

CORI

country of origin research and information

CORI Country Report

Yemen, September 2014

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Any views expressed in this paper are those of the author and are not necessarily those of UNHCR.



Preface

Country of Origin Information (COI) is required within Refugee Status Determination (RSD) to provide objective evidence on conditions in refugee producing countries to support decision making. Quality information about human rights, legal provisions, politics, culture, society, religion and healthcare in countries of origin is essential in establishing whether or not a person's fear of persecution is well founded.

CORI Country Reports are designed to aid decision making within RSD. They are not intended to be general reports on human rights conditions. They serve a specific purpose, collating legally relevant information on conditions in countries of origin, pertinent to the assessment of claims for asylum. Categories of COI included within this report are based on the most common issues arising from asylum applications made by nationals from Yemen. This report covers events up to 1st September 2014.

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CORI is an independent centre providing specialist research resources to support Refugee Status Determination.

CORI works internationally with all parties to RSD, including governments, legal representatives and NGOs, producing commissioned research reports and providing knowledge management services. CORI works to improve standards of COI production through capacity building and training.

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A. BACKGROUND TO THE ARMED CONFLICTS IN YEMEN

1. Description of unresolved disputes and grievances that have led to violent outbreaks

1.1. Political grievances vs. grievances relating to land, water, and property

In August 2014 the *Integrated Regional Information Networks* reported that major protests in the capital Sana'a had been sparked by the withdrawal of fuel subsidies and the rising cost of transport, water and food,

“Fuel subsidies are among the few widely available social goods in Yemen, and are said to keep down the cost of transport, water, and food, while supporting local industry. But they have also proven extremely expensive in recent years, costing US\$3bn-3.5bn in 2013, more than a fifth of all state spending, during a period when the government has moved heavily into the red, running successive record deficits and leaning heavily on financing from the increasingly saturated local banking sector.

In July, the government increased the price of gasoline by 60 percent and diesel by 95 percent as part of a package of reforms aimed at unlocking foreign funding and easing pressure on the budget, which has seen growing deficits since the country's 2011 youth-led uprising. The decision sparked major protests in Sana'a while the price of transport and bread have risen at least 20 percent in recent weeks.”¹

In August 2014 *Freedom House* reported that Yemen continued to face political uncertainty in 2013. The secessionist movement in southern Yemen staged protests throughout 2013 against corruption and lack of political inclusion,

“Yemen continued to face political uncertainty in 2013. After replacing long-time president Ali Abdullah Saleh in 2012, President Abu Rabu Mansur Hadi struggled to address a series of national challenges. The secessionist movement in southern Yemen staged protests throughout the year against corruption and lack of political inclusion. Security forces responded violently to protests several times during the year, including in February when authorities killed at least 9 people in response to demonstrations in Aden. Hadi took steps to limit the lingering influence of Saleh and his family in June when he sacked several of the former president's family members from prominent positions in the military and reassigned them to diplomatic posts abroad.”²

1 Integrated Regional Information Networks, Yemen fuel subsidy cuts hit poor hardest, 25 August 2014, <http://www.irinnews.org/report/100535/yemen-fuel-subsidy-cuts-hit-poor-hardest>, accessed 26 August 2014

2 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

In August 2014 *Al Jazeera* reported that tens of thousands of Yemen's Shia rebels rallied in the capital Sanaa, calling for the government to step down, on accusations of corruption,

“Tens of thousands of supporters of Yemen's Shia rebels have rallied in the capital Sanaa to press for the government to step down, as a large number of its backers held a counter-demonstration.

Supporters of Shia rebel leader Abdulmalik al-Houthi have been threatening a "painful" escalation against the government which they accuse of corruption.”³

According to *Al Jazeera*, the followers of Shia rebel leader al-Houthi want the resignation of the government, the scrapping of fuel price rises and a broader political partnership.⁴

According to *Integrated Regional Information Networks* [a service of the UN Office for the Coordination of Humanitarian Affairs], the Shia al-Houthi rebels take their name from their leader, Hussein Badraddin al-Houthi, who was killed in September 2004, and succeeded by his brother, the current leader, Abdul-Malik al-Houthi.⁵

In August 2014 *Freedom House* reported that the postponement of a referendum for a new constitution and presidential election were extended due to on-going tensions in the south of Yemen. Clashes between a Houthi rebel movement and their Salafi and Al-Islah opponents spread into the capital Sanaa,

