

Republic of Yemen
The National Commission to
Investigate
Alleged Violations to Human Rights
(Aden)



الجمهورية اليمنية
اللجنة الوطنية للتحقيق في ادعاءات
انتهاكات حقوق الإنسان
عدن

Fourth Report on the Work of the National Commission to Investigate Alleged Violations of Human Rights (NCIAVHR)

From 1 July 2017 to 30 January 2018

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I. Introduction:

The National Commission to Investigate Alleged Violations of Human Rights (NCIAVHR) derives its jurisdiction to investigate all alleged human rights violations committed on all territory of the Republic of Yemen by all parties from the Republican Decree No. 140 of 2012 and its amendments on the establishment of and restructuring the Commission.

This report covers the results of the monitoring, documentation and investigation carried out by the Committee during the period from 2017/7/1 to 2018/2/1. The report comes out in the context of the utmost carefulness by the Commission to communicate the findings of its investigations during this period to the local and international community.

This report is also released following the Republican Decree No. 50 of 2017 which provides that the tenure of the Commission shall be extended for two years renewable by a Republican Decree. As well, it provided for introducing some amendments to the structure of the Commission, and authorizes it the authority to refer the case files for which investigation was completed to the Attorney General to complete the proceedings of referral to trial.

This report is an extension of the first, second and third reports released by the Commission during the past period and it should be read in conjunction with these reports, particularly with regard to the topics of jurisdiction, competence, methodology and working methods.

II. Methodology:

The NCIAVHR has adopted a clear methodology on the basis of the internationally recognized standards of investigations used in similar commissions (objectivity, transparency, impartiality and professionalism) pursuant to the provisions of the Republican Decree on its formation.

The Commission works on monitoring, documenting and investigating violations in accordance with the stipulations of national legislations. This can be achieved through

a number of methods and procedures that ensure uncovering the truth such as face-to-face interviews with victims and their families and field visits as well as documenting witnesses' testimonies in a way that keeps such testimonies accurate and authentic to serve as legal evidence, taking into account the witnesses' confidentiality, privacy and safety. Moreover, documents provided by witnesses including medical reports and other documents and pictures are subjected to verification procedures. The NCIAVHR has also sought the help of national military experts to identify the weapons used in targeting residential areas and civilian objects as well to locate the launch point, final impact, and range of the bombing in order to identify the offenders in each violation.

Field visits to check the sites of human rights violations are among the Commission's key methods on which it depends for arriving at/ verifying the truth. Members of the Commission and assistant investigation team members move to the sites of the violations especially grave ones. During the field visit, all violation-related traces are documented by taking pictures and videos taping, writing a report, interviewing, testimonies of victims and witnesses and by making sure the testimonies are consistent with the facts on the ground.

Within its methodology, the Commission was eager to review and analyze the documents and reports issued by local and international civil society organizations working in the field of monitoring and documenting violations. It has also made an open invitation to all citizens through its website and accounts on Facebook and Twitter encouraging them to submit their complaints regarding allegations of human rights violations to the headquarters of the Commission, website or any of the offices or to one of its monitors located in all governorates. In all such activities, the Commission has complied with international standards on the work of this type of commissions, particularly with regard to the principles of impartiality, integrity, transparency and professionalism.

III. The Context:

The deteriorating situation in Yemen took serious junctures, causing most of the legal and social advocacy institutions that are concerned with advocating Human Rights to

go dysfunctional. For the purpose of updating “the overall context of the conditions in Yemen since 2011” that have been referred to in the previous reports of the Commission, we have briefly under this heading, cited the most important political, economic, social, human and military developments, that have affected the overall conditions in general and the human rights conditions in particular during the reporting period:

At the Political level:

The stalemate of the peace process, under the auspices of the Special Envoy of the UN Secretary-General to Yemen, remains continued, and it has been completely suspended during the reporting period. In spite of the several calls made by the UN Special Envoy to Yemen to the conflicting parties on the importance to return to the negotiation table to reach a political settlement that guarantees the cessation of war and the implementation of Security Council resolutions, no other round of negotiations has been held and no arrangements for any new rounds of negotiations have been agreed upon since the negotiations in Kuwait till date.

The armed clashes between the Houthis Militias and military units loyal to the former president Ali Abdullah Saleh:

During the period between 29 November and 4 December 2017, there were fierce clashes in Sana’a between the Houthis Militias on the one hand and the military units loyal to Saleh on the other. The clashes ended up with killing and wounding hundreds of people on each side, and because of these clashes (10) civilians were also killed down town and in Sakhr, Amman, Algeria Streets as well as the political zone in Sana’a.

During and after the clashes, the Houthi Militias launched arrest campaigns and raids on the leaders of GPC and the leading figures loyal to Saleh. They announced that Ali Abdullah Saleh, GPC head and Arif Al-Zooka, GPC General Secretary were killed, and that they seized all houses belonging to Saleh, some of his relatives and other leaders loyal to him. They also announced their full control on all the pro-Saleh military positions beside the GPC headquarters and most of its media stations as well.

By the end of January 2018, there were other armed clashes in Aden, the temporary capital of the country, between the pro-legitimate-government forces of presidential protection brigades on the one hand and the Security Belt Forces with STC Forces on the other. These clashes will be covered in the forthcoming report.

At the military level:

During the reporting period, there has been a rapid succession of developments at the military (and security) level in many different parts in Yemen. The national armed forces of the legitimate government, along with the popular resistance fighters, have made progress in the West Coast front lines in Al-Hodeidah Governorate, as they liberated the town of Al-Khokha. Following the fall of the Khalid Ibn Al-Waleed and Abu Musa al-Ashari military camps in al-Khokha, they have advanced on the districts of Al-Tohaytah and Hais. The pro-legitimate government forces were also able to liberate the districts of Bayhan and Ossailan from the Houthi control.

The war has expanded during the reporting period, and the balance of power on the ground has somehow turned to be in favor of the pro-legitimate government armed forces. The forces in the West Coast front lines have gained control of Al-Khokha town, in Hodeidah governorate, and captured the Khalid Ibn Al-Waleed and Abu Musa al-Ashari military camps – two important bases in the West Coast, before they advanced on the outskirts of the Al-Tohaytah and Hais districts.

The pro-legitimate government forces were also able to hold control of the districts of Bayhan and Ossailan in Shabwah Governorate, in addition to Noaman District and parts of Natie District in Al Baidha Governorate. The forces were also able to hold control of Khub & Shaaf District and its center, Al-Yatamah, in Al-Jawf Governorate. Moreover, the pro-legitimate government forces have made a slight progress in Serwah District, in Mareb Governorate, while they were able to hold control of other villages and areas in Nihm District, in Sana'a Governorate. They could also capture other areas in the governorates of Taiz and Hajjah, as well as Saada, near the Yemeni-Saudi borders.

Therefore, more than three quarters of Yemen's territories have become under the

control of the pro-legitimate government forces, while the rest under the control of the Houthis, especially after the group has disposed of leading members from the General People's Congress (GPC), and held a sway over the pro-Saleh military brigades and sites.

At the economic and social levels:

As a result of the ongoing armed conflict and the widening scope of the war, the value of the Yemeni currency continued to decline against foreign currencies. The exchange rate has reached more than 450 Riyals which is more than %120 compared to the exchange rate before the events of 2015. This depreciation in the value of the Yemeni Riyal has led to the increase of prices of fuel, food items and services. Besides, the failure to pay salaries for more than a year, especially in the areas controlled by the Houthi Group, has had a profound negative impact both on the economic situation of citizens and on the general economic situation of the country, which is already going through serious problems.

The ongoing armed conflict and the absence of state authority have led to the suspension of many service institutions and the destruction of most of the infrastructure. This made it difficult for citizens to access basic services such as education, electricity, drinking water and health, which contributed to the spread of some epidemics such as cholera, diphtheria, dengue fever among other diseases. Governorates controlled by the legitimate government such as Aden, Hadramout, Mareb, Abyan, Lahj and Shabwah witnessed some improvement in electricity, water services, schools as well as universities continued to be open, and a good number of public health facilities in these areas continued to be functional. Whereas all power plants in areas controlled by the Houthi group stopped and most of the public schools closed this year as a result of the failure to pay the salaries of most of the teachers for more than a year.

At the humanitarian level:

The humanitarian conditions have continued to deteriorate in general according to the reports of the United Nations relief agencies, where rate of violations of the right to

life, physical integrity and inhuman treatment have increased, especially during the period following the death of Saleh at the hands of the Houthis, Saleh's former allies. During that period, Sana'a and the other Houthi-controlled areas have witnessed a wide range of raids and arrest campaigns which have targeted many of the GPC leaders and Saleh loyal, including 42 journalists working in GPC-affiliated Yemen Today satellite channel. Following the seizure and closure of the channel, some journalists working in the channel were subjected to arbitrary detention for many days. On 6 December 2017, a women demonstration demanding the delivery of Saleh's body in Sana'a was attacked. Twenty women were detained for 8 hours. A number of houses were raided and blown up in Hajjah and Al Mahweet governorates. At the same time, other civilian victims continued to be killed in (Sana'a, Sa'ada, Hodeidah, Hajjah, Taiz, Al Baidha, Shabwa and Lahej) because of the parties to the conflict noncompliance with the rules of the International Law in relation to protection of civilians during conflicts. The weak government institutions and the multiple security systems, which are not affiliated to a unified leadership, have led to some violations in the areas under the control of the legitimate government. One example of these violations is the restriction of the freedom of movement practiced against citizens from the northern governorates to prevent them from traveling to Aden, the temporary capital of the country.

IV. The Commission's relations with relevant parties;

Since the beginning of its operations, the Commission has sought to maintain good relations with the relevant parties to its work and to the situation of human rights in Yemen so as to be able to conduct comprehensive professional investigations to achieve the objectives of the Commission, which is to ensure the rights of victims of violations and to hold perpetrators of such violations accountable. In this respect, the Commission has maintained communication with the parties to the conflict and has sought further cooperation with the judiciary system, the High Commissioner for Human Rights, local and international civil society organizations working in the field of human rights, media outlets and all relevant parties as shall be detailed below:

The Yemeni Government:

In its three previous reports, the Commission has pointed out that in spite of the difficulties the legitimate government faces in terms of institutional infrastructure as most of the Ministries which do not even have headquarters, the Commission has been able to maintain good relations with the government in general and the relevant Ministries in particular. In this respect, the commission has held a number of meetings with the officials of the Ministry of Interior and a number of Security Directors in governorates affiliated with it (Aden, Taiz, Hodeidah and Al Baidha). The Commission has also coordinated and communicated with the local authority officials in the governorates of Taiz, Mareb, Hadramout, Hajjah, Hodeidah, Al-Mahweet, Raymah and Lahej in relation with human rights violations and the ways in which they could be prevented. It has exchanged victims' information with the Ministry of Human Rights and some offices of the Ministry of Health in some governorates. This cooperation was positive and made it possible for the Commission to go on field visits to prisons of the Ministry of Interiors and conduct interviews with war prisoners in the governorates of Aden, Taiz, Mareb, Hadramout and Lahj to ensure that the prisoners' rights to medical care and the human treatment are complied with. Detailed reports about these field visits were submitted and a number of memos were issued to the concerned authorities regarding some of the allegations of violations that were monitored by the Commission during the field visits. Despite the government's cooperation with the commission, they are still slow to respond to the recommendations, notes and requests for inquiry made by the Commission.

The Saudi-led Arab Coalition to support the Legitimate Government:

The Commission continued to communicate with the command of the Arab Coalition. During the reporting period, a joint meeting was held between the Commission and the Saudi-led Coalition's Joint Incidents Assessment Team (JIAT) on 2017/8/8 attended by representatives of the Arab Coalition Command. The Commission and the JIAT and the Arab Coalition agreed upon a mechanism for receiving and responding to the Commission's inquiries. Communication officers on each side were assigned and the

Commission has inquired about a number of violations that have been attributed to the Arab Coalition's air strikes and hopes to receive the response at the earliest.

Houthi-Saleh forces

Through its field monitors available in the governorates of Amanat Al-Asimah, Sana'a, Al-Mahweet, Amran, Hajjah, Sa'ada, Dhamar, Hodeidah and Al Baidha, the Commission has continued to work, monitor, document and verify allegations of human rights violations by all parties from within the Houthi-Saleh controlled areas. In order to ensure coordination and communication with the leadership of the Houthi-Saleh forces, the Commission continued, during the reporting period, to urge the Houthi-Saleh forces to assign a liaison/ communication officer responsible for receiving and sending the responses to the Commission's inquiries into the allegations of violations committed by the Houthi-Saleh forces and to allow members of the Commission to visit the sites of the alleged violations and the detainees in their respective parties as a party to the conflict. However, the Commission did not receive any response to its memos. As a result, the Commission continued its work of monitoring, investigating violations, interviewing victims and witnesses and visiting the sites of the alleged violations, through its existing teams in all the Houthi-Saleh-controlled governorates.

Judiciary:

Article No. 5 of the Republican Decree No. 50 of 2017, which is an amendment of the Republican Decree No. 140 of 2012 on the establishment of the Commission, stipulates that the Commission shall submit completed investigations to the Attorney General to complete the process of referral to the trial. Pursuant to the provisions of the Republican Decree and its amendments thereof in relation to the cooperation between the Commission and the leadership of the judiciary, the Commission, during the reporting period, requested a meeting with the Attorney General. The meeting was held on 2017/10/29 and a mechanism of submitting completed files to the Attorney General's office was formulated. A total number of about 3,000 files were submitted by the Commission. Pursuant to paragraph 11 of Article 3 of the Republican Decree No. 140 of 2012 which authorizes the Commission to make recommendations and proposals to

various bodies and authorities in order to ensure holding the perpetrators of violations accountable and remedies, the Commission has submitted a number of proposals to the Supreme Judicial Council on the mechanism for considering violations in which the Commission has completed its investigation.

Cooperation with local and international civil society organizations:

The Commission considers both national and international civil society organizations as key partners in the promotion and protection of human rights, particularly those working in the field of monitoring and documenting violations. Out of the Commission's belief that the protection of human rights cannot be achieved without the cooperation of the three sides, namely the government, national institutions and civil society, it has organized many meetings, workshops and seminars with local and international civil society organizations.

During the reporting period, the Commission held various meetings and discussion sessions in the governorates of Taiz, Hadramout and Mareb with several civil society organizations, area heads and relevant entities on coordination mechanisms in the field of reporting and documenting violations and raising the awareness of citizens.

The Commission also reviewed and examined around 4,000 files which had been submitted to the Commission by civil society organizations and benefited from the contents of these files. The files were then referred to the monitors and the assistant investigators of the Commission to verify them and to complete the investigation process thereof.

Moreover, as far as cooperation and exchange of information with international organizations is concerned, the Commission, while in Geneva, held a meeting on 2017/9/21 with the Amnesty International members who are responsible for the file of human rights in Yemen. During the meeting, views were exchanged on a number of issues; the contents of the third Commission report were discussed; future coordination

between the NCIAVHR and Amnesty International and how to make use of reports issued by the two parties.

During the reporting period, members of the Committee also read, reviewed and made use of a number of reports issued by Amnesty International (and Human Rights Watch) and other organizations. The Commission also made sure to send its monthly reports and press statements to all international and local NGOs working in the field of monitoring and documentation on a regular basis.

Cooperation with the Office of the High Commissioner for Human Rights (OHCHR):

The mechanism of cooperation between the Commission and the OHCHR continued in accordance with the program of activities agreed upon in the middle of last year, pursuant to the resolutions of the Human Rights Council, the most recent of which was Resolution No 36/31 on technical assistance and capacity building.

In this regard, many activities were carried out during the reporting period:

1. On 2017/11/1, a delegation of the High Commissioner headed by Mr. Mohammed Al Nasour, Head of the Middle East and North Africa Division, Dr. Obeid Ahmed Al Obeid, Director of the Office of the OHCHR in Yemen and a number of OHCHR staff visited the NCIAVHR headquarters. A meeting was held and the Commission presented its views on how the last Resolution of the Human Rights Council could be implemented. The meeting concluded with a general framework for the implementation of the provisions of the resolution regarding the provision of OHCHR's support during the year 2018 and the implementation of the remainder of the activities of 2017.
2. On 12 November, the Commission provided the OHCHR with a written copy of its vision of the mechanism of cooperation in implementation of Council Resolution No. 36/31,

3. During the reporting period, the Commission carried out 3 training workshops in the field of raising the capacity of the Commission as follows:
 - a. 30-27 November 2017 a field monitoring workshop (26 monitors) in Kuala Lumpur, Malaysia on monitoring methodology and prison visits.
 - b. 19-16 December 2017 Training Workshop for the Assisting Investigation Team (10 participants) - Kuala Lumpur - Malaysia on the monitoring methodology.
 - c. 25-22 January 2018 Training workshop for members of the Commission (9 participants) Addis Ababa, Ethiopia on monitoring human rights violations and reporting.
 - d.

The Commission is looking forward to more cooperation and coordination in the future.

V. The Most Important Works achieved by the Commission during

Legal framework:

On August 2017 ,23, Republican Decree No. 50 of 2017 was issued to re-establish the Commission. The Decree stipulated that the mandate of the Commission is extended for two years and broadened the powers of the Commission to include referring cases to the Attorney General directly to finalize investigation and prosecution process.

At the Organizational Level

The Commission has endorsed its annual plan for 2018 – 2017 consisting of nine themes that were further disaggregated to 73 activities, in addition to the usual daily activities related to monitoring and investigation.

In its plan, the Commission has given utmost attention towards the achievement of the objectives for which the Commission was established, to reach victims and to carry out its functions in accordance with established standards. An assessment has been also made for the overall performance of the Commission, and as well, for the level

of implementation of its previous annual plan for 2017 – 2016 in order to identify the most important difficulties and shortcomings to improve the performance, and to revisit the internal regulations governing the work of the Commission and the internal forms associated with regulations and investigative work, in addition to creating an updated list for violations of International Humanitarian Law and International Human Rights Law, which are the focus of the Commission work, and mainstreaming such list over monitors, assistant investigators and the staff of the Monitoring Unit to work according to it, and furthermore, establishing an internal mechanism for the referral of files from the Commission to judiciary, and a specific regulation for investigation in files delivered to the Commission from the civil society.

At the Capacity-building Level

The Commission has been too careful to continue to promote its staff capacity and to train them further so as to help them understand all the developments and updates related to their work. In this context, the Commission organized an internal training course at its headquarters in Aden during 24.11.2017 – 22 for 32 of its monitors operating in all governorates on (Addressing the problems of adapting and proof of human rights violations in accordance with the national legislations and the rules of international humanitarian law and human rights law). Through this training, the Commission has achieved its training objective reflected in the provision of theoretical material that the monitor can use in the field and identify the means of proving violations in accordance with national legislation and international standards, in addition to resolving the problems encountered by the monitors, particularly as of regard to the adaptation of violations and the distinction between violations of international humanitarian law and international human rights law. As well, a number of meetings and workshops were organized with the assistant investigators and the monitoring unit team at the Commission headquarters.

Field Visit

Field Visits to Locations of Violations : Field visits, face-to-face interviews with victims

and relevant authorities represent one of the methodologies adopted by the Commission in the investigation and during the reporting period. The members of the Commission conducted a number of field visits to a number of Yemeni governorates, including the following

- A field visit to Al-Mansoura and Bir Ahmed prisons in the governorate of Aden to inspect the situation of prisoners in these prisons, and to hear their complaints. The forcibly displaced people in Al Qalua area and some injured combatants from the Houthis group in 22 May Hospital were also visited.
- Visiting the locations of alleged violations in the governorate Taiz during the period from 25.12.2017 to 30.12.2017, to investigate on the ground into the recent incidents which caused a number of casualties in the neighborhoods of Sheḥb Al-Duba and Thubat, as well as to inspect the destruction of the Aljamhuri Hospital and Taiz Radio Station, and the forced displacement of civilians in Jabal Habashi. Moreover, the members of the Commission inspected the prisons and detention centers controlled by the national army and the Ministry of Interior and the assessment of the rights of all persons captured and detained, in particular the combatants affiliate to Houthis militias and Saleh forces who were captured at the battlefronts.
- Another team of the National Commission visited the governorate of Mareb during the period from 28.12.2017 to 3.1.2018, where they have inspected the prisons, interviewed the detainees and assessed the level of their access to the rights guaranteed in international conventions and national legislations. Meetings were also held with the local authority officials in the governorates of Mareb, Hodeidah, Mahweet and Hajja, in addition to the security leaders in Mareb. A hearing was also conducted for victims of violations in the presence of representatives of civil society organizations.
- During the period from 1.1.2018 to 3.1.2018, a number of the members of the Commission conducted a field visit to the governorate of Hadramout and inspected the detention centers and prisons in the district of Mukalla in the governorate of Hadramout, and held meetings with officials at the governorate and with military, security and judicial officials. As well, they heard from detainees on conditions of

their detention and the level of their access to the rights guaranteed by national laws and international conventions.

