

#### IN THE DARKNESS

Abusive Detention, Disappearance and Torture in Yemen's Unofficial Prisons

May 2016 - April 2020



June 2020



Mwatana is an independent Yemeni organization involved in defending human rights. Mwatana started in 2007, but the former regime of president Ali Abdullah Saleh declined to provide the organization with the permit even after re-submitting the request for several years. With the 2011 uprising that ended Saleh's regime, Mwatana was able to obtain the necessary permit on April 23, 2013. In 2018, the Baldwin Award recognized our work. Human Rights First announced awarding the 2018 Roger N. Baldwin Medal of Liberty to Mwatana. In the same year, the 10th International Hrant Dink Award was granted to Mwatana for .informing the world about the status of human rights in Yemen and for struggling against rights violations in the country

info@mwatana.org

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"I even searched for my son in the morgues. I had to see the faces of the dead in order to know his fate."

A mother whose son was disappeared in Yemen in 2016

# SECTION ONE: **EXECUTIVE SUMMARY**

The conflict in Yemen is entering its sixth year and has resulted in one of the worst man-made humanitarian crises in the world. The scale and severity of abuse associated with detention practice in Yemen— including arbitrary detentions, enforced disappearances and torture—has had significant societal impact.

Hundreds of Yemeni civilians are dreaming of obtaining their stolen freedom and hundreds of families are struggling to find relatives disappeared across the country, while parties to the conflict continue to arbitrarily detain, forcibly disappear, torture and subject people to cruel, inhuman and degrading treatment. Even though the warring parties represent multiple, different authorities, they share the same unlawful behaviors.

On 10 April, health athuorites in the east of Yemen confirmed the first COVID-19 case<sup>(1)</sup> in the country. The health sector in Yemen has been decimated, the economy has crumbled, and the humanitarian response has been repeatedly and blatantly obstructed and interfered with by the warring parties. Those deprived of their liberty because of this war remain the worst affected. Fears that the epidemic will reach them are turning into nightmares for themselves and their families, with high spread indicators of the virus in various regions of the country.

A Mwatana human rights study on the situation of detention facilities concluded that they are overcrowded, unsanitary and without adequate ventilation, toilet or other hygiene facilities. Detainees often do not have access to items like soap. Health care is routinely not available and in some cases all together denied to detainees. Prison systems in Yemen do not have the capacity, medical supplies or resources to respond to COVID-19. These conditions put detainees and prisoners at heightened risk in times of a pandemic.

While conditions of detention across Yemen, including in official detention sites, are often appalling, this report focuses on unofficial detention sites. Unoffiical

<sup>(1)</sup> Relief web, First case of Covid-19 reported by authorities in Yemen, https://reliefweb.int/report/yemen/first-case-covid-19-reported-authorities-yemen, retrived in May 3, 2020.

detention sites provoke particular concern given access to independent observers and families is almost always limited to non-existent, torture and other forms of cruel, inhuman and degrading treatment are particularly prevalent, and many of these sites are used to disappear people for lengthy periods.

The sites examined in this report include both unofficial sites used before the current conflict as well as new sites created over the last five years. As abusive detention has exploded during the conflict, so too has the use of unofficial detention sites. Throughout the current conflict, the warring parties have taken over sites in the governorates they control, as well as creating a plethora of additional sites to hold, abusively detain and disappear people.

The report includes a list of key recommendations, including urgently release all detainees, in light of the threats posed by the spread of the (Covid-19), and prioritizing the response to the virus over the continuing conflict and violations in its context, which warring parties can take immediately to mitigate the potential devastating impact of the pendamic on detainees in Yemen, and the general population.

#### **Unofficial Detention and Torture Sites Highlighted in This Report**

This report, "In the Darkness": Abusive Detention, Disappearance and Torture in Yemen's Unofficial Prisons, is based on Mwatana for Human Rights investigative research in 20 Yemeni governorates between May 2016 and December 2019. Mwatana conducted at least 2566 interviews in Arabic with former detainees, witnesses of abuse, relatives of detainees, activists, and lawyers. The Research and Legal Support Unit field teams conducted the interviews, in addition to collecting medical reports and photographic evidence where available. Former detainees were asked to locate and describe the detention centers where they were held. Mwatana used pseudonyms in some cases in the interests of witnesses' and victims' safety. The information was collected, assessed and reviewed by Mwatana's Central Research team, which also visited several Yemeni governorates in separate missions in order to verify and gather further information. This report was reviewed by an international legal expert. An English version of the report was published after translation from the Arabic.

Mwatana provides examples of specific cases of arbitrary detention, enforced disappearance, torture and deaths in detention in sites across Yemen and involving all parties to the conflict between May 2016 and April 2020 in the report, presented in two parts. The first part of the report organizes itself by looking closely at examples of arbitrary and abusive detentions, including torture and other abuse during interrogation, in 11 unofficial detention sites across Yemen run by various parties to the conflict. The second part of the report presents examples of enforced disappearances of civilians in different geographic areas in Yemen, each controlled by different warring authorities.

The detention sites examined in the first part of the report include:

Security and Intelligence Agency (former Political and National Security Agencies) in the capital, Sanaa: The Security and Intelligence Agency (former Political and National Security Agencies) is one of the largest detention centers run by the Ansar Allah armed group (also known as the Houthis). Mwatana investigated at least 159 cases of arbitrary detention and 32 cases of torture in the Security and Intelligence Agency in the capital, Sanaa,

between May 2016 and April 2020. People held at the Security and Intelligence Agency were subjected to multiple forms of torture including, amongst others, nail removal, severe beatings, and electric shocks, as well as inhumane conditions of detention. Ansar Allah (Houthi) officials accused people detained in the Security and Intelligence Agency of communicating with countries in the Saudi/UAE-led coalition and monitoring the movement of Ansar Allah leaders. The Security and Intelligence Agency does not appear to have complied with orders issued by the Public Prosecution Office or judicial institutions in Ansar Allah controlled territories.

Waddah Hall in Aden Governorate: The UAE-backed Southern Transitional Council, supported by and affiliated with the UAE, controls the Aden Security Department, which controls police and other security forces in Aden. The Aden Security Department's Counter-Terrorism Division used two underground halls, in addition to individual detention rooms, as an unofficial detention site in the Attawahi District in Aden Governorate. Mwatana investigated the cases of 29 people who were arbitrarily detained at the site, 18 caes of torture, and 2 deaths in detention in Waddah Hall. The families of those detained in Waddah Hall did not know where their relatives were held until after their release or transfer to another place of detention. People held by the Counter-Terrorism Division were subjected to multiple forms of torture and inhumane treatment, including nail removal, forced nudity, and threats to rape them or their relatives.

Al Saleh City Site in Taiz Governorate: The Ansar Allah (Houthi) group used buildings in the residential city of Al-Saleh in the Al-Hawban area as an unofficial detention site. During the period covered by this report, Mwatana documented at least 63 cases of arbitrary detention, 4 cases of torture, and 2 deaths in detention in this detention center. For lengthy periods between 2016 and 2019, those running the detention center concealed the fate of the people held there, and did not allow them to communicate with their families. Many were disappeared at the site. People held at the site were subjected to multiple forms of torture and inhumane treatment, including electrocution, severe beatings with sticks and wires, and nail removal, as well as promises of release, followed by severe beatings at another location and then returns to the detention site.

Al Jala Camp in Aden Governorate: Al Jala Camp, under the control of the First Support and Backup Brigade of the UAE-backed Southern Transitional Council, is located in the Al Buraigeh District in Aden Governorate. There are at least two areas where detainees were held inside Al Jala camp, one of which is a tin building and the other an underground cellar. Mwatana verified at least 13 cases of arbitrary detention and 17 of torture in the Al Jala camp between May 2016 and April 2020. The First Support and Backup Brigade carried out campaigns raiding homes at night and arresting people, after which they were taken to Al Jala camp and often accused of belonging to armed religious groups. Detainees in Al Jala prison were subjected to torture, including electrocution, sleep deprivation, hanging from the ceiling for hours, in some cases upside down, and the threat of rape or rape of their relatives.

**The Coalition Camp in Aden Governorate:** The Coalition Camp, also known as the Emirati Forces' Headquarters and the Coalition Base, was an unofficial detention center run by Emirati forces (now replaced by Saudi Forces) in the Al Buraiqeh District in Aden Governorate. During the reporting period, Mwatana documented at least 15 cases of arbitrary detention, 8 cases of torture, and 3 deaths in detention in the coalition camp. Former detainees told Mwatana they were subjected to severe beatings, electrocution, humiliating body cavity searches, and forced nudity, which would last for lengthy periods.

Political Security Department in Ma'rib Governorate: The Political Security Department in Ma'rib is run by governmental Islah Party forces loyal to President Hadi. Between May 2016 and April 2020, Mwatana documented at least 31 cases of arbitrary detention and 4 cases of torture, including at least 3 deaths in detention. Most of those interviewed by Mwatana who had been held at the Political Security Department said they had been arrested at Al-Falaj checkpoint, located at the northern gate of Ma'rib city. Many appeared to be detained at this checkpoint based on their family surnames, accused of belonging to the Ansar Allah (Houthi) group. People held at the Political Security Department were burnt and severely beaten, and prohibited from using the bathroom. The Political Security Department does not appear to have responded to release orders,

including orders issued by the Ministry of Interior and the Public Prosecutions.

Security Agencies) in Al-Hudaydah Governorate: The Ansar Allah (Houthi) group has detained civilians and political opponents in the Security and Intelligence Agency (former Political and National Security Agencies) in Al-Hudaydah. Mwatana investigated at least 24 cases of arbitrary detention and 7 of torture between May 2016 and April 2020. The Security and Intelligence Agency in Al-Hudaydah tortured detainees, including severely beating and electrocuting them. Former detainees said they were detained without an arrest warrant, were not formally charged, were only questioned after long periods already detained and denied the right to a lawyer. Families of victims also told Mwatana they were prevented from communicating with their relatives for lengthy periods.

The Community College in Dhamar Governorate: The Ansar Allah (Houthi) group used at least one of the buildings of the Dhamar Community College as a detention center, where detainees were transferred from the various governorates under the group's control. During the reporting period, Mwatana investigated at least 36 cases of arbitrary detention and 2 of torture, and at least 1 death in detention, in the community college. Former detainees told Mwatana that the conditions of detention were extremely poor, incompatible with basic health needs and that infectious diseases had spread among detainees, such as tuberculosis and scabies. Ansar Allah (Houthi) officials used various torture methods on those held at the community college to extract confessions, including severe beatings, the denial of the use of bathrooms, and the use of loudspeakers to deprive them from sleep.

Al Rayyan Airport in Hadhramaut Governorate: Emirati forces turned the Al Rayyan International Airport in Mukalla city in Hadhramaut Governorate into an unofficial detention center. Mwatana investigated at least 38 cases of arbitrary detention and 10 of torture at the Al Rayyan airport detention site. Former detainees said that they were held in dark and narrow warehouses and were subjected to different forms of torture and other abuse, including deprivation of food and water, electrocution, kicking, whipping, and burning with cigarette stubs. Others said that they were subjected to degrading forms of treatment, such

as denial of religious rites, forced nudity and forced prostration to the UAE flag.

The October 7 Prison in Abyan Governorate: The Security Belt in Abyan governorate, affiliated with the UAE-backed Southern Transitional Council, runs the "October 7" prison in the Rawa' area in Khanfir District in Abyan governorate. Between May 2016 and April 2020, Mwatana investigated at least 50 cases of arbitrary detention and 29 of torture, including 4 deaths in detention, at the October 7 prison. The Security Belt forces arbitrarily arrested and detained people, and denied people in the October 7 prison their right to communicate with their relatives and lawyers. Detainees were also subjected to various forms of torture and other forms of abuse, including electrocution, beating limbs with hammers, whippings, beating with weapons, deprivation of food and water, nail removal, forcibly drinking urine and lengthy periods hanging from the ceiling. Some victims were also subjected to sexual torture, such as burning their genitals. Witnesses said that detainees' bodies were dumped in the yard of Al-Razi Hospital in the Ja'ar area in Khanfir District.

Security and Intelligence Agency (former Political and National Security Agencies) in Ibb Governorate: The Ansar Allah (Houthi) group runs the Security and Intelligence Agency (former Political and National Security Agencies) in Ibb governorate, where it holds perceived political opponents. From May 2016 to April 2020, Mwatana investigated at least 44cases of arbitrary detention and 5 of torture in the Ibb Security and Intelligence Agency. Former detainees said they had been subjected to torture and other ill-treatment in solitary confinement rooms, such as whipping and beating with rifles and electrocution. They also said they had been arbitrarily arrested, remained arbitrarily held and their lawyers had not been allowed to attend interrogation sessions.

The second part of this report presents examples of enforced disappearances of civilians in different geographic regions in Yemen, each of which is controlled by a different authority, namely:

Enforced Disappearances in Areas Controlled by the UAE and UAE-Backed Forces: After taking over large swathes of southern Yemen, Emirati forces established unofficial detention sites in which they forcibly disappeared perceived opponents, often under the pretext of fighting terrorism. The UAE created local armed groups loyal to them with various names—for example the Security Belt forces, the Hadrami Elite and the Shabwani Elite—which have helped manage these detention sites. Mwatana documented at least 327 cases of enforced disappearance in the areas controlled by Emirati forces and UAE-backed groups between May 2016 and April 2020. Despite the efforts of the families of the forcibly disappeared to communicate with those responsible for managing detention sites in different governorates, those in charge often refused to disclose to the families the fate of their disappeared relatives or their place of detention.

Enforced Disappearances in Areas Controlled by Forces Loyal to President Hadi: Between May 2016 to April 2020, Mwatana documented at least 90cases of enforced disappearances in areas controlled by Hadi forces in the governorates of Ma'rib, Taiz, Al Jawf, Shabwah and Hadhramaut. Many people were disappeared from al-Falaj checkpoint. Authorities in Ma'rib often did not allow detainees to receive visitors and refused to reveal their fates or places of detention.

Enforced Disappearances in Areas Controlled by the Ansar Allah (Houthi) group: Many people taken by the Ansar Allah (Houthi) group remain forcibly disappeared with their families unable to communicate with them and unaware of their fates. During the reporting period, Mwatana documented at least 353 enforced disappearances in the areas controlled by the Ansar Allah (Houthi) group in the governorates of Amanat Al-Asemah, Sanaa, Ibb, 'Amran, Raymah, and Dhamar, and parts of the governorates of Taiz, Al-Bayda, Hajjah, Al Hudaydah, Saada, and Dhale. Saudi/UAE-led coalition airstrikes on at least four detention centers in Houthi-controlled areas have increased the fear of the families of those forcibly disappeared about the fate of their detained relatives, particularly in light of the refusal of Ansar Allah authorities to share information about their location or well-being.

#### **Detention-Related Abuse in the Yemen Conflict**

Since 2016, Mwatana Organization for Human Rights has documented 1605 cases of arbitrary detention, 770 cases of enforced disappearance, and 344 cases of torture. The internationally recognized Yemeni government is responsible for 282 of these arbitrary or abusive detentions, 90 cases of enforced disappearances, 65 cases of torture and 14 deaths in detention, while the Ansar Allah (Houthi) group bears responsibility for 904 of the arbitrary or abusive detentions and 353 cases of enforced disappearance, 138 cases of torture and 27 deaths in detention. UAE forces and affiliated armed groups bear responsibility for 419 cases of arbitrary or abusive detentions, 327 of enforced disappearance, 141 of torture, and 25 deaths in detention.

#### Areas Controlled by the Ansar Allah (Houthi) group

The mother of a young man arbitrarily held in an Ansar Allah prison told Mwatana about the troubles she faced in seeking to obtain her son's freedom, "We have been subjected to different forms of humiliation."

Arbitrary detentions and enforced disappearances have increased since the Ansar Allah (Houthi) group took control of the Yemeni capital, Sanaa, on September 21, 2014, then extending its influence to the south and west of the country. The Saudi/UAE-led coalition intervened on March 26, 2015, as Ansar Allah expanded their campaign against political opponents, journalists, human rights activists, religious minorities and even ordinary travelers, and proceeded to arbitrarily detain, forcibly disappear and torture them. Ansar Allah adopted the same practices with people suspected of having links to the coalition or perceived to pose a threat to their existence. People were not granted basic process rights, were taken or arrested without a warrant, subjected to detention without an identified cause, and refused the right to appear before a judge, consult a lawyer or otherwise challenge their detention. Some detainees were subjected to perfunctory trials, which do not amount to credible justice. All this in addition to the cruel and inhuman treatment detainees were subjected to in prisons and detention centers.

One jurist described the trials that took place, particularly in Sanaa, by saying that they lacked the simplest guarantees. As he explained: "The accused's lawyer is allowed to see his/her client only once or twice, while the prosecution conducts long investigations with detainees at night, not permitted by Yemeni law, and during which the detainee is blindfolded. The detainee's statements are taken under threat and psychological pressure. Whether in front of the public prosecution, or in the courtroom, the lawyer is often not allowed to plead, or to take a copy of the case file."

The Ansar Allah (Houthi) group have used detention, enforced disappearance, and torture as a method of domination, spreading terror among society. Ansar Allah has videorecorded detainees, forced them to make confessions to fabricated charges, and then broadcast these confessions on the governmental channels they control, in addition to their Al Masirah channel and other loyal channels. Ansar Allah also forced people to make confessions to fabricated charges before releasing them, as well as to make pledges that, if reneged on, would mean they would return the person to prison. Charges lobbed against people are often absurd.