“The country's National Dialogue Conference (NDC), a months-long initiative including over 500 delegates aiming to resolve issues such as corruption and Yemen's political future launched in March. Originally scheduled to conclude in September and to put forward a new constitution for a national referendum in October, the NDC was extended and the referendum delayed through the end of the year due to ongoing tensions with the South.”⁶

Freedom House reported that clashes between an Al-Houthi rebel movement and their Salafi and Al-Islah Sunni opponents spilled into Sanaa,

Low level clashes in the North between the Ansar Allah, a Houthi rebel movement, and their Salafi and Al-Islah Sunni opponents spilled into Sanaa with the spread of demonstrations and random violence there. Security killed 10 Houthi protestors in June.”⁷

3 Al Jazeera, Yemen capital gripped by huge rival protests, Protesters backing Houthi rebels rally in Sanaa as government supporters call for unity and solidarity with the cabinet, 29 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/2014829194418325716.html>, accessed 29 August 2014

4 Al Jazeera, Yemen capital gripped by huge rival protests, Protesters backing Houthi rebels rally in Sanaa as government supporters call for unity and solidarity with the cabinet, 29 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/2014829194418325716.html>, accessed 29 August 2014

5 Integrated Regional Networks, Yemen: The conflict in Saada Governorate – analysis, 24 July 2008, <http://www.irinnews.org/report/79410/yemen-the-conflict-in-saada-governorate-analysis>, accessed 03 September 2014

6 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

7 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

In July 2014 the *US Department of State, Bureau of Diplomatic Security* reported that civil unrest rose in 2013; protests stemmed from various issues. Land disputes remained a source of conflict, as well as competing families/tribes ownership of parcels of land,

“Civil unrest rose in 2013 compared to 2012. There were numerous marches and demonstrations, and protests throughout Yemen and in Sanaa in particular. Different groups protested the National Dialogue, the political crisis in Egypt, and the civil war in Syria. Protests have stemmed from a temporary ban on motorcycles, economic developments, and other domestic issues. In addition to protests, land disputes remain a source of conflict, as competing families/tribes lay claim to the parcels of land.”⁸

In April 2013 *Yemen News* reported that two people were killed in confrontations over access to water in Al-Mashana district,

“Confrontations over access to a natural spring erupted on Sunday, in Al-Mashana district of Ibb governorate, killing two men from the local families of Bani Salah and Bait Dhawi.

One bystander, unaffiliated with the feud, was also injured.

Security forces rushed to the scene of the fight on Sunday evening. An unspecified number of individuals have been detained and are being questioned in regards to the deaths and injury. Forensic investigations are underway.”⁹

In April 2013 *Yemen Times* reported that the country was in a water crisis which had led to localised violence. The *Yemen Times* quoted the Minister of Water and Environment as stating that “The water problem is more important than any political issue,”

“Abd Al-Salam Razaz, the Minister of Water and Environment, told the *Yemen Times* the entire country—not just Ibb—is in the middle of a water crisis. This, he assessed, has caused an increase in fights as locals scramble to ensure that they won’t be left without access to the shrinking resource.

Last month, two men were killed in Taiz during a fight which broke out over access to a spring. A similar incident took place in Dhamar, in which ten people were injured.

Last week, clashes broke out in Amran governorate, killing two and injuring five.

Yemen faces a severe water shortage, the United Nations Development Program has assessed in past research. Available ground water is being depleted at “an alarming rate.” The country’s urbanization in the past decades has aggravated the problem.

8 US Department of State, Bureau of Diplomatic Security, Yemen 2014 Crime and Safety Report, 22 July 2014, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=15104>, accessed 28 August 2014

9 Yemen Times, 18 April 2013, Water dispute claims two lives in Ibb, <http://www.yementimes.com/en/1669/news/2241/Water-dispute-claims-two-lives-in-ibb.htm>, accessed 20 July 2014

Razaz estimates that there are around 55,000 wells in Yemen. That number includes both licensed and unlicensed wells. The proliferation of the unregulated digging of wells is often cited as one of the main reasons Yemen's water resources are so scarce."¹⁰

1.2. Individual grievances vs. collective grievances based on political exclusion and economic marginalization of entire groups or areas

In August 2014 *Integrated Regional Information Networks* reported that an increase in fuel prices set off "a wave of discontent" in Yemen, with major protests in the capital Sanaa. *Integrated Regional Information Networks* reported that price increases threatened to plunge hundreds of thousands of Yemenis into poverty and food insecurity,

"A sharp increase in fuel prices threatens to plunge hundreds of thousands of Yemenis into poverty and food insecurity in the Arab world's poorest country - particularly if regular welfare payments to Yemen's poorest people continue to be dispersed erratically, aid organizations have warned.