At the Level of Monitoring and Documenting Violations

By using more than 32 monitors of the Commission distributed across most of the governorates of the Republic, and in extremely difficult and complex conditions, and with the continued armed conflict in most of the areas where the Commission is active, and despite the deteriorated security situations throughout the country, the Commission has been able during the past period to monitor and document a number of (5.432) allegations of violations in the various governorates of the Republic, inclusive of all parties to the armed conflict, and distributed to more than twenty types of violations. The Commission, in this regard, heard the statements of (4.800) witnesses and reviewed more than (7.200) documents that were attached to violations files monitored and documented, in addition to hundreds violations-related photographs and videos that were saved in the Commission database.

At the Level of Investigation into Violations

The Commission has undertaken its duty to investigate into the allegations it had monitored and documented. During reporting period, the Commission completed its investigation into (2,432) cases of allegation distributed to more than (20) types of violations that the Commission has prioritized in terms of monitoring, documenting and investigation.

VI. Findings of Investigations conducted by the Commission

Part I: Violations of International Humanitarian Law

The armed conflict currently taking place in Yemen is classified as a non-international conflict, and accordingly, the national laws and legislations, as well as the provisions of international humanitarian law, specifically the provisions of Article 3 common to the four Geneva Conventions, shall be applied and adhered to by the parties to

the conflict, in addition to the provisions of the Additional Protocol II annexed to the Geneva Conventions established on 12 August 1949, relating to the Protection of Victims of Non-International Armed Conflicts. All parties are also obliged to respect the Rules of Customary International Humanitarian Law applicable to non-international armed conflicts, and its contents of rules relating to the principle of distinction and proportionality, the treatment of civilians and persons hors de combat humanely, regulation of methods of combat and identification of protected persons and objects.

In spite of all the challenges encountered by the Commission relating to investigations into violations of international humanitarian law, it has managed to achieve substantial successes in this regard, completed its investigations in a significant number of cases monitored or filed by monitors, or by civil society organizations operating in this area. Some of the cases and violations investigated by the Commission related to allegations of violations of international humanitarian law are shown hereunder:

Examples of the Commission's most important investigations into violations of international humanitarian law

First: Killing and Injuring Civilians

The Commission has devoted a great deal of its efforts in monitoring, documenting and investigation because of the adverse consequences of this type of violations, both in terms of the number of victims and the amount of damage caused by indiscriminate and erroneous attacks on civilians and residential areas, embodied in killing, injuries and provoking panic among citizens. The attention by the Commission to this type of violations was reflected in the findings of monitoring and investigation carried out by the Commission, where the total number of cases monitored by the Commission during the reporting period for six months was (1,188) incidents of targeting of civilians, where the Commission has completed investigation into (594) incidents that resulted in the killing of (550) persons, including (47) women and (81) children, and the injury of (579) persons, including (64) children and (40) women. Responsibility has been divided between the parties to the armed conflict as follows:

- (370) killed persons and (471) injured persons as casualties because of the combat operations by Houthis militias and Saleh forces
- (185) killed persons and (108) injured persons as casualties because of airstrikes by the Arab Coalition warplanes and combat operations of government forces
 - a) Examples of incidents of killing and injuring civilians investigated by the Commission, for which Houthis militias and Saleh forces were held responsible

1. The incident of shelling Sheḅ Al-Duba neighborhood in the District of Sala on 13.6.2017

In brief, and as contained in the case file with the Commission and as proven by the documents and reports attached to the file, the incident took place at 09:00 am, on 13.6.2017, and that Sheḅ Al-Duba neighborhood, District of Sala, governorate of Taiz, was targeted with shelling, and striking the perimeter of the house of Hafid Taher with a projectile, causing his wife and all his children, who were in the house, serious injuries ranging between critical to medium.

| Names of victims | | |
|------------------|------------------------|----------|
| No. | Name | Age |
| 1. | Etihad Abdulwahab | 30 Years |
| 2. | Ayman Hafid Taher | 2 Months |
| 3. | Abdullatif Hafid Taher | 2 Years |
| 4. | Anwar Hafid Taher | 5 Years |
| 5. | Noora Hafid Taher | 9 Years |

It was mentioned in the statements of the victims and their families, and the statements of witnesses heard by the Commission, including Q. Q. A. and N. A. M., that at around 09:00 am on 13.6.2017, a projectile hit the perimeter of the house of Hafid Taher, while members of the family were sleeping inside the house, and all of them were injured. When the neighbors heard the explosion and the screams of the family, they rushed into the house to move the injured to Al-Thawra Hospital, and during that, another projectile

hit 50 meters from the location of first projectile. According to the inspection report filed by the team assigned by the Commission to visit the location and the statements of residents of the neighborhood who were heard by the Commission, the neighborhood hit by the projectile is a residential area under the control of the national army with no military targets or barracks. The neighborhood is regularly shelled from the direction where Al-Harrer area and Sofitel hill are situated, which are under the control of the Houthis militias and Saleh's forces. By examining the fragments collected from the location hit by the projectile, it was found that it was of Howitzer type.

Conclusion

Through investigations conducted by the Commission in this incident, the evidence collected by the Commission, the statements of residents of the neighborhood; paramedics; witnesses and victims, the attached reports, including the report on the field visit by the monitoring team assigned by the Commission to the location of incident and the examination of the remnants of the projectile and the direction of the fall of the projectile, the incident has been evidenced, and the source of the projectile has been identified to be Houthis militias and Saleh forces stationed in Al-Harrer area and Sofitel hill.

2. The incident of shelling Al-Jahmaliah neighborhood, District of Sala, Taiz, on 18.9.2017

In brief, and at around 04:55 pm, on 18.9.2017, a projectile hit Al-Jahmaliah neighborhood, striking the corner of the façade of the house of Amin Abduljabbar, where fragments spread out and hit 4 children who were playing in the street next to the house, killing them and tearing their bodies into pieces.

| Names of victims killed | | |
|-------------------------|---------------------------|-------------|
| No. | Name | Age (Years) |
| 1 | Nasr Mansour Ahmed Ghaleb | 13 |
| 2 | Yusef Khaled Abdulkafi | 12 |
| 3 | Ryan Bader Ghaleb Ahmed | 7 |
| 4 | Issa Mohamed Abdo Alhamri | 15 |

It was mentioned in the statements of the victims families, and the statements of witnesses heard by the Commission, including M. A. W. and Y. A. S., and a number of other witnesses whose statements are attached in the case file, that at around 05:40 pm, on 18.9.2017, a projectile hit Al- Jahmaliah neighborhood, striking the corner of the façade of the house of Amin Abduljabbar, and the projectile fragments hit four other children who were playing in the street adjacent to the house, killing them all and tearing their bodies to pieces. According to the contents of the report filed by the team assigned by the Commission to visit the location and the statements of residents of the neighborhood who were heard by the Commission, the neighborhood hit by the projectile is a residential area under the control of the national army with no military targets or barracks. By examining the fragments collected from the location of incident and the direction of the fall of the projectile, it was found that the projectile that hit the neighborhood was of Mortar type launched from Alhawban area, Sofitel hill and Al-Harrer area which fall under the control of Houthis militias and Saleh forces.

Conclusion

Through investigations conducted by the Commission in this incident, the evidence collected by the Commission, the statements of residents of the neighborhood; paramedics; witnesses and victims, and the attached reports, including the report on the field visit by the monitoring team assigned by the Commission to the location of incident and the examination of the remnants of the projectile and the direction of the fall of the projectile, the incident has been evidenced, and the source of the projectile has been identified to be Houthis militias and Saleh forces stationed in Alhawban area, Sofitel hill and Al-Harrer area.

3. The incident of the Katyusha rocket that hit Al-Rawdah residential neighborhood – the city of Mareb on 19.4.2017

In brief, and according to the contents of the case file with the Commission and as stated in the documents and reports attached to the file, the incident took place at 07.30 am, on 19.4.2017, and while students were on their way to schools, a rocket, believed to be of Katyusha type, hit Al-Rawdah neighborhood in the city of Mareb, causing damages to a

number of houses and the injury of two children while on their way to school, they are:

| No. | Name | Age (Years) | Type of Injury |
|-----|------------------------------------|----------------|---------------------------------|
| 1. | Murad Abbas Mohamed Ahmed Almanjar | 7 Years | Serious injury in the back |
| 2. | Iyad Mohamed Almanjar | 11 Years | Serious injury to face and jaws |

It was mentioned in the statements of the victims families, and the statements of witnesses heard by the Commission, including N. H. A. S. S. A., and a number of other witnesses whose statements are attached in the case file, that at 07:00 am, on 19.4.2017, a reverberation of large explosion was heard in Al-Rawdah residential neighborhood in Mareb, as a result of a projectile, which was later found to be a Katyusha rocket, by examining the remnants of the projectile. Following that, the residents of the neighborhood rushed to the location hit by the rocket and found the two children, Murad Abbas Almanjar and Iyad Mohamed Almanjar, thrown on the ground as they were injured with fragments of the rocket, and they immediately brought a vehicle to move the two children to Mareb hospital, where both of them were seriously injured, one of them in his face and jaws and the other in his back. Moreover, and with reference to the contents of the inspection report filed by the team assigned by the Commission to visit the location and the statements of residents of the neighborhood who were heard by the Commission, the neighborhood hit by the rocket is a residential area located in the east of the city of Mareb under the control of the national army with no military targets or barracks. By examining the fragments collected from the location of incident and the direction of the fall of the rocket, it was found that the rocket was launched from the direction of Mount Helan, controlled by Houthis militias and Saleh forces.

Conclusion

Through the investigations conducted by the Commission in this incident, the evidence collected by the Commission, the statements of residents of the neighborhood; paramedics; witnesses and the contents of attached reports to the case file, including the

report on the field visit by the team assigned by the Commission to inspect the location of incident and the examination of the remnants of the projectile and the direction of the fall of the rocket, the incident has been evidenced, and the party responsible for this violation has been identified to be Houthis militias and Saleh forces stationed in Mount Helan overlooking the city of Mareb.

4. The incident the bus hit by a projectile in the main street of Al-Himara area, Sala, Taiz City, on 21.5.2017

In brief, and according to the contents of the case file with the Commission and as stated in the documents and reports attached to the file, the incident took place at 05:00 pm, on 21.5.2017 when a shell hit a minibus in the main street in Al-Himara area, District of Sala, Taiz city, with 7 passengers riding in the minibus, causing the destruction of the bus and the killing of a mother and her child and injuring 5 others.

| Names of victims killed | | |
|--------------------------|-------------------------------|-------------|
| No. | Name | Age (Years) |
| 1 | Muhannad Abdullah Abdulhafeed | 11 |
| 2 | Iman Ahmed Hazza Alsufayani | 38 |
| Names of victims injured | | |
| No. | Name | Age (Years) |
| 1. | Shuhd Abdullah Abdulhafeed | 9 |
| 2. | Imran Abdullah Mohammed | 21 |
| 3. | Naseer Saleh Ali Hussein | 24 |
| 4. | Taha Ali Ahmed | 35 |
| 5. | Aziz Mohamed Yehya | 24 |

It was mentioned in the statements of the victims and their families, and statements of witnesses heard by the Commission, including T. A. A. and A. A. S. and B. M. H., and a number of other witnesses whose statements are attached in the case file, that at 05:00 pm on 21.5.2017, a projectile hit the main street in Al-Himara area, District of Sala, when a bus with 7 passengers was crossing the street. The explosion of the projectile as it hit the bus caused the killing and injuring the persons in the bus, while the bus

itself was severely damaged, and as well, causing damages to the neighboring houses. Witnesses, who were close to the location of incident, stated that immediately after the explosion they rushed to help the victims and found a woman and her child torn to pieces inside the bus, while other passengers were bleeding as they were injured. They moved the injured persons to the military hospital and then to Al-Safwa Hospital. According to the contents of the inspection report filed by the team assigned by the Commission to conduct a field visit to the location of incident and the statements of residents of the neighborhood heard by the Commission, the neighborhood hit by the projectile is a residential area under the control of the national army with no military targets or barracks. By examining the fragments collected from the location of incident and the direction of the fall of the projectile, it was found that the projectile that hit the neighborhood was of Mortar type launched from Alhawban area where Houthis militias and Saleh forces are stationed.

Conclusion

Through the investigations conducted by the Commission in this incident, the evidence collected by the Commission, the statements of residents of the neighborhood; paramedics; witnesses and victims, and the attached reports, including the report on the field visit by the team assigned by the Commission to inspect the location of incident and the examination of the remnants of the projectile and the direction of the fall of the projectile; the incident has been evidenced, and the party responsible for this violation has been identified to be Houthis militias and Saleh forces stationed in Alhawban area.

5. The incident of shelling a school sheltering IDPs, situated in Alshamasi neighborhood, District of Sala, Taiz City on 7.6.2016

In brief, and according to the contents of the case file with the Commission and as stated in the documents and reports attached to the file, the incident took place at around 11:00 pm, on 3) 7.6.2017rd of Ramadan) when a shell hit the school of Baraem Alwahda, situated in Alshamasi neighborhood that is sheltering a number of families displaced from Almasbah area, causing the killing of an entire displaced family and one of the people of the neighborhood.

| Names of victims killed | | |
|-------------------------|------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Bashir Sami Qaid | 7 |
| 2. | Khadija Sultan Naji Qaid | 31 |
| 3. | Ahmed Sami Qaid | 6 |
| 4. | Sultan Sami Qaid | 8 |
| 5. | Ahmed Mohamed Ahmed Alhakimi | 27 |

It was mentioned in the statements of the victims and their families, and statements of witnesses heard by the Commission, including M. R. M. A. M. T. A., and a number of other witnesses whose statements are attached in the case file, that at 11:00 pm on 3,7.6.2016rd of Ramadan, a projectile hit Baraem Alwahda school situated in Alshamasi neighborhood, the district of Sala, which is sheltering families displaced from Almasbah area, causing the killing a family consisting of a mother and her three children, in addition to one of the residents of the neighborhood, who was delivering food assistance supplied from his own house to the IDPs. Witnesses residing in the neighborhood stated that once the shelling stopped, they rushed to the school to assist the victims, where they found bodies of the Khadija and her three children were torn to pieces and close to them was the body of Ahmed Alhakimi. They moved the bodies to Al-Thawra Hospital. According to the contents of the inspection report filed by the team assigned by the Commission to conduct a field visit to the location of incident and the statements of residents of the neighborhood heard by the Commission, the neighborhood hit by the projectile is a residential area under the control of the national army with no military targets or barracks. By examining the fragments collected from the location of incident and the direction of the fall of the projectile, it was found that the projectile was launched from Al-Harrer area in Alhawban, controlled by Houthis militias and Saleh forces.

Conclusion

Through the investigations conducted by the Commission in this incident, the field investigations conducted by the Commission members assigned to conduct a field visit to the location of incident, the direct field investigations findings, the evidence collected

by the Commission from the location of incident, the statements of residents of the neighborhood; paramedics; witnesses and victims and the attached reports, including the report on the field visit to the location of incident filed by members of the Commission and the monitoring team assigned by the Commission, and inspecting and examining remnants of the projectile and the direction of the fall of the projectile; the incident has been evidenced, and the party responsible for this violation has been identified to be Houthis militias and Saleh forces stationed in Al-Harrer area in Taiz city.

b) Examples of incidents of killing and injuring civilians investigated by the Commission for which the government forces and the Arab Coalition warplanes were held responsible

1. The incident of shelling Alhadayer neighborhood, the house of Me>sarah Mohamed Me>sar, Faj Attan area, south southwest of the capital Sana>a, on 25.8.2017 by the Coalition warplanes

In brief, and according to the contents of the case file with the Commission and as contained the documents and reports attached to the file, the incident took place in the morning of 25.8.2017 when Alhadayer neighborhood, situated in Faj Attan area, the capital of Sana>a, was exposed to three airstrikes by the coalition warplanes, one of them targeted the building owned by Me>sarah Mohamed Me>sar, where the building consists of two floors and each floor consists of four apartments, destroying the building entirely and causing different damages to a number of neighboring houses. As a result, 16 people were killed, including 6 children and 3 women, in addition to injuring 11 persons, including 4 children and 3 women.

| Names of victims killed | | | |
|-------------------------|--------------------------------------|----------------|---------------------------------------------------------------------------------------|
| No. | Name | Age (Years) | Remarks |
| 1. | Mohamed Mansour Sa'ad Alraymi | 35 | Head of the family, and all members of his family were killed except one female child |
| 2. | Alaa Mohamed Mansour Sa'ad Alraymi | 7 | |
| 3. | Aya Mohamed Mansour Sa'ad Alraymi | 6 | |
| 4. | Bardis Mohamed Mansour Sa'ad Alraymi | 5 | |
| 5. | Raghad Mohamed Mansour Sa'ad Alraymi | 3 | |
| 6. | Ammar Mohamed Mansour Sa'ad Alraymi | 4 | |
| 7. | Naif Ahmed Abdullah Muthanna | 5 | |
| 8. | Shorouq Ahmed Abdullah Muthanna | 17 | |
| 9. | Bassim Sadeq Obeid Alhamdani | 20 | |
| 10. | Maha Abdulwahab Alsamei | 25 | |
| 11. | Mohamed Sa'ad Alraymi | 29 | |
| 12. | Wedad Abdullah Mahdi | 20 | |
| 13. | Mohamed Ali Alqudaimi | 27 | |
| 14. | Wael Abdulhafed Farah | 33 | of Sudanese Nationality |
| 15. | Mahmood the Palestinian | 30 | of Palestinian Nationality |

| Names of victims injured | | | |
|--------------------------|----------------------------------|-----|---------------------------------------------------------------|
| No. | Name | Age | Remarks |
| 1. | Me'sarah Mohamed Me'sar | 30 | Owner of the building |
| 2. | Ayham Bassim Sadeq Alhamdani | 7 | His parents were killed in the shelling and he remained alone |
| 3. | Buthaina Mohamed Mansour Alraymi | 7 | All her family members were killed and she remained alone |
| 4. | Ahmed Abdullah Muthanna | 35 | |
| 5. | Hatiah Ahmed Muthanna | 5 | |
| 6. | Sarah Ahmed Muthanna | 4 | |
| 7. | Mostafa Abdulqawi Alodaini | 20 | |
| 8. | Amat Alrahman Ali Abdo Alodaini | 17 | |
| 9. | Wedad Ali Abdo Alodaini | 10 | |
| 10. | Ahmed Lutf Alassemi | 25 | |
| 11. | Horiyah Ahmed Nasser | 27 | of Palestinian Nationality |

The Commission has initiated investigation in the incident through conducting a field visit by the team of the Commission to the location of incident and interviewing a number of victims, as well as hearing the statements of a number of witnesses and paramedics, including M. A. M., A. M. N., M. Q. A., F. A. M. M. and M. A. H, all of them confirmed that the coalition warplanes targeted the building owned by the victim Me>sarah Mohamed Me>sar, which is occupied by civilian tenants, including a displaced family from Taiz, and that the shelling of the neighborhood included three airstrikes that destroyed two houses and caused damages to a number of other houses and that retrieving the bodies continued for several days, and that 16 bodies were retrieved, including 6 children and 3 women. Also, 11 injured victims were moved to hospitals, including the owner of the building, Me>sarah Mohamed Me>sar, 40 years, who was hit in the spine and lost two of her children in the shelling. Statements of witnesses were documented. A number of photographs and videos of retrieving the bodies and for ambulance operations for injured victims, and photographs of the location of incident in general and for other damaged houses, were attached to the case file, in addition to the inspection report, a number of medical reports and death certificates and other documents and reports.

Conclusion

Through the investigation conducted by the Commission in this incident, and the different evidence available with the Commission, and the statement issued by the Arab Coalition Forces to Support Legitimacy in Yemen and the statement of the Coalition Spokesman, Colonel Turki Al-Maliki, who said to the media that the operations carried out on Friday, 25.8.2017, are under review by the Arab Coalition Forces and that they will open an investigation into the incident immediately, and the findings of the investigation will be published to the public opinion, while in a subsequent statement on the incident, the Coalition Spokesman stated that the planned target was a legitimate military target representing a Command Center of Houthis, and that this center has been established recently by Houthis within the residential areas in order to use civilians as human shields, and that all procedures have been reviewed and found correct, but a technical error caused the unintended unforeseen incident, and therefore the Coalition Command referred the unintended unforeseen incident, as described by him,

to the Joint Incidents Assessment Team to complete investigations into the incident stressing the full commitment of the Coalition to the implementation of the provisions of international humanitarian law, particularly those in relation to the protection of civilians, and expressed his condolences to the victims.