The Ansar Allah (Houthi) group's detention apparatus is controlled by a complex network of security officials who obstruct endeavors to release those they have detained, to the point where orders of the group's leader, Abdul-Malik al-Houthi, sometimes collide with this network and even their enforcement is obstructed. These abuses are accompanied by other, parallel abuses against the families and relatives of those detained, starting with psychological pressure and ending with financial extortion. Authorities have also failed to return items confiscated during arrests or raids, including electronic devices, cars, gold and money. Mwatana also documented cases where civilians were exchanged for military detainees as part of a prisoner exchange deal between the Ansar Allah (Houthi) group and internationally recognized Yemeni government.

Ansar Allah has refused any form of monitoring of places of detention where they engage in arbitrary detention, enforced disappearance, forms of torture and other cruel, inhuman and degrading treatment. They routinely ignore human rights reports that shed a slight light on the ugliness of these practices.

In addition to horrific and dignity-violating conditions of detention, including the detention of dozens in extremely cramped sites and cells, Ansar Allah detention centers are subjected to coalition airstrikes. At least four detention centers in Dhamar, Al Hudaydah and Sanaa have been hit by airstrikes. The most recent of these attacks was on the evening of Saturday, August 31, 2019, when the Saudi/ UAE-led coalition bombed four buildings of the Dhamar Community College, where the Houthis were using at least one building as a detention site. As a result, nearly 170 civilians and combatants protected by international humanitarian law were killed and wounded. In a statement after the attack, the International Committee of the Red Cross in Yemen said it was aware of the place and had visited it regularly.

#### Areas Controlled by the UAE and UAE-Backed Forces

In the south of the country, after the Ansar Allah (Houthi) group was removed from Aden and some other southern governorates, conflict simmered and then erupted between parties that had previously confronted Ansar Allah and UAE leaders.

The city of Aden is currently controlled by the UAE-backed Southern Transitional Council, along with the affiliated Security Belt forces. The so-called "Elite" forces prevail in Hadhramaut governorate. These forces supervise some unofficial detention sites, in addition to those sites supervised by Coalition forces.

Coalition forces, particularly the UAE and its allies, appear to be using detentions to settle scores with al-Islah, the Yemeni Congregation for Reform Party, as part of a crackdown and terror campaign aimed at ending the presence of the party in the southern provinces. These detention campaigns were preceded by widespread media incitement by Emirati officials against what they called the "Muslim Brotherhood." These campaigns found a response from and were echoed by leaders of the UAE-backed Southern Transitional Council.

Another pattern of detention emerged whereby people were forcibly taken, disappeared and tortured on the accusation of belonging to al-Qaeda or other extremist organizations like ISIS. Because the coalition pays sums of money for collaborators who report suspicious people or behavior, this encouraged and widened the scope of abuse. People were reported to settle personal accounts or to earn money.

The UAE and its allies are also using detentions to suppress any opposition to their activities and abuse in Yemen. Mwatana has documented the detention of activists due to their criticism of Coalition practices and of its military and security operations. After August 2019, accusations of working with "government forces" or "cooperating with them" were sufficient to inflict the most severe responses by the Security Belt and Elite Forces of the UAE-backed Southern Transitional Council.

Detainees are subjected to different forms of torture and cruel, inhuman and degrading treatment, including beating, kicking, burning, waterboarding, hanging, deprivation of water and food, preventing them from performing religious rituals, sexual abuse that could amount to rape and threats of rape.

The US has provided military support to the Saudi/UAE-led coalition. The US continues drone strikes, and has worked closely with the UAE in its counterterror operations, including reportedly conducting joint raids and providing questions to ask during, and receiving transcripts from, interrogations. In a late 2018 report to Congress, the Department of Defense acknowledged US forces had been in Yemen since May 2016 supporting operations against AQAP and IS-Y and had "conduct[ed] intelligence interrogations of detainees held in partner custody." Despite multiple credible reports by the UN, as well as Yemeni and international rights groups, the report claimed the Department had yet to develop "any independent, credibile information indicating that U.S. allies or partners have abused detainees in Yemen." (2)

<sup>(2)</sup> See, e.g., Alex Emmons, "Pentagon Issues Blanket Denial That It Knows Anything About Detainee Abuse in Yemen," The Intercept, January 7, 2019, https://the intercept.com/2019/01/07/yemen-prison-torture-uae-dod/; Human Rights Watch, "Yemen: UAE Backs Abusive Local Control of the Control of ControlForces," June 2017, https://www.hrw.org/news/2017/06/22/yemen-uae-backs-abusive-local-forces.

#### Areas Controlled by Forces Loyal to President Hadi

Governmental Islah Party forces loyal to President Hadi control detention in Ma'rib Governorate, including the Military Intelligence Division prison in Yemen's Third Military Region,<sup>(3)</sup> and the Political Security Department in Ma'rib, where civilians are held alongside combants. Authorities in Ma'rib have used many accusations against detainees, ranging from spying for the UAE to working for the Ansar Allah (Houthi) group, amongst other accusations.

Detentions have affected one of the most persecuted segments of Yemeni society, the muhamisheen, or "the marginalized," as well as a number of other travelers from northern governorates. Many of the civilians held in Ma'rib were detained traveling, on their way to or from the Seiyun airport in Ma'rib. The Falaj checkpoint in particular is seen as a trap for civilians, who have been held for long hours, interrogated and detained. Mwatana documented numerous cases indicating that many of these detentions appeared to be based on people's surnames.

Detainees have been beaten with cables, punched and kicked in different parts of the body, particularly the kidney. One detainee described a cell in the Military Intelligence Division, saying: "They put approximately 12 of us in a small room that is 3 by 3 meters wide at the most. There are no windows for ventilation and most of the time, we all sit without being able to extend our legs or lay on our backs because the room is narrow with a large number of prisoners. The room's atmosphere is filled with the stench of the bathroom, and water is only available every two days."

<sup>(3)</sup> Yemen is divided into 7 military regisions, each with a military intelligence division office.

#### To End Detention-Related Abuse in Yemen, End Impunity

In many cases, acts detailed in this report, including torture, hostage-taking, sexual violence and outrages upon personal dignity, appear to amount to war crimes. Commanders and civilian leaders may be prosecuted for war crimes as a matter of command responsibility when they knew or should have known about the commission of war crimes and took insufficient measures to prevent them or punish those responsible.

Accountability and redress for such serious abuses is a critical part of ending cycles of violence, ensuring justice for victims, and paving the way towards a peaceful Yemen. Although human rights organizations have revealed the warring parties' detention-related abuses across Yemen, impunity remains.

All of Yemen's warring parties have shown themselves unwilling to take credible steps towards real accountability and redress. As such, Mwatana calls on the UN Human Rights Council to renew and strengthen the mandate of the Group of Eminent Experts, and to support the Group to continue investigations. Mwatana also calls on the UN Security Council, which has so far failed to adequately push compliance with international law in Yemen, to clearly state that accountability for perpetrators of war crimes and redress to victims are a minimum for any transitional process in Yemen, and to indicate the Council's seriousness by referring the situation in Yemen to the International Criminal Court. Mwatana also calls on all countries to exercise universal jurisdiction or other forms of jurisdiction as provided under international and domestic law to investigate and, evidence permitting, prosecute military and civilian officials alleged to have been involved in criminal offences in Yemen in violation of international law.

## Section Two: Recommendations

#### To the Yemeni government, Ansar Allah, the **UAE-backed Southern Transitional Council,** the United Arab Emirates, Saudi Arabia and other warring parties in Yemen

#### End Abuse

- Immediately halt the practice of enforced disappearance, arbitrary arrest and detention, and the use of torture and other forms of cruel, inhuman and degrading treatment;
- Detain children only as a last resort and for the shortest appropriate time, and ensure that children are not detained in the same facilities as adults;

#### Resolve Disappearances and Ensure Family Access

- · Ensure families are able to communicate with and visit their detained relatives;
- Communicate and provide information to family members of detainees, including any transfer to a medical facility or another place of detention, and any illness or death, including related to COVID-19;
- Create and maintain prison registries and records in all sites of detention, including the unofficial sites listed in this report, including the date, time and place of arrest of each person held, along with their name, the reason for the detention, and the name of the unit or entity responsible for the detention. Make these records available to families and lawyers, as well as those who have a legitimate interest in the matter. Document all transfers of detainees, including outside the country, in these records;
- · Publish official lists of all detainees who died in detention facilities and prisons, including the unofficial detention sites listed in this report, and issue death certificates for all detainees known to have died in custody based on thorough forensic examinations and make these documents readily accessible to families.

#### End Obstruction

- Cease interference with the Public Prosecution and judiciary;
- Respect the Public Prosecution and judiciary's role in monitoring, supervising and reviewing detention policy and practice, as required under Yemeni law, and ensure all detention centers, including the unofficial sites mentioned in this report, are subject to the monitoring and supervision of the Public Prosecution, and respect and implement Public Prosecution release orders;
- Ensure affiliated armed groups and security and law enforcement agencies are responsive to requests for information from family members of those detained or disappeared and have systems in place to allow family visits;
- Provide immediate and unhindered access and cooperation to human rights organizations, lawyers, and independent observers, including to monitor conditions of detention and, where relevant, provide legal support and advice to detainees.

#### Provide Accountability and Redress

- Suspend members of security forces against whom there are credible allegations of serious humanitarian law violations or human rights abuses;
- Conduct prompt and impartial investigations into credible allegations of serious violations of international humanitarian law by forces operating under the party's control, authority or with its consent or support, and sanction those found responsible for violations;
- For state warring parties, appropriately prosecute people credibly implicated, including as a manner of command responsisibility, in war crimes in criminal justice processes that respect the right to a fair trial;
- Provide appropriate redress to victims of arbitrary detention, enforced disappearance, torture, hostage-taking and other ill-treatment, including providing guarantees that such violations will not be repeated;
- Cooperate with and support the Group of Eminent Experts to investigate violations of international humanitarian law and international human rights law committed by all parties to the conflict in Yemen, support calls to renew and strengthen the Group's mandate, and provide access to the Group to visit Yemen and all detention sites, official and unofficial, to conduct the necessary investigations.

#### To All Warring Parties in Yemen in Light of COVID-19

- Release all those arbitrarily detained and disclose the fate of the disappeared;
- Improve conditions of detention, including providing detainees with adequate sanitary installations, regular access to bathing facilities, prompt and accessible health care, food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served at regular intervals, and drinking water to every detainee whenever he or she needs it.
- Make public policies and guidelines to prevent COVID-19's spread in detention centers, prisons, and police stations, share emergency preparedness plans and provide training to relevant authorities to ensure sufficient and sustained access to healthcare and hygiene provision.
- Guarantee that people who remain detained are provided with means of communication and opportunities to access the outside world if in-person visits are suspended, and continue to enjoy their right to due process, including the right to challenge the lawfulness of their detention, and not to experience delays that would render their detention arbitrary.
- · Provide immediate and unhindered access for recognized monitors of detention conditions to all detention facilities, official and unofficial, without prior notification, including those mentioned in this report;
- Urgently prioritize COVID-19 response over conflict, and commit to a country-wide ceasfire in light of the urgent need to address the challenge of COVID-19.

- Ensure all security forces operating in areas under the control of the Yemeni government are operating under a unified command structure, that all people detained are held in an officially recognized place of detention and are brought promptly before a judicial authority;
- Clarify the authority under which Coalition forces, in particular Emirati and Saudi forces and their affiliated armed groups, conduct detention operations in Yemen, conduct a thorough review into these forces' conduct, and condition consent for their continued presence in Yemen on their taking effective measures to ensure forces are operating in full compliance with the provisions of international human rights law and international humanitarian law, and taking credible steps to ensure accountability and redress;
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the International Criminal Court's Rome Statute:
- Invite the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Working Group on Enforced or Involuntary Disappearances to Yemen, facilitate their visits and strengthen technical collaboration in order to investigate relevant violations and abuses.

#### To Ansar Allah

- Cease arbitrary detentions and disappeareances of political opponents, journalists, and members of religious minorities, and respect their rights to freedom of expression, belief, and human dignity;
- Ensure the safety of detainees, including by immediately ending detention
  of people in sites used for military purposes or otherwise expected to be
  subjected to attack;
- Immediately cease unfair trials in the Specialized Criminal Court against perceived opponents, political adversaries, journalists, and members of religious minorities, and nullify judgments already issued following unfair trials.

#### To the United Arab Emirates, Saudi Arabia and affiliated forces

- Publicly acknowledge all detention centers operated or supervised in Yemen, including their locations, people detained in them, and any deaths in custody;
- Transfer any people remaining in UAE, Saudi or proxy forces' custody to the Yemeni government for review of their continued detention and, where relevant, trial;
- Ratify the International Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, and the Rome Statute of the International Criminal Court.

#### To the United States of America

- Review all forms of military or intelligence cooperation with the Yemeni, Emirati and Saudi forces, in particular for detention-related activities, in Yemen, investigate the potential involvement of US personnel in detentionrelated abuse, cease cooperation in cases of serious violations of international humanitarian law and gross human rights abuses, and ensure independent oversight, including by Congress, over US military and intelligence cooperation with forces in Yemen;
- Refrain from receiving or using any information likely to have been obtained through torture or other ill-treatment and take preventative measures to ensure that intelligence sharing and cooperation between states does not implicity or explicitly encourage unlawful interrogation practices;
- Suspend the supply of arms, ammunition and related military equipment to the United Arab Emirates and Saudi Arabia, as well as to other parties to the conflict in Yemen.

#### To the Public Prosecutors in Sanaa and Aden

- Begin prompt and impartial investigations into violations and abuses by authorities operating in areas under the Prosecution office's scope of influence, including related to arbitrary detention, enforced disappearance, torture, hostage-taking and extrajudicial killing in places of detention, as well as intimidation, reprisals or threats against witnesses, families and other people or organizations that report and submit complaints of abuse;
- Respect the right of detained people to defend themselves or through legal counsel of their choosing, and cease harassment of lawyers, human rights defenders and human rights organizations, particularly where related to their work on detainees, disappeared people and torture victims.

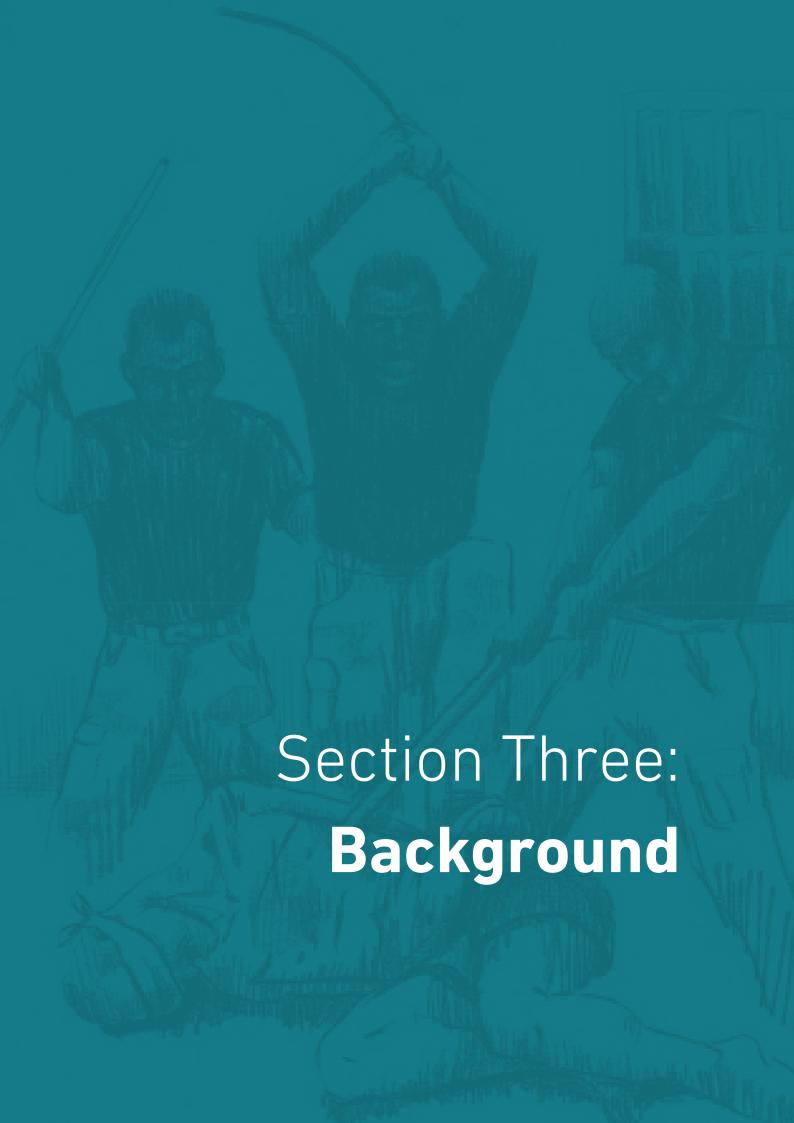
#### To the UN Security Council

- Demand an immediate ceasefire in and across Yemen;
- Demand that warring parties in Yemen immediately release the arbitrarily detained, clarify the fate of the disappeared, and cease all forms of torture and other ill-treatment, as well as take urgent steps to improve conditions of detention and reduce the overall prison population as a matter of utmost urgency given the vulnerability of the prison population to COVID-19, and the impact of the prison population on the health of the wider community.
- Clearly state that accountability for perpetrators of war crimes and redress to victims of serious violations of international humanitarian law and grave human rights abuses are a minimum part of any transitional process in Yemen in order to put an immediate end to rampant abuse, including torture disappearances, and other detention-related abuses, as well as broader cycles of violence.
- Adopt targeted sanctions on people credibly implicated in detention-related abuses;
- Demand that warring parties, including Yemen, the UAE, Saudi Arabia and Ansar Allah cooperate fully with the UN Human Rights Council Group of Eminent Experts, and support efforts to renew and strengthen the mandate of the Group of Eminent Experts;

- Refer the situation in Yemen to the International Criminal Court (ICC);
- Demand that warring parties in Yemen grant recognized international detention monitors access to all detention facilities, official and unofficial, without prior notification, including those mentioned in this report;

#### **To All Countries**

- Exercise universal jurisdiction or other forms of jurisdiction as provided under international and domestic law to investigate and, evidence permitting, prosecute military and civilian officials alleged to have been involved in criminal offences against detainees in Yemen in violation of international law;
- Call for the UN Security Council to refer the situation in Yemen to the ICC.



