



REPUBLIC OF YEMEN

The National Commission to Investigate
Alleged Violations to Human Rights

Executive Summary of
the tenth Periodic Report of the National
Commission to Investigate Alleged Violations of Human Rights

1/7/2021 - 31/7/2022

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Terms of Reference and Mandate

The Yemeni National Commission for the Investigation of Alleged Violations of Human Rights (herein after the Commission) was established by the Republican Decree No. 140 of 2012 and its subsequent amendments, which set its terms of reference and mandate to investigate all allegations of human rights violations by all parties to the conflict in Yemen. In undertaking its mandate, the Commission complies with the international standards of objectivity, transparency, and impartiality applied by similar commissions in monitoring and investigating human rights violations, as well as the relevant national legislation.

The present report presents the monitoring work, documentation and investigation findings carried out by the Commission during the period from 1/7/2021 to 30/7/2022.

Investigative Field visits

During the reporting period, the Commission's 40 monitors continued to probe into 3609 incidents and cases of alleged violations in the various governorates of Yemen. These incidents caused 5151 casualties of both sexes, which brings the total number of incidents investigated so far by the Commission to 23,332, resulting in 40,000 casualties.

During the investigation process, the Commission's team listened to more than 9,897 witnesses and informants, reviewed 9,376 documents and analyzed hundreds of photographs and videos and stored them in the Commission's database.

On 1/2/2022 at its headquarters in the interim capital city of Aden, the Commission held a meeting with 20 directors of Police Stations from all districts of Aden Governorate. The meeting discussed the obligation to protect and the strengthening of the police internal accountability mechanisms.

During the period 16/2/-22/2/2022, the Commission's team visited the detention centers of all security regions in Aden Governorate, which included the inspection of 13 police stations: including the police stations of Dar Saad, Al-Buraikah, Al-Mu'ala, Al-Tawahi, Crater, Al-Sheikh Othman, Al-Basateen, Khor Maksar, Al-Qalooah, Al-Mansourah, Al-Sha'b and Bir Fadl. During the visit, the inhumane state of the detention facilities was reviewed. Random samples of detainees were interviewed. statements of 362 detainees were recorded and submitted to the Public Prosecutor.

On 7/3/2022, the Commission's investigative team visited the Central Prison in Al-Mansourah, where 531 prisoners and detainees are held. The Commission's team reviewed their legal status, listening to their demands

related to a fair trial, the speedy resolution of their cases and the rehabilitation and training opportunities.

The Commission's investigative team carried out a field visit to Bir Ahmed prison on 13/2/2022 to investigate the suicide attempt by one of the detainees and to examine the situation of 212 inmates held in that prison. The team also followed up with the judicial authorities the case-files of 31 detainees whose cases were put on hold a year and a half ago due to the transfer of the judge in charge.

In conjunction with International Women's Day (8 March), the Commission team visited Al-Mansourah Prison for women and the Criminal Investigation Department to examine their conditions of detention and their health and psychological state. The Commission interviewed 50 female prisoners and detainees, and documented their demands including legal aid, speeding up the judicial process and increasing the number of visits. Following the visit, the Commission obtained the released of women serving prison for monetary debts.

Civilian Casualties of Shelling and Use of Anti-personnel Landmines

During the period from 25/12/2021 to 1/1/2022, the Commission carried out a field visit to Taiz Governorate, the district of Maqbanah, where eyewitnesses were interviewed about the incidents of killing and injuring civilians by artillery shelling, gunfire and anti-personnel landmines and the destruction of houses in the villages of Al-Madhahi, Al-Shaqa'ah, Al-Kasib, Al-Qahifah, Al-Taweer, and the sub-district of Yemen. The investigation included the incident of targeting and destroying the main health center of the district. Field visit to the residential neighborhoods in Al-Camp area, Salah and Al-Qahirah districts to investigate the shelling of a number of houses in the areas of Al-Camp, Al-Tashreefat and Ba-Zara'ah neighborhood, leaving a number of civilians injured and their homes and property destroyed. The Commission's investigative team listened to the testimonies of the witnesses to the killing of three children and the injury of another. Al-Farouq School of two thousand students was also visited to examine the effect of its shelling, the last of which took place during the presence of the Commission's team in the area on 28/12/2021.

Situation of Prisoners and detainees

The Commission's investigative team reviewed the situation of prisoners and detainees in Taiz Central Prison; examined the lists of 782 prisoners and detainees. The visit included the Political Security headquarters. The team received a number of complaints and demands from the prison administration to the Prisons Department and the governor of the governorate to alleviate the situation of prisoners and their suffering. The prison administration complained of being unable to provide the basic needs, in terms of food and medicine, of 980 detainees and prisoners including 15 females. The demands of all detainees centered around improving their conditions and the speedy resolution of their cases by the competent judicial authorities.

During the period 9-11/3/2022, the Commission's investigative team visited in Taiz the detention centers situated in the police stations of Al-Bab Al-Kabeer, Bab Musa, 26 September, and Al-Thawrah. The team examined how compliant with human rights, hygiene and medical care norms of the existing detention facilities in these centers.