The government's decision to slash fuel subsidies has set off a wave of discontent, with major protests in the capital Sana'a over the past week calling for the cuts to be reversed and the government to be dissolved.

While the cuts were widely seen as a necessary step in order to avoid economic meltdown, a government commitment to use the savings to boost welfare spending has so far not materialized, with the welfare payments over six months late."¹¹

Integrated Regional Information Networks further reported that in July 2014 the government increased the price of gasoline by 60% and diesel by 95%. This decision marked major protests in Sanaa and the price of transport and bread have risen at least 20% in recent weeks. The cut in fuel subsidies could lead to an additional 500,000 Yemenis falling under the breadline,

"In July, the government increased the price of gasoline by 60 percent and diesel by 95 percent as part of a package of reforms aimed at unlocking foreign funding and easing pressure on the budget, which has seen growing deficits since the country's 2011 youth-led uprising. The decision major protests in Sana'a while the price of transport and bread have risen at least 20 percent in recent weeks.

In an internal document seen by IRIN, Yemen's Ministry of Planning and International Cooperation (MoPIC) estimates that the decision to cut fuel subsidies could lead to an additional 500,000 Yemenis falling under the breadline. More than

¹⁰ The Yemen Times, Water dispute claims two lives in IBB, 18 April 2013, <http://www.yementimes.com/en/1669/news/2241/Water-dispute-claims-two-lives-in-ibb.htm>, accessed 4 August 2014

¹¹ Integrated Regional Information Networks, Yemen fuel subsidy cuts hit poor hardest, 25 August 2014, <http://www.irinnews.org/report/100535/yemen-fuel-subsidy-cuts-hit-poor-hardest>, accessed 26 August 2014

half Yemen's population - in excess of 12.5 million people - currently lives in poverty."¹²

Integrated Regional Information Networks reported that the Yemeni government agreed that the increase in fuel prices would be compensated by an increase in grants to the poorest Yemenis through the Social Welfare Fund. However, payments have not been regular,

"To prevent such a disastrous situation the government had promised to redirect any savings made from cutting subsidies - which historically benefited the country's wealthiest people - towards welfare payments for the poorest. Sana'a announced in early August that it would add 250,000 people to the list of those receiving unconditional cash transfers from the Social Welfare Fund (SWF) - the state-run body that organizes the payments - bringing the total number of people covered by the fund to 1.75 million. Individuals would receive quarterly handouts up to YR12,000 (\$60).

But SWF, which is supported by a number of foreign governments and international institutions including the World Bank, has not made regular payments to its beneficiaries since the beginning of the year, SWF officials confirmed to IRIN. In early August the fund finally made its first payment in 2014, providing people with money that was due in January."¹³

In an interview with Al Jazeera in July 2014, the *Yemeni Human Rights Minister* said that the federal system agreed under the National Dialogue Conference [See Section C below, 'Recent Political Developments'] has met the demands of the southern Yemenis who have complained of being completely marginalised and excluded in the past,

"The southern cause has been strongly present since 2011. The southerners are going through a restitution period. Half of the cabinet members and the National Dialogue delegates are from the south; the president and the prime minister are from the south, after being completely marginalised and excluded in the past.

The federal system has met the demands of the southerners. The federal system has divided the south into two regions, and that will give the southerners a big margin of self-government. I think that these [pro-succession] calls will fade away when there is economic recovery and the existing problems are settled."¹⁴

12 Integrated Regional Information Networks, Yemen fuel subsidy cuts hit poor hardest, 25 August 2014, <http://www.irinnews.org/report/100535/yemen-fuel-subsidy-cuts-hit-poor-hardest>, accessed 26 August 2014

13 Integrated Regional Information Networks, Yemen fuel subsidy cuts hit poor hardest, 25 August 2014, <http://www.irinnews.org/report/100535/yemen-fuel-subsidy-cuts-hit-poor-hardest>, accessed 26 August 2014

14 Al Jazeera, Q&A: Yemen's human rights minister - Hooria Mashhour told Al Jazeera that there is 'public consensus' in Yemen to end US drone strikes in the country, 16 July 2014, <http://www.aljazeera.com/news/middleeast/2014/07/qa-yemen-human-rights-minister-2014715135235852776.html>, accessed 10 August 2014

2. Effect of unresolved conflicts on current violence and the overall level of dissatisfaction and sense of social injustice among various regions and groups