#### "We have been subjected to different forms of humiliation."

Many Yemeni civilians who long sought a state of law and order never believed that their hopes would be shattered in the course of a war that dragged Yemen back decades. They have lived through the fifth year of a war that has devastated their crops and their offspring. Five years, Yemenis have been languishing under the machine of killing, starvation, detention, enforced disappearance and torture, amid a terrifying absence of accountability, while the  $world\ brand is hes\ slogans\ of\ justice,\ accountability$ and sanction without acknowledging the bloodshed and wasted dignity on this territory.

It is not possible to describe the past five years alone to fully examine the crisis afflicting Yemen. The years preceding this conflict remain crucial to understand the rapid decline of the general situation in the country into a full-scale war.

In 2011, a popular uprising erupted in Yemen—as part of the then-called "Arab Spring" revolutions—against the regime of the late Yemeni President Ali Abdullah Saleh, who ruled the country from July 1978 to February 2012. In multiple Yemeni governorates, protesters took to the streets for more than a year, transforming squares into sites for gatherings and demonstrations. Armed clashes erupted on several fronts, including in the capital, Sanaa, Taiz and Al Jawf.

President Abdurabbuh Mansour Hadi assumed power on March 12, 2012 after perfunctory elections where he was the single consensus candidate according to the terms of what was known as the "Gulf Initiative," which organized the transfer of power from Saleh to Hadi with regional and international blessing. Subsequently, President Hadi called for a National Dialogue Conference, which was held and included 565 members. The NDC's sessions had almost reached their end when new crises erupted.

The transitional period was marred by major security imbalances, encouraging various armed parties and opening the door to feverish races to control, with the power of weapon, the country's capacities and resources.

In the northern governorates, armed battles took place between Ansar Allah and army forces. These battles were followed by skirmishes in 'Amran governorate, then followed by Ansar Allah taking control over the governorate, and then turning the attention of their forces south, towards the country's capital, Sanaa. Small wars broke out in Al-Jawf and Amran, north of Sana'a, the Ansar Allah group (Houthis) was a permanent party to it in the face of tribal and political groups loyal to Islah Party in addition to the Salafists and government forces, the most prominent of these wars is the control of Ansar Allah group (Houthis) over Amran, which is the northern gate of the capital of Sana'a.

In Sanaa, during the Eid al-Adha holiday in late July 2014, the Hadi government announced an increase in the prices of petroleum products, which led to protests in the capital, during which Ansar Allah announced a plan to protest in order to topple the government of then-prime minister Mohammed Basindawa. These protests ended with Ansar Allah forces taking control over the capital, Sanaa, on September 21, 2014. That evening, Ansar Allah signed the so-called "Peace and Partnership Agreement" with political parties, under which a government headed by Khaled Bahah was formed.

After the armed takeover of Sanaa, the Ansar Allah group moved to take control over other governorates: Ibb, Al-Hudaydah and Taiz. After the failure of the Khaled Bahah government, Hadi submitted his resignation on January 22, 2015, and Ansar Allah placed him under house arrest in his home in the capital, Sanaa. He fled to Aden governorate on February 21, 2015, (4) and fled from there to Ryadh through Omanm after Ansar Allah forces break into the city.

The conflict entered a new phase with the announcement on March 26, 2015 of the start of a military campaign by a coalition of nine countries led by Saudi Arabia and the United Arab Emirates to support President Abdrabbuh Mansur Hadi and his government, with the support of multiple armed groups known as popular resistance forces. On the other side, former president Saleh announced the establishment of a "necessity alliance" with Ansar Allah

<sup>(4)</sup> Hadi flees to Aden and says he is still the president, Reuters, https://ara.reuters.com/article/topNews/idARAKBN0LP09020150221, reviewed on February 24, 2020.

Within five years, the coalition and its affiliated armed forces and groups controlled more than 80 percent of Yemeni territory, while Hadi and most of his government continued to reside in the Saudi capital, Riyadh. At the same time, the coalition supported and empowered armed groups which undermined President Hadi's government.

During the past five years, the war has witnessed many changes, including the methods used by, the alliances of, and areas of control under parties to the conflict. Conflicts erupted between new warring parties and amongst former allies, in addition to the ongoing conflict between Ansar Allah and the multiple and conflicting armed groups and forces supported by the Saudi/UAE-led coalition.

In early December 2017, the capital, Sanaa, saw violent confrontations between the two parties of the then-de facto authority coalition (e.g. the Ansar Allah (Houthi) group and forces of former president Ali Abdullah Saleh), which led to the killing of former president Saleh and Ansar Allah consolidating control over the capital and other areas formerly under control of both Ansar Allah and Saleh forces.

In separate rounds of fighting in January 2017, January 2018, and August 2019, Aden witnessed clashes between forces loyal to President Hadi and the forces of the UAE-backed Southern Transitional Council. After the last round of fighting, clashes ended with forces of the UAE-backed Southern Transitional Council controlling Aden and forces loyal to President Hadi retreating.

At separate times during 2018 and 2019, governmental Islah party forces loyal to President Hadi and the forces of the UAE-backed Abu Abbas Salafist group in Taiz governorate clashed. At the end of the last round of fighting, in August 2018, the forces affiliated with Abu Abbas were removed and Islah-affiliated forces took control.

In August 2019, extensive clashes erupted in the city of Aden, which was declared by the internationally recognized Hadi government as its temporary capital, between the forces of the UAE-backed Southern Transitional Council and the forces of the internationally recognized President Hadi, ended with the control of the Southern Transitional Council forces over the city and the departure of members of the government headed by Moeen Abdul Malik.

After the multiplication of conflicts, with changes in the main parties, axes, alliances, goals and slogans, the Yemeni map came under the control of multiple warring parties. The Ansar Allah (Houthi) group now controls Sanaa, Saada, 'Amran, Dhamar, Ibb, Al Mahwit, Raymah and parts of the governorates of Hajjah, Al Hudaydah, Al Jawf, Al Bayda, Taiz and Dhale. The UAE-backed Southern Transitional Council controls Aden and Lahij governorates, and large parts of the governorates of Abyan and Dhale. Governmental Islah party forces loyal to President Hadi control the city of Taiz, Ma'rib, Shabwah, and parts of Al Jawf governorate. The Republican Guard forces, led by Tarek Saleh, control the city of Mocha and parts of the western districts of Taiz. The governorates of Hadhramaut and Al Mahrah are witnessing semi-stability under the control of forces loyal to President Hadi, with the continued presence of coalition forces.

These internal conflicts between the various sides to the wider war, in addition to the conflict between the two main sides of the conflict, have cast a shadow over the human rights situation and have multiplied and exacerbated the practices of arbitrary detention, enforced disappearance and torture. All parties exercising influence over territory in Yemen continue to marginalize the role of the public prosecution offices, the judiciary, and law enforcement institutions. At the same time, warring parties have occassionally used judicial institutions as tools of conflict, to further their aims or their persecution and harassment of perceived opponents, in violation of the principles of justice and due process.

The detainee file was raised during successive rounds of UN-facilitated negotiations between parties to the conflict, first at the Geneva II consultations in December 2015, then during the Kuwait consultations in April 2016, and most recently in Stockholm in December 2018.

On February 16, 2020, more than a year after the Stockholm Agreement, the International Committee of the Red Cross announced in a joint statement with the Office of the United Nations Envoy in Yemen Martin Griffiths that representatives of the parties to the conflict agreed to a detailed plan to complete the first large-scale exchange of prisoners and detainees since the beginning of the conflict. The statement said this step was the first towards fulfilling the parties' obligations to release all prisoners and detainees held in the context of the conflict in accordance with the Stockholm Agreement. That Sunday, the statement announced, the parties had decided to immediately start exchanging lists to prepare for the next exchange. As of mid-May 2020, this agreement did not turn into practical steps, and the agreement was used in many cases as a pretext by the parties not to release detainees.

Mwatana provided human rights through specialized lawyers legal support for victims of arbitrary detention, enforced disappearance, and torture in various areas under the control of all parties, where the efforts of the Legal Support Unit team with the families of the victims contributed to the release of dozens of victims, while hundreds of victims are still subjected to enforced disappearance and detention Arbitrary on all sides.

# Section Four: Methodology

This report documents cases of arbitrary detention, torture and enforced disappearance of civilians between May 2016 and April 2020.

In the course of the research to prepare this report, Mwatana conducted over 2566 interviews with former detainees, witnesses, relatives of victims, activists and lawyers. Cases were also documented through hundreds of missions and field visits to prisons, detention centers, victims' homes or their workplaces. To locate the detention sites, Mwatana asked victims and witnesses to indicate the building where they were held or visited. Due to the potential for retaliation or other abuse, Mwatana did not share the names of some of the victims and witnesses interviewed and has instead used pseudonyms in these cases.

The interviews were generally conducted individually and in Arabic, all with the consent of the respondents. Mwatana informed all respondents of how the information and testimonies provided by them would be used. Mwatana was also able in some of the cases to review court decisions, medical reports and photographic evidence and these documents were used in building evidence for a number of the cases documented in this report.

Mwatana works through a specialized team of practicing lawyers to provide legal support to victims of arbitrary detention, enforced disappearance, and torture in 18 Yemeni governorates. It was able to provide this legal aid to 964 people during the period covered by the report.

# The report focuses on two main trends.

The first trend highlights examples of arbitrary detention and torture in 11 unofficial detention sites located in the following 9 Yemeni governorates and managed by different warring parties in Yemen:

## • Amanat Al-Asemah (Sanaa):

o The Security and Intelligence Agency (former Political and National Security Agencies) detention site controlled by the Ansar Allah (Houthi) group.

### Aden Governorate:

- Al Jala military camp, controlled by the First Support and Backup Brigade of the UAE-backed Southern Transitional Council.

- The Coalition military camp, managed by Coalition forces and forces affiliated with the UAE-backed Southern Transitional Council.
- The Waddah Hall detention site, run by the Counter-Terrorism Division of the UAE-backed Southern Transitional Council.

#### • Taiz Governorate:

- The Al-Saleh city detention site under the Ansar Allah (Houthi) group.

#### • Ma'rib Governorate:

- The Political Security Department detention site controlled by governmental Islah Party forces loyal to President Hadi;

## • Al-Hudaydah Governorate:

- The Security and Intelligence Agency (former Political and National Security Agencies) detention site controlled by the Ansar Allah (Houthi) group.

#### • Hadhramaut Governorate:

- Al-Rayyan detention site under the Saudi/UAE-led coalition forces and armed groups of the UAE-backed Southern Transitional Council;

#### Dhamar Governorate:

- The Community College detention site under the authority of the Ansar Allah (Houthi) group;

## • Abyan Governorate:

- The "October 7" detention site controlled by the Security Belt of the UAE-backed Southern Transitional Council.

#### • Ibb Governorate:

- The Security and Intelligence Agency (former Political and National Security Agencies) controlled by the Ansar Allah (Houthi) group.

The second trend highlights documented cases of enforced disappearances that have affected civilians in different political and social contexts. The sample of testimonies collected by Mwatana for the purposes of this report cover the facts and surrounding circumstances of enforced disappearances committed by the warring parties in Yemen in multiple geographic regions, each of which is under a different authority, namely:

- Enforced disappearance in areas controlled by UAE forces and UAE-backed forces;
- Enforced disappearance in areas controlled by forces loyal to President Hadi;
- Enforced disappearance in areas controlled by the Ansar Allah (Houthi) group.

## Amanat Al-Asemah (Sanaa)

The Security and Intelligence Agency (former Political and National Security Agencies)

Detention site controlled by the Ansar Allah (Houthi) group

#### **Dhamar**

## **The Community College**

Detention site under the authority of the Ansar Allah (Houthi) group

#### lbb

The Security and Intelligence Agency (former Political and National Security Agencies)

Controlled by the Ansar Allah (Houthi) group

## **Al-Hudaydah**

The Security and Intelligence Agency (former Political and National Security Agencies)

Detention site controlled by the Ansar Allah (Houthi) group

#### Taiz

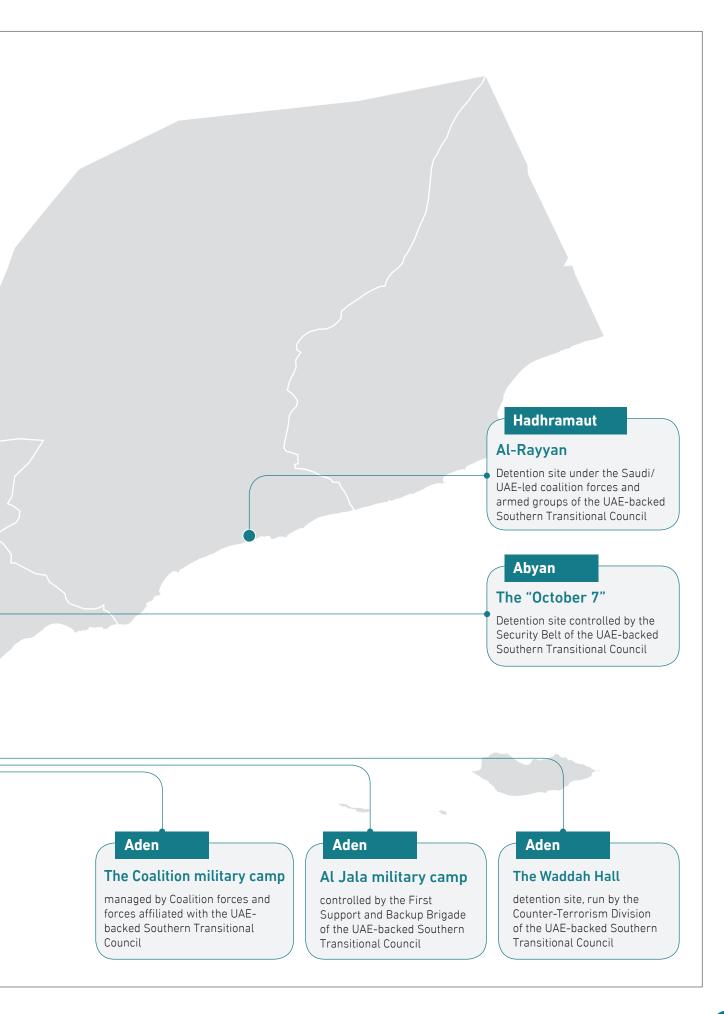
## The Al-Saleh city

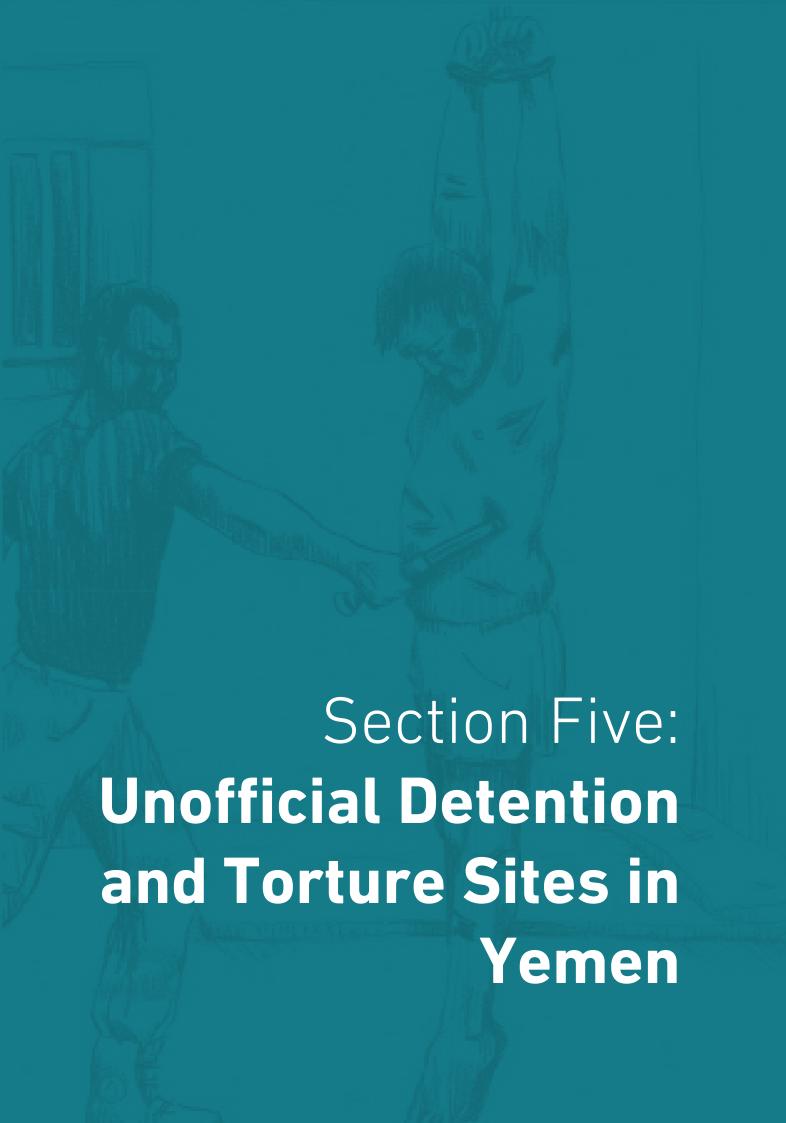
Detention site under the Ansar Allah (Houthi) group

## Ma'rib

# The Political Security Department detention

Detention site controlled by governmental Islah Party forces loyal to President Hadi





# Chapter One:

# **Security and Intelligence Agency (former** Political and National Security Agencies),

Sanaa, Ansar Allah (Houthi) group

After taking control of the Yemeni capital, Sanaa, the Ansar Allah (Houthi) group benefited from the presence of pre-existing, official prisons in Sanaa, converting them into places of detention under their control.