Although the Commission has not yet received any response or clarification from the Coalition Command so far that shows the nature of the technical error referred to in the statement, the investigations conducted by the Commission give evidence that the responsibility is on the government forces and the Arab Coalition Forces. The Commission is waiting for more details from the Coalition Command to finalize its investigations.

2. The incident of shelling the house of Abdulqawi Saleh Aljabri in Aldahi neighborhood, District of Al-Muzaffar, Taiz City on 11.5.2015 by the Coalition warplanes

In brief, and according to the contents of the case file with the Commission and as contained in the documents and reports attached to the file, the incident took place at around 05:45 on, 11.5.2015, when Aldahi neighborhood located in the District of Al-Muzaffar was hit by four missiles launched from the Arab Coalition warplanes, one of them hit the house of Abdulqawi Aljabri, and second one hit two houses near Al-Sunnah mosque, causing the killing of 14 people, including 6 children and 4 women, and injuring 5 others.

| Names of victims killed | | |
|-------------------------|-------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Ruqaya Mohamed Saeed Qaid | 45 |
| 2. | Saddam Abdulqawi Saleh Saif | 29 |
| 3. | Ahmed Abdulqawi Saleh Saif | 12 |
| 4. | Abdullah Abdulqawi Saleh Saif | 2 |
| 5. | Maria Abdulqawi Saleh Saif | 25 |
| 6. | Amal Abdo Said Qaid | 26 |

| | | |
|-----|----------------------------------|----|
| 7. | Abdulqawi Saddam Abdulqawi Saleh | 6 |
| 8. | Malak Saddam Abdulqawi Saleh | 4 |
| 9. | Ayham Mohamed Saeed Obaid | 6 |
| 10. | Hind Mohamed Saeed Obaid | 4 |
| 11. | Noha Al-Dubaie | 3 |
| 12. | Amira Amin Ali Ibrahim Al-Tayyar | 32 |
| 13. | Rakan Abdulwassa Alsharabi | 12 |
| 14. | Ahmed Yehya Abduljalil Alsharabi | 45 |

| Names of victims injured | | |
|--------------------------|----------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Yasin Abdulqawi Aljabri | 25 |
| 2. | Asmahan Abdulqawi Aljabri | 30 |
| 3. | Zeinab Mohamed Shamsan Al-Dubaie | 6 |
| 4. | Huda Al-Dubaie | 35 |
| 5. | Shoukan Abdulrahman Mahyoub Saif | 30 |

The Commission has initiated investigation in the incident through conducting a field visit by the members of the Commission to the location of incident and interviewing a number of victims who were targeted by shelling, as well as hearing statements of a number of witnesses and paramedics, including A. A. Y, A. M. H., R. J. A. A., M. S. A., E. A. E. A., A. M. G. A., Y. A. S. and E. A. M. Z., who all confirmed that at around 05:45 on May 2015 ,11, the coalition warplanes targeted Aldahi neighborhood in Wadi Aldahi area, which consist of 10 houses opposite with each other, located on a high hill and distributed almost circularly over the hill. The neighborhood is approximately 500 meters apart from the main street where the buildings and facilities of the Technical Institute and the Government Traffic Department are situated, and occupied by Houthis militias and Saleh forces, and that most of residents of the neighborhood were asleep at this time, but many of them heard the sizzling of warplanes and the whizz of the missile before it hit the neighborhood, followed by a massive explosion that covered the place and the smoke was rising. Two minutes later, another missile hit the neighborhood. The first missile hit the house of Abdulqawi Aljabri situated in the middle of the

neighborhood and completely destroyed and turned the house into rubble, killing all the 10 members of the family and partially destroying 9 other houses and killing 4 of their residents. The neighbors spent 6 days for retrieving the bodies from under the rubble. The residents of the neighborhood stated that they were not expecting the shelling of Aldahi neighborhood because it is more than 500 meters apart from the location where Houthis militias are stationed. Most of the retrieved bodies were merely torn pieces.

Field visit and inspection was conducted by the members of the Commission and the monitoring team assigned by the Commission, in addition to the arms expert at the Commission. The location hit by the missile was inspected, measurements of distances were recorded, and damages and statements of witnesses were documented. A number of photographs and videos of retrieving the bodies and for ambulance operations for injured victims, and photographs of the location of incident in general and for other damaged houses, were attached to the case file, in addition to the inspection report, a number of medical reports and death certificates and other documents, reports and evidence, all of which confirmed that the neighborhood was targeted by shelling by the coalition warplanes, specifically the house of Abdulqawi Aljabri, which was targeted with an air-to-ground missile at 05:45 am, followed by another missile about two minutes later targeted a house next to Al-Sunnah mosque, destroying 10 houses, one of which was completely destroyed, as the missile turned the house into rubble and caused the killing of 14 persons and injuring 5 others.

Conclusion

Through the investigations conducted by the Commission in this incident, the evidence collected by the Commission, the statements of residents of the neighborhood; paramedics; witnesses and victims, and the attached reports, including the report on the field visit filed by the monitoring team assigned by the Commission to inspect the location of incident and the examination of the remnants of the projectile, and measuring the distance between the residential neighborhood – which it was proved that there is no military barracks in it – and between the locations where Houthis militias and Saleh forces were stationed in the buildings of government institutions at the main street,

which is approximately 500 meters apart from the location hit by the first missile and approximately 300 meters from the location hit by the second missile, and accordingly, it has been confirmed to the Commission that the government forces and Arab coalition warplanes are held responsible for the violation. The Commission awaits the reply from the Coalition forces to its enquiries in this respect.

3. The incident of targeting the house of Almakdi, Alfarah village, Ozlat Daen, District of Washaga, Governorate of Haja, on 2.9.2017

In brief, and according to the contents of the case file with the Commission and as contained in the documents and reports attached to the file, the incident took place at 01:30 pm on Saturday, 2) 2.9.2017nd day of Eid Aladha), when the house of Mohamed Yehya Almakdi in Alfarah village, Ozlat Daen, District of Washaga, Governorate of Haja, was targeted with a missile launched from a warplane of the Arab Coalition, causing the killing of two women and a child and injuring 13 others, including 10 children and 2 women.

| Names of victims killed | | | |
|-------------------------|-----------------------------|----------|------------------------|
| No. | Name | Age | Remarks |
| 1. | Taqwa Saleh Nasser Almakdi | 45 Years | Mother of killed child |
| 2. | Majrouh Walid Hadi Almakdi | 6 Months | |
| 3. | Safia Ahmed Morshed Almakdi | 30 Years | |

| Names of victims injured | | | |
|--------------------------|---------------------------------|-----|----------------------|
| No. | Name | Age | Remarks |
| 1. | Hazaa Walid Hadi Almakdi | 6 | Head injury |
| 2. | Ali Walid Hadi Almakdi | 5 | Head and hand injury |
| 3. | Ali Ali Mbkhout Almakdi | 35 | Broken feet |
| 4. | Ali Saleh Almakdi | 50 | Head and ear injury |
| 5. | Hemyar Sadiq Mohamed Almakdi | 12 | Foot injury |
| 6. | Uday Wathiq Mohamed Almakdi | 8 | Ribs injury |
| 7. | Mohamed Bakil Ali Yehya Almakdi | 10 | Head injury |
| 8. | Fouad Bakil Ali Yehya Almakdi | 4 | Broken hand |
| 9. | Afkar Wathiq Mohamed Almakdi | 6 | Hand injury |

| | | | |
|-----|----------------------------|----|------------------------------|
| 10. | Muheeb Mohamed Ali Almakdi | 9 | Head injury |
| 11. | Muhannad Saleh Ali Almakdi | 11 | Broken hand |
| 12. | Ramzi Sadiq Ali Almakdi | 20 | Fragments in head and foot |
| 13. | Ali Mahmoud Ali Almakdi | 9 | Broken hand |
| 14. | Maryam Naser Ali Almakdi | 75 | State of hysteria and dismay |

The Commission has initiated investigation in the incident through conducting a field visit to the location of incident and interviewing a number of the victims owners of houses targeted by shelling, as well as hearing the statements of a number of witnesses and paramedics, including M. A. A. and H. M. A., who all confirmed that at 01:30 on Saturday, 2.9.2027, the two houses of both Yehya Almakdi and Mohamed Yehya Almakdi were targeted with two missiles during the visit of tribesmen for the purpose of congratulating Eid. Witnesses and relatives of victims and paramedics emphasized that they heard the sizzling of the warplanes while hovering at low height, followed immediately by launching a missile that directly targeted the houses of the victims, and 3 minutes later another missile hit the same location. The two missiles caused the killing of 3 persons, injuring 14 others, the destruction of the two houses and their contents, in addition to destruction of 3 vehicles owned by the two families, the destruction of a water tank and the killing of 50 sheep. As stated by witnesses, the village is composed of a group of contiguous houses, mostly belonging to Almakdi family, with no military barracks or sites of Houthis militias and Saleh forces close to them. The victims whose houses were targeted by shelling are not members of Houthis militias and there is no link between them.

Conclusion

Through the investigation conducted by the Commission, the report on the field visit filed by the monitoring team and the statements of victims and their relatives, witnesses to the incident and the paramedics, whose statements were recorded in forms prepared for such purpose, as well as reports and certificates of victims killed and photographs of the location of incident, and as the incident took place at noon time and most of the people heard the sizzling of the warplanes while hovering at low height over the

village followed by targeting the location with missiles, therefore, it has been confirmed to the Commission that the government forces and Arab coalition warplanes are held responsible for this incident. The Commission awaits the reply of the Coalition leadership on its enquiries about this incident.

4. The incident of shelling the house of Rashad Mohamed Naji Almahdi, Al-Sawad neighborhood, the Secretariat of the capital on 9.6.2017

In brief, and according to the contents of the case file with the Commission and as contained in the documents and reports attached to the file, the incident took place at 12:30 pm, on 9.6.2017, when the house of Rashad Mohamed Naji Almahdi by a missile launched from a warplane of the Arab Coalition, causing the killing of 4 persons and injuring 2 others.

| Names of victims killed | | |
|--------------------------|----------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Jihan Rashad Mohamed Almahdi | 13 |
| 2. | Alia Rashad Mohamed Almahdi | 12 |
| 3. | Ahmed Rashad Mohamed Almahdi | 3 |
| 4. | Dawlah Mohamed Hussein Aldubaili | 67 |
| Names of victims injured | | |
| No. | Name | Age |
| 1. | Rashad Mohamed Almahdi | 39 |
| 2. | Warda Ali Ahmed Almahdi | 35 |

The Commission has initiated investigation in the incident through conducting a field visit to the location of violation, interviewing a number of the victims families and hearing the statements of a number of witnesses, namely: A. A. R, S. Q. M. and A. M. A. who all confirmed that at around 12:30 after midnight of 9.6.2017 and after hearing the sizzling of warplanes while hovering and the reverberation of explosions resulting from the shelling of the Al-Sawad Camp located south of Sana'a next to the neighborhood, a missile launched from a warplane hit the house of Rashad Mohamed Naji Almahdi, composed of two apartments, located in Alqori neighborhood, to the west of Alandalus

University, 50th Street area, causing the killing of 3 of his children and his wife's mother, and the destruction of his house and the house of his wife's mother adjacent to house. As well, reports attached to the file, photographs of the location of incident and statements of the residents of neighborhood confirmed that the neighborhood is inhabited by civilians who have no relationship with the warring parties, with no military barracks, where the nearest military target is Al-Sawad Camp, which is approximately one kilometer distant from the location hit by the missile.

Conclusion

According to the investigations conducted by the Commission, the monitoring team, photographs that documented the impacts of destruction, and the statements of witnesses, paramedics, victims and their families and a number of residents of the neighborhood documented in the forms prepared for such purpose, and through investigation into the incident based on the aforementioned evidence, and the death reports attached to the case file, it has been clear to the Commission that the government forces and the Arab Coalition warplanes are held responsible for shelling the house of the victim Rashad Mohamed Naji Almahdi, situated in a residential neighborhood which is approximately one kilometer distant from Al-Sawad Camp. The Commission awaits the reply of the Coalition leadership on its enquiries about this incident.

5. The incident of shelling two vehicles on Al-Ruga'a Road, Toor Albaha, Governorate of Lahj on 16.6.2015 by the Coalition Warplanes

In brief, and according to the contents of the case file with the Commission and as stated in documents and reports attached to the file, the incident took place at 4:00 pm on 16.6.2015, where two vehicles were targeted on Al-Ruga'a road by shelling with two air-to-ground missiles, causing the killing of 15 persons and injuring 11 others.

| Names of victims killed | |
|--------------------------|------------------------------|
| No. | Name |
| 1. | Mohamed Ahmed Salem Haidarah |
| 2. | Majdi Abdulkadir Noman |
| 3. | Ali Hussein Thabet |
| 4. | Wadah Ahmed Hail |
| 5. | Mansour Ali Mohamed Salem |
| 6. | Hatem Ahmed Ali El-Hajj |
| 7. | Rehab Ahmed Mohamed Sallam |
| 8. | Mohamed Ahmed Ali El-Hajj |
| 9. | Mohamed Ali Hassan |
| 10. | Emad Ahmed Salem |
| 11. | Hassan Awad Abdulrab |
| 12. | Rami Mohamed Saleh Makshami |
| 13. | Nabil Ahmed bin Ahmed |
| 14. | Habib Ahmed bin Ahmed |
| 15. | Fayez Abdulqawi Alotbi |
| Names of victims injured | |
| No. | Name |
| 1. | Nadmi Mohamed Saleh Saeed |
| 2. | Gubran Anis Saleh Saeed |
| 3. | Nadmi Abdulhamid Ahmed Saeed |
| 4. | Rifaat Abdo Mohamed Mukred |
| 5. | Shaimaa Adeeb Abdelnour |
| 6. | Marwan Ahmed Hail |
| 7. | Rami Khaled Abdo Hassan |
| 8. | Abdulrahman Ali Alkhafifi |
| 9. | Shamsan Ali Ahmed Alkhafifi |
| 10. | Mounir Ahmed Thabet Moqbil |
| 11. | Rasha Rami Khaled |

According to the investigations conducted by the Commission, and the contents of the reports attached to the case file, and the statements of the victims and their families and

statements of witnesses heard by the Commission, including A. A. S. and A. M. Q., it was stated that at 04:00 pm on 16.6.2015, a group of people were riding in four vehicles, one of which was a bus, on Al-Ruga'a road, District of Toor Albaha, where they were on their way back to their villages from Lahj. As vehicles were on the road, an air-to-ground missile hit next to the road as if it was a missile for warning. Watching the the explosion of the missile and the crashing of the glass of some vehicles because of the explosion, all vehicles stopped in place. Around half an hour later, the driver of one of the vehicles and the bus driver started to move on the road while expecting the demise of danger and no warplanes. But a few minutes after they moved, they were surprised that one of the warplanes returned and immediately hit the vehicle and the bus with two missiles while the passengers of the other two vehicles remained in their place watching the shelling on the two vehicles by the warplane, causing the destruction of the vehicle and the bus, and killing 15 people and injuring 11 others.

Conclusion

Through the investigations conducted by the Commission in the incident and the evidence, death reports and medical reports of the injured contained in the case file, and the statements of the injured victims and the families of killed victims, and the statements of a number of witnesses who were riding in the other two vehicles Through the investigations conducted by the Commission in the incident and the evidence, death reports and medical reports of the injured contained in the case file, and the statements of the injured victims and the families of killed victims, and the statements of a number of witnesses who were riding in the other two vehicles watching the shelling, and since it is evidenced that all the victims of the incident are civilians, and that the shelling has first targeted next to the vehicles for the purpose of warning and stopping them, and that after half an hour, and while the two vehicles started to move they were targeted by direct shelling without repeating the warning to force them to stop, especially as they responded to the first warning and stopped for more than half an hour in their place, with knowing that the two vehicles targeted have trespassed the seam zone between Houthis militias, and the resistance forces and the national army, which is situated at the junction of the steel plant, where the victims were in their way back to their villages,

i.e. in the other direction and not in the direction of the combat front, which precludes any suspicion that they may be considered as fighters arriving to support Houthis militias and Saleh forces, who were at that time in control of the steel plant, as we have mentioned. Accordingly, and despite that no reply was received yet to the memorandum of enquiries sent from the Commission on the incident to the Coalition Forces Command, and in view of the above, the incident is deemed proved by the Commission and that the government forces and coalition warplanes are held responsible for this violation. The Commission awaits the reply of the Coalition leadership to its enquiries on this incident.

Second: Child Recruitment

Child Recruitment is one of the serious violations of national legislations and international conventions on child protection, in particular the «Convention on the Rights of the Child», ratified by the Republic of Yemen and the «Optional Protocol to the Convention», which both prohibit the use of children in armed conflict and their recruitment, in addition to the «Yemeni Child Rights Act» which is aligned with the Convention. Therefore, the Commission has given care to this type of violations, particularly with the existence of many aspects of the use of children during the armed conflict, whether directly participating in the fighting or in providing assistance to combatants, making those children at risk. In this regard, and during the reporting period covered, the Commission monitored () allegations of child recruitment under 15 years. Hereunder are examples of some cases which the Commission has concluded investigation in them.

1. Recruitment and killing of the child Daoud Mohamed Ali Rajeh, 14 years, District of Nihm, Governorate of Sana'a

In brief, and according to the contents of the case file with the Commission, and the statement of M. A. Q. T., who has reported the case, and the statements of witnesses A. G. A. and A. G. E., the child Daoud Mohamed Ali Rajeh, 14 years, has been recruited by Houthis militias in the beginning of 2016, and then, he was moved from his village, Gharban Almanar in the governorate of Dhamar to the Secretariat of the capital Sana'a after registering him as a remote-student in the village school and persuading him that

he will be awarded the school certificate opposite to joining the combat fronts without the need to attend the school. Witnesses also stated that the so-called Abdulrahman Alarmouzi, the endowment supervisor in the Secretariat of the capital Sana'a, the half-brother to the child victim, was the one who recruited and transported the victim to Sana'a, where the child's family did not expect that he would to join the combat fronts with Houthis militias in Nihm front after they were promised that he will only participate in a cultural session and that will not be engaged in the battlefield. Approximately one year after leaving the village, his family was informed that he was killed on 22.5.2017 in the District of Nihm, Governorate of Sana'a, and his body was taken to Dhamar Hospital. His family came to the hospital to receive his body where the family could not recognize him except with difficulty and through a sign in his hand. From there his body was moved to his village for burial.

2. Recruitment of the child N. A. M. S., born in 2004, District of Khawlan, Governorate of Sana'a

In brief, and according to the contents of the case file with the Commission, and the statement of the victim family and the statements of witnesses heard by the Commission, including Z. M. A. S., R. A. E. A. and H. A. E. A., it was stated that in February 2017, Houthis militias in the District of Khawlan, Governorate of Sana'a, took the child N. A. M. S., 13 years, from his village without knowledge or consent of his family. Absence of the child continued for around seven months without knowing his place, until they were contacted after some time by some people who told them that their son is fighting with Houthis militias in Nihm front. On 25.11.2017, the child was brought back to his family, suffering from mental illness (mental disorder) and in a very bad health condition. Witnesses also stated that Houthis militias exercise child recruitment in the District of Khawlan and take them to the combat fronts to engage in fighting without the knowledge of their parents, and that many children of the area have had been susceptible to such risk.

3. Recruitment of the child Hamdan Ali Mohsen Mahdi, born in 2002, District of Jiblah, Governorate of Ibb

In brief, and according to the contents of the case file with the Commission, and the statement of the victim family and the statements of witnesses, namely A. E. A. E., M. S. A. A. and A. E. A., it was stated that in April 2015, the security supervisor of Houthis militias in the District of Jiblah, Governorate of Ibb, has recruited the child victim Hamdan Ali Mohsen Mahdi and sent him to fight in Dali'a front without informing his family. His family received no news on their son since he left. Approximately two months later, through a phone call from a person, his family was informed that the child was killed in the clashes in Dali'a, without delivering his body to his family, causing psychological disorder to the victim's mother because of the killing of her son. Witnesses reported that the supervisor of Houthis militias in District of Jiblah, during the same period of recruiting the child Hamdan, has recruited a number of other children from the area and sent them to the combat fronts, while they are under the legal age, including Hamdan Ali Mahdi, Hamad Ali Alhumam and Kamal Abdulsalam Ismail Alnayeb.

Houthis militias first used the children at the security checkpoints in the District of Jiblah to inspect the bystanders, and then moved them to the combat front in Dali'a without the knowledge of their families. All of them were killed in the clashes and their bodies were buried without notice to their families even to attend the burial or to deliver their bodies.