In its 2014 world report *Human Rights Watch* reported that violence continued between security forces and armed factions in the north and south,

“Clashes continued between state security forces and armed factions demanding greater autonomy in southern Yemen and between Salafist groups and armed tribesmen and Huthis in the north.”¹⁵

In July 2014 the *United Nations Security Council* demanded that Al Houthi militants, and all armed groups and parties involved in the violence, disarm, withdraw and relinquish control of the city of Amran, amid a serious deterioration of the security situation in Yemen,

“Amid a serious deterioration of the security situation in Yemen due to ongoing turmoil in the country's restive northwest, the United Nations Security Council today demanded that Al Houthi militants, all armed groups and parties involved in the violence disarm, withdraw and relinquish control of [the city of] Amran.

Deeply regretting the high number of casualties caused by the violence, the Council, in a statement to the press by the 15-member body's President, Eugene Richard Gasana of Rwanda, demanded that the armed groups "hand over weapons and ammunition pillaged in Amran to the national authorities loyal to the Government."

There are reports of more than 200 civilians, including women and children, having been killed, and thousands of people are reportedly trapped inside the conflict zone in Amran City, unable to flee the fighting, according to the statement.”¹⁶

In June 2013 *Amnesty International* reported that armed conflicts in Yemen have seen gross violations of international humanitarian law and human rights law by state and non-state armed groups,

“In recent years, armed conflicts in Yemen have seen gross violations of international humanitarian law and human rights law by state and non-state armed groups, and caused the internal displacement of thousands of people, most of whom have yet to return to their homes.

Armed group Ansar al-Shari'a committed gross human rights abuses during its control, from February 2011 until June 2012, of parts of the Abyan and Shabwa governorates. These included summary killings and punishments, including hand amputations and flogging on those they accused of “crimes” or who did not conform with their beliefs. During an offensive launched in April 2012 against Ansar al-

¹⁵ Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

¹⁶ UN News Service, Yemen: Security Council demands militants' withdrawal from north-western city, 11 July 2014, <http://www.refworld.org/docid/53c6253c4.html>, accessed 02 August 2014

Shari'a, government forces carried out indiscriminate and disproportionate attacks resulting in civilian deaths and injuries. US forces used unmanned drones to attack suspected supporters of al-Qa'ida in Abyan province and elsewhere, apparently with the consent of the Yemeni government. Some civilians were reported to have been killed, but it is unclear whether they died in US drone strikes or attacks by Yemeni forces, and no investigations have been held into these incidents. Hundreds, possibly thousands, of civilians were killed during the conflict in the northern Sa'da region in late 2009 and early 2010, which involved heavy aerial bombardment by Yemeni and Saudi Arabian forces. In 2012 reports emerged that the Huthi armed group, after taking control of most of Sa'da in early 2011, had unlawfully killed or forcibly expelled dozens of members of families they perceived to oppose them, as well as destroying and confiscating the property of some of them."¹⁷

In July 2014 the *BBC* reported that ten thousand families have left the city of Amran to escape conflict between Zaidi Shia rebels and the military,

“Ten thousand families have fled the north Yemeni city of Amran to escape a battle between Zaidi Shia rebels and the military, the Red Crescent says. A further 5,000 families are said to be trapped inside the city, about 50km (30 miles) north of the capital Sanaa, after rebels overran several areas.

The clashes erupted last week after a ceasefire collapsed and troops reportedly attacked rebel positions. Medics and officials said at least 60 people had been killed and 180 wounded.

The rebels, known as Houthis, have staged periodic uprisings over the past 10 years in an effort to win greater autonomy for their strongholds in the far north. In February, they seized areas of Amran province in fighting that left more than 150 people dead, and at least 120 others were reportedly killed in another flare-up of violence in June.”¹⁸

In August 2014, the *US Department of State* released a press release condemning the “provocative, aggressive and destabilising” actions taken by the Houthis against the Government of Yemen. USDOS called on the Houthis to immediately dismantle their armed camps and withdraw their forces from Amran,

“The United States joins the United Nations Security Council and the international community in strongly condemning the actions taken by the Houthis, led by Abdul Malik al Houthi, and those who support them. Their actions seek to undermine the Gulf Cooperation Council (GCC) political transition process and Yemen's stability. In particular, we condemn the Houthi's provocative, aggressive, and destabilizing actions and incitement against the Government of Yemen, the establishment of

¹⁷ Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 1 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014
¹⁸ BBC, Amran : Thousands flee fighting in north Yemeni city, 08 July 2014, <http://www.bbc.com/news/world-middle-east-28212609>, accessed 04 August 2014

armed camps in and around Sana'a, and their continued illegitimate control of Amran.