Ansar Allah also continued using the Political Security Agency and National Security Agency as detention sites, both notorious intelligence agencies before the current conflict well-known for being unofficial sites detainees held and abused. Ansar Allah continued this violent tradition. After the headquarters of the National Security Agency building in the Saraf area, Bani Al Harith District, Sanaa governorate was hit by an airstike in September 2016, part of the Political Security building was merged with the National Security Agency, with two separate departments maintained and the warehouses where detainees kept divided between them.

On August 31, 2019, Ansar Allah issued a decision merging the National Security Agency and Political Security Agency into the Security and Intelligence Agency.

Mwatana verified at least 159 cases of arbitrary detention and 32 cases of torture in the Security and Intelligence Agency (former Political and National Security Agencies) in Sanaa between May 2016 and April 2020. At least 12 of these detainees were released. People held at the Security and Intelligence Agency (former Political and National Security Agencies) were subjected to multiple forms of torture, including, amongst others, nail removal, severe beatings, and electric shocks, as well as inhumane conditions of detention.

Mwatana found that detainees in the Security and Intelligence Agency (former Political and National Security Agencies) were primarily perceived political opponents, including those affiliated with the Islah Party. In at least one incident, Mwatana found an individual from a religious minority detained. A former detainee told Mwatana that some of the accusations against them included giving coordinates of military sites and communicating with the Saudi/UAE-led coalition, monitoring the movements of Ansar Allah leaders and affiliation with ISIS. The Security and Intelligence Agency (former Political and National Security Agencies) often did not allow detainees to communicate with their lawyers or their families. A former detainee said that the detention site's administration did not allow detainees to go outside and did not provide them with adequate food and water.

One person held and later released told Mwatana: "There is a section called 'the west wing,' and it is known as 'the disappeared section,' in which some detainees are isolated and prevented from mixing with the rest of their counterparts, so that the news of their detention does not leak to their families."

Mwatana found that the Security and Intelligence Agency (former Political and National Security Agencies) did not comply with release and transfer orders for investigations issued by the Public Prosecutor or judicial institutions.<sup>(5)</sup>

<sup>(5)</sup> From the follow-up of Mwatana Organization for Human Rights on arbitrary detention, enforced disappearances, and torture, between May 2016 and December 2019.

## **Cases:**

# Othman Abdo (21 years old)

"We were subjected to different forms of humilitation and we had to sell the house in order to cover the expenses of following up on the case."(6)

– Othman's mother

On Saturday, October 15, 2016, gunmen in civilian clothing arrested Othman Abdo (21 years old) from the courtyard of the mosque next to his house in the Dhala' area, Hamdan District, Sanaa governorate. He was taken in a car without license plates to an unknown location. Othman's family did not know his whereabouts until they received a phone call from him four months after his disappearance to tell them that he was being held in the Political Security Agency in Sanaa. After many attempts by his relatives, they were allowed to visit him in Feb 2017.

The Mwatana field team investigated, including interviewing Othman's mother, who described her first visit to her son in detention. Hafsa Yahya (55 years old), said: "When I saw him for the first time, his condition was deplorable, and he was clearly tortured. He had a fractured wrist, with pain in his joints and back. (7)"

Othman's relatives said that he was treated badly in the Political Security Agency, that the conditions were bad, and that he was in urgent need of medical care, which was refused by those in charge of the site. His mother said she had to sell the family home to cover the expenses of following up on the case and to provide for her son while in detention.

Othman's relatives added that he was interrogated and accused of collaborating with the Saudi/UAE-led coalition and Hadi government. (8) In November 2018, Othman's file was transferred to the specialized criminal prosecution, along with 36 other cases. The charges against him were "false charges and malicious claims, (9)" according to his mother.

<sup>(6)</sup> From an interview conducted by Mwatana Organization for Human Rights with Hafsa Yahya on December 5, 2018.

<sup>(8)</sup> From an interview conducted by Mwatana Organization for Human Rights with the relatives of the victim on December 5, 2018.

<sup>(9)</sup> From an interview conducted by Mwatana Organization for Human Rights with Hafsa Yahya on December 5, 2018.

# Sultan (Pseudonym - 43 years old)

"They whipped him using whips and wooden rods. (10)"

-Sultan's brother

On the evening of Thursday, October 20, 2016, eight armed men in military uniforms and in a military vehicle seized Sultan (pseudonym – 43 years old) from the vicinity of his home in the capital, Sanaa. They took him to the Criminal Investigation headquarters in Sanaa. He was then transferred to the Political Security Agency, where he was forcibly disappeared for three months. His family did not know where he was being held.

Sultan's brother told Mwatana, "Sultan called me, and his voice appeared to be forced and he seemed in pain. He asked me to hand over his computer to the Criminal Investigation Department. I went to hand over his computer, and I found out that he was no longer in the Criminal Investigation Department. I did not know where he was for three whole months."

After the period of Sultan's disappearance, Sultan's brother managed to visit him in the Political Security Agency in the capital, Sanaa. He said Sultan was tortured while in detention: "Three of his toenails in his right foot were removed, and they whipped him using whips and wooden rods. He was also hung from a rope for up to 12 hours, burned with cigarette stubs, and deprived of sleep for several nights..." Sultan's brother added: "Not only was he tortured but his family was also prevented from receiving his financial dues. Even the most dangerous criminals are not punished by having the salaries that their children depend on withheld."

The Specialized Criminal Prosecution Office requested the case details from the Political Security Agency, and directed the Agency to release him or refer him to court. Sultan and a group of other detainees were, much later, referred to the Specialized Criminal Court. The court held three sessions in separate periods between April and July 2017. Sultan faced an indictment that included multiple

<sup>(10)</sup> From an interview conducted by Mwatana Organization for Human Rights team with relatives of the victims, on June 5, 2018.

charges, including monitoring and giving coordinates to the Saudi/UAE-led coalition and making explosive devices.

In one of the trial sessions, Sultan told the judge he had been tortured. The judge asked a specialist doctor to examine him, but Political Security Agency officials refused to take him to the doctor proposed by the court. Sultan's brother said: "They brought in a doctor's assistant and he wrote false reports. (11)"

On July 9, 2017, the Specialized Criminal Court issued a verdict sentencing Sultan and 29 other people to death.

Chapter Two:	
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# Waddah Hall,

# Aden, the Counter-Terrorism Division of the UAEbacked Southern Transitional Council

The Counter-Terrorism Division of the Aden Security Department of the UAE-backed Southern Transitional Council used a club in the Goldmoor area, Attawahi District, Aden Governorate as an unofficial detention center. This detention center was known as "Waddah Hall" or the "Counter-Terrorism Headquarters." A former detainee told Mwatana that the detention center consisted of two underground halls, with approximately 70 to 120 people held in each hall, in addition to a group of rooms used to hold people in solitary confinement.

Between May 2016 and April 2020, Mwatana verified at least 29 cases of arbitrary detention and 18 cases of torture, including at least 2 death in detention in Waddah Hall. At least 15 of these detainees have since been released, and the detention center shut early in 2020.

Mwatana interviewed relatives of detainees held in Waddah Hall who said that their relatives had been disappeared with the family only learning their whereabouts when they were released or transferred to another detention site. (12) Some detainees held in Waddah Hall were arrested without warrants after their houses were stormed in the middle of the night, accused of belonging to al-Qaeda, and deprived of their right to a lawyer. (13)

A former detainee told Mwatana that despite the hot climate in Aden the rooms where they were held did not have ventilation and that the water and food rations were not sufficient. At least three people became sick with cholera and died while detained, without having been given access to treatment or medical care, according to others held at the site.

Those running the detention center used several methods of torture, including severe beatings, deprivation of food, nail removal, electrocution, punching holes in a person's feet with an electric drill, forced nudity, and threats to rape relatives. Mwatana also documented cases where detainees were handcuffed and then stoned. (14)

<sup>(12)</sup> From interviews conducted by Mwatana Organization for Human Rights, with relatives of victims between May 2016 and December 2019.

<sup>(13)</sup> From interviews conducted by Mwatana Organization for Human Rights, with relatives of victims between May 2016 and December 2019.

<sup>(14)</sup> Ibid

## **Saleh** (Pseudonym – 26 years)

"They kidnapped my son, hid him, tortured and killed him without a charge or trial, and then they buried him. I did not get to see him. (15)"

— Saleh's mother

On the evening of Friday, September 16, 2016, seven hooded men in military uniforms and black scarves with the Security Belt of the UAE-backed Southern Transitional Council arrived in a military vehicle and arrested Saleh (pseudonym - 26 years old) in the Ja'ar area, Khanfir district, Abyan governorate. They blindfolded Saleh and took him in the military vehicle to an unknown destination. Saleh remained disappeared for a year and three months, when his family learned of his death.

Mwatana interviewed Saleh's mother (46 years), who said, "I searched for him in the most important detention centers, security prisons and departments in Abyan and Aden. I asked the Security Belt leaders I know in Abyan about him, all of whom did not know the whereabouts of my son since his abduction. I didn't even know what the charge against him was."

In a subsequent interview, Saleh's mother said, "Almost a year and three months after his disappearance, the mother of a detainee who was released called me to tell me that her son had information about my son. I felt at the time that I was going to fly with joy." She started crying, "The witness told me that my son was accused of a number of things, including that he was the financial official of Al Qaeda, and I know that Saleh had nothing to do with that."

Mwatana was able to interview witnesses detained with Saleh and who saw him being tortured. A 24 year old man said: "I was in Waddah Hall with Saleh. Seven of us were held in one very narrow cell without adequate ventilation. In separate

<sup>(15)</sup> From an interview conducted by Mwatana Organization for Human Rights with the mother of the victim, on January 21, 2017.

times of the detention period, soldiers used to take Saleh at night for two or three hours, during which he would be interrogated and tortured. Saleh told me that two or three masked soldiers asked him to confess to having a connection to al-Qaeda and they beat him with the handles of their rifles, kicked him with their military shoes and tortured him with electricity. The effects of the torture were visible on his back and abdomen and his face was constantly swollen and bruised. There were days when he was unable to speak due to the severity of the pain, and in some instances, he could not walk so the soldiers dragged him to the torture room. One day, we asked the soldiers to take him to the hospital. One of the soldiers said 'it is forbidden for any prisoner to leave or for any doctor to come. This prison does not exist." (16)

The man continued, saying that one night, "Soldiers took Saleh to the torture room at about 10:00 pm, hung him with iron cables and tortured him with electricity. His nails were pulled, his hair was plucked, and he was brutally beaten, after which they left him hanging." He added, "My heart was almost torn when the soldiers ordered us to take him down and dig a grave for him. We buried him at 04:00 am in the courtyard of Waddah Hall. Saleh was not the first to die under torture. There is a cemetery in the courtyard of Waddah Hall.

Saleh died in detention on Tuesday, January 2, 2018. The other detainees were forced to bury Saleh in the courtyard of Waddah Hall. They were not allowed to perform any religious rites as part of the burial. The mother of one of these detainese was the one to inform Saleh's family of his death. He had been forcibly disappeared for more than a year.

Saleh's mother said, "They tortured my son, killed him and buried him, and I did not even get to see him and did not receive his body. Why do they kill our children without trial and without clear charges?!"(18)

 $<sup>(16)\</sup> From\ an\ interview\ conducted\ by\ Mwatana\ Organization\ for\ Human\ Rights\ with\ an\ eyewitness,\ on\ February\ 25,\ 2018.$ 

<sup>(17)</sup> From an interview conducted by Mwatana Organization for Human Rights with an eyewitness, on February 25, 2018.

<sup>(18)</sup> From an interview conducted by Mwatana Organization for Human Rights with the mother of the victim, on February 21, 2018.

# **Hassan** (Pseudonym – 25 years old)

"I searched for him and they said they did not know his location. The kidnapper was the ruler, the executioner, the jailer and the murderer.(19)"

– Hassan's brother

Early in the morning of Thursday, April 27, 2017, Hassan (pseudonym - 25 years old) was in Al Mansura District, Aden governorate, when a military vehicle belonging to the Security Belt of the UAE-backed Southern Transitional Council with six masked soldiers stopped him, told him he was accused of joining al-Qaeda and took him to an unknown destination. Hassan remained forcibly disappeared for many months. After being tortured, he died in detention on January 11, 2018.

Hassan's brother (34 years old) said, "I learned of Hassan's detention and started a painstaking journey to search for him. I searched all the well-known detention centers. The administrations of all these detention centers denied his presence. I was asking everyone who was released about Hassan, and I learned on Sunday, February 11, 2018, that he was arrested on accusations of belonging to al-Qaeda and had died because of torture. I cried my eyes out and wished I could scream." The relative added, "Hassan was a simple worker with no connection to al Qaeda. They hid him and killed him without a fair trial."

Mwatana found through its investigation that, after being taken, Hassan was transferred to the Coalition Prison in the Al Buraigeh District, Aden Governorate, for a week and then transferred to Waddah Hall, where he was accused of belonging to al-Qaeda, subjected to torture, and died.

Mwatana interviewed witnesses who were with Hassan in Waddah Hall. One said: "After Hassan was brought to Waddah Hall, he was held in a solitary confinement cell for three months, and when he was moved to the cell that I was in, the

<sup>(19)</sup> From an interview with Mwatana Organization for Human Rights with the brother of the victim, on February 17, 2018.

effects of torture were clear; his body was weak and frail and his face was black. Occasionally, he was taken after midnight to be investigated and hit on the head and body with rifle handles and kicked with military shoes in the face. His head was swollen and full of bruises; he lost his appetite and was often unable to speak. Every time, two or three different different masked soldiers would interrogate and torture him. (20)"

Another witness, also held at the site, said that, one night, "at 11:00 pm at night, Hassan was taken and remained for about an hour in the torture room. Then, they threw him in the cell with bloody wounds on his body. Blood was even coming out of his ears. Hassan touched my thigh and told me with difficulty, 'Tell my brother that they tortured me to death. They know that I am innocent. Someone hit me with a big stone on various parts of my body. They beat me with the handles of their rifles and tortured me with electricity,' and he breathed his last breath."

He said, "Hassan's body remained in the cell between 3 to 4 hours and we were screaming, but one of them answered us, 'if you do not keep silent, your fate will be the same.' [21] ... Four masked soldiers came and ordered us to dig Hassan's grave. We buried him in his clothes, without a shroud or prayer. The soldiers called us and threatened us with death if we disclosed what happened to Hassan. [22]"

During the interrogation sessions and until he was tortured and died on January 11, 2018, Hassan was accused of belonging to al-Qaeda, not permitted access to a lawyer, and his file not transferred to the public prosecutor.

 $<sup>(20)\</sup> From\ interviews\ conducted\ by\ Mwatana\ Organization\ for\ Human\ Rights\ with\ eyewitnesses,\ on\ February\ 18,\ 2018.$ 

<sup>(21)</sup> Ibid.

<sup>(22)</sup> Ibid.

# Chapter Three:

# **Al-Saleh City**

# Taiz, Ansar Allah (Houthi) group

Since its invasion of Taiz in early 2015, the Ansar Allah (Houthi) group has used buildings in the residential city of Al-Saleh, located in the Al-Hawban area, Taiz governorate, as a housing site for soldiers and as a detention center. Buildings at the site were used to initially detain people, and to detain people for longer periods lasting more than a year. Other buildings held detained combatants. Ansar Allah used underground floors as individual cells. Later, some buildings were designated as a court and a prosecutor's office. The site is considered Ansar Allah's governing compound in Taiz governorate.

Between May 2016 and April 2020, Mwatana verified at least 63 cases of arbitrary detention, 4 cases of torture in Al-Saleh city and 2 death in detention. At least 21 detainees were released.

According to investigative research and interviews with victims, detainees held in Al-Saleh city were accused of things ranging from communicating with and giving coordinates of military sites to the Saudi/UAE-led coalition to affiliation with ISIS. At least one detention room was called the "pressure cooker"—a room measuring 3 by 2 meters in the basement of a building. The room is completely closed, without any natural lighting, and 4 to 12 detainees are held in it at a time without a toilet. (23) During lengthy periods between 2016 and 2019, the detention center administration concealed the fate of the detainees held in Al-Saleh and did not allow them to communicate with their families.

People held at the site were subjected to multiple forms of torture and inhumane treatment, including electrocution, severe beatings with sticks and wires, and nail removal, as well as promises of release, followed by severe beatings at another location and then returns to the detention site.

<sup>(23)</sup> Pressure Cooker describes a completely closed, small dark room in the basement of a building in Al-Saleh City. Mwatana obtained testimonies stating there are similar detention rooms used in other detention centers.

A former detainee told Mwatana that they did not have access to safe drinking water and were not allowed access outside while detained. He also said that the people held in al-Saleh city did not receive health care. According to research, at least one person died in the detention center due to the deterioration of his health andlackofmedicalcare.