The Commission's Investigative team visited Al-Shabakah prison in Al-Shamayteen on 1/1/2022, and examined the situation of 140 detainees and prisoners in the dilapidated and ramshackle building of the prison. The Commission noted that the conditions of detention in this facility were inhumane and violate all the rights guaranteed to prisoners and detainees stipulated in national legislation and international norm and standards. The Commission reported the prevailing situation in this prison to the Prime Minister and the head of the Prisons Department.

During the period from 12/2 to 17/2/2022, the Commission carried out a field visit to Marib Governorate and carried out a number of field investigations, in the IDP sites of Al-Rahma, Al-Mail and Al-Wasl, which were hit by artillery shelling in 2021-2022. The Commission conducted a number of interviews with the residents of these sites and assessed their humanitarian needs. The Commission noted that clean water and sanitation were the most urgent needs.

During a field visit to the District of Hareeb, which lived many attacks that killed and injured civilians, the Commission's team inspected the houses destroyed by the shelling, examined a number of ballistic remnants, interviewed affected victims and probed into a number of attacks targeting civilians and the planting landmines.

The Commission team inspected the Central Prison

and the Criminal Investigation Prison, and reviewed the list of 300 prisoners and detainees and the situation of 17 female inmates to identify their needs and listen to their demands. The demands were focused on improving the conditions of detention, expanding the wards, hygiene, health, food, in addition to the speedy adjudication of their cases.

During the reporting period, the Commission's team inspected the central prison and Criminal Investigation Prison. The purpose of the visit was to verify the suitability of these facilities to host 210 prisoners held for different criminal offences. The team interviewed some inmates and noted down their demands, which included improving their conditions and the speedy adjudication of their cases.

The Commission carried out field investigations into a number of different incidents in the Ain District, including the shelling of Ain public Hospital and the 7th July School. The investigation included a number of attacks targeting civilians.

During the period 20,25,26/6/2022, the Commission's team carried out a field visit to some of the sub-districts and villages of Al-Qubaytah District in Lahj governorate, adjacent to Taiz Governorate. Most of these villages are located on the border of the contact zones between the forces of the legitimate government and the forces of the Houthi group. During the visit, a number of direct field investigation measures were carried out into a number of human rights violations witnessed by the district's population, including incidents that left civilians dead and injured, planting landmines, and forced displacement, bombing of dozens of houses, an educational compound, a health clinic, the Mother and Child Center, Al-Qubaytah Court, the Ammar bin Yasser School, thus depriving 900 students of education. The statements of the victims, informants, and dozens of witnesses were documents and evidence of violations were examined.

During the period 10-11 June 2022, the Commission investigated a number of complaints submitted to the Commission by the families of detainees and prisoners in Tuban District, Lahj Governorate. The Commission paid a field visit to both the Central Prison and the detention center in Criminal Investigation, the Security Department in the governorate and the Tuban Security Department. The Commission reviewed the conditions of detention and their compliance with humanitarian and legal standards, the actual number of detainees in each facility compared to its capacity, and the extent of the commitment of the concerned authorities to guarantee the right of detainees to fair trials. During

the visit, the Commission was able to examine the lists of 300 prisoners and detainees, and submit their demands to the competent judicial authorities.

During the period 12-13 June 2022, the Commission carried out a field visit to the detention center in Al-Houtah Security Department and the Women's Prison, and listened to the complaints of 47 detainees, and their demands, including the speedy adjudication of their cases, in addition to improving their detention conditions and providing medicines, food and hygiene facilities.

To mark the 2 November 2021 International Day to End Impunity against Journalists, the Commission conducted a hearing session of 8 journalists, victims of various violations related to freedom of opinion and expression. The Commission's aim in this endeavor was to establish the facts and to analyze the patterns and methods used in the persecution of this group and impose restrictions on the freedom of expression.

During the reporting period, the Commission's investigative team held closed individual hearings at its Headquarters in Aden and its office in Taiz for 9 women victims of arbitrary detention and forced displacement in various governorates, including Sana'a, Marib, Aden, Hodeidah and Taiz. The Commission documented statements by the victims alleging that perpetrators of violations committed against women were from all parties. They demand justice and reparation.

During the period 12-17/2/2022 the Commission team visited the governorate of Mariband, conducted closed hearings for 11 civilians targeted as such and maimed, tortured and arbitrarily detained. The victims presented detailed testimonies of their ordeals and demanded accountability and reparation.

To mark the International Women's Day, and to assess the impact of enforced disappearance on women as indirect victims of the disappearance of husbands and children, on 8/3/2022 the Commission carried out a public group hearing session at its Headquarters in Aden. During this session, 21 mothers and wives reported the devastating effect of enforced disappearance of their husbands and children on them. They demand justice for themselves and for their loved ones.