4. Recruitment of the child Y. A. B. H., 13 years, Amran City, Governorate of Amran

In brief, and according to the contents of the case file with the Commission, and the statement of the victim and the statements of witnesses heard by the Commission, including A. N. K. A. and A. H. M. A., it was stated that the supervisor of Houthis militias in the city of Amran, governorate of Amran, called Abu Al-Ezz, has recruited the child victim Y. A. B. H., 13 years, without the knowledge of his family, by persuading him that he will be engaged in jihad against the infidels and Jews. The child was moved from Amran to Al-Khawkhah front, where he was initially used in a logistics task for six

combatants in Al-Khawkhah front. Governorate of Hodeidah, and later, he was engaged in the combat frontlines. When the national army arrived to the village of El-Haj Salim in Al-Khawkhah area, the child victim Y. A. B. H., who was injured in the clashes, was arrested after the rest of Houthis combatants fled. The child was moved by the national army to the May 22 Hospital in Aden for treatment.

Conclusion

The Commission concluded, according to its investigations into the facts mentioned above and in other cases relating to child recruitment in Yemen, that Houthis militias, alone without the other parties, continued to violate the rights of children in Yemen, and to recruit and involve them in the combat fronts, and non-commitment by Houthis to national legislations and international conventions, which entails the need to strongly condemn the perpetrators of this violation and take all measures that ensure the child protection and reduce the violations against them, in particular violations relating to their recruitment and involvement in armed conflicts.

Third: Laying Anti-Personnel Mines

The crime of laying anti-personnel mines is one of the criminalized violations in the international humanitarian law and related instruments, including the «Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines», which was ratified by the Republic of Yemen in 1998. The Commission has listed the crime of laying mines as part of the lists of violations that it monitors and investigates. During the period covered by the investigation, determined to be for six months, the Commission monitored 98 cases of laying anti-personnel mines, and completed the investigation into 24 cases of laying mines that resulted in the killing of 19 persons, including 2 women and one child, in addition to the injuring of 55 persons, including 2 women and one child.

Examples of investigations conducted by the Commission in cases of laying anti-personnel mines

1. The incident of the injury of Afaf Mohamed Ahmed and Dalilah Abdo Ahmed due to the explosion of mines laid in Al-Shaqab area, Sabir Al-Mawadim in the Governorate of Taiz

In brief, and according to the contents of the case file with the Commission and the statements of witnesses, namely A. M. A. S., M. S. F. and A. M. A., it was stated that at around 09:00 am, on 7.7.2017, the two victims, Afaf Mohammed Ahmed and Dalilah Abdo Ahmed, left their house located in Al-Shaqab area, district of Sabir Al-Mawadim, to fetch water from the village's water tank. On the road leading to the water tank, Dalilah has trampled on a landmine that exploded and hit her legs, while Afaf attempted to aid her, but she has also trampled on another landmine that exploded and hit her leg. The two victims were moved by the residents of the area to Al-Buraihi Hospital in the district of Al-Muzaffar, Taiz city. Witnesses reported that the mines were laid next to the tanks by Houthis militias when they controlled the area before they withdrew.

| Names of victims injured | | | |
|--------------------------|----------------------------|-------------|-------------------------------------------------------------------|
| No. | Name | Age (Years) | Type of Injury |
| 1. | Dalilah Abdo Ahmed Mohamed | 25 | The two feet amputated from the leg due to the landmine explosion |
| 2. | Ali Walid Hadi Almakdi | 22 | The right foot amputated due to the landmine explosion |

2. The incident of anti-personnel mine explosion in the village of Eyal Ghafir, District of Nihm, Governorate of Sana'a

In brief, and according to the statements of the persons who reported the incident, namely M. A. A., N. A. S., A and Y. A. A., it was stated that on the morning of Wednesday 21.12.2016, in the village of Eyal Ghafir, District of Nihm, Governorate of Sana'a, and while the child victims Ahmed Mohsen Ahmed Ayed, 10 years, and A. N. A. S., 24 years, and J. Y. A. A., 13 years, were playing in the village after re-controlled by Houthis militias, the children found an object implanted in the ground in the shape of a small ball. The victim Ahmed Mohsen used an iron piece to hit the object, but the landmine exploded immediately, causing different injuries to the children. They were moved to

Mareb Hospital, where the child Ahmed Mohsen passed away three days later, while the other two children continued to receive treatment.

The two witnesses, H. A. A. and M. H. S. A., stated that they heard a massive explosion in their village and went to inspect the location of the explosion. They found the child victims mentioned above injured, while the child Ahmed Mohsen was severely injured, and the victims were moved to Mareb hospital, where the child Ahmed Mohsen passed away three days later, while the other two children remained in the hospital to receive treatment. They stated that the party laid the mines were Houthis militias while controlling the village, and that many mines were laid in the village, killing and injuring many of the residents of the village.

3. The incident of an anti-personnel mine explosion in the District of Sarwah, Governorate of Mareb

In brief, and according to the contents of the case file with the Commission, it was stated that at 08:00 am, on 4.7.2017, an anti-personnel mine exploded in the area of Sanomah in Al-Mahgazah, District of Sarwah, Governorate of Mareb, causing the killing of Hamda Mohammed Al-Mashraei, 67, and injuring Amina Mohamed Jaber Al-Mashraei, 20 years.

According to the statements of the families of the two victims and the statements of witnesses, namely: H. A. S. S. and D. N. Y. A. heard by the Commission, it was stated that at 08:00 on 4.7.2017, and while the two victims were grazing the sheep in the area of Sanomah in Al-Mahgazah, District of Sarwah, Governorate of Mareb, where they were about 500 meters away from their house, an anti-personnel mine exploded, as laid by Houthis militias and forces loyal to them in the area, which is in fact away from the combat zones. The explosion caused the killing of Hamda Mohammed Jaber Al-Mashraei, 67 years, and injuring Amina Amer Saleh Al-Mashraei, 20 years, with fragments in the head.

4. The incident of an anti-personnel mine explosion in Dammaj area, Governorate of Sa'ada

In brief, and according to the contents of the case file with the Commission, and the statement of the person who reported the incident, and the contents of the reports attached and the statements of the witnesses, including Y. A. M. Q. O and A. H. M. S. heard by the Commission, it was stated that on Sunday, 15.2.2015, an anti-personnel mine exploded, as laid by Houthis militias during the blockade of Dammaj area in the governorate of Sa'ada, causing injury to victim Nabil Mahdi Mana Mahdi while he was walking in the area. He was moved to Dammaj Hospital where he received treatment in the hospital for more than two weeks. The landmine explosion caused the amputation of his left leg and he has become disabled, as illustrated in the photographs and medical reports attached to the incident file.

Conclusion

According to the investigations conducted by the Commission into the facts mentioned above and in other facts relating to laying anti-personnel mines, the Commission finds that Houthis militias and Saleh forces are held responsible for such violations, whereas they are characterized, alone without the other parties involved in the armed conflict in Yemen, in exercising this type of violation. They exercises such violation systematically in all military sites controlled by them, and in the areas and roads from which they withdraw. Through the numerous evidence, and the statements of demining experts heard by the Commission in many areas, it has become clear to the Commission that Houthis militias are manufacturing anti-personnel mines using local expertise and in factories established by them by utilizing the army equipment and sites in the areas they controlled, and they distribute and stockpile these mines in all areas in violation of international conventions ratified by Yemen, which prohibit the manufacture, stockpiling and use of these mines.

Fourth: Anti-Vehicle Mines

During the reporting period, the Commission monitored 19 cases and completed investigations into 8 cases, in which 24 civilians were killed, including 15 men, 5 women and 4 children, in addition to injuring 3 civilians, including one child.

Examples of the investigations conducted by the Commission into the incidents of Laying of Anti-Vehicle Mines

1. The incident of an anti-vehicle mine explosion in Tayab area, the District of Albayda

In brief, and according to the statements of the victims families, it was stated that on Wednesday afternoon, 16.9.2015, and while the victims were riding in a vehicle on their way back to their houses, carrying food and personal items with them, on the main road linking the villages of Marwad in Tayab area, District of Thi Naem, Governorate of Albayda, an anti-vehicle mine, laid in the main road, exploded and hit the vehicle, causing the overturn of the vehicle and killing all those who were riding in the vehicle, i.e. eight persons.

| Names of victims killed | | |
|-------------------------|---------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Hussein Said Hussein Al-Wahishi | 59 |
| 2. | Jabal Saleh Ali Almelahi | 60 |
| 3. | Abdulrab Ali Ahmed Almelahi | 32 |
| 4. | Saleh Mohammed Saleh Almelahi | 38 |
| 5. | Saleh Hussein Mohammed Shaybat | 51 |
| 6. | Hussain Omar Hussain Alselmi | 67 |
| 7. | Ali Abdullah Salem Al-Wahishi | 37 |
| 8. | Jalal Saleh Ali Hadi Alfaqir | 14 |

According to the statements of witnesses heard by the Commission, namely, A. A. H., M. M. T., S. H. S. O., S. A. A. S. and M. S. A. M., they have stated that when they heard the reverberation of explosion, they rushed to the location of incident and found that a mine exploded, as laid in the public road in Marwad area – Tayab, which is under the control of the Houthis militias and Saleh forces, that they usually implant mines in the roads close to their sites to secure the sites under their control. They also stated that the explosion killed all the victims who were riding in the vehicle, and that they have seen their bodies lying on the ground after the vehicle was smashed and burned due to the explosion.

Conclusion

According to the investigations conducted by the Commission in the incident, and the contents of reports included in the case file and the statements of the relatives of victims and the statements of witnesses, it has been clear that Houthis militias and Saleh forces, stationed in the same area where the explosion took place, i.e. Tayab area, the District of Thi Naem, are held responsible for this violation.

2.The incident of an anti-vehicle mine explosion that hit a bus in Al-Rubaie area, Al-Taziyah, Governorate of Taiz

In brief, and according to the statement of the person reported the incident, M. A. M. N., the incident took place on Saturday, 26.4.2015, at around 01:00 pm, while a bus driven by Hassib Yusef and carrying passengers from Al-Turbah to the governorates of Ibb and Sana'a, and where Al-Dhabab – Taiz road was closed by Houthis militias and Saleh forces, and that the only route to cross to the 60th Street, north of the city of Taiz towards Al-Janad, Sana'a – Taiz route, is Al-Rubaie route, and that in the Al-Rubaie area, west of Taiz, and while the bus was crossing the road, with 20 passengers riding in it and heading to different areas for different purposes, such as education, treatment and work, and because of the narrow rugged road and the traffic congestion, the driver moved the bus slightly backwards in order to allow for a vehicle coming from Al-Hujarriah to pass, and suddenly a massive explosion of a mine took place, causing the bus to be smashed and burned, together with the victims who were riding in the bus.

| Names of victims killed | | |
|-------------------------|---------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Mohamed Khaled Sultan Noman | 18 |
| 2. | Munir Abdullah Mohamed Abdullah | 66 |
| 3. | Num Thabet Ahmed Saleh | 65 |
| 4. | Amin Abdo Shaker | 52 |
| 5. | Hawaab Ahmed Ali Fara | - |
| 6. | Mehdi Sultan Sallam | 35 |
| 7. | Mohammed Amin Al-Asbahi | 8 |
| 8. | Ibrahim Hussein Abdullah | 20 Months |
| 9. | Salah Omar Mohammed Al-Najashi | 22 |
| 10. | Dalia Abdullah Nasser | 25 |

| Names of victims injured | | |
|--------------------------|----------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Malak Maher Ahmed Sharaf | 1 |
| 2. | Hassan Abduljalil Ahmed Abdullah | 18 |
| 3. | Amer Abdullah Saeed Muqbil | 40 |
| 4. | Hassib Yousef Mohammed Saeed | 20 |
| 5. | Rahma Abdulrahman Qassim | 32 |
| 6. | Abdulaziz Mohammed Abdo Noman | 11 |
| 7. | Ayoub Mohamed Abdo Noman | 2 |
| 8. | Mohamed Abdo Noman Ghalib | 45 |
| 9. | Helmy Nabil Hazza | 19 |

According to the statements of witnesses, , R. A. Q. D. and M. A. N., who were on the bus, they stated that they were traveling from their village in Al-Turbah in the bus to

the city of Ibb for the treatment of their disabled child. As Al-Dhabab road was closed, the bus driver took Al-Rubaie dirt road, and because of the traffic congestion, the driver moved the bus slightly backwards in order to allow for the rest of vehicles to his right to pass. At that moment, the explosion took place, and both of them were hit by petty fragments because they were sitting in the front seats of the bus. All of those who were sitting in the rear seats of the bus were killed because the mine exploded to the rear of the bus. The witness, M. A. M., an eyewitness who was in another bus behind the bus hit by the explosion, stated that he was in his own bus behind the bus hit by the explosion, and that once he reached to Al-Turbah route – the only route still open – he saw the explosion of the bus because of a mine that hit its rear tire, causing the burning of the bus. He said that he saw bodies torn into pieces thrown outside the bus. He added that the area where the mine exploded was controlled by Houthis militias and they withdrew from it a short while ago to an area overlooking the corridor and that the victims injured were moved to Al-Nashamah rural hospital located in the district of Al-Maḡfir.

Conclusion

According to the investigations conducted by the Commission in this incident, and the statements of witnesses and the families of victims and the contents of the reports attached to the case file, the Commission found that Houthis militias and Saleh forces that have controlled Al-Rubaie area and then withdrew to an area close to the valley where the bus was hit by the explosion, are held responsible for this violation. The Commission also found that Houthis militias are laying mines, systematically and permanently in all areas, in the roads leading to the military sites under their control or those they withdrew from.

3. The incident of an anti-vehicle mine explosion, District of Zinjibar, Governorate of Abyan

In brief, and according to the contents of the case file with the Commission, and the contents of the attached reports, and the statement of the injured victim, Muḡtaz Aboud Salem Sultan, and the statements of the witnesses, N. A. M. S. and H. M. A. S., it was stated that at afternoon time, on 25.1.2016, while the victim / Aboud Salem Sultan Abdullah

and his sons Jalal, Mutab and Muṭaz, were on their way to their farm located in Wadi Hassan, District of Zinjibar, Governorate of Abyan, and once they crossed the main road to the branch road leading to the farm, one of the landmines laid by Houthis militias and Saleh forces in Governorate of Abyan during their control of the area, exploded and hit them. Those landmines caused the killing of many people, and this explosion caused the killing and injuring of people listed hereunder.

| Names of victims killed | | |
|--------------------------|-----------------------------------|-------------|
| No. | Name | Age (Years) |
| 1. | Aboud Salem Sultan Abdullah | 47 |
| 2. | Mutab Aboud Salem Sultan Abdullah | 4 |
| 3. | Jalal Aboud Salem Sultan Abdullah | 7 |
| Names of victims injured | | |
| No. | Name | Age (Years) |
| 1. | Muṭaz Aboud Salem Sultan Abdullah | 1 |

Conclusion

According to the investigations conducted by the Commission in this incident, and the statements of witnesses and the families of victims and the contents of the reports attached to the case file, the Commission found that Houthis militias and Saleh forces that have controlled Wadi Hassan area, District of Zinjibar, Governorate of Abyan, and then withdrew from the area, are held responsible for this violation. The Commission also found that Houthis militias are laying mines, systematically and permanently in all areas, in the roads leading to the military sites under their control or those they withdrew from.

4. The incident of an anti-vehicle mine explosion, Al-Manadi village, Governorate of Daliḡa

In brief, and according to the contents of the case file with the Commission, and the statements of the persons who reported the incident and the statements of the witnesses heard by the Commission, including M. A. M. N., A. M. A. and S. S. A. A., it was stated that on 8.8.2015, a landmine exploded in the main road in Al-Manadi village, Governorate

of Dali'a, when the vehicle carrying Fahad Ahmad Muthanna Nasser, Tawfiq Ahmad Muthanna Nasser and Mahmoud Ahmad Mahmoud Ali was crossing the road, causing to killing all of them and the destruction of the vehicle. They also stated that those mines were laid by Houthis militias and Saleh forces when they were controlling some sites overlooking the main road where the mine explosion took place.

Conclusion

According to the investigations conducted by the Commission in this incident, and the statements of witnesses and the families of victims and the contents of the reports attached to the case file, the Commission found that Houthis militias and Saleh forces that have controlled Al-Manadi village, Governorate of Dali'a, and then withdrew from the area, are held responsible for this violation. The Commission also found that Houthis militias are laying mines, systematically and permanently in all areas, in the roads leading to the military sites under their control or those they withdrew from, and all areas that fall under its control.

Fifth: Attacks on Cultural Property

The Commission has attached significant importance to monitoring and documenting the violations to cultural property represented by historical monuments and precious cultural properties that constitute a historical repository of the heritage of the Yemeni people. The violation or damage to such property is deemed a crime in accordance with national legislations, and as well, a serious violation of the international conventions including the Hague Convention ratified by the Republic of Yemen, in addition to the fact that this is contrary to the provisions of Article (16) of Additional Protocol II to the Geneva Convention relating to Non-International Armed Conflict, which prohibits the commission of any hostile acts against historical monuments and works of art constituting the cultural and spiritual heritage of peoples.

In this context, the Commission has monitored and documented five cases of allegations on attacks and damage to cultural and historical properties in a number of areas, including Aden, Taiz, Mareb, Hajjah and Al Baidha. All the five allegations were investigated,

where it has been proven that Houthis militias and Saleh forces are held responsible for 3 of them, while it has been proven that the national army forces of the government, coalition warplanes, Houthis militias and Saleh forces are jointly responsible for the other two.

Examples of investigations conducted by the Commission in the incidents of Attacks on
Cultural Property

a. Houthis militias and Saleh forces

1. Attack on Al-Ameria Mosque and School, Directorate of Rada, Governorate of Al Baidha

About Al-Ameria Mosque and School

Al-Ameria Mosque and School are located in the city of Rada. The school and the mosque are one of the most important historical monuments of Yemen in the Islamic era. It was built in 1504 under the reign of King Amer bin Abdulwahab, one of the kings of the Tahiride state that lived at the same era of the Abbasid state, and took the name of the king who founded it. The school and the mosque are famous for their distinctive Islamic architecture, Given the importance of preserving them, the school and the mosque were renovated in 1978 and the renovation lasted for 22 years. The building consists of two floors, in addition to the mihrab and the courtyard, where the ground floor consists of classrooms for education and students accommodation, in addition to baths attached to the classrooms, and the upper part is a large rectangular room dedicated to prayer and worship and covered with six domes built on tapered arches based to two pillars, and all facets of the arches, pillars and the inside of the domes of the domes are decorated with colorful frescoes made of plaster in geometric and vegetative shapes and Quranic verses, in addition to a colored strip on which the titles of Sultan Amer Ben Abdulwahab are engraved.

Summary of the incident

In brief, and according to the contents of the case file with the Commission, and the attached photographs and videos and the statements of witnesses heard by the Commission, M. S. M., A. A. M. S. and A. M. A., and as confirmed by the field researcher of the Commission upon his field visit to the location, it was stated that on 28.10.2014, dozens of combatants of Houthis militias engulfed Al-Ameria Mosque and School in the city of Rada, and turned it into military barracks and weapons stores, and allocated a part of it as a detention center, where they keep all detainees of the people of the area or any person passing through the district of Rada, Governorate of Al Baidha. They have also changed many of the features of the mosque and the school, and erected barricades inside it and removed many of the decorations and writings, despite the attempt of the people of the area to advise them to stop as the school and the mosque are deemed old historical monuments.

Conclusion

According to the investigations conducted by the Commission, and the statement of the person reported the incident, and the statements of witnesses heard by the Commission and the report of the researcher assigned to make a field visit and to take photographs for the location, the party responsible for this violation – i.e. the use of the historic Al-Ameria Mosque and School as military barracks within the context of war effort and changing the features of the monument – are Houthis militias in the district of Rada, Governorate of Al Baidha, which is an attack on an ancient historical property that belongs to the peoples and is an authentic part of the history of Yemen in the Islamic era dating back more than 600 years, which is the violation prohibited according to Article 16 of Additional Protocol II to the Geneva Convention relating to Non-International Armed Conflict which obligated the parties to the conflict not to commit any hostile acts against historical monuments, works of art and places of worship that constitute the cultural and spiritual heritage of peoples or to use them to support the war effort. As well, Article 19 of the Hague Convention for the Protection of Cultural Property of 14 May 1954, obligated Parties to Non-International Armed Conflict to respect the cultural property contained in the Convention.

2. Destruction of Taiz radio with improvised explosive devices and the historical and artistic archives, District of Sala, Governorate of Taiz on 22.12.2015

About Taiz Radio

Taiz Radio was founded in 1963, after the revolution of 26th September, 1962, as an official radio operating on Tesla Broadcast Transmitter covering Yemen in full, and the South in particular, to communicate the voice of the revolution. The foundation of the Taiz Radio was primarily a political decision taken from the young republic and Jamal Abdalnasser to broadcast 8 hours a day as an alternative to Sana'a radio in the event it falls under the control of the Imamists, and as well, to uphold the revolution of 14th October, 1964, which erupted in the southern Yemen. It was broadcasting programs in partnership with Sawt Al-Arab Radio in Cairo. Since it was a temporary radio station before 1960, the radio was supported since the outset of its foundation with a cultural stock of Gramophone cylinders and books for top singers and poets, and political speeches of leaders of the September and October revolutions, with more than 7,000 record Gramophone cylinders and reel tapes and thousands of historical, artistic and poetic books and records.