## **Cases:**

# Amro Nabil (Pseudonym - 39 years old)

"In the pressure cooker cell, darkness prevails and a day seems as if it is a year. (24)"

- Amro Nabil

Early on Saturday morning, November 19, 2016, gunmen affiliated with the Ansar Allah (Houthi) group arrested Amro Nabil (pseudonym - 39 years old) from his house in the Saleh district, Taiz  $governorate. \ He \ was \ taken \ in \ a \ military \ vehicle \ to \ the$ Al-Saleh detention site. His relatives were not allowed to visit him throughout his detention, only seeing him after his release in March 2017.

Mwatana interviewed Amro Nabil after his release in March 2017. He said he was taken from his home at dawn by armed Ansar Allah (Houthi) men, who took him to Al-Saleh city. After being stripped of all his belongings and phone, he was thrown directly into the "pressure cooker." He spent twenty-seven days in the cell without questioning.

Amro said, "In a completely closed cell, our numbers ranged between 4 to 12 detainees. The cell did not even have a nail hole for air and light to pass through. I did not know when the sun would rise or when it would set. A corner was designated as a "bathroom" and we used small plastic bags. I couldn't eat because the place was so filthy."

He continued, "After midnight on the 27th night of detention in the pressure cooker, they blindfolded me and took me out of the cell to interrogate me for the first time since my detention. The interrogation lasted for three hours, during which I was accused of many charges, including communicating with my friends in the city of Taiz. I was forced to place my fingerprint on papers, without knowing their content."

<sup>(24)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim on April 4, 2017

He added, "I was then transferred to another cell called 'Majlis,' where I spent ninety nine days in severe cold, hunger and thirst, not to mention psychological torture."

He ended his testimony saying, "A day felt like a year and the feeling of injustice is very bitter."

Amro Nabil was only interrogated once, while blindfolded. He was not transferred to the Public Prosecution, and his family was not allowed to visit him throughout the duration of detention. He was forced to write a statement as well as record a video saying he was deceived by the resistance and that the treatment in the detention center was good. He was released in March 2017 after being held for more than four months without any formal charges.

# Fahim and Hussam (Pseudonyms – 37 and 32 years old)

"We faced double oppression because we are from the Muhamasheen (the marginalized ones) and we were not even allowed to see them."

- One of the mens' wives

After midnight on Tuesday, April 4, 2017, five  $gunmen\ in\ civilian\ clothing\ from\ the\ Ansar\ Allah$ (Houthi) group, led by the district superintendent, took two muhamisheen men<sup>(25)</sup> from their homes in the As Silw District, Taiz governorate. Ansar Allah (Houthis) took the men together in a Toyota pickup to one of the Security Departments controlled by Ansar Allah (Houthis). The next morning, the men were transferred to Al-Saleh city detention center.

Mwatana conducted an investigation, including interviewing the men's family members. An uncle (57 years old) said, "They came after midnight to detain Fahim, who worked as a warehouse guard and then they passed through the neighboring village and arrested Hussam but we still do not know why. Because we are marginalized and no one protects us, the two young men were thrown in the Al-Saleh prison. (26)"

He said, "We filed complaints with the Directorate's Security Department and with the Governorate's Security Department, which were rejected and neglected. We followed up on the case with Ansar Allah (Houthi) officials and supervisors, who confirmed after four months of follow-up that no release was possible. Our efforts and money did not pay off and we were not allowed to visit them for the duration of the detention." He added, "Fahim was charged with stealing material from the warehouse where he was working without evidence or a complaint from

<sup>(25)</sup> The Marginalized Ones (Al-Muhamasheen): A Yemeni community group that suffers from marginalization and faces racism. In Yemen, the marginalized ones are referred to as Al-Akhdam (the servants) as a negative term. There are no official statistics on the size of this group, but the United Nations indicates that there are about 3.5 million marginalized people in Yemen. The "Al-Muhamasheen "group in Yemen is considered one of the most vulnerable social configurations, as a result of its staying at the bottom of the social hierarchy, and successive governments and civil society plans have failed to integrate them with Yemeni society and grant them their rights.

<sup>(26)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim's uncle on April 8, 2019

the employing party. It is a malicious accusation. He did not steal anything and did not violate anyone's right."

As for Hussam, he was forcibly disappeared and ill-treated during his detention in Al-Saleh city. After a year and a half, Ansar Allah (Houthis) released Hussam, who was in a poor condition, showing signs of ill-treatment. He died on Wednesday, October 3, 2018.

One of his relatives, who visited him after his release from the detention center, said, "He was frail and pale, and he could not speak or move. We could not know what he had been subjected to in Al-Saleh city. It seems his days were rough and he was subjected to torture.<sup>(27)</sup>"

As for Fahim, he remains detained in Al-Saleh city, cut off from the outside world to this day. (28) He was allowed to communicate over the phone with his family for the first time after eight months of detention, but his family has not been allowed to visit him.

Fahim's wife (33 years old) said, "I had to sell my gold and go into debt. We gave the Houthi officials money, and even khat and cigarettes, but to no avail." She added, "I went more than once with my four daughters and we would wait for permission to visit him for a few hours but we were never allowed to. He calls me once every two or three months in a brief call, which reassures me that he is still alive. I fear that his fate will be the same as Hussam's."

She said, "After my husband was wrongfully detained, I was forced to work hard in the field to meet the needs of my family. (29)"

She concluded by saying, "No one cares about us because we are Al-Muhamasheen.(30)"

<sup>(27)</sup> From an interview conducted by Mwatana Organization for Human Rights with a relative of the victim on May 5, 2019

<sup>(28)</sup> Mwatana Organization for Human Rights' update on the victim's situation over the phone on October 21, 2019

<sup>(29)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim's wife on May 5, 2019

<sup>(30)</sup> Ibid..

Chapter	Four:	
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# Al Jala Camp

# Aden, Forces affiliated with the UAE-backed Southern **Transitional Council**

The Al Jala camp is under the control of the First Support and Backup Brigade of the UAE-backed Southern Transitional Council. Al Jala camp is located in Al Buraigeh District, Aden Governorate. Inside Al Jala camp there are at least two detention spaces, one of which is a tin building and the other a dilapidated underground cellar used for ammunition storage for more than half a century.

Between May 2016 and April 2020, Mwatana documented at least 13 cases of arbitrary detention and 17 of torture in Al Jala camp, as well as the release of at least 3 detainees.

Relatives of those detained at Al Jala camp and former detainees told Mwatana that the First Support and Backup Brigade and other Security Belt forces of the UAE-backed Southern Transitional Council carried out individual and collective detention campaigns by raiding homes in the early hours of the morning or late at night. Detainees were accused of belonging to armed religious groups. These campaigns increased after the killing of the First Support and Backup Brigade commander in August 2019.

A former detainee told Mwatana that the cellar in which they were held was extremely humid and hot and there were no air and light outlets. He also said that detainees were subjected to electrocution, sleep deprivation, severe beatings, hanging for long hours upside down from the ceiling or other beams and threats to rape them or their relatives.

## **Cases:**

# Saad and Baligh (Pseudonyms - 32 and 31 years old)

"I was distressed when I saw them for the first time."

- The mens' brother

After midnight on Wednesday, April 27, 2018, gunmen affiliated with the First Support and Backup Brigade<sup>(31)</sup> stormed a house in the Al Mansura District in Aden governorate, broke the door of one of the apartments and took Saad (pseudonym - 32 years old). When his brother Baligh (pseudonym - 31 years old) tried to ask the reason for the raid, the gunmen detained him, too. The two brothers were taken in two military cars to Al Jala camp. Officials at the camp denied holding the men. They remained forcibly disappeared for three months, during which period they were tortured. The men were then transferred to Bir Ahmed detention center in Aden. The family was able to visit them for the first time in August 2018.

Describing his visit with his brothers, Saad and Baligh's younger brother (27 years old) said, "I was distressed when I saw them for the first time. Saad's fingernails were all removed, he had nails in his legs and feet and he was electrocuted and was unaware of what he was saying. His feet were swollen and at risk of being amputated." He added, "As for Baligh, he was subjected to electrocution, his fingernails were removed and he had nails in his feet. He was crucified naked without clothes, and he was threatened with the rape of my mother and sister." (32)

Relatives of the two men said that conditions in Bir Ahmed were also bad, and that the men urgently needed specialized medical care which prison officials refused to provide. Their brother said, "Saad's feet are in a deplorable state and need surgery to avoid being amputated. Who will be responsible if he loses his feet?

<sup>(31)</sup> Affiliated with the security belt of the pro-Emirati UAE-backed Southern Transitional Council.

<sup>(32)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim's brother on November 20, 2018

Additionally, the prison administration refuses that detainees receive treatment outside of prison."

The men's family followed up on the case with the specialized criminal prosecution, which charged Saad with manufacturing explosives and carrying out acts of hooliganism, without specifying what these actions were. Later, his file was referred to the Specialized Criminal Court in Aden. No session has been held. He remains in Bir Ahmed. His family is currently visiting him on a weekly basis.

As for Baligh, he was accused of "witnessing a murder without assisting," despite that the security forces had not sought to arrest him during the intial raid until after he asked them the reason his brother was being raken. He was released on July20,2019.(33)

# Ramzi (Pseudonym – 31 years old)

"He was tortured to admit that he was affiliated with ISIS, while in fact he is a modernist and not religious."

- Ramzi's wife

Early on Saturday morning, March 10, 2018, masked soldiers in military uniforms arrived in three First Support and Backup Brigade military vehicles and stormed a house in Aden city. They took Ramzi (pseudonym - 31 years old), tied him and brought him to an unknown destination. Ramzi was forcibly disappeared for four months. His family only learned of his whereabouts when he was transferred to Bir Ahmed prison in mid-July 2018.

Mwatana interviewed witnesses and relatives of Ramzi. His wife said, "I was not at home that day. I was shocked when I came home. The door was pierced with bullets and the furniture of the house was destroyed. Soldiers looted gold, sums of money, and our electronic devices.<sup>(34)</sup>"

Ramzi's relatives said they filed a report with the Aden Governorate Security Administration, who denied connection with the detention. The family searched for him in police stations and places of detention and military camps, but authorities denied holding him in all of these locations. His wife said, "In mid-July 2018, I was contacted by the Bir Ahmed prison administration and told that Ramzi was in their custody and that we were allowed to visit him." She added, "The first time I went to visit him since his disappearance, I found him in a bad condition. He told me that he was first taken to Al Jala camp, where he was tortured with iron bars, particularly on his leg where he had an old injury, which increased his pain. He was accused of pledging allegiance to ISIS and participating in the killing of imams of mosques."

His wife said these accusations were false, "My husband was not in Yemen and he is not religious and does not pray. In order to force him to confess, not only was

he tortured physically, but he was also threatened that I would be raped in front of him." She said, "When the interrogator mentioned my name and threatened to rape me, he took the matter seriously and accepted to place his fingerprint, while blindfolded, on papers without knowing their content."

In mid-May 2018, Ramzi was transferred to the Coalition camp (previously UAE forces' headquarters, now replaced by Saudi forces)(35), where he was sporadically beaten. According to his wife, in one of the interrogation sessions the interrogator told him, "I don't know why you are here. They sold you for 5000 SAR, which is a reward paid for the detention of extremists. (36)"

In July 2018, Ramzi was transferred to Bir Ahmed prison where he was interrogated by the Criminal Prosecution and charged with joining the Islamic State. The family continued to press alongside other families of detainees on the criminal prosecution and the person in charge of the detainee file in Bir Ahmed, who told them that "the matter is up to the coalition. It gives us instructions on who can be released."

Ramzi remains detained.(37)

<sup>(35)</sup> Reuters, UAE withdraws its troops from Aden, hands control to Saudi Arabia, https://www.reuters.com/article/us-emirates-military-yemen/uae-withdraws-its-troops-from-aden-hands-control-to-saudi-arabia-idUSKBN1X923A, retrived 20 May 2020.

<sup>(36)</sup> Ibid.

<sup>(37)</sup> Mwatana Organization for Human Rights update on the situation of the detainee, on October 24, 2019

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# The Coalition Camp, Al Buraiqeh

Aden, Saudi/UAE-led Coalition forces

The Coalition camp (also called the Coalition Base or the UAE forces' headquarters) is located in the industrial area in Al Buraiqeh District, Aden Governorate. The camp consists of a group of cargo containers on a plot of land surrounded by cement barriers. It was managed by Emirati forces. UAE forces have now been replaced by Saudi forces.

Between May 2016 and April 2020, Mwatana documented at least 15 cases of arbitrary detention and 8 of torture in the Coalition camp. Mwatana also documented the release of at least 16 detainees.

Mwatana met with former detainees who said that those held in the Coalition camp are mostly transferred from other, Security Belt detention centers and that these people are mostly activists with opinions opposing UAE policies in Yemen's southern governorates. Former detainees also said that detainees are held in containers for goods, with approximately 7 to 21 detainees held in each container. UAE officers and soldiers interrogated detainees at the coalition camp.

A former detainee said that the officials at the camp exposed them to extreme temperatures as a form of torture, using air conditioning units in containers to subject detainees to very low temperatures. He told Mwatana that they were subjected to severe beatings, electrocution, the use of dogs to scare them and injections with medications they did not recognize. Detainees in the coalition prison were also subjected to humiliating searches and forced nudity, which could last for hours.

## **Cases:**

# Mohsen Mohammad (Pseudonym – 47 years old)

"Did the Emirati army come to Yemen to look at my ass? (38)" - Mohsen Mohammed

After midnight on Thursday, May 25, 2017, masked gunmen affiliated with the Counter-Terrorism Forces raided a residential house in the Al Mansura District, Aden governorate. They arrested Mohsen Mohammad (Pseudonym - 47 years old), handcuffed him and took him in a military vehicle to an unknown

Mwatana interviewed Mohsen after he was released from prison on July 2, 2018. He said he was detained because of his criticism of the Saudi/UAE-led coalition forces and the security services in Aden on social media. He said: "I was sleeping on the second floor when I heard a violent knocking on the door and the women in the house screaming. Then, I was surprised to see an armed man in a military uniform wearing a black mask, directing a light from his weapon on my forehead. He ordered me to lie down. I complied and lied down with my face to the ground. Then, my hands were tied and I was taken on a military vehicle to Waddah Hall prison and thrown in one of the cells. I was beaten and then transferred to the 'pressure cooker' cell<sup>(39)</sup> where I stayed for more than two hours. I felt suffocated; my legs were swollen and could no longer carry me. Afterwards, they dragged me out like a sheep."

The following day Mohsen was transferred to the coalition camp in Al Buraigeh, where Emirati officers searched him in a humiliating manner, including searching the anal cavity. Mohsen described the experience: "I went to the medical examination room and an officer who spoke in an Emirati dialect asked me to

<sup>(38)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim on August 14, 2018

<sup>(39)</sup> Mohsen described the pressure cooker as a small room measuring 30 centimeters located in the wall of the cell. A person is inserted in it and then the door is closed, forcing the person to spend time standing up without movement for a long time. This room was a closet when the Waddah Hall was a nightclub.

strip, lay down on the medical bed and lift my legs to my chest. I expressed my objection, but to no avail. Eventually, I lied down and one of the Emirati officers stood above my head and pulled my legs towards my head. Then the other officer opened my legs and looked at my anal cavity. One of the officers told me: 'Perfect! Get up.' These are directions and procedures that take place for the first time. I asked myself silently, 'Did the Emirati army come to Yemen to look at my ass  $\frac{1}{2}(40)$ ""

Mohsen added, "I was placed in a 2 by 4 meter cargo container, which had light and was air-conditioned. The number of detainees in the container ranged between 7 and 11. The food was barely sufficient for us. I was once interrogated by an Emirati officer and he said to me, 'Why are you in prison?' and I replied, 'You have the answer. I do not know why I am being held.' So, he told me that I will leave soon, provided that I do not tell anyone what happened with me.<sup>(41)</sup>"

UAE officers in the coalition camp interrogated Mohsen but did not provide him information on why he was being held. Mohsen was not allowed to contact his family for many months. He was finally allowed to contact his family on the day he was transferred to Bir Ahmed prison in October 2017. There, his family was allowed to visit him for the first time.

The prosecution in Bir Ahmed prison interrogated Mohsen but did not charge him with anything. He was released in July 2018.

He said: "My family had lost hope that I would return; they thought I was dead. (42)"

 $<sup>(40)\</sup> From\ an\ interview\ conducted\ by\ Mwatana\ Organization\ for\ Human\ Rights\ with\ the\ victim\ on\ August\ 14,\ 2018$ 

<sup>(41)</sup> Ibid.

<sup>(42)</sup> Ibid.

# Nasser and his brother (Pseudonyms, 23 and 17 years old)

"Why all this violence and humiliation, why all this horror?" – Their father

At dawn on Sunday, December 3, 2017, seven armed men wearing black military uniforms and black masks of the Counter-Terrorism Forces raided a house in the Al Buraiqeh District, Aden governorate. They arrested Nasser (23 years old), a motorcycle driver, and his brother (17 years old) during a wider  $detention\ campaign\ including\ multiple\ home\ raids$ in the Al Buraiqeh district that night. Nasser and his  $brother\ were\ taken\ in\ military\ and\ armored\ vehicles$ to an unknown destination.

Their father said: "I was asleep when I heard heavy gunfire. I rushed to see what was happening. I was horrified as I saw seven masked gunmen storming the house. They handcuffed and blindfolded Nasser and took him outside. My other son (17 years old) had gone up to the roof of the house to see what was happening, but the soldiers were deployed on the roofs of the neighboring houses, and they started shooting at him and detained him as well. We found a considerable amount of blood on the roof of the house and the courtyard of the neighbor's house. We don't know how they detained him.(43)"

He added: "They looked frightening; their clothes were black and their hearts were blacker. They caused us severe damage; we lost huge sums in repairing the damage and following up on the peole they detained." He said one of his son's wifes miscarried, and that his youngest 11-year-old son stopped speaking and his other son has been suffering panic attacks since the raid.

