

Amnesty International Report 2015/16 - The State of the World's Human Rights - Yemen

The human rights situation seriously deteriorated amid the armed conflict, which intensified in March and continued throughout the year. All parties to the conflict committed war crimes and other serious violations of international law with impunity, including indiscriminate bombing and shelling of civilian areas, killing and injuring thousands of civilians and forcibly displacing over 2.5 million people. The Huthi armed group and allied security forces also arbitrarily restricted the rights to freedom of expression, association and assembly, arresting journalists, leaders of the al-Islah political party and others, forcing the closure of NGOs, using lethal and other excessive force against peaceful protesters, and using torture. Women and girls remained subject to discrimination and abuses including forced marriage and female genital mutilation. Courts handed down death sentences and executions were carried out.

Background

The political transition process was derailed as Yemen became enmeshed in armed conflict. After entering the capital Sana'a in September 2014, the Huthi armed group, aided by units of the armed forces loyal to former President Ali Abdullah Saleh, extended their control over other areas in early 2015. In January, Huthis attacked government buildings and military positions, including the presidential compound, forcing President Hadi and his government to resign, and took effective control of Sana'a and other areas.

On 6 February the Huthi armed group dissolved Yemen's Parliament and issued a constitutional declaration mandating the creation of a transitional presidential council to govern Yemen for an interim period of two years. On 15 February, the UN Security Council adopted Resolution 2201, which strongly criticized the Huthis' actions and demanded that they refrain from further unilateral actions that could destabilize the political transition and Yemen's security. President Hadi, having withdrawn his resignation, relocated with his government to the Saudi Arabian capital, Riyadh, in late March, when the advance of Huthis and their allied forces into southern Yemen led to intensified armed confrontations between the Huthis and their allied forces, and armed groups that opposed them and army units loyal to President Hadi. The fighting in southern Yemen was marked by indiscriminate attacks in which both sides repeatedly fired imprecise weapons at civilian residential areas, causing civilian deaths and injuries.

On 25 March, a Saudi Arabia-led coalition of nine states intervened in the Yemen conflict in support of President Hadi's internationally recognized government. The coalition launched a campaign of air strikes on areas controlled or contested by Huthis and their allies, including Sana'a and Sa'da governorate, sent ground troops into southern Yemen and imposed a sea and air blockade. While many coalition attacks were directed at military targets, others were indiscriminate, disproportionate or directed against civilian homes and infrastructure, including hospitals, schools, markets and factories, as well as vehicles carrying civilians and humanitarian assistance, killing and injuring thousands of civilians. By the end of the year, the conflict had caused the deaths of more

than 2,700 civilians, including hundreds of children, according to the UN, and the forcible displacement of more than 2.5 million people, creating a humanitarian crisis.

On 14 April, in Resolution 2216, the UN Security Council demanded that Huthis withdraw from Sana'a and other areas and surrender weapons seized from government sources. It also called for all states to prevent arms transfers to former President Saleh and the Huthi leader Abdul Malik al-Huthi, and pressed all parties to the conflict to abide by previous agreements, including the outcomes of Yemen's national dialogue and the Peace and National Partnership agreement of September 2014.

In July, forces opposed to the Huthis, supported by ground troops from the United Arab Emirates and coalition air strikes, regained control of Aden. In September, President Hadi's government partly relocated to Aden from Saudi Arabia.

UN-brokered peace talks took place in Geneva, Switzerland, from 15 to 20 December, accompanied by a temporary ceasefire, but ended without any significant breakthrough.

US forces continued to carry out drone strikes against the armed group al-Qa'ida in the Arabian Peninsula in central and southeastern Yemen, mainly in the governorates of Marib and Hadramawt.

Armed conflict

The Huthi armed group, their allies and the various armed groups and pro-government forces that opposed them all committed serious violations of international humanitarian law, including some that amounted to war crimes, as well as human rights abuses.

Indiscriminate and disproportionate attacks

Huthi and anti-Huthi armed groups used explosive weapons with wide-area effects, including mortars and artillery shells, when attacking civilian residential areas controlled or contested by their opponents in southern Yemen, killing and injuring civilians. During fighting for control of Aden and Ta'iz, Yemen's two most populous cities after Sana'a, both sides repeatedly fired explosive weapons with wide-area effects into densely populated civilian areas. They also conducted military operations from civilian residential neighbourhoods, launching attacks from or near homes, schools and hospitals, exposing local civilians to serious risk. The Huthi armed group and their allies laid internationally banned anti-personnel landmines that caused civilian casualties; dozens of civilians were killed or injured by landmines when returning to their homes in the second half of the year after fighting ended in Aden and the surrounding area.

Huthis and their allies carried out cross-border attacks from northern Yemen that could amount to war crimes, indiscriminately shelling Najran and other civilian-populated areas in southern Saudi Arabia.

Attacks on medical facilities and workers

The Huthi armed group and its allies, and their pro-government opponents, attacked medical facilities, workers and patients or exposed them to serious risk by using medical facilities or their close vicinity as locations for firing positions or other military activities, particularly during fighting

in and around Aden and Ta'iz. In Aden, unidentified gunmen attacked the premises of the ICRC, forcing their staff to relocate. Anti-Huthi fighters fired assault rifles from inside Aden's al-Sadaqa hospital compound and launched mortars next to the hospital, exposing patients and medics to the risk of retaliatory attacks. In late April, Aden's al-Joumhouria Hospital was forced to suspend its medical activities because of similar actions by fighters.