Summary of the Incident

According to the case file with the Commission, the violation incident took place at the dawn of Tuesday, 22.12.2015, when a group affiliate to Houthis militias and Saleh forces blew up the radio building located in Thubat neighborhood, District of Sala, Governorate of Taiz, a two-story and -12rooms building, containing the sections of the library, radio archive and stores, news and financial departments, causing the full destruction and collapse of the building, and the destruction of all its artistic, intellectual and historical contents.

According to the statements of the officials of Taiz Radio and the statements of witnesses heard by the Commission, F. A. H. N., A. B. M. S., M. A. M. Q. and S. A. A., that they live next to Taiz Radio building in Thubat, which was controlled by Houthis militias and Saleh

forces since March 2015 until the end of August 2015, and they said in their statements that at 01:00 am on Tuesday, 22.12.2015, a group affiliate to Houthis militias and Saleh forces who were stationed in a building of the Red Crescent opposite the building of the radio infiltrated and laid explosive devices in the radio building which were detonated after their escape, causing the destruction of the -12room building spread over two floors inclusive of the archive, library and news department. The reverberation of the explosion was strong and shook all the houses next to the radio building, cracking the walls and breaking the windows, terrifying and intimidating the residents. Witnesses said in their statements that two hours before the bombing, the neighborhood and the radio were targeted by shelling from Al-Salal hill controlled by Houthis militias, the shelling that daily takes place since the resistance and the army approached Thubat neighborhood. As well, this shelling targeted the -3 storey TV Broadcasting Building. Houthis militias used the building as a prison for their opponents from among Jahmaliah and Thubat residents, and the shelling of this building caused the full destruction of the building that has become unusable. The members of the Commission, with the military expert, have inspected the Taiz Radio building, which was composed of two floors, where it was clear that it is no longer but piles of stones with fully damaged books and records and parts of the broadcasting transmitter, reels and cylinders dating back to the middle of the past century, indicating their historical and artistic value.

Conclusion

According to the investigations conducted by the Commission, and the statements of the persons reported the incident, and the statements of witnesses heard by the Commission and the findings of the inspection report made by the members of the Commission and the military expert, the party responsible for this violation – i.e. the targeting and the destruction of Taiz Radio, which contains the library, archive and studios with all its contents – is the Houthis militias and Saleh forces. The radio is a cultural, historical and artistic property protected in the Yemeni Law No. 21 of 1994, where it contained historical stocks of artistic, historical, political and cultural records of Yemen. As well, Article 16 of Additional Protocol II to the Geneva Convention relating to Non-International Armed Conflict criminalizes any hostile acts against historical monuments, works of art and

places of worship that constitute the cultural and spiritual heritage of peoples or to use them to support the war effort. Moreover, Article 19 of the Hague Convention for the Protection of Cultural Property of 14 May 1954, obligated Parties to Non-International Armed Conflict to respect the cultural property contained in the Convention.

b. Government Forces and Arab Coalition

1. The incident of shelling Al-Muhsenia School, District of Al-Houta, Governorate of Lahj on 9.7.2015

About the School

Al-Abdaliyah Al-Muhsenia School was founded in 1931 and named after the name of Sultan Mohsen bin Fadl Al-Abdali, where earlier it was called Al-Taraqee Al-Abdali School and Al-Jafariya School. At the beginning of its foundation, it relied on domestic teachers, and in 1947, the first educational mission arrived to the school was the Egyptian Mission. Al-Muhsenia School is composed of two floors built of mud and covered with plaster. It includes a number of classrooms in addition to a theater and a mosque, as well as the large courtyard located in front of the school dedicated for school activities. The school has a number of endowments dedicated by the Sultan Mohsen bin Fadl as a charity endowment to spend on the school and students, and they are in the form of agricultural lands with an area of about 1,000 acres located in the governorates of Lahj and Abyan.

Summary of the Incident

In brief, and according to the contents of the case file with the Commission, and the contents of inspection report made by the team assigned to conduct a field visit to the location of incident, and the statements of the residents of the area and the statements of witnesses, including A. A. Q. and M. A. M., it was stated that on 22) 9.7.2015nd of Ramadan, 1436 AH), Al-Muhsenia School, located in front of Muawiya Stadium near the main street in the city of Al-Houta, the capital of Governorate of Lahj, was targeted by shelling with an air-to-ground missile launched by the Arab Coalition warplanes

controlling the Yemeni airspace, causing the collapse of the school completely. As well, a number of witnesses from among the residents of the neighborhood reported that groups of Houthis militias and Saleh forces have stationed inside the school when they engulfed the city of Al-Houta, and that the school was used as military barracks and that when the school was targeted by the coalition warplanes, a number of combatants of Houthis militias and Saleh forces were in the school and their bodies are still buried under the rubble of the school.

Conclusion

According to the investigations conducted by the Commission, and the statement of the person reported the incident, and the statements of witnesses and the report of the researcher assigned to conduct a field visit to the location of incident, the key responsibility for this violation – i.e. the shelling of Al-Muhsenia School and using it as military barracks – lies upon Houthis militias and Saleh forces, where it has been proven that Houthis militias and Saleh forces used the archeological property, i.e. Al-Muhsenia School, as military barracks, and used it in the war effort, while it has been proven that the government forces and coalition warplanes have targeted the school with an air-to-ground missile, without any evidence to the Commission on the existence of combatants killed inside the school when it was shelled. Accordingly, responsibility for this violation shall be a joint responsibility, and the incident is deemed a violation of national legislations, as well as a violation of Article 16 of Additional Protocol II to the Geneva Convention relating to Non-International Armed Conflict which obligated the parties to the conflict not to commit any hostile acts against historical monuments, works of art and places of worship that constitute the cultural and spiritual heritage of peoples or to use them to support the war effort. As well, Article 19 of the Hague Convention for the Protection of Cultural Property of 14 May 1954, obligated Parties to Non-International Armed Conflict to respect the cultural property contained in the Convention. Whereas it has been proven that the government forces and the coalition warplane have targeted the school by shelling with an air-to-ground missile, and notwithstanding that Al-Muhsenia School was used as military barracks, which causes the cultural property to lose its specific status and can become a legitimate target, the legitimate government

and the Arab coalition, however, remain binding under the Hague Convention and the customary international law not to target except for an imperative military necessity, and not to cause serious damage to the school building or its suburbs disproportionate to that necessity.

2. The incident of shelling the Military Museum, District of Sira, Governorate of Aden

Brief History on Museum

The museum is located in the Crater neighborhood (the center of the city of Aden) which is its most important historical neighborhood. The museum was built in 1918 by the British authorities to be a primary school called (Residency School), and later it has become the residency place for the Governor (Resident Governor) before turning it by the government after independence to a museum for the Yemeni military heritage, specifically on May 1971 ,²² under the reign of the late President Salem Rabie Ali, who inaugurated it at the time.

The museum has experienced several stages, where it was initially a group of rooms and halls divided into three main sections (resistance – independence – weapons). It was developed after its closure several years after the war of 1994, and it was restored and reshaped, and new designs were added to it in 1998. It was opened again in 2001, and then rehabilitated in 2007. The museum consists of four wings. The first wing contains collectibles from ancient historical times reaching up to the Islamic era, the Ottoman presence, the period of British occupation of South Yemen and the Mutawakkilite Kingdom in the north. The second wing contains all what is related to the two Yemeni revolutions, 26th of September, 1962 and 14th of October, 1967, against the Imamate in northern Yemen and the British colonization in southern Yemen, and the subsequent events in Yemen until the achievement of Yemeni unity in 1990. The third wing contains documentation of the history of the Yemeni Armed Forces, while the fourth wing contains the documents, agreements and photographs of the history of the Yemeni unity since the agreements between the governments of the north and

the south. The most important contents of the museum are the old weapons used by the revolutionists during the armed struggle, in addition to photographs of clothes and different documents from the military history of Yemen, and documents referring to the historical stages experienced by the Yemeni army in northern and southern Yemen.

Summary of the Incident

According to the report of the team assigned by the Commission to conduct a field visit to the location of incident, and the minutes and inspection photographs. and the statements of the witnesses and the statements of the residents of the neighborhood, including M. A. .A, M. A. M. H., M. S. Y., M. S. A., F. M. S., A. A. M. and M. S. D. heard by the Commission, it was stated that at 11:45 pm, on 29) 15.7.2015th of Ramadan 1436 AH) the National Military Museum, located in Crater area, was targeted by shelling with a missile launched by a coalition warplane. The missile hit the corner of the museum and the place was full of heavy smoke. The shelling was attributed to the existence of few combatants of the Houthis militias and Saleh forces at the entrance to the museum without heavy weapons, but they were exercising sniping acts against the combatants of popular resistance and citizens of Crater area. The shelling, that took place two hours before the control of the area by the resistance, caused the destruction of the front parts and the glass windows of the museum. As well, and prior to their withdrawal, Houthis militias and Saleh forces made holes inside the museum used by snipers against the combatants of resistance and the citizens of the area, and after two hours of the shelling with a missile, and withdrawal of the combatants of Houthis militias and Saleh forces from the area, the popular resistance immediately took control of the museum and the entire area of Crater, and at that time, a number of citizens looted the contents of the museum of collectibles, decorations, artifacts and ancient weapons. A short period following the liberation of the city of Aden, the rest of the contents of the museum was stolen because of insecurity and chaos that followed the liberation at the time.

Conclusion

According to the investigations conducted by the Commission, and the statement of the person reported the incident, and the statements of witnesses heard by the Commission

and the report of the researcher assigned to conduct a field visit to the location of incident, the key responsibility for this violation – i.e. the shelling of the National Military Museum in Aden and using as military barracks – lies upon Houthis militias and Saleh forces, where it has been proven that Houthis militias and Saleh forces have used the archaeological property, i.e. the National Military Museum, as military barracks and used it in the war effort, in violation to Article 16 of Additional Protocol II to the Geneva Convention relating to Non-International Armed Conflict which obligated the parties to the conflict not to commit any hostile acts against historical monuments, works of art and places of worship that constitute the cultural and spiritual heritage of peoples or to use them to support the war effort. As well, Article 19 of the Hague Convention for the Protection of Cultural Property of 14 May 1954, obligated Parties to Non-International Armed Conflict to respect the cultural property contained in the Convention. Whereas it has been proven that the government forces and the coalition warplanes have targeted the museum by shelling with an air-to-ground missile, and notwithstanding that the National Military Museum was used as military barracks and used in the war effort, which causes the cultural property to lose its specific status and can become a legitimate target, the legitimate government and the Arab coalition, however, remain binding under the Hague Convention and the customary international law not to target except for an imperative military necessity, and not to cause serious damage to the museum building or its suburbs disproportionate to that necessity.

Sixth: Targeting Medical Teams and Health Facilities

Medical facilities, clinics, field hospitals, mobile clinics, all medical facilities and medical transport units are among the objects that are prohibited from being attacked or targeted, or causing damage to their staff in accordance with the provisions of national laws and legislations, as well as the provisions and stipulations of international humanitarian law and articles 11 ,10 ,9 and 12 of the Additional Protocol II to the Geneva Convention. Through the Commission acts in the past period, a number of () allegations of attacks on medical teams and health facilities has been monitored and documented. The Commission has completed the investigation of (8) incidents of attacks and targeting of hospitals and medical facilities.

Examples of investigations conducted by the Commission in the incidents of targeting medical teams and health facilities

a. Houthis militias and Saleh forces

1. Targeting Al-Jamhuri Hospital in the District of Sala, Governorate of Taiz

About Al-Jamhuri Hospital and description of the location

Al-Jamhuri Hospital in Taiz was established in the mid-fifties of the last century. It is one of the oldest and largest public hospitals in the Republic of Yemen. It consists of 4 independent buildings and 3 one-storey buildings independent of the large buildings containing the departments of internal medicine, cardiology, respiratory diseases, ophthalmology, obstetrics and surgery. The hospital is located in the District of Al-Qahira in a residential neighborhood with adjacent old residential buildings, and next to it, there are various medical clinics for doctors and 9 pharmacies, as well as the Greater Taiz Secondary School. The hospital wall is about 6 meters away from the West Taiz Court (formerly the judicial complex). Al-Jamhuri Hospital and Al-Thawra Hospital are the only two government hospitals in Taiz that provide government medical services to nearly 3 million people, who reflect the total population of governorate of Taiz. Prior to March 2015, at least 400 different patients were visiting the hospital. The targeting of this hospital is a targeting to the right of all citizens in governorate of Taiz in access to healthcare and medical services.

In brief, and according to the contents of the case file with the Commission, it is stated that, since the beginning of May 2015 until mid-August 2015, the military barracks in the Sofitel hill, Al-Salal hill, the headquarters of the General People's Congress and Al-Qahira Castle, at which Houthis militias and Saleh forces are stationed, have targeted Al-Jamhuri Hospital with tanks shells, anti-aircraft shells and Mortar shells, and continued in shelling the hospital sporadically from September 2015 until the end of 2016. The shelling caused the injury of 4 of the hospital staff, the destruction of most

of the buildings and departments and damaging the equipment at those departments. In addition, the hospital was closed for intermittent periods, for weeks in each period. Moreover, the supplies of the hospital of solutions and medicines were confiscated and prohibited from access to the hospital by the military checkpoints of Houthis militias located in Alhawban area, which led to hospital services disrupted and the death of a number of patients with renal failure because of the lack of medicines for dialysis.

According to the statements of persons who reported the facts, and the statements of witnesses heard by members of the Commission during the field visit and inspection of the hospital with all of its buildings and departments, Houthis militias and Saleh forces, which were stationed in Al-Qahira castle, which is about 400 meters away from the hospital, and the headquarters of the General People's Congress and the Kudam bakery in Al-Jahmaliah, and still stationed in Al-Salal hill, have intensively targeted all departments, buildings, yards and rooms of Al-Jamhuri Public Hospital in the governorate of Taiz with various projectiles, anti-aircraft weapons and machine guns, from the beginning of May 2015 to September 2015, and continued to target the hospital until the end of 2016, causing the injury of 3 medical teams of the hospital, and the destruction of departments of obstetrics, ophthalmology, internal medicine, meeting hall and the new building of cardiology. The shelling also reduced the average number of patients received by the hospital from 400 cases per day to only 4 cases. It also caused dismay among patients and persons accompanying them, and the death of a sick woman in the maternity ward as a result of this shelling. This took place despite the fact that everyone knows the hospital, its construction, its name and logo, and that it is a public medical hospital that provides services to all patients and there is no military barracks next to it or inside it.

Conclusion

According to the investigations conducted by the Commission in this incident, and the inspection minutes of the effects of shelling and targeting, and statements of witnesses, and the statements of 3 of the hospital senior officials, and the statement of the military expert, and the contents of the medical reports, photographs and videos attached to the

case file with the Commission, it was found that the party responsible for this violation are Houthis militias and Saleh forces stationed in the areas of Al-Qahira Castle, Al-Salal hill, Al-Ja'sha hill and the headquarters of the General People's Congress.

2. The incident of looting of Al-Zouba Clinic, Al-Qaryishiyah, Governorate of Al Baidha

In brief, and according to the contents of the case file with the Commission and the contents of documents and reports attached to the file, it was stated that on 27.12.2015 an armed group affiliate to Houthis militias and Saleh forces has stormed Al-Zouba clinic in the Alzoub village, District of Al-Qaryishiyah, Governorate of Al Baidha, and looted and confiscated all of its contents of equipment, solutions and medicines.

According to the statement of the person reported the incident, and the statements of witnesses heard by the Commission, A. A. Z., A. S. A. B. and M. A. A., and according to the contents of the inspection report submitted by the field researcher assigned to make a field visit to the location of incident, an armed group took control of Alzoub village, District of Al-Qaryishiyah, Governorate of Al Baidha, on 27.12.2015 and stormed the building of Al-Zouba Clinic, which is the only health facility for the residents of the area, terrifying the patients and staff of doctors and nurses, and looted all the contents of the clinic and the seizure of medical equipment in the departments of the clinic without taking into account the need of the citizens in the village for medical care. As well, the armed group affiliate to Houthis militias and Saleh forces used the clinic as military barracks and a center for the stay of the combatants, which deprived the citizens of the right to access to medical care and healthcare.

Conclusion

According to the investigations conducted by the Commission in this incident and the contents of the attached reports, the party responsible for the violation, represented by the seizure of equipment, devices and all medical care kits of Al-Zouba clinic in the District of Al-Qaryishiyah, Governorate of Al Baidha and turning the clinic into military barracks and preventing access of citizens to medical care are Houthis militias and Saleh forces under the command of Houthis supervisor in the district.

b. Violations incidents attributed to the government forces and coalition warplanes

1. The incident of damaging Al-Sabeen Hospital for Motherhood and Childhood

In brief, and according to the contents of the case file with the Commission, and the contents of the report filed by the team assigned to conduct a field visit to the location of incident, and the statements of the persons reported the incident and the statements of witnesses heard by the Commission, including N. A. M. N, H. M. M. A., M. S. A. A. and M. Z. A. A., it was stated that:

First: On 20.4.2015, Al-Sabeen Hospital for Motherhood and Childhood, located in Al-Sabeen neighborhood, the secretariat of the capital of Sana'a, was hit with a number of fragments of shells from Nuqum mountain, which is more than 5 km away from the hospital, due to shelling the warehouses in Nuqum mountain by the coalition warplanes, where explosion in the warehouses caused in large explosions in the mountain and the spread of fragments that reached a number of neighborhoods of the capital Sana'a, including Al-Sabeen Hospital for Motherhood and Childhood, which led to the burning of the hospital's warehouses and damaging some departments. It also caused panic to patients and medical staff.

Second: On 8.6.2016, a number of fragments resulted from the shelling of the headquarters of the Central Security Forces, which is located on the street opposite the hospital, hit the hospital causing the breaking of the windows and glass partitions in the operations department, and some other damages. It also caused panic to patients and medical staff working in the hospital.

Conclusion

According to the statements documented in the case file, and the reports issued by the hospital administration delivered to the Commission, and the statements of witnesses and the statement of the hospital administration, the Commission found that Al-Sabeen

Hospital for Motherhood and Childhood was not directly targeted by the coalition warplanes in both incidents, and that the damages caused to the hospital were all the result of targeting military targets, one of which was adjacent to the hospital building, and this makes us to alert of the danger of keeping the military camps and weapons warehouses inside the cities and close to the residential neighborhoods, facilities and civilian objects. It is also necessary to stress the need for government forces and coalition warplanes to adhere to the principle of proportionality established and recognized in the rules of international humanitarian law, especially when it comes to health facilities, civilian objects, markets and residential neighborhoods; where all precautions should be taken to ensure that civilians are not harmed when targeting any military objective.

2. Targeting the health center in Ozlat Al-Atan, District of Bakil Al-Meer, Governorate of Hajjah

In brief, the incident took place on 26.5.2015, when the coalition warplanes targeted the health center in Ozlat Al-Atan, District of Bakil Al-Meer, causing the full destruction of the health center.

According to the investigations conducted by the Commission, and the statements of the persons reported the incident and the statements of witnesses heard by the Commission, including: A. A. M. N., J. M. S. and A. M. A. H., it was stated that on 26.5.2015, the health center in Ozlat Al-Atan, District of Bakil Al-Meer, Governorate of Hajjah, was targeted by an airstrike by the coalition warplanes, causing the full destruction of the health center. According to the statements of witnesses, the targeted health center was out of service and closed to citizens as it was under the control of Houthis militias who turned it to a warehouse and military barracks. The residents of the area stated that there was no civilian casualties when the coalition targeted the center with shelling, and no medical staff was in the center because all the health workers left the center, and that all the victims in the shelling are of the combatants who were in the training camp of Houthis militias next to the health center.

Conclusion

According to the investigations conducted by the Commission into this incident and the statements of witnesses and residents of the area in which the center is located, the Commission found that the allegation lacks the evidence of violation under investigation as the health center that was targeted by the coalition warplanes was closed by Houthis militias after controlling the area by them, and turning the center into military barracks and the use of the building in the war effort of Houthis.