We call on the Houthis to immediately dismantle their armed camps and checkpoints in and around Sana'a; withdraw their forces from Amran, return Amran to Government of Yemen control, and return the weapons looted from the 310th Brigade compound; implement ceasefires in all conflict areas to prevent further violence from destabilizing the transition process; and cooperate with the Government of Yemen efforts to achieve a sustainable and peaceful political resolution to the current conflict, consistent with the GCC Initiative and National Dialogue recommendations.”¹⁹

3. Northern Yemen

In August 2014 the *International Crisis Group* reported that there clashes in the north, between Houthis and rival tribes and army units intensified in early July, killing hundreds and displacing tens of thousands of people.²⁰

3.1. Conflict between Sunni Salafist groups/armed tribesmen and militants of the Houthi-led Shia movement

In July 2014 the US based research and analysis institute, the *Jamestown Foundation* described the Houthis as a Zaydi Shiite religious-political movement in northern Yemen. According to the *Jamestown Foundation*, the Salafist community takes a sterner view of Zaydi Shi'ism,

“The Houthis are a religious-political movement in northern Yemen that have fought a series of wars with the central government. The Houthis are Zaydi Shiites, but so are most of their opponents in the Hashid tribal confederation, which includes the powerful al-Ahmar clan. Even religious differences between the Zaydis and the Shafi'i Sunni population of Yemen (a slight majority since unification with the largely Sunni south) are minimal, though the small but growing Salafist community in Yemen takes a sterner view of Zaydi Shi'ism.”²¹

As noted above, according to *Integrated Regional Information Networks* [a service of the UN Office for the Coordination of Humanitarian Affairs], the Shia al-Houthi rebels take their name from their leader, Hussein Badraddin al-Houthi, who was killed in September 2004, and succeeded by his brother, the current leader, Abdul-Malik al-Houthi.²²

19 US Department of State, Press Statement: Yemen: Actions Taken by the Houthis, 29 August 2014, <http://www.state.gov/r/pa/prs/ps/2014/231174.htm>, accessed 29 August 2014

20 International Crisis Group, CrisisWatch Database, Yemen, 1 August 2014, <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs={9D2149C0-C350-40FC-BE12-7693FB454AEE}#results>, accessed 12 August 2014

21 Jamestown Foundation, Houthi Battle Army and Tribal Militias for Control of Yemen's Amran Governorate , 25 July 2014, Terrorism Monitor Volume: 12 Issue: 15, <http://www.refworld.org/docid/53e8b0d24.html>, accessed 29 August 2014

22 Integrated Regional Networks, Yemen: The conflict in Saada Governorate – analysis, 24 July 2008, <http://www.irinnews.org/report/79410/yemen-the-conflict-in-saada-governorate-analysis>, accessed 03 September 2014

In August 2014, *Al Jazeera* reported that the Yemeni government accuses the Houthis of spreading radical Shia ideology and the general view is that the Houthis are forging strong ties with Iran and Hezbollah. Saudi Arabia has labelled the Houthis a terrorist organisation,

“The government accuses the Houthis of spreading radical Shia ideology, and there is general feeling that the Houthis are forging strong ties with Iran and Hezbollah. Earlier this year, Saudi Arabia labelled the group a terrorist organisation.”²³

In 2008 *Integrated Regional Information Networks* stated that the Yemeni government accuses the Al-Houthi rebels of trying to install an Islamic Imamate government based on Zaydi doctrine. The Al-Houthis say they have been defending their doctrine,

“The government accuses the rebels of trying to install an Islamic Imamate government based on Zaydi doctrine. It has variously described the group as “extremist”, “terrorist”, “backward” and “apostate”.

The al-Houthis, meanwhile, say they have been defending themselves from a “dictatorial, corrupt power” that had tried to “eliminate their doctrine”.²⁴

Integrated Regional Information Networks reported that crucial to an understanding of the present conflict in Yemen is that while all Al-Houthis are Zaydis, not all Zaydis support them. This has been used by the government to persuade rival clans to fight the rebels,

“However, crucial to an understanding of the present conflict is that while the al-Houthi rebels are Zaydis, by no means all Zaydis support the al-Houthi rebels - something that has been exploited by the government, which has persuaded rival Zaydi clans, backed by government forces, to lead the fighting against them in the mountain fastnesses of northern Yemen.