Excessive use of force and torture and other ill-treatment

The expansion of Huthi control sparked widespread protests in Ta'iz and other cities to which Huthi forces and the pro-Huthi Central Security Forces responded with excessive force, including the use of live ammunition, arrests and torture.

In the city of Ibb, Huthis and their allied forces used live ammunition to fire at peaceful protesters on 16 February, wounding three protesters, and on 21 February, killing protester Nasr al-Shuja'.

In Ta'iz, the pro-Huthi Central Security Forces used excessive force, including tear gas and live fire, to disperse peaceful demonstrations from 22 to 25 March, killing at least eight protesters and wounding at least 30 others. Almost 300 protesters and bystanders required treatment for tear gas inhalation.

In Sana'a, Huthis and their allied forces detained three protesters on 11 February and tortured them over the following four days; one, Salah 'Awdh al-Bashri, died from injuries he sustained during hours of torture.

Unlawful killings

Anti-Huthi forces summarily killed captured Huthi fighters and civilians suspected of supporting the Huthis. They posted videos on the internet publicizing some of these killings in Aden and Ta'iz of those they alleged were "spies" or "Huthi supporters".

Abductions, arbitrary arrests and detention

There was a surge in arbitrary arrests, detentions and abductions of government supporters, journalists, human rights defenders and others by Huthis and allied forces loyal to former President Saleh. Many detainees were held in multiple, often unofficial, locations including private homes without being informed of the reason for their detention or given any opportunity to challenge its legality. At least 25 men, including political activists, human rights defenders and journalists, were detained by armed men in civilian clothes who said they belonged to Ansarullah, the political wing of the Huthi armed group, while attending a meeting at an Ibb hotel on 13 October. Most were later released, reportedly after being tortured, but Antar al-Mabarazi, an engineer, and Ameen al-Shafaq, a university professor, remained in incommunicado detention at the end of the year.

Freedom of association

Huthi forces curtailed freedom of association, closing down at least 27 NGOs in Sana'a and threatening their directors and staff.

Abuses by Islamic State

The armed group Islamic State (IS) claimed responsibility for bomb attacks that mostly targeted mosques in Sana'a seen as pro-Huthi, killing and injuring civilians. The deadliest attacks, on 20 March, hit the mosques of al-Badr and al-Hashoosh in Sana'a. They killed 142 people, mostly civilians, and injured 351. On 6 December, an IS bomb attack killed the Governor of Aden and several of his aides.

Violations by the Saudi Arabia-led coalition

Beginning on 25 March, a Saudi Arabia-led military coalition of nine states launched a campaign of air strikes across Yemen against the Huthis and their allies. Some attacks targeted and destroyed military objectives; others were disproportionate, indiscriminate or appeared to be directly targeted against civilians and/or civilian objects, causing numerous civilian deaths and injuries. Some of the attacks amounted to war crimes.

The coalition forces' air strikes destroyed a cluster of nine houses on 3 June in the village of al-'Eram, northwest of Sa'da city, killing at least 35 children, 11 women and nine men, and injuring nine other residents. Villagers said that the strikes had continued while search and rescue efforts were under way to look for bodies and survivors in the rubble. Despite this, both the coalition authorities and President Hadi's government failed to conduct investigations and to hold to account those responsible for this or other unlawful attacks.

Coalition forces used imprecise munitions including large US- and UK-made bombs with a wide impact radius which cause casualties and destruction beyond their immediate strike location. In Sa'da and Hajjah, they also used US-made cluster munitions, inherently indiscriminate weapons whose use is prohibited, and which scatter bomblets over a wide area and present an ongoing risk to civilians as they frequently fail to detonate upon impact.

Some coalition attacks targeted key infrastructure, such as bridges and highways. They included attacks in July that destroyed four bridges on a road linking the Sa'da governorate to Sana'a. Other coalition air strikes damaged bridges on roads linking Sana'a to Hodeidah and Marib, and Ta'iz to Aden.

Some coalition air strikes hit hospitals and other medical facilities in Sa'da governorate, injuring patients and medical workers. On 26 October, the Saudi Arabia-led coalition destroyed a Médecins Sans Frontières (MSF) supported hospital in Hayden in Sa'da, injuring seven medical workers. MSF said that another of its clinics in Ta'iz was struck by coalition air strikes on 2 December, wounding nine people, including two MSF staff. On 4 September, coalition aircraft reportedly bombed al-Sh'ara hospital at Razih in Sa'da governorate. According to MSF personnel who visited the site soon after, there was no evidence that the hospital was used for military purposes. MSF said the attack killed six patients and injured others.

In order to deny supplies to Huthis and their allied forces, the coalition imposed a partial aerial and naval blockade. This severely curtailed the import and provision of fuel and other essentials, obstructing access to food, water, humanitarian assistance and medical supplies, exacerbating the worsening humanitarian crisis.

Impunity

All parties to the armed conflict committed serious human rights abuses with impunity.

Yemeni authorities failed to hold thorough and independent investigations into past human rights violations, including unlawful killings and other serious abuses committed by government forces in connection with mass popular protests in 2011.

In September, President Hadi decreed the establishment of a national commission of inquiry to investigate all violations committed since the beginning of 2011.

Women's rights

Women and girls continued to face discrimination in law and in practice and were inadequately protected against sexual and other violence, including female genital mutilation, forced marriage and other abuses.

Death penalty

The death penalty remained in force for a wide range of crimes. Courts continued to impose death sentences and executions were carried out. Prisoners on death row reportedly included dozens of juvenile offenders sentenced for crimes committed when they were under 18 years of age.