Seventh: Forced Displacement

The forced displacement of civilians is one of the offenses punishable under the national legislations and prohibited in accordance with the provisions of international humanitarian law and Article 17 of Additional Protocol II to the Geneva Conventions. Given the seriousness of this type of violation and its association with armed conflicts, the Commission has notified its monitors to give priority to monitoring and documenting this violation in any place due to the gravity of its impact and the breadth of its damage. Accordingly, and during the reporting period, the Commission has managed to monitor and document cases of forced displacement of 417 families (approximately 2,502 individuals) displaced from their homes. The Commission has completed investigation in 249 cases. Houthis militias are held responsible for all the cases of displacement that had have been investigated by the Commission. Hereunder are some of the investigations conducted by the Commission in this type of violations.

1. Forced Displacement of residents of Al-Qouz area, Al-Ashrouh village, District of Jabal Habashi, Governorate of Taiz

In brief, and according to the contents of the case file with the Commission, the incident took place on 1.11.2017 when Houthis militias and Saleh forces engulfed Al-Qouz area, Al-Ashrouh village, District of Jabal Habashi, with a population of around 300 people, and committed assault against the population and forced them to leave their homes and village without allowing them to take their belongings, and forcing them to leave the village by force of arms, and then laying mines in the village roads and corridors and preventing homeowners from returning to it.

According to the statements of the victims and witnesses who were interviewed and heard by the Commission during its visit to the District, namely, M. M. A., Y. A. T., D. A. B., M. A. S., S. K. H., M. S. A. and A. F. A., they stated that a large group of combatants affiliate to Houthis militias attacked their village at 01:00 pm, on 1.11.2017, and that when they arrived to the houses of the village, they opened fire on houses, rooms and windows, calling for everyone to leave the village. The gunfire was intensive. As the residents left the houses, they threatened them and searched their houses to make sure that no one left, and did not allow anyone to take any of their belongings. They looted a large number of cattle and took them in their military vehicles, which is all the people have and depend on in their lives, as the people of the village depend on agriculture and grazing. After the departure of the population, many of them were forced to sleep in the open, and some of them resorted to nearby villages. They watched Houthis militias burning some houses. Two weeks later, some of them attempted to return to their homes to take what they need, but they were shocked that the village's corridors were laid with mines, causing the killing and injury of a number of victims as they attempted to return to pick up some of their belongings.

Conclusion

According to the investigations conducted by the Commission and the statements of witnesses and victims, the Commission found that the party responsible for this violation is Houthis militias and Saleh forces stationed in Jabal Habashi, Governorate of Taiz,

2. The incident of displacement of a number of the residents of the area of Karesh, Governorate of Lahj

In brief, and according to the contents of the case file with the Commission, it was stated that an armed group affiliate to Houthis militias and Saleh forces has forced dozens of families to displace from the villages of the area of Karesh, District of Al-Qubaytah, Governorate of Lahj, during the period from October to November 2015. They forced the citizens to leave their homes and leave the area, and threatened those decided to remain in the villages to target and detonate their homes and, which forced the population to leave their villages to Alanad area and Habil Al-Mansoura.

According to the statements of the victims and the witnesses interviewed by the Commission, including M. S. A. and A. M. S., they stated that the armed groups affiliate to the Houthis militias and Saleh forces attacked the area of Karesh, District of Al-Qubaytah, Governorate of Lahj, and that during the period from October to November 2015, they have intimidated the residents and stormed into the houses after invading the area and threatening the residents of the villages and asking them to leave the area and that those who will decide to remain will be killed. Those groups have detonated the homes of a number of people, forcing many of the residents to leave their homes to Alanad area and Habil Al-Mansoura in the governorate of Lahj. The Commission maintains the names of the victims in documented lists.

Conclusion

According to the investigations conducted by the Commission and the statements of witnesses and victims, the Commission found that the party responsible for this violation is Houthis militias and Saleh forces stationed in the District of Al-Qubaytah, Governorate of Lahj.

Part II: Results of the Commission's Investigation of Violations of International Human Rights Law

The provisions of the decree to establish the Commission, the seven core treaties that are ratified by the Republic of Yemen, and they are: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and its Optional Protocols, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of Persons with Disabilities, and the national laws relating to these rights, are the legal basis on which the Commission relies during the monitoring, documenting, and investigating work that it does for violations relating to human rights law. Based on that, there are a diverse number of violations that the Commission monitors, documents, and investigates, and the most important ones are as follows:

First: Extrajudicial Killings:

During the period that is covered by the report, which is six months, the Commission documented around 255 claims of extrajudicial killings by some armed groups or militias in the different parts of Yemen. The Commission completed its investigations for 183 of these cases, with 162 cases being the responsibility of the Houthis and Saleh's forces while the army and security forces of the government were responsible for 21 cases of extrajudicial killings. Investigation of the remaining cases is ongoing, and the Commission is still documenting a number of violations of this type, whether they happened before 2015 or are happening until now.

Examples of Extrajudicial Killings that the Commission Investigated:

A. Houthis and Saleh Forces

1 – The Killing of Taha Hasan Farea Hasan's Family – Jirat Village – Abdan Sub-District – Misrakh District

According to the testimony of the relatives of the victims and witnesses that were interviewed by the Commission, as well as the reports, lists, pictures, and video clips that were included with the case file with the Commission, on 2017/10/6, two military pick-up trucks that had a number of armed Houthi men surrounded the home of Taha Hasan Farea Hasan in the village of Jirat in the Abdan sub-district in the Misrakh district. Hasan was not at home at the time, and the armed men killed his wife, Itihad Qassim Muhammad, and his son, a child at the time, Anas Taha Hasan. His brother, Muhammad Hasan Farea, was injured during the incident.

According to the testimony of the relatives of the victims and the witnesses of the incident, as well as some of the residents of the neighborhood, including MHS, YMN, and HQAM, it was 8:30 at night on Friday 2017/10/6 when a group of armed men from the Houthis came on military pickup trucks, and they surrounded the home of Taha Hasan Farea, a civilian. A child, Anas Taha, was near the home of the house, and they attacked him, kicking and beating him with their rifles. They shot him in the legs after

cursing at him and saying that his father is a mercenary who works for the Aggression. When his mother saw what had happened to her son, she started screaming and asking them to stop. The armed men shot her and her son in their heads and torsos. The rest of her children, Nafisah Taha (12 years old), Rabiah Taha (8 years old), and Tayibah Taha (6 years old), were frozen in shock next to the door. They started screaming after seeing their mother and brother covered in their own blood. The armed men did not allow anyone from the village to interfere, and they started shooting at the house and the houses around it. When the uncle of the child tried to come to the site of the incident and interfere, he was shot and left to bleed to death. The people of the village were unable to take the victims and get them medical treatment because they were not allowed to do so by the armed men and because of the heavy shooting. The victims were not taken for treatment until half of an hour later. Then, members of the Houthis stopped them at the Al Sadiq Checkpoint in the area of Abdan and the Al Zulai'i Checkpoint to ensure that the victims had died. When the victims arrived at the Al Dimnah Hospital, a group of Houthis came and arrested the four people who brought them to the hospital, and they are: Muhammad Ali Muhammad, Ali Ahmad Muhammad, Riyadh Ali Ahmad, and Abdulhakeem Muhammad Abdullah. These men were detained in the Al Saleh City in Al Hawban for four days. On Saturday, 2017/10/7, the Houthis took the bodies of the victims from the Al Kadrah Mosque, near the Al Shawafi Station in Saber, and threw the bodies near the mosque. They asked the imam of the mosque to bury them in the Kadrah Graveyard. After mediation between the Houthis and the people of the village, their burial in the village was allowed with the condition that Taha Farea Hasan not attend the burial. There was also shooting at the people of the village to not allow them to participate in the burial.

Conclusion:

From the investigation that was carried out by the Commission, the content of the testimony of the witnesses, the statements of the relatives of the victims, and the reports and pictures that are included in the case file, the Houthis and Saleh's forces that are in the Abdan area of the Misrakh district are responsible for this violation. This incident includes the murder and loss of a protected life in accordance with the Yemeni Penal

Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights.

2 – The Killing of Muhammad Abdullah Naji Al Hajjaji – Murais District – Al Dhalea Governorate on 2017/8/17

According to the case file that the Commission has, on 2017/8/17, a group of Houthis killed Muhammad Abdullah Naji Al Hajjaji on the main road between Aden and Sana’a. This killing took place in the Ya’ais neighborhood in the Murais district of the Al Dhalea governorate.

According to the statements of the victim’s relatives, the testimony of the eyewitness, including Y. H. H. and B. H. H., that were interviewed by the Commission, and the included reports, at 5 in the evening on 2017/8/17, Muhammad Abdullah Naji Al Hajjaji (70 years old) was on the main road, where his car had broken down and stopped. This was the main road that is used by cars and transport trucks and links between Sana’a and Aden. Al Hajjaji was going from Damt to Murais. The military checkpoint that is in the Tahami Site in the Ya’ais neighborhood in the Murais district, a checkpoint that is operated by the Houthis and Saleh’s forces, shot the victim. His friend, AY, was next to him, and he ran away because he was afraid of being shot as well. The victim remained in his place, bleeding, until he died, and the checkpoint did not allow anyone to take him for medical treatment. They also did not allow anyone to take his body away until 9 at night, after contact from the Red Cross, whose staff arrived and took the body. Witnesses said that this checkpoint always attacks travelers and scares them by shooting at them.

Conclusion:

From the investigation that was carried out by the Commission, the content of the testimony of the witnesses, the statements of the relatives of the victims, and the reports and pictures that are included in the case file, the Houthis and Saleh’s forces that are in the Tahami Checkpoint in the Ya’ais village in the Murais district are responsible for this violation. This incident includes the murder and loss of a protected life in accordance

with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights.

3 – The Killing of Fatimah Ahmad Ahmad Al Qa’idi – Shahil District – Hajjah Governorate

The incident can be summarized, according to the case file that the Commission has, as follows: On 2013/8/21 a group of armed Houthis killed the victim, Fatimah Ahmad Ahmad Al Qa’idi in the village of Al Qa’idi in the Shahil district of the Hajjah governorate.

According to the statements of the relatives of the victim and the testimony of the witnesses, including M. S. A. and K. D. A. interviewed by the Commission, in the morning of 2013/8/21, which was the third day of Eid Al Fitr, six armed men from the headquarters of the Houthis, which is next to the home of Hasan Ali Al Qai’idi (65 years old), attacked Hasan Ali Al Qa’idi near his home while he was pumping water out of a pond. They beat him with their rifles, and his wife, Fatimah Ahmad Ahmad Al Qa’idi, came out to help her husband. She was yelling and asking them to stop, but they shot her and she died immediately.

Conclusion:

From the investigation that was carried out by the Commission, the content of the testimony of the witnesses, the content of the attached reports, and the statements of the victim’s relatives, the Houthis that are based in the Al Qa’idi village in the Shahil district of the Hajjah governorate are responsible for this incident. This incident includes the murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights.

4 – The Killing of Muhammad Abdullah Al Qadri and Muhammad Ali Zuail – Jarabih Area – Dahi District – Hodeidah Governorate

The incident, according to the case file that the Commission has, can be summarized

as follows: At 5 PM on Monday 2015/4/13, a group of armed men killed Muhammad Abdullah Abdullah Al Qadri and Muhammad Ali Yahya Zuail in the area of Upper Jarabih in the Dahi district of the Hodeidah governorate.

According to the statements of the victim's relatives and the testimony of the witnesses of the incident that were interviewed by the Commission (and they are QAAA and MBYA), as well as the pictures and medical reports that are included with the case file, at 5 PM on Monday 2015/4/13 a group of armed men from the Houthis, led by Ali Al Qadeemi, surrounded the home of the village head of the Jarabih village, the victim, Muhammad Ali Yahya Zuail, in order capture Muhammad Abdullah Al Qadri, who is known for his opposition to the Houthis. When the village head, Muhammad Ali Zuail, refused to hand over Muhammad Al Qadri except with warrants from the responsible authorities, the armed men stormed into the house and shot them, killing them both.

Conclusion:

From the investigation that was carried out by the Commission and the eyewitness testimony, the entity that is responsible for this violation and for the killing of the two victims, Muhammad Ali Zuail and Muhammad Al Qadri, are the Houthis that are in the Dahi district of the Hodeidah governorate. This incident includes the murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights.

B - The National Army and Government Security Agencies

1 – The Killing of Muhammad Thabet Al Omaisi, a Detainee – Khawkhah District – Hodeidah Governorate

The incident, according to the case file that the Commission has, can be summarized as follows: On 2017/12/8 a group of armed men from the National Army and Popular Resistance that were in the city of Khawkhah, killed the victim, Muhammad Thabet Al Omaisi, after detaining him on charges of supporting the Houthis and Saleh's forces. According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are FSA and AHAH, the incident took

place on 2017/12/8, after the forces of the National Army and the Popular Resistance took the city of Khawkah from the control of the Houthis and Saleh's forces. Sheikh Muhammad Thabet Al Omaisi, who is a member of the Houthis, handed himself over to the Resistance and Army Forces because he is one of the local leaders allied with the Houthis in the area, and the people of the area accuse him of a number of violations, including forcing a number of the people of the area out of their homes and blowing up numerous homes in the area. The leaders of the Popular Resistance that he handed himself in to took him to an unknown location and then executed him as revenge for the things that he had done to the people of the area.

Conclusion:

From the investigation that was carried out by the Commission, the eyewitness testimony, and the statements of the victim's relatives, as well as the pictures, reports, and statements in the case file, the Commission believes that the entity that is responsible for killing the victim, Muhammad Thabet Al Omaisi, are the forces of the National Army and the Popular Resistance that were in control of the city of Khawkah after they went into the city. This incident includes the murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights. The Commission has sent a memo of this incident to Armed Forces command and the command of the Fourth Military Region, including a request for information about this incident and the arrest of those suspected of committing it so that they can be investigated and taken to court.

2 – The Killing of Essam Abdullah Mahyoob Saeed – 26 September Street – Taiz Governorate:

According to the case file that the Commission has, on 2015/8/23, a group of armed men from the Popular Resistance in the Sameel Market went to 26 September Street in the Qahirah District of the Taiz Governorate at around sunset, and they killed the victim, Essam Abdullah Mahyoob Saeed. They shot the victim in the head and chest and then they fled the scene to their headquarters in the Sameel Market neighborhood.

According to the statement of the victim's relatives and the testimony of witnesses that the Commission met with and interviewed, and they are SAMH and RAA, on 2015/8/23, while the victim, Essam Abdullah Mahyoob Saeed, was leaving his home on 26 September Street in the Qahirah District to go pray Maghreb prayer, a group of armed men from the Popular Resistance that is positioned in the Sameel Market neighborhood started shooting at the victim, hitting him in the head and chest. The group then escaped on a Toyota SUV, heading towards the Sameel Market. The people of the area took the victim to the hospital, but he died before reaching it.

Conclusion:

From the investigation that was carried out by the Commission, the eyewitness testimony, and the statements of the victim's relatives, as well as the contents of the pictures and reports, the Commission believes that the entity that is responsible for this violation are the forces of the National Army and the Popular Resistance that are positioned in the Sameel Market neighborhood in the Qahirah district of the Taiz governorate. This incident is considered a murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights. The Commission has sent a memo of this incident to Armed Forces command and the command of the Fourth Military Region, including a request for information about this incident and the arrest of those suspected of committing it so that they can be investigated and taken to court.

3 – The Killing of Muhammad Faisal Muhammad Ali – Ataq – Shabwah Governorate

According to the case file that the Commission has, on 2013/12/24, men on a military pickup truck belonging to the National Army and general security forces in the city of Ataq killed the victim, Muhammad Faisal Muhammad Ali, who was recording, with his phone, the military forces shooting live bullets at a peaceful protest of the Southern Hirak in the city of Ataq in the governorate of Shabwah.

According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are SAF and AMB, on 2013/12/24, they saw military vehicles close to the Rabban Square in Ataq, Shabwah. The men on these vehicles were firing live bullets into the peaceful protest of the Southern Hirak. While the victim, Muhammad Faisal Muhammad Ali, was taking a video and documenting this on his mobile phone, one of the armed men on a security forces vehicle shot him, killing him immediately.

Conclusion:

From the investigation that was carried out by the Commission, the eyewitness testimony, and the statements of the victim's relatives, as well as the contents of the pictures and reports, the Commission believes that the entity that is responsible for this violation are the security forces in Shabwah, who are operating under the government. This incident is considered a murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national laws, and international human rights law, specifically the International Covenant on Civil and Political Rights.

4 – The Killing of Ahmad Matloob Muhammad Salem Al Harithi – Mualla District – Taj Awsan Hotel

According to the case file that the Commission has, at noon on 2017/12/10, a group of armed men made up of a military vehicle, a grey Hyundai Sonata, and a FG belonging to the security forces went in through the entrances of the Awsan Hotel on the back street in the Mualla neighborhood of the Mualla district in Aden. They stormed into the apartment of the victim, Ahmad Matloob Ahmad Salem Al Harithi, on the fifth floor, killing him and seriously injuring his wife.

According to the statements of the victim's relatives and the eyewitness testimony from those interviewed by the Commission, and they are NNA, AKH, FJA, AMA, FAS, and AKA, they testified to the Commission that, between 12 and 1 o'clock noon on 2017/12/10,

a group of armed men that came in a military vehicle, a grey Hyundai Sonata, and an FG belonging to the Aden Security Forces, came in through the entrances of the Awsan Hotel. This hotel had been turned into a building where the people displaced by the 2015 war in Aden were living. A group of security officers went up the building and raided the apartment of the victim, Ahmad Matloob Muhammad Salem Al Harithi, on the fifth floor of the building. They opened fire inside the apartment, killing the victim and injuring his wife. They terrorized his daughter, who was also in the apartment, as well as the rest of the residents of the building. These armed men did not allow the neighbors to go into the apartment to take the victims for medical treatment. The witnesses said that the security forces included two women who wore military uniforms and were armed, and they were the ones who knocked on the door. Ahmad Matloob's wife opened the door for them, and the two women, along with one of the soldiers, attacked and beat the wife of the victim, injuring her, then they opened fire inside the apartment. They also attacked their child, Al Anood (15 years old), the daughter of Ahmad Matloob Al Harithi, who was yelling and asking for help from her father. He was shot while trying to stop the armed men from attacking his family and asking them to leave his home. He was left to bleed out, and the residents of the building were not allowed to take him to the hospital for medical treatment. Then, after that, the victim and his injured wife were taken to a hospital, but he died after arriving at the Jumhoori Hospital. The Mualla Police refused to file a report of the incident or receive any of the reports that were given to it by the victim's relatives, and it asked them to not specify that the suspects are members of the Aden Security Forces in order to take the report.

Conclusion:

From the investigation that was carried out by the Commission, the eyewitness testimony, and the statements of the victim's relatives, as well as the contents of the medical reports and pictures, the Commission believes that the entity that is responsible for this violation, the killing of Ahmad Matloob Muhammad Salem Al Harithi and injuring of his wife, are armed officers of the Aden governorate security forces. This incident is considered a murder and loss of a protected life in accordance with the Yemeni Penal Code and an attack on the right to life that is provided by the Constitution, national

laws, and international human rights law, specifically the International Covenant on Civil and Political Rights. The Commission has sent a memo of this incident to the leadership of the Ministry of Interior and the leadership of the local authorities in the Aden governorate, including a request for information about this incident and the arrest of those suspected of committing it so that they can be investigated and taken to court.

Second: Forcible Detentions and Disappearance

During the period that is covered by the report, the Commission documented 1194 cases of arbitrary detentions and forcible disappearance that were carried out by the different groups all over Yemen. The Commission completed its investigations for 596 cases, with 518 cases being the responsibility of the Houthis and Saleh forces while the army and security forces of the government were responsible for 78 cases. The following are examples of the incidents that were investigated by the Commission.

A- The Houthis and Saleh's forces

1 – The Detention of Waleed Bukhait Khadim Al Raboo'i (a disabled, 18 years old) – Bait Al Raboo'i – Bani Qais District – Hajjah Governorate:

According to the case file that the Commission has, on 2017/6/5, a group of armed Houthi men, led by their supervisor, Abdullah Al Shareef, the Houthi supervisor in the Bani Qais district in the Hajjah governorate, raided the home of the victim, Waleed Bukhait Khadim Al Raboo'i (18 years old). They took the victim to an unknown location. According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are AMSR and AMB, the witnesses saw a group of armed men, led by the Houthi supervisor in the Bani Qais district in Hajjah, Abdullah Al Shareef, raiding the home of their neighbor in the Bait Al Raboo'i neighborhood. The victim, Waleed Bukhait Khadim Al Raboo'i, is a disabled person and cannot walk. They arbitrarily detained him in front of his neighbors and took him to an unknown location.

Conclusion:

From the investigations that the Commission carried out, the testimony of the witnesses

and relatives of the victim, and the content of the reports and pictures, the Commission believes that the entity responsible for this violation are the Houthis in the Bani Qais district of the Hajjah governorate, led by Abdullah Al Shareef, the Houthi supervisor in the district.