Mwatana found through its research and interviews with relatives of the two brothers that the family submitted reports to the Al Buraigeh Police Station and the Aden Security Administration. The family then followed up with the Security Belt Command, the Public Prosecutor's Office, and the person in charge of the

missing file. None of these authorities gave the family information about their two disappeared relatives. The family did not know where they were detained and were not allowed to visit them.

Their father said, "A former detainee informed me after his release that Nasser was in Bir Ahmed prison, so I went to visit him. Nasser told me that he was taken first to Waddah Hall and days later, he was transferred to the Coalition prison and there he was tortured, beaten and insulted during interrogation by Emirati officers and was accused of belonging to an armed gang. He also suffered from skin diseases as a result of poor conditions inside the detention center, and he was not aware of the detention of his brother."

Nasser was disappeared for three months in the Coalition camp, after which he was transferred directly to Bir Ahmed prison. He was released in March 2020. His brother remains disappeared and his family unaware of his fate.

Chapter S	ix:
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# **Political Security Department**

Ma'rib, governmental Islah Party forces loyal to President Hadi

Due to its location between Sanaa and Seiyun, many people travel through Ma'rib governorate (170 Kilometer to the east of Sanaa) each day. Many travelers have been stopped and held at Al-Falaj checkpoint, at the northern entrance of Ma'rib city, and then transferred to the Political Security Department in Ma'rib Governorate. The Political Security Department is run by governmental Islah Party forces loyal to President Hadi.

Between May 2016 and April 2020, Mwatana documented at least 31 cases of arbitrary detention, and at least 4 cases of torture, including 3 deaths in detention, in the Political Security Department in Ma'rib. Mwatana also documented the release of at least 7 detainees.

Most of the people Mwatana documented abusively held in the Political Security Department in Ma'rib Governorate appeared to have been detained while traveling, often based on their family name, while passing through Al-Falaj checkpoint. In Yemen, certain family names are perceived to be affiliated with the Ansar Allah (Houthi) group, even where individual members of the family may have no affiliation with, and even be actively opposed to, the group. People were accused, without evidence, of belonging to the Ansar Allah (Houthi) group and communicating with Iran.

A former detainee in the Ma'rib Political Security Department told Mwatana that detainees are held in a cellar with no ventilation, and that the Ma'rib Political Security Department uses the Al-Saleh Institute, another site in Ma'rib, as a reserve detention center in the event that the Political Security Department becomes too crowded. Mwatana documented cases of torture and other cruel, inhuman and degrading treatment in the Ma'rib Political Security Department. People were burnt, severely beaten, and prohibited from using toilets. (44)

Relatives of people detained or disappeared told Mwatana they could not communicate with their detained relatives and that the Political Security Department refused to comply with release orders, including those issued by the Ministry of Interior and the Public Prosecution.

## **Cases:**

# Sam Abdul-Malek Al-Shami (45 years old)

"Sam is a civilian, his first and only charge is that his surname is Al-Shami(45)"

- A relative

On Wednesday, January 23, 2019, Sam Al-Shami was on his way from his residence in Sanaa to Seiyun airport. At the entrance to Ma'rib city, he was stopped at Al-Falai checkpoint and transported in a military vehicle to an unknown location. His relatives went to Ma'rib to search for him, but the security services denied they were holding him.

Sam's relatives submitted a written complaint to the Undersecretary of the Ministry of Interior, who instructed the Ma'rib Security Department to release him with a surety. (46) At the Security Administration headquarters, Sam's relatives learned he was being held at the Political Security Department in Ma'rib. The Political Security officials did not comply with the instructions of the Undersecretary of the Minister of Interior. The person responsible for the detainee file in Ma'rib who does not do so in an official capacity—would not meet Sam's relatives. (47)

Sam's relatives said they were allowed to visit him for the first time on January 29, 2019, and only allowed to visit him one other time two weeks after. One of Sam's relatives, Amine Ali (35 years old), said, "I saw Sam at the detention center and found him in an extremely poor psychological condition. He told me that they accused him of several thingss, including that he was responsible for the Iranian file with the Ansar Allah group (Houthis ). (48)" Amine added, "Sam has nothing to do with that. Sam is a civilian man, whose only charge is that his surname is Al-Shami. (49)"

Sam remains detained. An official involved in managing the Political Security Department in Ma'rib said Sam would only be released in an exchange deal for a detained fighter.

<sup>(45)</sup> From an interview conducted by Mwatana Organization for Human Rights with Amine Ali on March 9, 2019.

<sup>(46)</sup> A surety in this case refers to a guarantee, often made by businessmen in Yemen, to take on the responsibility of the person's appearing in court, in front of the security forces, etc.—if demanded.

<sup>(47)</sup> From an interview conducted by Mwatana Organization for Human Rights with a relative of the victim on March 9, 2019.

<sup>(48)</sup> From an interview conducted by Mwatana Organization for Human Rights with Amine Ali on March 9, 2019.

<sup>(49)</sup> Ibid..

## Hassan El Sherif (40 years old)

"He would scream from the next room, please give me water, give me water... We used to hear the sound of the executioner's whip on his body for three days, after which he would come back to the cell naked and frail, with bloodied hands and feet. (50)"

- A person detained with Hassan

On Sunday May 22, 2016, gunmen in a number of military vehicles detained Hassan El Sherif while he was in a market in Ma'rib Governorate. He was immediately transferred to the Political Security Department. He appeared to be detained because he belonged to the El Sherif family, which is perceived as being very close to the Ansar Allah (Houthi) group.

Mwatana interviewed other people detained in the Political Security Department in Ma'rib with Hassan. They said Hassan was being held in a room next to them and that they could hear him cry for help when he was beaten with a whip. After three days, the soldiers brought Hassan to their cell. He was naked. His weak body had signs of torture on his hands and feet. A detainee told Mwatana, "We saw him and he was very skinny. He had signs of torture on his hands and feet and he repeatedly lost consciousness while he was talking to us. (51)" He added that Hassan told them that he was kept hanging from a rope tied to his legs for many hours during which the soldiers beat him with a whip, and that when he asked for food, they would bring him hot water with salt. (52)

Other detainees requested medications and medical supplies for Hassan, but the prison officials refused to provide them and refused to transfer Hassan to the hospital while he had signs of torture on his body. After Hassan's condition worsened, other detainees protested and demanded his transfer to the hospital. Soon after, Hassan was taken to the yard of the detention center. Other detainees learned he had died two days later. His family was asked to collect his body from the Al-Thawra Hospital in late 2017, more than a year and a half after his initial detention.

<sup>(50)</sup> From an interview conducted by Mwatana Organization for Human Rights with detainees in the Political Security department in Ma'rib on May 16, 2018.

<sup>(51)</sup> Ibid..

<sup>(52)</sup> Ibid..

## Chapter Seven:

## **Security and Intelligence Agency (former Political and National Security Agencies)**

Al-Hudaydah, Ansar Allah (Houthi) group

The Ansar Allah (Houthi) group detained political opponents and civilian and military detainees in the Security and Intelligence Agency (former Political and National Security Agencies) in Al Hudaydah governorate. The Al Hudaydah branch is a subsidiary of the Security and Intelligence Agency in Sanaa.

Between May 2016 and April 2020, Mwatana investigated at least 24 cases of arbitrary detention, and at least 7 cases of torture at the Al-Hudaydah Security and Intelligence Agency (former Political and National Security Agencies). Mwatana also documented the release of at least two detainees.

Former detainees told Mwatana that officials at the detention site subjected detainees to torture and other cruel, inhuman and degrading treatment, including severe beating and electrocution. Relatives told Mwatana they were prevented from communicating with detainees for lengthy periods.

Mwatana obtained testimonies from people released from the site who said people detained there had been taken without an arrest warrant, not charged, only questioned after lengthy periods of detention and deprived of their right to a lawyer. One former detainee said that Ansar Allah transferred detainees to a number of unofficial places of detention after the site was hit by a Saudi/UAE-led coalition airstrike on August 8, 2016, which killed and wounded detainees.

## Cases:

## **Khaldoun** (Pseudonym – 35 years old)

"I went back to my village, completely exhausted, with a great sense of injustice and oppression. (53)"

- Khaldoun

On Saturday, April 2, 2016, Khaldoun (Pseudonym - 35 years old) was returning with his wife from a southern Yemeni governorate to their village in Hays District, Al-Hudaydah Governorate. A minibus carrying five armed men dressed in military uniforms and civilian clothing belonging to the Ansar Allah (Houthi) group stopped them. The gunmen handcuffed the hands and feet of Khaldoun and his wife, and took them on the bus to a deserted and abandoned school. Khaldoun was then sent to the Political Security Agency detention site, on accusations of "collaborating with the Saudi/UAE-led coalition."

Khaldoun was severely beaten at the school that night and threatened with being killed in front of his wife. In the morning, he was blindfolded and taken to the Political Security Agency in Al-Hudaydah. While being interrogated about his reasons for traveling to a southern governorate under the control of Hadi forces, Khaldoun was severely beaten, electrocuted and held in solitary confinement, all with the aim of forcing him to confess. During the torture, Khaldon was blindfolded so he did not see those hurting him. His detention in the Al-Hudaydah Political Security Agency lasted about a year and two months, after which he was transferred to the Political Security Agency detention center in Sanaa. There, he was able to communicate with his wife from time to time.

Ansar Allah released Khaldoun on Friday, February 1, 2019. His wife, who had been pregnant at the time, had been released three days after their initial arrest. She miscarried on the day of release. Khaldoun said, "I went back to my village, completely exhausted, with a great sense of injustice and oppression over what happened to me and my wife, especially when I learned that she was pregnant and miscarried due to the severity of her fear while I was being beaten and threatened with death at the school. (54)"

<sup>(53)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim, on April 15, 2019.

<sup>(54)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim, on April 15, 2019.

## **Ismail** (Pseudonym – 27 years old)

"I even searched for my son in the morgues. I had to see the faces of the dead in order to know his fate. (55)"

– Ismail's mother

On the evening of Sunday, June 27, 2016, Ismail (Pseudonym - 27 years old) left his home and went (Pseudonym - 27 years ola) left his home and went to the market in Al Hawak District, Al-Hudaydah governorate. Upon his arrival, a group of gunmen from the Political Security Agency arrested him and took him in a military vehicle. He was disappeared for three months. Then, his family learned he was being held in the Political Security Agency. They did not know what accusations there were against him.

Ismail's mother said, "I searched for my son for three months in all prisons and hospitals. I even searched for my son in the morgues. I had to see the faces of the dead in order to know his fate. (56)"

Ismail was transferred to the Political Security Agency detention site in Sanaa. There, his family was allowed to visit him for the first time in mid-2017, for only ten minutes. He told his mother that he had been severely beaten and she noticed that he was pale, thin and tired. Ismail's family has been able to visit him four times in Sanaa. Ismail remains detained.

<sup>(55)</sup> From an interview conducted by Mwatana Organization for Human Rights with the mother of the victim, on January 21, 2018.

<sup>(56)</sup> From an interview conducted by Mwatana Organization for Human Rights with the mother of the victim, on January 21, 2018.

## Chapter Eight:

## **Community College**

Dhamar, Ansar Allah (Houthi) group

When the Ansar Allah (Houthi) group tightened its control over Dhamar governorate (130 Kilometer to the south of Sanaa), in early 2015, it transformed at least one building in the Community College located north of Dhamar City into a detention site. The group then transferred detainees held in various governorates under its control to this site.

Between May 2016 and April 2020, Mwatana investigated at least 36 cases of arbitrary detention, 2 cases of torture and 1 death in detention in Dhamar Community College.

A former detainee told Mwatana that those held at the Dhamar Community College were transferred from other detention centers in the governorates of Taiz, Ibb and Hajjah. He also said that detainees included civilians, journalists, activists, lawyers and students, and that the detention center was not intended for detained fighters as Ansar Allah claimed.

Mwatana interviewed former detainees who said the conditions of detention were very poor, unable to meet basic health requirements, and that infectious diseases had spread among detainees, such as tuberculosis and scabies. The Ansar Allah (Houthi) group held hundreds of detainees in narrow rooms without adequate lighting and ventilation and did not provide them with healthy food. Detainees were subjected to various forms of torture to extract confessions, including severe beatings, denial of the use of toilets, sleep deprivation, including through the use of loudspeakers to generate noise, in addition to other forms of humiliation and ill-treatment.

In 2017, Ansar Allah transferred a group of combatants to the detention site. On the evening of Saturday, August 31, 2019, Saudi/UAE-led coalition aircraft launched an attack<sup>(57)</sup> on the site that killed nearly 130 detainees, including at least 7 children.

## **Cases:**

## Imad (Pseudonym - 47 years old)

"Imad suffers from heart disease, lives on medications, and his health is expected to deteriorate as a result of the detention that is endangering his life. (58)"

– Imad's relative

On Sunday, October 16, 2016, Imad (Pseudonym - 47) years old) was detained after passing an Ansar Allah (Houthi) checkpoint called Al Hob / Al Tayyar (Pilot) in the Al-Haza region, Sabir Al Mawadim District, Taiz Governorate. He had been heading to his place of work to receive his salary. He was charged with belonging to the Islah Party.

After Imad passed the checkpoint, gunmen wearing civilian clothes on motorcycles followed him and stopped him, claiming he was wanted for security reasons. They brought him back to the Ansar Allah (Houthi) checkpoint. A few minutes later, gunmen from another checkpoint a few miles away from the Al Hob / Al Tayyar (Pilot) checkpoint stopped one of Imad's relatives.

The men took Imad and his relative to a warehouse next to the first checkpoint and held them there for two days. On the first day, Imad's son was able to visit him. After several weeks, Imad and his relative were transferred to Al-Sharijah prison, then to Al-Saleh City prison, and after fifteen days, they were transferred to the Dhamar Community college detention site. Had Imad not been able to communicate with members of his family, they would not have known where he was being held.

Imad's family worked to get release orders issued for Imad by security institutions, attempting to work through official and security channels. The family was blackmailed and ordered to pay money in exchange to have these orders issued.

strike-on-detention-center/, reviewed on February 24, 2020.

Imad's relative (not the one detained) said, "I don't know anything about the conditions of his detention, but Imad suffers from heart disease, lives on medications, and his health is expected to deteriorate as a result of the detention, which will endanger his life. I bought him medicine twice for fifteen thousand YER, and I thought it was delivered but it seems it was not. The family lost an amount of approximately three million as follow-up expenses to release him but to no avail. (59)"

## **Anwar** (Pseudonym – 31 years old)

"My brother disappeared completely for nearly two months and we did not know anything about him. (60)"

- Anwar's brother.

On Monday, October 10, 2016, armed men in civilian clothes riding on two military vehicles belonging to the Ansar Allah (Houthi) group took Anwar (Pseudonym - 31 years) from his workplace in the Al Wazi'iyah District, Taiz Governorate. Anwar was accused of belonging to ISIS and taken to an unknown location.

In an interview conducted by Mwatana, Anwar's brother (30 years old) said, "My brother completely disappeared for nearly two months and we did not know anything about him. One day, he managed to call me from the detention center to tell me that he is in the community college in Dhamar and needs a sum of money to meet his food, water and medical needs. I used to send him money every once in a while.(61)"

In the same interview, his brother added that Anwar was able to tell him during one phone call that he was subjected to torture and degrading treatment, such as beatingandelectrocution. (62)

Anwar—a civilian—was released as part of a prisoner exchange deal on Wednesday, December 18, 2019.

<sup>(60)</sup> A telephone interview conducted by Mwatana Organization for Human Rights, on February 6, 2020.

<sup>(61)</sup> A telephone interview conducted by Mwatana Organization for Human Rights, on February 6, 2020.

<sup>(62)</sup> A telephone interview conducted by Mwatana Organization for Human Rights, on February 6, 2020.

## **Al-Rayyan**

Hadhramaut, Saudi/UAE-led coalition forces and armed groups of the UAE-backed Southern Transitional Council

Al-Rayyan International Airport in Mukalla District, Hadhramaut Governorate(east of Yemen), was transformed into an unofficial detention site in 2015, managed by Emirati forces and their affiliated armed groups and known as "Al-Rayyan prison."

Between May 2016 and April 2020, Mwatana investigated at least 38 cases of arbitrary detention and 10 cases of torture in the Al-Rayyan airport detention center. At least 23 of these detainees were released.

In early 2019, detainees were transferred from Al-Rayyan prison to the Central Prison in Mukalla, where their families were allowed to visit them for the first time. A lawyer told Mwatana that not all detainees who had been held at Al-Rayyan were transferred to the Central Prison, with a number of them remaining disappeared.

A former detainee told Mwatana that those held in Al-Rayyan prison were activists and religious people. He said they had been taken without a warrant after home raids and part of a wider detention campaign. He added that detainees were not allowed to communicate with their families or their lawyers and were often held on suspicion of belonging to armed religious groups. He described Al-Rayyan as being comprised of dark and narrow warehouses. He said the food rations provided were not sufficient and the water often not safe for drinking. He told Mwatana after his release that they had been kept blindfolded, that their hands and feet were bound at all times in cells that did not have light, that they were prevented from using the toilets and that they had been forced to prostrate to the Emirati flag.

According to multiple testimonies, people held in Al-Rayyan were subjected to multiple methods of torture and other cruel, inhuman and degrading treatment, including sleep, food and water deprivation, refusal to allow religious rituals, electrocution, forced nudity, kicking, whipping, burning with cigarette stubs, and insertion of iron bars in the anal cavities of detainees.