Violations of International Humanitarian Law: Killing and Injuring Civilians

The total number of cases monitored by the Commission during the reporting period was 905 incidents of killing and injuring civilians. The commission has completed investigating 488 incidents, in which 432 were killed, including 32 women and 72 children, and 861 injured, including 194 children and 105 women. After thorough investigation, the Commission reached the conclusion that:

The Houthi group is responsible for the death of 240 and the injuring of 655.

The Coalition airstrikes and government forces are responsible for the death of 151 and the injuring of 134.

Child Recruitment

The Commission has investigated 114 cases of alleged recruitment of children under the age of 18. The Commission reached the conclusion at the Houthi group is responsible for 106 cases, while the Legitimate Government and its affiliated groups were responsible for 8 cases.

Laying of Anti-personnel Mines

The Commission has monitored 171 cases of anti-personnel mines-laying and finished examining 66 of them. These have caused the death of 62 people, including 2 women, 8 children, and 176 others wounded, including 6 women and 39 children. The Commission observed that such mine-laying pattern is attributable to the Houthi group.

Attacks on Cultural, Historical and Religious Objects

During the reporting period the Commission has monitored and documented 21 cases of alleged attacks on and damages caused to cultural and historical objects and properties in a number of areas, in Hodeidah, Taiz and Al-Mahweet. The Houthi group is responsible for 20 cases, while one case falls within the joint responsibility of the National Army Forces of the Yemeni Government.

Targeting Medical Facilities

During the reporting period, the Commission has investigated 17 alleged cases of targeting medical facilities and personnel in a number of areas. The Commission is of the view that the Houthi group is responsible for 13 cases, while the Yemeni Government's National Army Forces is jointly responsible for 4 cases.

Forced Displacement

During the reporting period, the Commission has monitored and investigated 112 alleged cases of forced displacement in a number of areas. The Commission reached the conclusion that the Houthi group is responsible for 97 cases, while the Yemeni Government's National Army Forces were jointly responsible for 2 cases.

Extrajudicial Killing

During the reporting period, the Commission has monitored 97 cases of alleged extrajudicial killings committed by the parties to the conflict in different areas in the Republic of Yemen. The Commission investigated 61 cases and concluded that the Houthi group was responsible for 42 cases, while the Legitimate Government's army forces and security services are responsible for 23 cases.

Detention and Forced Disappearances

During the reporting period, the Commission has monitored and documented 859 cases of alleged detention and forced disappearance committed by the different parties to the conflict. The Commission has finished investigating 483 cases. The Houthi group is responsible for 665 cases, while the Legitimate Government and its affiliated security services are responsible for 166 cases.

Torture and Ill-treatment

During the reporting period, the Commission has monitored and documented some 25 cases of alleged torture and ill-treatment committed by the different parties to the conflict throughout the Country. The Commission's investigation concludes that the Houthi group was responsible for 20 cases, while the Legitimate Government and its affiliated security services were responsible for 5 cases.

Bombing of dwellings

During the reporting period, the Commission has monitored and documented 36 cases of alleged bombings of dwellings. The Commission has finished investigating 24 cases. It believes that this pattern of conduct is typical of the Houthi group.

Violation of Freedom of Opinion & Expression

During the reporting period, the Commission investigated 18 cases of alleged violations of freedom of expression committed by the parties to the conflict. The Commission attributes 13 cases to the responsibility of the Houthi Group while holding the army forces and security services of the Legitimate Government are responsible for 5 cases.

Incidents of airstrikes by American drones

During the reporting period, the Commission has monitored, collected information about and investigated two incidents of alleged violations related to the targeting of civilians by the so-called American drones. Figures gathered indicate that there were eight victims, all civilians, including a child and two women.

Detained Persons for Illegal Armed Participation in the Conflict

The Commission's investigative team reviewed the situation of the 92 detainees in connection with their illegal armed participation in the conflict. The team interviewed a number of them and ensured that they had access to medical services, food and hygiene facilities; communication with their families, and their complaints duly addressed.

Challenges and Obstacles

The ongoing armed conflict that broke out in 2014 had expanded territorially and gained more intensity as the years passed. Non-compliance with the principles of international humanitarian law by the parties, at variant degrees, is one of the characteristics of this conflict. This is causing serious violations perpetrated against the civilian populations and protected sites and objects.

Lack of cooperation on the part of some parties to the conflict with the Commission makes field visits a security risk that impact the team's efficiency.

The hazardous travelling and reaching places in mines-infected regions, the deterioration of telecommunications and electricity services coupled the dysfunction of the institutions are a serious challenge to the monitoring team.

The reluctance of many victims to report gender-based violations, particularly sexual violence, and in addition to the difficulty in monitoring violations related to diseases, malnutrition, and epidemics.

The displacement of many victims and their families and the movement of witnesses due to the continuation of the conflict, often leads to the inability to complete the investigation and filing the records.



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A national mechanism for monitoring and investigating allegations of human rights violations committed on the territory of the Republic of Yemen by all parties established by the Republican Resolution No. (140) for 2012 and its amendments, based on the texts of the Gulf Initiative and its executive mechanism, and Security Council Resolution No. 2051 of 2012 and Resolution No. "2140" for 2014 and other related Human Rights Council resolutions.