2 – The Detention of 20 Individuals from the Al Shu’abiah Sub-District – Zahrah District – Hodeidah Governorate

According to the case file that the Commission has, on 2016/3/6, a group of armed men from the Houthis and Saleh’s forces in the Zahrah district, making up more than 10 military vehicles, arrested 20 civilians from the Al Shu’abiah sub-district in the Zahrah district in Hodeidah. The victims are:

| # | Victim Name | Age |
|----|---------------------------------------|-----|
| 1 | Ahmad bin Ahmad Yahiya Asir | 16 |
| 2 | Ahmad Ahmad Ali Shar | 60 |
| 3 | Ahmad Turki Muhsin Shar | 55 |
| 4 | Ahmad Muhammad Shawi Jawadi Al Shaabi | 24 |
| 5 | Ahmad Yahiya Asir Shar Al Shaabi | 64 |
| 6 | Hasan Ahmad Muhammad Al Shaabi | 15 |
| 7 | Hasan Ali Ghaleb Shar | 15 |
| 8 | Ziyad Ali Ghaleb Shar | 58 |
| 9 | Sami Muhammad Jarboush Ahmad | 28 |
| 10 | Shar Muhammad Ahmad Al Shaabi | 42 |
| 11 | Adel Ahmad Ahmad Ali Al Shaabi | 16 |
| 12 | Abdoh Ahmad Yahiya Asir | 27 |
| 13 | Ali Ahmad Ahmad Ali Al Shaabi | 28 |
| 14 | Ali Ahmad Ali Shar Al Shaabi | 65 |
| 15 | Ali Ahmad Turki Muhsin | 38 |
| 16 | Ali Jubran Shawi Burait | 35 |
| 17 | Ali Hasan Ghaleb Shar | 48 |
| 18 | Muhammad Ahmad Nuaimi Al Shaabi | 25 |
| 19 | Muhammad Ali Ahmad Shar Al Shaabi | 40 |
| 20 | Muhammad Ali Yahiya Ghaleb Shar | 27 |

According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, including AGS and HYAA, on the morning of Sunday 2016/3/6, they saw a group of armed men from the Houthis and Saleh's forces in the Zahrah district under the leadership of Sadiq Abdoh Ahmad. He had more than 10 military vehicles, and they detained the people from the sub-district of Al Shu'abiah. They took them from inside their homes. They include a child, Hasan Ali Hasan Ghaleb, who was released two months later, after his mother paid 200,000 YER. The others are still detained until now.

Conclusion:

From the investigations that the Commission carried out, the testimony of the witnesses and relatives of the victim, and the content of the reports and documents that were included with the case file, the Commission believes that the entity responsible for this violation are the Houthis and Saleh's forces in the Shu'aibiah sub-district of the Zahrah district, led by Sadiq Abdoh Ahmad.

3 – The Detention of Mundhir Hussein Muhammad Ahmad Al Rawhani (24 years old) – Rawhan Village – Al Taweelah District – Mahwit Governorate

According to the case file that the Commission has, on 2017/1/22, a group of armed men detained the victim, Mundhir Hussein Muhammad Ahmad Al Rawhani, from his home in the Rawhan village in the Taweelah district of the Mahwit governorate. He was taken to an unknown location.

According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are HMY (39 years old) and SMAA (36 years old), at 12 PM on 2017/1/22, they saw a Houthi military vehicle, led by the security supervisor of the Taweelah district, the security director of the district, going into the Rawhan village in the Taweelah district. When they arrived at the home of the victim, Mundhir Hussein Al Rawhani, they called him out. When he came out of the house, they detained him and took him with them on the vehicle to an unknown location. The location of the victim is not known.

Conclusion:

From the investigation that the Commission carried out, including the testimony of the witnesses and the contents of the report, the Commission believes that the entity responsible for this violation are the Houthis in the Taweelah district in the Mahwit governorate, led by the security director.

4 – The Detention of Rafid Saleh Aamer Abu Shaya – Hadaa District – Dhamar Governorate

According to the case file that the Commission has, a group of Houthis in the Hadaa district of the Dhamar governorate detained the victim, Rafid Saleh Aamer Abu Shaya, and imprisoned him in an unknown location.

According to the statement of the victim and the testimony of the witnesses that the Commission interviewed, and they are BSHR and NSMA, a group of Houthi armed men, led by Abu Ali Al Salami, the security supervisor of the western part of the city of Dhamar, Abu Nasr Tayran, the group's supervisor in the criminal investigation department, and Abu Zakaria Al Ghorbani, detained the victim, Rafid Saleh Aamer, who is the imam and preacher of the Iman Mosque in the College of Education neighborhood in Dhamar. He is also the head of the Al Aqsa Foundation in the Dhamar governorate. The victim was not released until after tribal mediation and with conditions and guarantees from the victim and his guarantor. He had not been accused of any crime.

Conclusion:

From the investigations that were carried, the testimony of the witnesses, and the case file, the Commission believes that the entity responsible for this violation are the Houthis in the Hadaa district in the city of Dhamar, led by the individuals that were mentioned above (Abu Ali Al Salami, the security supervisor of the western part of the city of Dhamar, Abu Nasr Tayran, the supervisor of the CID, and Abu Zakaria Al Ghorbani).

B - The National Army and Government Security Agencies

1 – The Forcible Disappearance of Nayef Mubarak Saeed BaHumaish – 15 years old – Shihr District – Hadramawt Governorate:

According to the case file that the Commission has, on Thursday 2017/2/9, a military unit from the Hadhrami Elite Forces surrounding the grocery store that the victim works in. The grocery store is located in Shihr in the Hadramawt governorate. The child, Nayef Mubarak Saeed BaHumaish, was in the grocery store, and they detained him and took him to an unknown location.

According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are RMB (25 years old) and GASA (23 years old), on Thursday 2017/2/9, they saw a group of 12 soldiers from the Hadhrami Elite Forces who were armed and whose faces were covered, were on two vehicles. They spread out in the petrol station that Nayef Mubarak Saeed BaHumaish works in. They surrounded the grocery store that is in the petrol station and aimed their weapons at anyone that tried to get close to the grocery store or ask what they were doing. They detained the victim, Nayef Mubarak Saeed BaHumaish (15 years old), taking him on one of their vehicles to an unknown location.

Conclusion:

From the investigations that the Commission carried out, the testimony of the witnesses, and the content of the case file, the Commission believes that the entity that is responsible for the arrest of the child, Nayef Mubarak Saeed BaHumaish, are the Elite Hadhrami Forces of the Legitimate Government.

2 – The Forcible Disappearance of Marwan Ahmad Muhsin Ali Al Awadhi (35 years old) – Kuliya Street – Mareb City – Mareb Governorate

According to the case file that the Commission has, at 7:30 on 2017/3/6, soldiers from the security directorate of the city of Mareb raided a shop that the victim, Marwan Ahmad Muhsin Ali Al Awadhi, worked in. They detained him and took him to an unknown location.

According to the statements of the victim's relatives and the testimony of the witnesses

that the Commission interviewed (including YHYA and AMHZ), at 7:30 in the evening on 2017/3/6, masked soldiers that were wearing the uniforms of the general security agencies of the security directorate of the city of Mareb raided a commercial shop that the victim, Marwan Ahmad Muhsin Ali Al Awadhi, worked in. They searched the shop and looked for his personal computer, then they asked the victim to go with them to the police station on the main street of the city of Mareb. They took the victim on a vehicle owned by the security directorate in Mareb, and he remained in the police station for four days. During that period, his family was not allowed to visit him. After that, the victim was taken to an unknown location. Witnesses testified that the family of the victim asked for the help of a number of mediators, including the security director and the Deputy Minister of Interior, to know the location and fate of the victim, but they were not successful. Until now, his location is not known, and it is not known if he is still alive or not.

Conclusion:

From the investigations that were carried out by the Commission, the testimony of the witnesses, and the content of the case file, the Commission believes that the entity responsible for arresting the victim, Marwan Ahmad Muhsin Ali Al Awadhi, and disappearing him, is the security directorate of the Mareb governorate, which operates under the Ministry of Interior in the Legitimate Government.

3 – The Arbitrary Detention of Bilal Muhammad Hasan Ahmad – Arish Checkpoint – Mansoura District – Aden Governorate

According to the case file that the Commission has, at 1 in the afternoon of 2016/6/28, the Arish checkpoint in the Khawr Maksar District of the Aden governorate detained the victim, Bilal Muhammad Hasan Ahmad (25 years old) and took him to an unknown location.

According to the statements of the victim's relatives, and the testimony of the witnesses that were interviewed by the Commission (including MAYK and HHAA), at 1 in the afternoon on 2016/6/28, the Arish Checkpoint, located in the Rehab Intersection in the

Khawr Maksar district, took the victim, Bilal Muhammad Hasan, off of the bus that he was riding, and detained him. This happened while he was going through the checkpoint, and they took him to an unknown location. The family of the victim continued to look for him in order to know his location, but they did not get any information until a year and four months after the incident, when they found out that the victim was moved to the Bir Ahmad Prison in the governorate of Aden, managed by the Arab Coalition.

Conclusion:

From the investigations that were carried out by the Commission, the testimony of the witnesses, and the content of the case file, the Commission believes that the responsibility for this violation is shared by the individuals manning the Arish Checkpoint in the Khawr Maksar district Aden governorate and the forces of the Arab Coalition in the city of Aden.

Third: Torture and Mistreatment:

During the period that is covered by the report, the Commission documented 128 cases of torture and inhumane and degrading treatment that were carried out by the different groups in different parts of Yemen. The Commission completed its investigations for 71 cases, with 61 cases being the responsibility of the Houthis and Saleh forces while the army and security forces of the government were responsible for 10 cases. The following are examples of the incidents that were investigated by the Commission.

A- The Houthis and Saleh's forces

1 – The Torture That Cause the Death of Muhammad Abdullah Muhammad Abu Zaid – Hashabirah Area – Mahal – Zaidiah District – Hodeidah Governorate

According to the case file that the Commission has, at dawn on 2016/1/3, a group of armed men from the Houthis and Saleh's forces carried out a raid of the home of the victim, Muhammad Abdullah Muhammad Abu Muhammad Abu Zaid in the area of Hashabirah in the Zaidiah district of the Hodeidah district. They detained the victim

and took him to an unknown location.

According to the statements of the victim's relatives and the testimony of the witnesses that were interviewed by the Commission, and they are HAZA and ASMA, they said that they were detained by the Houthis and saw the victim, Muhammad Abdullah Muhammad Abu Zaid in the detention center. The victim was chained, and a group of men from the Houthi militias and Saleh's forces that were in the prison tortured the victim in front of them. They beat him and burned his body, and they kept hitting his kidneys for a long time, leading to kidney failure. They refused to take him to the hospital for medical treatment, and the victim died, in the detention center, right in front of them.

Conclusion:

From the investigations that were carried out by the Commission, the testimony of the witnesses and the victim's relatives, and the content of the reports and documents included in the case file, the Commission believes that the entity responsible for this violation are the Houthis and Saleh's forces in the Zaidiah district in the Hodeidah governorate.

2 – The Torture of Khalil Said Qassim Al Sharaabi – Hali District – Al Baidha Neighborhood – Hodeidah Governorate

According to the case file that the Commission has, on Sunday, 2016/2/7, a group of men from the Houthis and Saleh's forces surrounded the home of the victim, Khalil Saif Qassim Al Sharaabi. His home is located in the Al Baidha neighborhood of the Hali district of the Hodeidah governorate. They raided his home and attacked the victim, beating him with their rifles.

According to the testimony of the victim's relatives and witnesses that were interviewed, and they are MGASA and FMYAA, they saw a group of armed men from the Houthis and Saleh's forces raiding the home of their neighbor, Khalil Saif Qassim Al Sharaabi. The armed men then beat him viciously with their rifles, then they dragged him to their vehicle and took him to the Corniche. After he returned, they saw a lot of marks on his

body that showed that he had been tortured. There are pictures of the effects of the extreme torture that he was subject to.

Conclusion:

From the investigations that were carried out by the Commission, the testimony of the witnesses, the statements of the victim's relatives, and the content of the reports and pictures, the Commission believes that the entity responsible for this violation are the Houthis and Saleh's forces in the Hali district of the Hodeidah governorate.

3 – The Torture of Anwar Abdullah Al Sabri, Majid Abdullah Muhammad, and Others – Salah District – Taiz Governorate

According to the case file that the Commission has, on 2016/3/27, a group of men from the Houthis in the Jahmaliah neighborhood of the Salah district detained Anwar Abdullah Al Sabri and Majid Abdullah Muhammad from their home in the Jahmaliah neighborhood. They were detained in the home of Muhammad Naji in the same neighborhood, where they were tortured with a number of other people that had been imprisoned in the home, which had been turned into a detention center.

According to the statement of the victim and the testimony of witnesses that were interviewed by the Commission, and they are AAMA (69 years old) and MA (65 years old), the two victims, Anwar Abdullah Al Sabri and Majid Abdullah Muhammad, were detained in the home of their neighbor, Muhammad Naji. This home had been turned, by the Houthis under the leadership of Akram Abdulmughni Al Junaid, the Houthi official in Jahmaliah, into a detention center for civilians. They were tortured on a daily basis, and the witnesses say that they used to hear their screams and voices every night. They also saw groups of men going into the house to beat and torture them.

Conclusion:

From the investigations that were carried out by the Commission, the statements of the victims, and the testimony of the witnesses, as well as the content of the report, the Commission believes that the entity responsible for these violations are the Houthis and

Saleh's forces in the area of Jahmaliah under the leadership of Akram Abdulmughni Al Junaid.

B – Examples of the Incidents of Torture Attributed to the National Army Forces and Agencies Operating Under the Legitimate Government:

1 – The Torture of Noah Abdoh Suwaidan Mahyoob (15 years old) – Mareb City – Mareb Governorate

According to the case file that the Commission has, on 2017/11/5, the victim, Noah Abdoh Suwaidan, was detained by the security directorate of Mareb City based on a report filed by his father. Six days after he was detained, his family was called to the hospital to receive his body after he committed suicide.

According to the reports included in the case file that the Commission has, the statements of the victim's relatives, and the testimony of the witnesses that were interviewed by the Commission, including DMN and AMS, on 2017/22/5, a group of men from the security directorate of the city of Mareb took the victim, Noah Abdoh Suwaidan, who was born in the Sayani district in Ibb, based on a report that had been filed by his father. They arrested him on charges of taking his father's money, and he remained detained for six days. After that, the security directorate of the city of Mareb called the family of the victim and asked them to come to the hospital to take Noah's body, who they claimed had committed suicide by hanging himself in the detention center. When the family of the victim came, they found the child, Noah, dead, and they found marks on his body that show that he had been tortured during his detention. At that point, the father and brother of the victim filed a complaint against the security directorate with the public prosecutor's office. According to the forensic medical reports, the victim died because he hung himself, and there were some effects of torture on his body. This shows that the victim was tortured in the detention center, but the torture did not lead to his death. The psychological effects of the torture and the pressure that the victim was put under, a child who is no older than 15 years, could have been the reason that the victim committed suicide, especially since the report that was filed against him was filed by his father.

Also, from the communication between the Commission and the responsible authorities in the Ministry of Interior and the security directorate of Mareb, the Commission was informed that the officer that was responsible for the detention and who was accused of the torture had been transferred to the public prosecutor's office, who investigated the case and transferred him to the judiciary.

Conclusion:

From the investigations that were carried out by the Commission for this incident, the Commission believes that an officer in the security directorate in the city of Mareb is responsible for the detention and torture of the child victim, Noah Abdoh Suwaidan Mahyoob, which led to the victim committing suicide. Since the suspect in this case has been transferred to the judiciary, the Commission stresses the importance of security agencies respecting the rights and guarantees of the people that are guaranteed by national laws and international human rights conventions, specifically laws and conventions that criminalize arbitrary detention and torture.

2 – The torture of M. K. M. A., Al Mansoura district, Aden governorate on 2016/07/16

According to the case file that the Commission has, at 02:30am on 2016/07/.16, Al Mansoura district, an armed group affiliated with the Aden security has attacked the house of the victim. The house door was broken and the victim was taken to a camp operated by Aden security in Al Tawahi area, Gold Mohr.

As stated by the victim and the testimonies interviewed by the Commission (namely; M. T. H, 23 years old and M. A. S, 45 years old) on 2017/07/16 at 02:30am, in Al Mansoura district, they have heard voices of shouting and screaming in the neighborhood. They went out and saw an armed group next to the house of the victim with a group of them inside and the house door broken. Then, the victim was seen taken from his house by force while he was screaming. They jumped onto a pickup car. The family of the victim were crying and his father was clinging to the car but was forcibly detached from the car and they left the neighborhoods. There were two vehicles; this pickup and another white Corolla car. He was taken to a camp in Gold Mohr, Altawahi, operated by Yusran

Al Maqtari. There, he was tortured for one month for suspicions that he is working with Al Qaeda. Then, he was moved to a prison in Al Mansoura where he stayed for a month. Then, he was moved to a camp in Al Shaab city where he spent one year. Thereafter, he was moved to Bir Ahmed prison and finally released on 2017/10/13.

Conclusion:

Based on investigations conducted by the Commission, the testimonies, reports included in the case file and the witness statements, the Commission finds out that the party responsible for this violation is the Aden Security Department. The Department is responsible for conducting investigations in the incident and refer the accused individuals to the public prosecution. The Commission has finalised its own investigations in this incident and will be further delivered to the Attorney General to prosecute the accused individuals before judiciary.

3 – The Torture of a Victim, ASA, in the Mansoura District in the Aden Governorate on 2017/3/25

According to the case file that the Commission has, at 10 in the evening on 2017/3/25, Security Belt forces in the area of Wadee Hadad in the Mansoura district of Aden detained a civilian, ASA, from his place of work. They then took him to the headquarters of the Security Belt forces in Inshaat Al Mansoura behind the military houses.

According to the statement of the victim and the testimony of the witnesses that were interviewed by the Commission, including AYM and QSM, as well as the medical reports that are included in the case file, at 10 PM on 2017/3/25, Security Belt forces in the Mansoura district, under the leadership of Abu Ali, went into the place of work of the victim and started interrogating him in his place of work. This went on for several hours. When he denied knowing anything about what they were asking about, they detained him and took him to the detention center in the Security Belt base. There, they tortured the victim by beating him with electrical wires and electrocuting him with high voltage shocks. His eyes were covered during the torture. They also insulted him and humiliated him verbally. He was not released until after he had been threatened about what would happen to him if he reports them or talks about what happened to him.

Conclusion:

From the investigations that the Commission carried out and the content of the statements and reports that are included with the incident case file and the testimony of the witnesses, the Commission believes that the entity that is responsible for this violation is the Security Belt forces in the Mansoura district in Aden, led by Abu Ali.

4 – The Torture of the victim A. A. K. S., Hadramout, Al Shihr

According to the case file with the Commission, the incident facts are as follows: on 2017/1/13, Al Shihr area, Al Salam region, Al Kahraba quarter, a military force composing of 12 masked soldiers affiliated with the Elite Forces carrying their machine guns deployed in the fuel station. They have taken the victim and placed him on the ground. They threatened to kill the victim. A soldier placed the victim on the ground and put his leg on the victim's back then they have taken the victim to unknown place. The brother of the victim and witnesses R. M. B, 25 years old and G. A. S., 38 years old confirm that on 2017/02/09, an armed group arrived on two pickup vehicles. They raided the fuel station owned by the victim. They pointed their guns towards civilians and threatened the victim. They ordered him to lay on the ground and he did. A soldier then placed his leg on the victim and threatened the uncle of the victim not to come close although no one was armed in the fuel station. Then, they arrested the victim violently and took him on the car. Until now, the family of the victim has no information about his location. This was confirmed by witnesses.

Conclusion:

Based on the investigations conducted by the Commission, the testimonies, reports and witness statements, the party responsible for this violation is the Hadrami Elite Forces. The Commission has finalized the investigations in this incident and will refer it to the Attorney General.

Fourth: Blowing Up of Houses:

During report period, the Commission documented around 54 cases of claims of blowing up houses. The Commission finished investigating 48 of these cases. It should be noted

here that this type of violation is something that the Houthi militias and Saleh's forces are known for, and something that only they do. This is clarified in the result of the investigations of the examples that the Commission included in this report. It should be noted that there are a number of claims of houses that were blown up by entities operating under the Legitimate Government, and the Commission is still investigating the truth of these claims, then documenting, recording, and investigating them if they are proven to have happened. Below are a number of examples of houses being blown up that have been investigated by the Commission.