## **Cases:**

## **Samir** (Pseudonym – 23 years old)

"I was so extremely thirsty that I had to drink my urine two times. (63)"

– Samir

*In May 2016, a group of soldiers, includes some* Emirati soldiers, traveled on six military and two armored vehicles and stormed the home of Samir (Pseudonym - 23 years old) in a Mukalla city neighborhood in Hadhramaut e. The group arrested Samir and transferred him to the Republican Palace in Hadhramaut. He remained there for less than a week, when he was transferred to Al-Rayyan. He was released in late 2017.

After his release, Mwatana interviewed Samir who explained what had happened to him: "I was transferred, after being blindfolded and handcuffed, to a room in the Republican Palace building, and Emirati officers there accused me of belonging to al-Qaeda." Samir said someone "asked me in bad Arabic about my relationship with a number of al-Qaeda members, to which I answered that I don't know any of them." He said he overheard the same person speaking English and believed the man was American. He added, "The Emirati officers gave me wine during the investigation. I refused to drink it and they beat me with an electric cord. (64)"

Samir spoke to Mwatana about the conditions of detention in Al-Rayyan, saying, "The food we were given was very bad and we didn't get enough rations of water. I was so extremely thirsty that I had to drink my urine two times. (65)" He added, "Emirati officers used to come to our cells late at night, beat us severely, deliberately insult us and force us to drink wine even though they knew we had a religious objection to doing that. They asked us to prostrate to their planes

<sup>(63)</sup> From an interview conducted by Mwatana Organization for Human Rights, on February 17, 2018.

<sup>(64)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim, on February 17, 2018.

<sup>(65)</sup> Ibid..

as well.<sup>(66)</sup>" Samir continued, "We lost the hope of ever leaving this prison. We knew that each prisoner who left us did not go home but to their grave without a doubt.<sup>(67)</sup>"

Samir was interrogated twice and was accused of belonging to al-Qaeda during the interrogation sessions. Samir was not transferred to the Public Prosecution and was unable to communicate with his family for more than a year. He was only released after he signed a document whose contents he did not know.

## Sadek (Pseudonym - 30 years old)

"I barely recognized this young man with such a frail body" - Sadek's relative

On the afternoon of Saturday, October 8, 2016, seven masked soldiers in a Hadrami Elite military vehicle,  $a {\it ffiliated with the UAE-backed Southern Transitional}$ Council, arrested Sadek (Pseudonym - 30 years old) and took him to an unknown location. He was disappeared for at least a year, during which time he was tortured.

Ten days after Sadek's disappearance, his relatives heard he was in Al-Rayyan prison and that he was being tortured and was vomiting blood. They organized protests in front of Al-Rayyan. After three months of refusing the family any information about Sadek's whereabouts, an Emirati officer told them that Sadek was in Al-Rayyan, was accused of belonging to al-Qaeda and would be released after an investigation.

Mwatana interviewed two of Sadek's relatives, (68) both of whom said that, more than a year<sup>(69)</sup> after Sadek's disappearance, they received the first call from him. It was about ten minutes. After two years, he was transferred to the Mukalla Central Prison and they were able to visit him for the first time.

When visiting him, his relatives learned Sadek had been subjected to various types of physical and psychological torture in Al-Rayyan. He was initially held in solitary confinement in a cell measuring approximately one square meter. Then, he was transferred to a group cell without light. His eyes were blindfolded and his feet tied all the time. He was allowed to use the restroom once a day. He was beaten with sticks and sharp tools on the head and back. He was stripped of his clothes, a sharp object was jammed into his penis, and he was threatened with rape.

At the beginning of 2019, Sadek was transferred to the Central Prison in Mukalla and his file was referred to the Specialized Criminal Court. On July 8, 2019, Sadek was acquitted, but the detention center administration asked for a surety from a businessman in order to release him, a difficult ask for many, which Sadek has not been able to fulfill. Sadek remains detained. (70)

<sup>(68)</sup> From two interviews conducted by Mwatana Organization for Human Rights on April 19, 2019 and April 20, 2019.

<sup>(69)</sup> Relatives of the victim do not remember the exact date.

<sup>(70)</sup> From an interview conducted by Mwatana Organization for Human Rights with a lawyer familiar with the case file, on February 23, 2020.

## Chapter Ten:

## "October 7 Prison"

## Abyan, Security Belt of the UAE-backed Southern Transitional Council

The Security Belt in Abyan governorate, affiliated with the UAE-backed Southern Transitional Council, is responsible for the management of the "October 7" prison in the Rawa' area in Khanfir District in Abyan governorate in the south of Yemen.

The October 7 prison is an unofficial detention site located in a facility originally constructed in the seventies as an ammunition factory. In 2012, it was rehabilitated and converted into a camp for the 119th Infantry Brigade. After forces loyal to President Hadi and the Saudi/UAE-led coalition took control of Abyan governorate in 2015, the Abyan Security Belt turned this facility into a detention center.

Between May 2016 and April 2020, Mwatana documented at least 50 cases of arbitrary detention and 29 cases of torture, including 4 deaths in detention, in the October 7 prison.

According to testimonies of family members and former detainees, those held at the October 7 site were arrested and detained arbitrarily. Detainees were not allowed to communicate with their relatives or lawyers, and were often accused of belonging to an armed religious group.

People held in the October 7 prison told Mwatana that detention conditions were terrible. They said they were detained in dark and narrow cells that did not have any light, and subjected to various forms of torture and other cruel, inhuman and degrading treatment, including electrocution, beating limbs with hammers, whippings, beatings with the handles of weapons, deprivation of food and water, nail removal, being forced to drink urine, hanging upside down from the ceiling of a room and beatings with military boots. In other cases, detainees were placed at night in concrete pools containing very cold water and forced to stay in them until they lost consciousness. Mwatana also documented cases of sexual torture such as burning the genitals and death in detention following abuse. The bodies of victims were dumped in the yard of Al-Razi Hospital in the Ja'ar area in Khanfir District.

## **Cases:**

## Mohammad (Pseudonym - 23 years old)

"My son was in the prime of his life and without any evidence or trial they got rid of him<sup>(71)</sup>"

- Mohammed's mother.

On Sunday morning, June 24, 2018, Mohammad (Pseudonym - 23 years old) was stopped at an Abyan security checkpoint. The checkpoint commander of beat him. He was transported aboard a brown pickup vehicle without license plates and carrying ten armed Security Belt men to an unknown location.

Mwatana met Mohammad's father and mother, as well as witnesses. Mohammed's father said that when he heard of his son's detention, he immediately went to the checkpoint to find out where he was being held, "I tried to get some news about him and visit every prison in the governorate but I did not find him. I only received false promises of his release. (72)"

The family later learned Mohammed had been taken to October 7 prison, including by officials at the site who refused to let them see him. A former detainee at October 7 prison also said Mohammed was detained there at the same time as him.

Witnesses, who requested anonymity, said that on July 10, 2018 at about 4:30 am, a brown Toyota pickup truck with ten people on it, belonging to the Security Belt, arrived at al-Razi hospital. The men on the truck dumped the body of a young man in the hospital courtyard and drove away.

Mohammed's father said, "On that day, I was making my daily visit to the prison to follow up on my son's case. They told me that he had been transferred to Al-Mansoura prison in Aden. I planned to go to Aden, but news of the body dumped in the al-Razi hospital arrived first."

<sup>(71)</sup> From an interview conducted by Mwatana Organization for Human Rights with the mother of the victim on August 5, 2018.

<sup>(72)</sup> From an interview conducted by Mwatana Organization for Human Rights with the father of the victim on August 5, 2018.

Mwatana received a picture of Mohammed's body. The body was stained with blood and both eyes smashed. He had broken teeth and six gunshot wounds on his body, one of which was in the genitals. It looked as though he had been electrocuted and his feet bound with iron chains.

Mohammad's father received his son's body and buried it after the hospital refused to draft a report, claiming it could not because Mohammad had been found in the hospital yard and had not entered the emergency room. He said, "I had no choice but to bury him, "3" adding, "If my son had committed a crime, he should have been tried and the law should have taken its course. "4"

After Mohammad's body was buried, his father received threatening letters asking him to leave his home and claiming his son was a terrorist.

## **Yehya** (Pseudonym – 34 years old)

"They threatened us that if we photographed the body, or leaked the news, our fate would be death."

- Yehya's relative

After midnight on Sunday, March 31, 2019, four vehicles, in addition to an armored military vehicle, belonging to the Security Belt of the UAE-backed Southern Transitional Council, surrounded the house of Yehya (Pseudonym - 34 years old) in Al Wade'a district, Abyan governorate. His house was stormed and he was taken, without an arrest warrant, to the October 7 prison.

Another detainee, who was held in October 7 and then transferred to another detention site, said he and Yehya were held at October 7 at the same time.

Yehya's relative said, "They took him in an inhumane manner, blindfolded him, beat him and kicked him. We asked them what he was accused of and they told us he was suspected of belonging to Al Qaeda. (75)"

On Saturday, April 6, 2019, Yehya's body was found in the courtyard of Al-Razi Hospital in the Ja'ar area in Khanfir District, Abyan Governorate. An witness said, "That morning, I was in Al-Razi hospital, and a corpse arrived with signs of torture, a rope hanging around the victim's neck and the fingernails and toenails removed.(76)"

Yehya was not tried or sentenced, and the October 7 authorities did not provide details on how he had died.

<sup>(75)</sup> From an interview conducted by Mwatana Organization for Human Rights with a relative of the victim on April 13, 2019.

<sup>(76)</sup> From an interview conducted by Mwatana Organization for Human Rights with an eyewitness on April 8, 2019.

## Chapter Eleven:

# Security and Intelligence Agency (former Political and National Security Agencies) Ibb, Ansar Allah (Houthi) group.

The Security and Intelligence Agency (former Political and National Security Agencies) detention center is located in the Al Mashannah District, Ibb Governorate in central Yemen. It is considered one of the largest prisons in the governorate. It consists of several buildings, part of which are designated as administrative departments used by the Ansar Allah (Houthi) group to run the detention center, and the other part consisting of cells where detainees are held.

From May 2016 to April 2020, Mwatana investigated at least 44 cases of arbitrary detention and 5 cases of torture in the detention center in Ibb. At least 6 detainees were released.

The detention center in Ibb is organizationally affiliated with, and falls under the authority of, the Security and Intelligence Agency in Sanaa. Former detainees told Mwatana they were taken and held without warrants, interrogated while blindfolded and handcuffed, and that their lawyers were not allowed to attend investigation sessions.

Other former detainees said they were subjected to torture and other ill-treatment in solitary confinement rooms, including whipping, beating with handles of rifles, and electrocution.

## **Cases:**

## Massaad Mohammad (Pseudonym - 53 years old)

"They did not allow me to communicate with members of my family and they did not allow anyone to visit me for the duration of my detention.(77)"

– Massaad

On Sunday, September 30, 2018, a security officer with the Political Security Agency, accompanied by two armed men in civilian clothes affiliated with the Ansar Allah (Houthi) group, detained Massaad Mohammad Abdo (53 years old - pseudonym) from the Al Dhihar District, Ibb Governorate, on accusations of belonging to the Islah party. He was then taken to the Political Security Agency detention site in Ibb.

Personnel in the detention center handcuffed Massaad and took him to a narrow solitary confinement cell with an approximate area of 2 by 2 meters. That evening, Massaad was brought in front of an investigation committee who questioned him about belonging to the Islah party. Massaad spent six days in solitary confinement and another three days in a cell with other detainees.

On Sunday, October 9, 2018, the Ansar Allah (Houthi) group released Massad. He said, "They did not allow me to communicate with family members and did not allow anyone to visit me for the duration of my detention. (78)"

<sup>(77)</sup> From an interview conducted by Mwatana Organization for Human Rights on October 10, 2018.

<sup>(78)</sup> From an interview conducted by Mwatana Organization for Human Rights on October 10, 2018.

## **Moussaed** (Pseudonym – 52 years old) & **Assad** (Pseudonym - 47 years old)

"They treated my brother very harshly."
- Assad.

On Tuesday, April 2, 2016, two armed men dressed in civilian clothes belonging to the Ansar Allah (Houthi) group and driving a Toyota Cressida car without a license plate detained Moussaed (Pseudonym - 52 years). After about 12 hours, Ansar Allah (Houthi) followers wearing military uniforms and masks raided Moussaed's home, confiscated some of his personal belongings and arrested his brother, Assaad (Pseudonym - 47 years old). Once in custody, Moussaed and Assaad were transferred to the Political Security Agency detention center in Ibb. Moussaed was accussed of "belonging to the Islah Party", while Assaad was released on Friday, April 5, 2016.

Assaad told Mwatana, "They immediately took me in a military vehicle, handcuffed my hands to the back, placed me in a humiliating way in the back of the car and pulled their weapons on me. When I arrived at the Political Security Agency, they handed me over to the warden. I was then stripped of my clothes and left in my underwear. Three days later, they interrogated me while I was blindfolded and handcuffed. They tried to extract confessions incriminating my brother but I had nothing to say, so they beat me.<sup>(79)</sup>"

He said, "They treated my brother very harshly. He was beaten from the first day and he was suspended (his hands tied to the ceiling) for five hours. (80)"

Assaad was released on Friday, 5 April 2016, while Moussaed remains detained. (81)

<sup>(79)</sup> Interview conducted by Mwatana for Human Rights on January 16, 2020.

<sup>(80)</sup> Ibid.

<sup>(81)</sup> From Mwatana for Human Rights' follow-up on cases of arbitrary detention, enforced disappearance and torture, dated February 24,

# Section Six: Enforced Disappearances Across Yemen

Chapter One:
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## Disappearence in Areas Controlled by the UAE and UAE-Backed Forces

The coalition led by Saudi Arabia and the UAE began to take control of areas in southern Yemen in 2015, extending their reach into Aden, Lahi, parts of Dhale, Shabwah and Hadhramaut. Emirati forces began to establish unofficial detention centers—in former public and government facilities and the homes of security leaders—in which they forcibly disappeared opponents on the pretext of fighting terrorism. The UAE also contributed to the creation of local, loyal armed groups known by various names, including the Security Belt, the Hadrami Elite, and the Shabwani Elite, which contributed to the management of these detention centers.

Between May 2016 and April 2020, Mwatana documented at least 327 cases of enforced disappearance in the areas under the control of the UAE and UAEbacked forces.

Mwatana also documented arbitrary detention, enforced disappearance, torture and extrajudicial killing in unofficial detention sites run by Emirati forces and UAE-backed forces, such as at Bir Ahmed Prison, Al Jala camp, the Coalition camp and Waddah Hall prison in Aden Governorate, in addition to the October 7 prison in Abyan Governorate and Al-Rayyan prison, Rabwah and Al-Mina in Hadhramaut Governorate.

Detainees in these unofficial detention centers were subjected to enforced disappearance, with their relatives unaware of their place of detention or their fate. Despite the efforts of family members to communicate with those responsible for managing these sites and visiting several of them in different governorates, detention officials did not disclose to them where their disappeared relatives were held, or their fate.

## Abed Al Wadud (Pseudonym - 35 years old) - Aden

"We do not know where they hid him."

– Abed's friend

After midnight on Thursday, July 14, 2016, three military vehicles belonging to the Security Belt of the UAE-backed Southern Transitional Council and an armored vehicle belonging to UAE forces arrested Abed Al Wadud (Pseudonym - 35 years old) from Al Mansura District, Aden governorate, and transferred him to an unknown location.

A friend of Abed who witnessed him being taken said, "I was near the scene of the incident, and I saw four people get off a military vehicle and they were wearing military uniforms. I was able to identify one of them who was a leader of the Security Belt. They handcuffed Abed and took him in a military vehicle.<sup>(82)</sup>"

He added, "In the morning, I accompanied one of his relatives to the headquarters of the Security Belt, the headquarters of the coalition, the Aden Security Administration, and the Central Prison, and they all told us that he was not there. We do not know where they hid him.<sup>(83)</sup>"

On Thursday, June 7, 2018, social media pages published pictures, which Mwatana examined, of Abed's body that appeared to show signs of abuse. Abed's relatives tried to request the Security Belt turn over his body to them, but the Security Belt deniedanyconnectiontoAbed.<sup>(84)</sup>

<sup>(82)</sup> From an interview conducted by Mwatana Organization for Human Rights with an eyewitness on March 2, 2017.

<sup>(83)</sup> Ibid.

<sup>(84)</sup> From an interview conducted by Mwatana Organization for Human Rights with a relative of the victim on June 20, 2018.

## Jamal (Pseudonym – 48 years old) – Hadhramaut

"We do not know in which prison he is! Is he fine or ill? Is he being subjected to torture or not? What is he eating and drinking?" - Jamal's brother

On the night of March 28, 2019, masked soldiers wearing the black uniforms associated with security raids arrived in a number of military vehicles and cars without license plates and surrounded Jamal's house (Pseudonym - 48 years old) in Ash Shihr District, Hadhramaut Governorate. The men detained Jamal after handcuffing him, tying his feet and blindfolding him, and then took him to an unknown location.

Jamal's brother said to Mwatana, "From the day of his detention, he has never contacted us, and we do not know his whereabouts so that we can request to visit him. (85)" He added that the family went to all the security departments and to the UAE authorities, and all of them denied holding Jamal. Jamal's family received promises from tribal sheikhs in Hadhramaut and security leaders to search for and release Jamal.

Jamal remains disappeared.

Chapter '	Two:
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## Disappearence in Areas Controlled By Forces Loyal to President Hadi

Forces loyal to President Hadi continue to forcibly disapper civilians, despite the efforts of their relatives to obtain information about their fates and places of detention. Mwatana documented cases where detention center administrations refused to allow families to visit their relatives.