Over the past four years the government has recruited thousands of northern tribesmen - mainly Zaydis and Salafis who are Sunni - to fight the rebels.²⁵

Integrated Regional Information Networks reported that a representative from a local newspaper said the Yemeni government thought it best to fight the Al-Houthis with the help of a tribal coalition. In July 2008 President Saleh met with tribal leaders with a view to forming a 27,000 strong army to fight the Al Houthi,

"The government thought it would be best to fight tribal power [the rebels] with the help of a tribal coalition," Mohammed Aysh, managing editor of al-Sharei local newspaper and also an expert on the Saada conflict, told IRIN.

23 Al Jazeera, Yemen: Houthi influence on the rise, 25 August 2014, <http://blogs.aljazeera.com/blog/middle-east/yemen-houthi-influence-rise>, accessed 04 September 2014

24 Integrated Regional Networks, Yemen: The conflict in Saada Governorate – analysis, 24 July 2008, <http://www.irinnews.org/report/79410/yemen-the-conflict-in-saada-governorate-analysis>, accessed 03 September 2014

25 Integrated Regional Networks, Yemen: The conflict in Saada Governorate – analysis, 24 July 2008, <http://www.irinnews.org/report/79410/yemen-the-conflict-in-saada-governorate-analysis>, accessed 03 September 2014

[] In early July President Saleh met various tribal leaders with a view to forming an anti-al-Houthi “popular army” of 27,000 tribesmen.”²⁶

In August 2014 *Freedom House* reported that low level clashes between Houthi and Salafi movements spread into Sanaa in 2013,

“Low level clashes in the North between the Ansar Allah, a Houthi rebel movement, and their Salafi and Al-Islah Sunni opponents spilled into Sanaa with the spread of demonstrations and random violence there”²⁷

In March 2013 *Child Soldiers International* reported that since 2004 the northernmost governorates of Yemen have experienced successive armed conflict involving the Al-Houthis, state armed forces and state-allied tribal militias,

“In addition to the 2011-2012 anti-government protests, Yemen has a history of instability and internal armed conflict. Since 2004, the northernmost governorates of Yemen have experienced successive armed conflicts waged between an armed opposition group called the Al-Houthi and the state armed forces and state-allied tribal militias.”²⁸

3.2. Al Houthi conflict in the Sa’dah Governorate by Shiite insurgents against the Yemeni central government

In June 2014 the *International Crisis Group* reported that Shiite fighters had consolidated control over Saada governorate and that despite ceasefire agreements tensions were high between Houthis and other opponents,

“The power balance in Yemen’s north is shifting. In early 2014, Zaydi Shiite fighters, known as the Huthis or Ansar Allah (Partisans of God), won a series of battles, in effect consolidating their control over Saada governorate, on the border of Saudi Arabia, and expanding southward to the gates of the capital, Sanaa. Now a patchwork of shaky ceasefires is in place, albeit battered by bouts of violence. Tensions are high between Huthis and their various opponents – the Ahmar family, Major General Ali Mohsen al-Ahmar (no relation to the Ahmar family) and his military allies, Salafi fighters, and the Sunni Islamist party, Islah, and their affiliated tribes. Fear is growing that an escalation could draw the state into a prolonged conflict.”²⁹

In August 2014 *Al Jazeera* stated that the Houthis, have emerged as a powerful faction and have expanded their power base in the north and the east, and last July al-Houthi

26 Integrated Regional Networks, Yemen: The conflict in Saada Governorate – analysis, 24 July 2008, <http://www.irinnews.org/report/79410/yemen-the-conflict-in-saada-governorate-analysis>, accessed 03 September 2014

27 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

28 Child Soldiers International, Report to the Committee on the Rights of the Child in advance of Yemen’s initial periodic report on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, March 2013, <http://www.refworld.org/docid/5208b8a64.html>, accessed 29 August 2014

29 International Crisis Group, The Huthis: From Saada to Sanaa, 10 June 2014, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/154-the-huthis-from-saada-to-sanaa.aspx>, 20 July 2014

fighters rolled into the city of Amran north of the capital, killing an army general and seizing huge depots of arms and ammunition.³⁰

In August 2014 the *New York Times* reported that Shiite rebels presented Yemen's government with new demands in order to stop their demonstrations by tens of thousands of members in Sanaa. The Shiite rebels previously demanded the establishment of a new government and a review of all economic policies. The new demands include having more representation in a review agency that oversees the rewriting of the Constitution and efforts to carry out a new federal system,

“Members of a Shiite rebel group on Monday presented Yemen's government with new demands in order to stop their protests, hardening their positions and prolonging a standoff in the capital.

