws was unclear.

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 or Akhdam communities, 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.

### **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 were 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, lack of resources, and interests of the elite, many of whom supported such forms of labor.

Although information was limited, in the past there have been numerous reports of forced labor in both urban and rural areas. Some sources reported that 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 [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **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 (CCLU) 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 under 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 under 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 [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **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.

Racial and employment discrimination against the Muhamasheen was a problem. 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, which ranged from approximately 27,000 YER (\$39) per month to 120,000 YER (\$171) per month, have not been not 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.