Between May 2016 and April 2020, Mwatana documented at least 90 cases of enforced disappearances in areas controlled by forces loyal to President Hadi in the governorates of Ma'rib, Taiz, Al-Jawf, Shabwah and Hadhramaut.

Mwatana documented arbitrary detentions and enforced disappearances at Al-Falaj checkpoint, at the northern gate of Ma'rib city and controlled by governmental Islah party forces. Travelers from Sanaa to Seiyun have been arrested, interrogated, and in some cases, arbitrarily detained at this checkpoint, often based on their surnames. Many of those taken from Al-Falaj checkpoint were disappeared, with their families unaware of their fates or place of detention. Although relatives searched for them, Ma'rib authorities did not allow visits, nor disclose the fate of the disappeared or the place of their detention.

## **Cases:**

## **Saiid** (Pseudonym – 18 years old) – Taiz

"We have not heard his voice since his disappearance. We have been living in a state of anxiety and tension since then. (86)"

– Saiid's sister

On Friday, August 10, 2018, Saiid (Pseudonym - 18 years old) was working on his motorbike on the Al Masbah tour, Al Mudhaffar District, Taiz Governorate. The area is under the control of forces loyal to President Hadi. Armed men came to Saiid and asked him to take them to upper Al Masbah. Saiid then disappeared. His family was unable to communicate with him and did not know where he was held.

Mwatana interviewed Saiid's family. Saiid's relatives said that Saiid went out to work on his motorbike that day but he did not return. The family submitted a report of his disappearance to the local security authorities and searched for him in official prisons and police stations, but they could not find him. Saiid's sister said, "We have not heard his voice since his disappearance. We have been living in a state of anxiety and stress since then. (87)"

Saiid's relatives received a phone call from a person who said he had just been released and had been Saiid's friend in the detention center where they were held. He told Saiid's relatives that Saiid was being held in the Public Prosecution Prison, which was being used by the Saalik Brigade as a secret detention center, and that Saiid had been tortured and physically and verbally abused.

Saiid was released two months after his initial detention. In February 2019, he was detained again. He remains disappeared.

<sup>(86)</sup> From an interview conducted by Mwatana Organization for Human Rights with relatives of the victim on August 28, 2018.

<sup>(87)</sup> From an interview conducted by Mwatana Organization for Human Rights with relatives of the victim on August 28, 2018.

## Bilal (a Pseudonym - 33 years old) - Ma'rib

"My son told me that he had reached Ma'rib, so I thought he was safe. I did not know that the internationally recognized government was also committing arbitrary detentions. (88)"

– Bilal's mother

On Wednesday, June 13, 2018, a group of facility guards in the Automated Issuance Complex, where identity documents are issued, in Ma'rib Governorate detained Bilal (33 years) while he was trying to get a passport issued with his friend. He and his friend were detained on suspicion of belonging to the Ansar Allah (Houthi) group. They were taken to the Public Security building in Ma'rib. After their interrogation, Bilal's friend was released after he pledged not to deal with the Houthis or to work against the forces loyal to President Hadi.

Bilal remained detained because of his family name, which is associated with Ansar Allah. He tried to explain to the authorities that he was not affiliated with the group, and had even obtained a court ruling in 2013 to change his surname.

For a week, Bilal's family was not sure where he was or what had happened to him.

Bilal's relatives learned about his detention eight days later when Bilal was able to leak the news through a visitor to the prison. They were unable to communicate with him or visit him. When another detainee was released, he came back to visit Bilal the next day and bring him some food and clothes, but he was prevented from entering—officials claimed Bilal was no longer present at the detention site.

His mother said, "I cannot afford to hire a lawyer. I can no longer handle the questions Bilal's children ask about their father. Bilal's detention has exhausted me. (89)"

Bilal's family continued to try to seek a release, and was eventually able to speak to him briefly in August 2018, where they confirmed he was being held in Ma'rib.

On September 9, 2018, Bilal was released. A family member said he was beaten while detained.

<sup>(88)</sup> From an interview conducted by Mwatana Organization for Human Rights with Bilal's mother on August 12, 2018.

## Chapter Three:

## Disappearence in Areas Controlled by the Ansar Allah (Houthi) group

The Ansar Allah (Houthi) group has carried out numerous detention campaigns and raids on the homes of political opponents, journalists, and human rights activists in the areas under its control since the first days after the group took control of the capital, Sanaa, in late 2014. Many detainees remain disappeared, unable to communicate with their families, with their families unaware of their fates.

Between May 2016 and April 2020, Mwatana documented at least 353 enforced disappearances in the areas controlled by the Ansar Allah (Houthi) group in the governorates of Amanat Al-Asemah, Sanaa, Ibb, 'Amran, Raymah, and Dhamar, and parts of the governorates of Taiz, Al-Bayda, Hajjah, Al Hudaydah, Saada, and Dhale.

Since the start of the armed conflict in Yemen, the Saudi/UAE-led coalition has carried out airstrikes on at least four prisons and detention centers in Houthicontrolled areas, which has increased the fear of families about the fate of their detained children, particularly in light of the authorities' denying holding them.

## Abdul Salam Toufic (Pseudonym - 38 years old) - Sanaa

"I see my husband, day after day, wilting away while in detention, without being guilty and without hope for his release. (90)"

- Abdul Salam's wife

On Thursday, June 11, 2015, gunmen belonging to the Ansar Allah (Houthi) group arrested Abdul Salam Toufic (Pseudonym - 38 years old) from a neighborhood in At Tahrir District in the capital, Sanaa. Abdul Salam disappeared for nearly ten months. He was held in the Political Security Agency in Sanaa on accusations of "belonging to the Islah party."

After about ten months, Abdul Salam was able to contact his wife, who, nearly a month after his call, was able to visit him in the Political Security Agency in Sanaa. He appeared to be tired with visible signs of torture and a broken rib.

At the end of 2017, Abdul Salam was transferred to the Criminal Prosecution. His family was prevented from visiting him for about four months, after which the authorities ignored his file. He remains detained without trial.

His wife said, "Abdul Salam told me that the purpose of prolonging his disappearance was an attempt to hide the apparent traces of torture on prisoners, such as his broken rib." She added, "I can no longer make ends meet. I do not have daily sustenance anymore. I am a simple person without a job and work. My husband was the only breadwinner for his family. I live in great sorrow and heartbreak as I see my husband, day after day, wilting away while in detention, without being guilty and without hope for his release. (91)"

<sup>(90)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim's wife, on July 6, 2018.

<sup>(91)</sup> From an interview conducted by Mwatana Organization for Human Rights with the victim's wife, on July 6, 2018.

## Mariam Saiid (Pseudonym – 21 years old) – Al Hudaydah

"I heard them say, 'We searched for her everywhere but did not find her. We feel that we will never see her again."

- A friend

One day, in July 2017, witnesses saw a black jeep with a number of gunmen wearing civilian clothes belonging to the Ansar Allah (Houthi) group intercept Mariam Saiid (Pseudonym - 21 years old) near her neighborhood in one of the districts of Al Hudaydah  $governorate.\ One\ of\ the\ gunmen\ gave\ an\ order\ to$  $detain\ her.\ Mariam\ was\ arrested\ for\ protesting$ against a neighborhood elder for not being fair in distributing humanitarian aid.

Mariam's husband and relatives went to search for her in every place of detention they knew. The responses of those in charge and other Ansar Allah (Houthi) officials was that they did not detain women, or that they needed to know who had detained her to be able to locate her. Mariam's relatives would go home disappointed, shedding tears.

A friend of the family said, "I heard them say, 'We searched for her everywhere but did not find her. We feel that we will never see her again. (92)"

Mariam's family had been displaced by the intense conflict in Taiz governorate and settled in the city of Al Hudaydah, where she was disappeared. She remains disappeared.

# Section Seven: Legal Framework

## **International Legal Standards**

International humanitarian law, also known as the laws of war, applies during the ongoing non-international armed conflict in Yemen between the Ansar Allah (Houthi) armed group and the Yemeni government. International humanitarian law is binding on both states and non-state armed groups engaged in the conflict in Yemen, including the internationally recognized government, Saudi/UAEled coalition forces, Ansar Allah (Houthi) forces and other non-state armed groups. Applicable law includes Common Article 3 to the Geneva Conventions of 1949, Additional Protocol II to the Geneva Conventions of 1977, and customary international law. International human rights law continues to apply during armed conflicts.

Yemen is a signatory to a range of core international human rights treaties, including the International Covenant on Civil and Political Rights, the Convention against Torture, and the Convention on the Rights of the Child. These treaties remain in effect in periods of armed conflict. The government of Yemen remains responsible under the treaties in areas that fall within and outside of its effective control. De-facto authorities controlling large portions of Yemen's territory and population and exercising government-like functions, like the Ansar Allah (Houthi) group and UAE-backed Southern Transitional Council, also have obligations to respect international human rights law. Members of the coalition, including Saudi Arabia and the UAE, also have human rights obligations where they exercise jurisdiction or effective control, including in detention centers or military bases under their authority.

## Torture and Other Cruel, Inhuman and Degrading **Treatment**

Torture is prohibited in all circumstances and at all times, including during conflict. It is a fundamental prohibition. Nothing justifies it. Common Article 3 to the four Geneva Conventions of 1949 specifically requires protecting people in custody, including civilians and captured fighters, from "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" and "outrages upon personal dignity, in particular humiliating and degrading treatment." The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Yemen is a party, sets out a series of requirements for states to prevent, investigate, prosecute and ensure redress for torture. Rape and other forms of sexual violence are also prohibited by international human rights law and international humanitarian law.

## Enforced Disappearance

Enforced disappearances violate or threaten to violate a range of rules of customary international humanitarian law, including the prohibition on arbitrary detention, on torture, on cruel or inhuman treatment and on murder. An enforced disappearance occurs when authorities take someone into custody and deny holding them or fail to disclose their fate or whereabouts. "Disappeared" people are at greater risk of torture and other ill-treatment, especially when they are detained in unofficial detention facilities. Parties to a conflict are required to take steps to prevent disappearances, including registering those detained, and must take all feasible measures to account for missing people as a result of the conflict and to provide their family members with information on their fate.

## **Arbitrary Detention**

Both international humanitarian law and international human rights law prohibit arbitrary detention. Article 9 of the International Covenant on Civil and Political Rights, to which Yemen is a signatory, states that, "No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." The UN Human Rights Committee has said that states may not invoke a state of emergency to justify arbitrary detention. A valid reason for detention is required for both the initial detention and the continuation of that detention. To prevent arbitrary detention, there is an obligation to inform a person of the reasons for their arrest, to bring them promptly before a judge and to provide them an opportunity to challenge the lawfulness of their detention. Depriving a person of the right to a fair trial is a war crime.

In this report, detentions are considered arbitrary due to denial of fair trial rights, such as detention without legal proceedings or with no charges for long periods of time, no access to legal representation, the non-compliance with release orders issued by prosecutors and officials in the absence of charges, and delays in such releases. In some cases, the detention is also arbitrary as the detainees were arrested and held because they had expressed their opposition to the authorities in control, or were exercising their rights to freedom of belief, expression and opinion.

## Conditions of Detention

International law establishes minimum conditions of detention, including during armed conflict, in order to ensure prisoners are provided the necessary means of survival, such as space, food, medical care, air, light and physical activities, as well as to ensure the conditions of detention themselves do not constitute a form of torture or other cruel, inhuman or degrading treatment. Article 10 of the ICCPR, mandates that "[a]ll persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

The UN Standard Minimum Rules for the Treatment of Prisoners set the minimum acceptable threshold for treating detainees, including during times of conflict. Under the Standard Minimum Rules, accommodation must meet health requirements, including air, lighting, heating, ventilation and necessary sanitary equipment and installations to ensure dignity; that inviduals detained are able to wash themselves, wear clean clothing, eat sufficient food, and be able to exercise; that inviduals detained should at all times have access to medical care; and that children should be held separately from adults, women separate from men, and untried prisoners separate from those convicted, amongst other minimum guarantees. Prisoners retain their human rights and fundamental freedoms during their time detained.

These international rules and standards are consistently and egregiously flouted in Yemen, where conditions of detention are often abysmal. As documented in this report, detainees are often held in overcrowded facilities with little or no access to sanitary equipment and installations, and without access to sufficient or hygienic food and water, and have been denied access to healthcare. It can be expected that detention facilities in Yemen will continue to see outbreaks of infectious diseases.

## International Crimes, Accountability and Redress

Torture, cruel treatment and outrages upon personal dignity constitute war crimes in non-international armed conflicts. When committed as part of a widespread and systematic attack against the civilian population, torture constitutes a crime against humanity.

Under the Rome Statute, the founding treaty of the International Criminal Court, the systematic practice of enforced disappearance constitutes a crime against humanity. Yemen is not a party to the Rome Statute of the International Criminal Court, but many of the provisions of the Rome Stature are reflected in customary international law.

Hostage taking—seizing or detaining someone and threatening to kill, injure, or continue to detain them to compel a third party to do or abstain from doing something as a condition of release or for the person's safety—is a war crime under the Rome Statute.

Rape and sexual violence may lead to individual criminal responsibility for the war crime of rape and other forms of sexual violence, as well as torture, and outrages upon personal dignity.

States have an obligation to investigate credible allegations of war crimes committed by members of their armed forces and other persons within their jurisdiction. The command responsibility doctrine, the obligation to take precautionary measures, and Common Article 1, also implies all other international humanitarian law violations should be investigated.

Commanders and civilian leaders may be prosecuted for war crimes as a matter of command responsibility when they knew or should have known about the commission of war crimes and took insufficient measures to prevent them or punish those responsible.

The UN Group of Eminent Experts on Yemen found reasonable grounds to believe that Yemen, Saudi Arabia, the UAE, and Ansar Allah violated the right to liberty and security of the person, namely through enforced disappearances, arbitrary arrests and detention, as well as torture and other ill-treatment, including rape and other forms of sexual violence. The Experts further found that "people involved in the commission, ordering of, or with command responsibility for the above enumerated acts may be held responsible for the following war crimes: torture, cruel or inhuman treatment, outrages upon personal dignity, rape and other forms of sexual violence."

International humanitarian law provides for a state to make full reparations for the loss caused by violations. States also have an obligation to provide reparations for human rights violations. Reparation entails appropriate compensation, and where appropriate, can involve restitution, rehabilitation, and measures of satisfaction, such as public apologies, public memorials, guarantees of nonrepetition, and changes in relevant laws and practices, as well as bringing to justice the perpetrators of human rights violations.

## Yemeni Law

The Yemeni Constitution and Yemeni Penal Code stipulate that criminal responsibility is personal—in other words, an individual can hold be held criminally responsible for his or her own actions. A person is considered innocent until a court rules otherwise. (93)

The Constitution prohibits arrests, searches, and detentions unless based on a judicial warrant or an order from the prosecution, and requires that no person be detained without justification. (94) People may only be detained in sites designated by law, which are the country's central and remand prisons. The Constitution prohibits torture and other inhumane treatment. (95)

The Constitution requires that a detained person's file be referred to the prosecution within 24 hours. Detention should not continue except through an order of extension of investigation by the public prosecution office or judicial body. A judicial representative must inform the person of the reason for their detention and give them the opportunity to mount a defense. (96)

Yemen has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance. Article 6 of the Constitution, however, requires that the United Nations Charter, the Universal Declaration of Human Rights, the Arab League Charter, and generally recognized rules of international law be implemented and respected. While Yemeni law does not specifically address enforced disappearances, constitutional and legal principles regarding basic rights and freedoms prohibit this practice, and provide the right to visit all detainees. Yemen should ratify the Convention and align domestic law with its protections.

<sup>(93)</sup> Yemen Constitution, Article 47.

<sup>(94)</sup> Yemeni Code of Criminal Procedure, Art 172, and Yemen Constitution, Article 48 Para A,B.

<sup>(95)</sup> Yemen Constitution, Article 48 Para B.

<sup>(96)</sup> Yemen Constitution, Article 48 Para C.

<sup>(97)</sup> Yemen Constitution, Article 6.

<sup>(98)</sup> Yemen Constitution, Article 48 Para D.

<sup>(99)</sup> Yemeni Prisons Organization Law, Art 9, Art 30 and Art 31

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## IN THE DARKNESS

Abusive Detention, Disappearance and Torture in Yemen's Unofficial Prisons May 2016 – April 2020

The conflict in Yemen is entering its sixth year and has resulted in one of the worst man-made humanitarian crises in the world. The scale and severity of abuse associated with detention practice in Yemen including arbitrary detentions. enforced disappearances torture—has had significant societal impact. Hundreds of Yemeni civilians are dreaming of obtaining their stolen freedom and hundreds of families are struggling to find relatives disappeared across the country, while parties to the conflict continue to arbitrarily detain, forcibly disappear, torture and subject people to cruel, inhuman and degrading treatment. Even though the warring parties represent multiple, different authorities, they share the same unlawful behaviors. This report documents incidents of arbitrary detention, enforced disappearance, and torture committed by all parties to the conflict during May 2016 – April 2020. While conditions of detention across Yemen, including in official detention sites, are often appalling, this report focuses on unofficial detention sites. Unofficial detention sites provoke particular concern given access to independent observers and families is almost always limited to non-existent, torture and other forms of cruel, inhuman and degrading treatment are particularly prevalent, and many of these sites are used to disappear people for lengthy periods.

The report includes a list of key recommendations, including urgently release all detainees, in light of the threats posed by the spread of the (Covid-19), and prioritizing the response to the virus over the continuing conflict and violations in its context, which warring parties can take immediately to mitigate the potential devastating impact of the pandemic on detainees in Yemen, and the general population.