The demonstrations by tens of thousands of members of the heavily armed Houthi group have put security authorities on alert. Tanks and armored vehicles have been deployed to Sana, the capital, to protect government buildings and embassies.

The Houthis have set up tents in Sana, and some militants have taken over rooftops and beefed up their defenses along the city's main airport road and near three ministries, prompting fears of armed confrontations.

They previously demanded the establishment of a new government and a review of all economic policies, first among them a recent decision to end fuel subsidies that caused prices to nearly double.

On Monday, the Houthis made additional demands, including having more representation in a national review agency that oversees the rewriting of the Constitution and efforts to carry out a new federal system, said a member of a Yemeni presidential delegation.”³¹

Also see section B (a) below for further information on Houthi conflict in the Sa'dah Governorate by Shiite insurgents against the Yemeni central government.

4. Southern Yemen

4.1. The operation of Al Qaeda in the Arabian Peninsula (AQAP) out of Yemen

In August 2014 *Freedom House* reported that Al Qaeda continued to carry out regular attacks in 2013,

Al-Qaeda in the Arabian Peninsula (AQAP) carried out regular attacks during the year. Insecurity in the south and Yemeni and American concerns about terrorism led

³⁰ Al Jazeera, Yemen: Houthi influence on the rise, 25 August 2014, <http://blogs.aljazeera.com/blog/middle-east/yemen-houthi-influence-rise>, accessed 04 September 2014

³¹ New York Times, Shiite Rebels Make New Demands to Yemen, 25 August 2014, <http://www.nytimes.com/2014/08/26/world/middleeast/shiite-rebels-make-new-demands-to-yemen.html?partner=rss&emc=rss&r=0>, accessed 26 August 2014

the United States to continue its controversial policy of using to unmanned aerial drones to strike at targets in the country.”³²

In July 2014 the *US Department of State* also reported that Al Qaeda continued to carry out terrorist attacks throughout the country,

“During the year terrorist groups, including al-Qaida in the Arabian Peninsula (AQAP), continued to carry out terrorist attacks throughout the country, characterizing their actions as warfare against apostates.”³³

In its 2014 world report *Human Right Watch* reported that AQAP carried out bombings against security forces and kidnapped foreigners,

“AQAP carried out dozens of deadly bombings and other attacks on Yemeni security forces. The Islamist group held several foreigners for ransom, releasing most after weeks or months, but continued to detain Saudi diplomat Abdallah al-Khalidi, who was abducted in March 2012.”³⁴

In its 2014 world report *Human Rights Watch* reported that at least 52 were killed and 161 injured by a suicide bomb attack against Yemen's Defense Ministry compound,

“The Yemeni government and the United States continued to engage in military operations with the Islamist armed group Al-Qaeda in the Arabian Peninsula (AQAP). On December 5, suicide bombing attacks both claimed and denied by AQAP against Yemen's Defense Ministry compound killed at least 52 people and injured another 161. The dead included at least seven foreign doctors and nurses working at the military hospital in the compound.”³⁵

In August 2014 *Al Jazeera* reported that the Yemeni government killed at least eight members of Al Qaeda in the Arabian Peninsula, raising the death toll of on-going clashes to 36. The military waged a wide offensive against Al Qaeda in spring,

“Yemeni troops defending a key southern city have battled with suspected members of al-Qaeda in the Arabian Peninsula for a second day, killing at least eight of them and raising the fighters total death toll from the ongoing clashes to 26.”³⁶

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In the spring, the military waged a wide offensive against al-Qaeda strongholds in the south.”³⁷

32 Freedom House, *Freedom in the World – Yemen*, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

33 US Department of State, *2013 Report on International Religious Freedom - Yemen*, 28 July 2014, <http://www.refworld.org/docid/53d906eb14.html>, accessed 02 August 2014

34 Human Rights Watch, *World Report, 2014, Yemen*, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

35 Human Rights Watch, *World Report, 2014, Yemen*, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

36 Al Jazeera, *Yemeni troops clash with 'al-Qaeda fighters'*, 07 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/yemeni-troops-clash-with-al-qaeda-fighters-201487142136753280.html>, accessed 10 August 2014

Al Jazeera reported that the US has waged a long-standing drone campaign against Al-Qaeda,

The US has waged a long-standing drone campaign against al-Qaeda suspects in Yemen, killing a number of high-ranking operatives, but also scores of civilians, drawing criticism from the Yemeni government and human rights groups.”³⁸

In August 2014 *Al Jazeera* reported that Al-Qaeda called for attacks on the US in response to air strikes against Islamist fighters,

“Al-Qaeda in the Arabian Peninsula has called on jihadists to target the United States, after Washington launched air strikes in Iraq against Islamist fighters calling themselves the Islamic State.