1 – The Blowing Up of 8 Houses – Utmah District – Dhamar Governorate:

According to the case file that the Commission has, on 2015/8/14 a group of armed men from the Houthis and Saleh's forces raided the Rahmah village in the Utmah district of Dhamar, and they blew up the following eight houses:

| No. | Owner Name | Description |
|-----|-----------------------------------------|--------------|
| 1. | Abdullah Muhammad Sinan Ali Maaudhah | Single Floor |
| 2. | Qahtan Muhammad Muhammad Saeed Maaudhah | Single Floor |
| 3. | Radfan Abdoh Muhammad Saeed Maaudhah | Single Floor |
| 4. | Abdullah Aamir Shawlah | Single Floor |
| 5. | Mansour Muhammad Hussein Shawlah | Single Floor |
| 6. | Bassam Shaya Abdulhamid Maaudhah | Single Floor |
| 7. | Fawaz Shaya Abdulhamid Maaudhah | Single Floor |
| 8. | The historic Lukam Fort | |

According to the statements of the victims and the testimony of witnesses that were interviewed by the Commission, including SHFM and MAMAA, armed men from the Houthis and Saleh's forces, led by the supervisor of the Houthis and Saleh's forces in the Utmah district, went into the Rahmah village on 2015/8/14. At first, they blew up three houses, and they are the houses of Abdullah Muhammad Sinan Ali Maaudhah, Qahtan Muhammad Muhammad Saeed Maaudhah, and Radfan Abdoh Muhammad Saeed Maaudhah. This was done on the same day. After that, at a later date, they blew up five other houses, and they are the houses of Bassam Shaya Abdulhamid Maaudhah, Fawaz

Shaya Abdulhamid Maaudhah, the Lukam house / Fort in Upper Asharm, the house of Abdullah Aamir Shawlah, and the house of Mansour Muhammad Hussein Shawlah. The houses were looted before they were blown up, and a number of people from the village were detained because it was claimed that they are agents of Saudi Arabia.

Conclusion:

Based on the investigations that were carried out by the Commission, the testimony of the witnesses and relatives of the victims, and the content of the reports and papers included in the case file, the Commission believes that the entity that is responsible for the violations are the Houthis and Saleh's forces in the Utmah district of the Dhamar governorate.

2 – The Blowing Up of Four Houses in the Ayuf Village – Al Baidha District – Al Baidha Governorate:

According to the case file that the Commission has, on 2015/8/21, a group of armed men from the Houthis and Saleh's forces raided the Halq Al Mashdal Valley, which has a farm and three houses owned by Qassim Hussein Al Mashdali. They justified this raid by saying that the victim was cooperating with the resistance forces and the forces of the national army in the Al Baidha district. After this, there were clashes between the Houthi militants and the people of the area. The Houthis and Saleh's forces were able to take control of the Halq Valley, including the farm and the houses. Based on the testimony of the son of the victim, Abdullah Qassim Al Mashdali, and the testimony of two witnesses, SAMMA and AAAA, and according to the pictures and documents included in the case file that was submitted to the Commission, the Houthis and Saleh's forces, under the leadership of the group's supervisor in the Al Baidha governorate, blew up the victim's houses in the Halq Valley. They blew up three houses after they had looted the contents and took the farming machinery that was in the farm, a pick-up truck, and two electricity generators. They also filled up the wells and destroyed the irrigation system and crops in the Halq Valley. Then, on a later date, on 2015/10/25, a group of armed men from the Houthis and Saleh's forces raided the Ayuf village and went into the home of the victim, Qassim Hussein Al Mashdali in the Ayuf village. This home was made up of a three-

story house. After they looted everything in the house, including the furniture and other items, they blew up the house and left to the city of Al Baidha.

Conclusion:

Based on the investigations that were carried out by the Commission, the testimony of the witnesses and relatives of the victims, and the content of the reports and documents that were included in the case file, the Commission believes that the entity responsible for this violation are the Houthis and Saleh's forces in the Al Baidha district of the Al Baidha governorate.

3 – The Blowing Up of the House of Yahiya Saleh Taqi Al Makroub, and the houses of his sons – Arhab Al Makareeb District (Al Lawzah) – Sana'a Governorate:

According to the case file that the Commission has, on 2014/12/18, a group of armed men from the Houthis and Ali Abdallah Saleh's forces raided the area of Al Makareeb in the Arhab district of the Sana'a governorate. They came with a number of military vehicles and armed cars, and they raided a number of the homes in the area, including four houses, a wedding hall owned by the victim, Yahiya Saleh Taqi Al Makroub and his sons, in addition to the house of Muhammad Yahiya Abdullah Nasser Al Jaribi. They looted the contents of these buildings then blew them up. The details of the houses are as follows:

| No. | Owner Name | Description |
|-----|-------------------------------------------|---------------|
| 1. | Yahiya Saleh Taqi Al Makroub | Two Floors |
| 2. | Abdullah Yahiya Saleh Taqi Al Makroub | Single Floors |
| 3. | Muhammad Yahiya Saleh Taqi Al Makroub | Ground Floor |
| 4. | Yahiya Saleh Taqi Al Makroub | Wedding Hall |
| 5. | Muhammad Yahiya Abdullah Nasser Al Jaribi | Single Floor |

According to the statements of the victims and the witnesses that were interviewed by the Commission, and they are AHAA, AYSA, AYSTA, on 2014/12/18 they saw armed men

from the Houthis and Saleh's forces, led by the Houthis and Saleh's forces supervisor in the Arhab district, come in on armed and military vehicles. They raided the area of Al Makareeb and looted the property in the house of Yahiya Saleh Taqi Al Makroub and his sons, Abdullah and Muhammad, in addition to a wedding hall owned by the victim, Yahiya Saleh Taqi Al Makroub, as well as the home of Muhammad Yahiya Abdulilah Nasser Al Jaribi. They then blew these houses, and the wedding hall, up, leaving them a pile of rubble. This is what the documents and pictures that are preserved in the case file show.

Conclusion:

Based on the investigations that were carried out by the Commission, the testimony of the witnesses and the relatives of the victims, and the content of the reports and documents that are included with the case file, the Commission believes that the entity responsible for this violation are the Houthis and Saleh's forces in the Arhab district of the Sana'a governorate.

Fifth: Violations of the Freedom of Movement:

During the period from September to December 2017, the Commission has directly received complaints and reports on violations to the right of movement by some security checkpoints on roads leading to Aden, especially Al Habilain checkpoint on Lahej – Aden road and the Steel Factory checkpoint on Taiz – Tor Al Baha – Aden road. The Commission has documented more than 160 incidents of violations to the freedom of movement. The next report of the Commission will cover these incidents.

Measures taken by the Commission:

- The Commission assigned its monitors in relevant governorates to interview victims, report and document this violation. A separate file for every incident was established.
- Monitors in Taiz governorate (4 lawyers and researchers) were assigned to visit the steel factory checkpoint and report on the incidents and actions taken against

citizens in the checkpoint.

- Based on the information gathered by the Commission, a meeting was conducted between the Chairman, and members, of the Commission with the Vice Minister of Interior, Major General Nasser Lakhsaa, and relevant officials at the Ministry on 2017/10/29. In the meeting, clarifications were sought from the Ministry on its position from these violations at the entry points of Aden and the actions taken by the Ministry to end these violations and hold accountable those responsible. During the meeting, the Vice Minister of Interior indicated that the Ministry has received several complaints in this respect. He confirmed that the Ministry assigned a committee to visit the relevant locations and investigate in the complaints against the concerned checkpoints. He promised to provide the Commission with the investigation findings.
- On 2017/11/02, the Commission wrote a letter to the Ministry of Interior, and delivered it to the Vice Minister of Interior. The letter requests that the Commission is provided with information related to violations being investigated and actions taken by the Ministry of end these violations and hold accountable those responsible.

Conclusion:

Although the Commission continues to monitor and investigate allegations of such violations, it has been found that the checkpoints run by the security belt forces are responsible for this type of violations.

Sixth: Incidents of shelling by US Drones

During the period covered by the report, around 4 incidents of claims of abuses relating to American drone strikes were reported. These incidents were of drone strikes against civilians, and these incidents were the ones that were documented, researched, and investigated by the Commission. 25 people died from these strikes, all of whom were civilians, including around 8 children. Below are some examples of a number of incidents that were investigated by the Commission:

1 – Drone strike of civilians, including a child, on a motorcycle in the

area of Al Ahmas in the Wald Rabee District – Qaifah – Rada’a, Al Baidha Governorate

On the morning of 2017/11/23, an American drone targeted and killed two victims in the district of Wald Rabee in the Al Baidha district.

| The names of the victims: | | |
|---------------------------|-------------------------------|--------------|
| # | Name | Age |
| 1 | Ahmad Salem Mabkhout Al Amiri | 30 years old |
| 2 | Muhammad Musid Obad Al Khobzi | 14 years old |

According to the case file that the Commission has, as well as the statements of the victim’s relatives and testimony from witnesses, including AZA and AAMA, on 2017/11/23, when the two victims, Ahmad Salem Al Amiri and Muhammad Musid Obad Al Khobzi, were on a motorcycle heading to their village, they were hit by a missile from an American drone. They were both killed. Witnesses and the people of the area said that the two victims were normal civilians from the village, and that Ahmad Salem Mabkhout works in agriculture, while the other victim, Muhammad Musid Obad, is still a child and is 14 years old. The two victims are both peaceful individuals and have no ties or relationship with any terror group or organization, or any armed group. The witnesses confirmed that they saw the drone flying overhead above the village, and they were there at the site of the incident to try to take the two victims to the hospital, but, when they got there, they found that the bodies the two victims were in such a state that it was difficult to even bury them.

2 – Drone strike of three children in the area of Yakla in the Wald Rabee district– Qaifah – Rada’a, Al Baidha Governorate on 2017/11/26

According to the case file of the incident that the Commission has, on 2017/11/26, a drone targeted and killed three victims in the area of Yakla in the district of Wald Rabee in the Al Baidha district.

| The names of the victims: | | |
|---------------------------|--------------------------------|--------------|
| # | Name | Age |
| 1 | Salman Salem Mabkhout Al Amiri | 14 years old |
| 2 | Fadhil Ali Muhammad Al Taisi | 14 years old |
| 3 | Dahan Saleh Naji Al Amiri | 13 years old |

According to the case file that the Commission has, as well the statements of the relatives of the victims and the testimony of witnesses, including AAZA and AAMA, on 2017/11/26, an American drone targeted a motorcycle that had three children on it. They were going to the pasture in their village, where their livestock were grazing, and they were all killed. The people of the area also stated that the victims were all children who were shepherds taking care of their families' livestock, and they did not have any link to any terror group or organization, or any armed group. The witnesses confirmed that they saw the drone flying overhead above the village, and they were there at the site of the incident to try to take the victims to the hospital, but, when they got there, they found that the bodies the victims were in such a state that it was difficult to even bury them.

3 – Drone strike of civilians in the village of Sirar Al Jashm in the Wald Rabee district on 2017/11/29

In the evening of 2017/11/29, an American drone targeted a car and its 8 passengers in the village of Sirar Al Jashm in the district of Wald Rabee in the Al Baidha district, killing all of them.

| The names of the victims: | |
|---------------------------|------------------------------------|
| # | Name |
| 1 | Sadiq Muhammad Ahmad Al Sirari |
| 2 | Saleh Abdraboh Abdulaziz Al Sirari |
| 3 | Mabrook Alaa Naji Al Sirari |
| 4 | Amir Abdraboh Al Shihari |
| 5 | Hizam Ahmad Hasan Al Shihari |
| 6 | Abdraboh Ahmad Ahmad Al Shihari |
| 7 | Saleh Ali Abdraboh Al Shihari |
| 8 | Ahmad Abdraboh Al Zubairi |

According to the case file that the Commission has, as well the statements of the relatives of the victims and the testimony of witnesses, including ASA and SAH, in the evening

of 2017/11/29, an American drone targeted a car that the victims were on. They work in agriculture, and they were targeted while they were returning from their farms to their homes in the village of Sirar Al Jashm in the Wald Rabee district. They were all killed. The witnesses and people of the area also stated that the victims were all normal civilians from the village who worked in agriculture and selling wat, and that they did not have any link to any terror group or organization, or any armed group. The incident terrorized the people of the village because it was the third incident in the district in 9 days.

Conclusion:

Based on the investigations that the Commission carried out with regards to the claims of attacks mentioned above, in addition to a number of other incidents of American airstrikes against Yemeni civilians, the Commission confirms that it will continue to investigate these incidents. The Commission, however, believes that it is important to note the responsibility of American forces, in partnership with the Yemeni government, which allowed these kinds of interventions, for these continued violations that affect Yemeni civilians. For this reason, the Commission stresses the importance of the Yemeni government adhering to the Constitution and national laws, which do not allow the killing of innocent civilians. Suspects must be tried in court, and they can only be punished in accordance with judicial rulings. The Commission also believes that the government must take initiative and pay just compensation to the victims of these violations, and that the government must limit the violations that are made by American drones. The role of the judiciary must be activated, and everything must be done to ensure that suspects and those wanted by the government are tried in court and given fair trials.

Constraints and Obstacles:

In spite of all challenges, the Commission achieved its due tasks, as stipulated in the Republican Decree No. 140 of 2012 and amendments. The Commission investigated all the alleged human rights violations committed by all parties.

Through this report, the Commission tries to shed the light on the general constraints

the Commission faced in the field and that seemed to be affecting the human right conditions in general. These constraints need to be addressed through the collaboration of efforts of all in order to improve the work environment as well as the conditions of human rights in Yemen. These Constraints are as follows:

1. The widening circle of war and military operations along with the increase in the number of violations.
2. Non-compliance, by the parties to the conflict, with the principles of international humanitarian law, in relation to the principles of distinction, military necessity and proportionality during military offenses and the continued endangerment of civilians and residential communities.
3. Some of the parties to the conflict were not cooperative with the commission which led to the inability of making field visits to the places controlled by the respective parties and forced the Commission to rely on the field monitors and researchers.
4. Difficulty of access to some medical and criminal documents and memorandums as well as the official records of victims due to cessation of many official institutions, particularly in areas of armed conflict,
5. Difficulty of coordinating with some security bodies in the liberated governorates, as they are supervised by multiple authorities and some of them are not related to the Ministry of Interior.
6. Difficulty of determining the perpetrators of certain violations because of the multiplicity of bodies involved in security and military tasks.
7. The difficulty of monitoring violations related to diseases, epidemics and malnutrition, either for lack of information sources, or for difficult access to some areas to identify damages.
8. Displacement of many victims with their families, and the relocation of witnesses because of the war, prevented the completion of some files.
9. The difficulty of moving between all the war-stricken districts because of blocking the main roads by land mines and the roughness of sub-roads.
10. The weak capacities of the civil society organizations working in the field of monitoring and documenting and the subsequent scarcity of a professional quality monitoring

work which can be relied upon in investigation work.

11. The inefficiency and inexperience of some existing professionals of disciplinary and judicial institutions, to enforce the law.
12. Difficulty in determining the nature and degree of violations that require certain types of expertise, particularly forensic medicine, weapons and means of communication.

Recommendations

The Commission has sought to present its recommendations to all parties to the conflict, whether in its public reports or the monthly press releases on its activities and the latest developments of the human rights situations, or through the briefings on the recommendations of specific issues presented to the concerned parties.

Through its recommendations, the Commission aims to warn against the risks of human rights violations, in addition to holding the parties accountable for the protection of human rights and the adherence to the rules of the international humanitarian law and the international human rights law.

First: General recommendations to the parties to the conflict:

The Commission urges the parties to the conflict to:

1. Stop indiscriminate attacks on residential areas of civilians and displaced persons and abide by the principle of distinction between civilians and combatants in order to avoid causing damage to population and property and targeting infrastructure and educational facilities.
2. Respect the civilians' right to the needful access to food, water, treatment and other services, on top of facilitating the access of humanitarian assistance to all governorates, as a fundamental right of the citizens.
3. End extrajudicial acts of detention and enforced disappearance, and immediately release all the detainees and the forcibly disappeared people unconditionally.

4. Respect the dignity of the detainees and those who are deprived of their freedom, as well as treat them with a dignified humane manner, preserve their lives, their personal rights, their religious and political beliefs, and ensure they contact their families, who have the right to know of their whereabouts.
5. Stop using the security and exceptional circumstances of war as a pretext for carrying out acts of raids, restriction of freedoms and forced displacement, as well as the prevention of movement and the closure of social networking websites in all areas facing such forms of violations.
6. Facilitate the Commission's work and allow the access of its members, as well as its assisting investigative team members and monitors, to all places, persons and sides, in addition to providing all the information required.

Second: The Commission urges the Houthi group to:

1. Abide by the rules and principles of the international humanitarian law, and stop targeting residential neighborhoods and harming civilians.
2. Discontinue the extrajudicial executions, arbitrary detention and enforced disappearance of the citizens.
3. Release all detainees and reduce restrictions on the freedom of opinion and expression, especially against political opponents, activists and civil society organizations.
4. Stop the making and planting of anti-personnel mines that have caused intentional damage to civilians and endangered their lives, in addition to destroying the stockpile of mines under their control.
5. Stop the bombing of houses, in any form and under any pretext.
6. Stop child recruitment and their engagement in the combat zones, and immediately lay off all recruited children.
7. Stop interfering in the works of the judiciary, in particular through the issuance of judicial rulings against the adversaries along the lines of the ruling on confiscation and seizure of property of the former President Ali Abdullah Saleh, and of the members and properties of the General People's Congress Party.
8. Reply to National Commission correspondence and the provision of the information required urgently.

Third: The Commission urges the Command of the Arab Coalition to:

1. Ensure the implementation of a comprehensive review of the Rules of Engagement (ROE) and the targeting mechanism, in order to ensure compliance with the international humanitarian law, and the distinction between civilians and the military targets.
2. Respond immediately to the Commission notes, with regard to inquiries about certain incidents of aerial bombardment, which are being investigated by the Commission.
3. Continue to update the no-strike list of medical, civilian and cultural facilities and infrastructure, which are prohibited under the international humanitarian law, in addition to involving the humanitarian agencies and organizations in updating such a list.
4. Implement the Commission's recommendations, mentioned in the third report, especially with regard to the execution of a comprehensive assessment of the damage incurred by the air strikes, as well as the formation a committee to make fair reparation to the victims.
5. Conduct internal investigations into all allegations of harm to civilians caused by coalition warplanes shelling, and to reply - in a reasonable time - to the Commission's inquiries into all allegations of harm to civilians.

Fourth: The NCIAVHR urges the Yemeni government to:

1. Raise the level of cooperation with the Commission and respond to its recommendations mentioned in this report and the previous reports as well.
2. Quick interaction with the Commission's correspondence, and providing the information and data required in a reasonable time.
3. Facilitate the right of citizens to internal movement from one city to another, and remove all obstacles to the exercise of this right immediately.
4. Abide by the rules of the international humanitarian law during the military operations, and organize courses and workshops to sensitize members of the armed forces and security services to the need to respect international humanitarian law and international human rights law.

5. Release all detainees, who were held captives in violation of the law, in all detention centers and prisons located in the areas that are under the control of the legitimate government.
6. Provide a qualitative and specialized judicial mechanism of reparation, which shall decide on all violations referred by the Commission, in a manner that strengthens the principle of accountability and non-impunity and guarantees the victims their right to reparation.
7. Establish a special fund to make reparation to the victims of violations, and adopt lists of victims that will be submitted by the Commission.
8. Improve the level of social rights and services for citizens, especially in the sectors of electricity, water, hygiene, education and security, in addition to paying the salaries of the public employees in all the governorates in addition to ensuring the uninterrupted supply of petroleum products.
9. Implement reconstruction plans and programs in the affected areas to help the displaced return to their home areas.

The NCIHVHR urges the international community to:

1. Stress the need for the parties to the conflict in Yemen to take heed of the principles of the international humanitarian law and international human rights law as binding legal rules, so as not to endanger civilians and stop indiscriminate attacks.
2. Contribute to fund humanitarian relief operations and open safe corridors for the movement of citizens and their access to the aid assistance.
3. Practice pressure the parties to the conflict to resume peace negotiations, so as to ensure the attainment of a lasting peace that ensures the dominion of the state's authority throughout the soil of the Republic of Yemen, holds the perpetrators accountable for violations and seeks redress for the victims.

The NCIHVHR urges the Human Rights Council and Office of the High Commissioner for Human Rights to:

1. Continue to support the Commission's work on the alleged violations of human rights to ensure that it fulfills its obligations to conduct transparent, professional

and quality investigations.

2. Support the Commission's recommendations with regard to the findings of the investigation, as well as the responsibilities and duties of the parties, mentioned in this report.
3. Provide the necessary technical support to the members of the Committee and its assistants and build their capacities in accordance with the recommendations of the Human Rights Council resolutions on Yemen.
4. Implementation of the joint work program of the NCIAVHR and the OHCHR.