In a statement published on a Twitter account affiliated with the group's local affiliate, Ansar al-Shariah, AQAP said on Thursday: "... We declare our solidarity with our Muslim brothers in Iraq."

"We call on all Islamist groups ... to go after America as part of its plan for jihad, militarily, economically, or through the media."

"And we call on every Muslim, especially anyone who can enter America, to champion his brothers by going to war against America with everything he can."³⁹

In August 2014 the *Yemen Times* reported that Al-Qaeda released a statement announcing its support for the Islamic State in Iraq,

“Al-Qaeda in the Arabian Peninsula (AQAP) published a statement on its Al-Manbar website on August 14 announcing support for the operations of the Islamic State in Iraq and the Levant (ISIL), which now calls itself the Islamic State, in Iraq.”⁴⁰

4.2. Tribal war in the Hadramaut governorate

In July 2014 Yemeni newspaper *Asharq Al-Awsat* reported that local sources said that Al-Qaeda had announced plans to establish an “Islamic emirate” in the Hadhramaut region. The governorate is known for its largely Sufi inhabitants’ strict adherence to conservative religious norms,

“Al-Qaeda in the Arabian Peninsula (AQAP) has announced plans to establish an “Islamic emirate” in the Hadhramaut region of Yemen, according to sources in the area.

37 Al Jazeera, Yemeni troops clash with 'al-Qaeda fighters', 07 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/yemeni-troops-clash-with-al-qaeda-fighters-201487142136753280.html>, accessed 10 August 2014

38 Al Jazeera, Yemeni troops clash with 'al-Qaeda fighters', 07 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/yemeni-troops-clash-with-al-qaeda-fighters-201487142136753280.html>, accessed 10 August 2014

39 Al Jazeera, Al-Qaeda in Yemen calls for attacks on US, 15 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/al-qaeda-yemen-calls-attacks-us-201481511413460575.html>, accessed 18 August 2014

40 Yemen Times, AQAP Announces Support for ISIL, 19 August 2014, <http://www.yementimes.com/en/1808/news/4216/AQAP-announces-support-for-ISIL.htm>, accessed 6 August 2014

Sources in Hadhramaut speaking on the condition of anonymity told *Asharq Al-Awsat* that the organization had distributed a flyer on Sunday and Monday that announced a ban on women visiting markets without a male chaperone. It also barred them from participating in sports.

The organization's decree comes despite the fact that the Hadhramaut governorate, which stretches from the Gulf of Aden to the Saudi border, is known for its largely Sufi inhabitants' strict adherence to conservative religious norms. Most women already wear the niqab, or full-face veil."⁴¹

Asharq Al-Awsat reported that sources said Al-Qaeda had been able to build a base among the governorate's tribes, which rebelled against what they claimed was a theft by the central government of the governorate's oil revenues,

"The sources said Al-Qaeda has been able to build a base of support among the governorate's tribes, which launched a rebellion against what they claimed was the central government's theft of Hadhramaut's oil revenues in December 2013, after a tribal leader was shot dead by the Yemeni army."

Asharq Al-Awsat reported that the governorate has recently been the scene of a number of terrorist attacks,

"The governorate has recently been the scene of a number of terrorist attacks, including an attack on a border post between Yemen and Saudi Arabia in the town of Wadia that killed a number of security officers at the beginning of July.

Other attacks targeted the airport in the provincial capital, Seiyun, as well as security and military posts in the area. AQAP has also been blamed for an attack that killed a number of women who worked at a date-processing factory in the province."⁴²

4.3. Conflict between the Southern Movement (al-Hirak) and state security forces

In April 2013 *The Economist* reported that long-standing grievances have come close to boiling point since four southerners demonstrating for secession were killed by security forces on 21 February 2013,

"Since four southerners demonstrating for secession were killed by security forces on February 21st, long-standing grievances have come close to boiling point. Strikes and large-scale street protests have periodically shut down the city for days at a time"⁴³

41 Asharq Al-Awsat, Al-Qaeda announces planned creation of "emirate" in Yemen: sources, 22 July 2014, <http://www.aawsat.net/2014/07/article55334563>, accessed 28 August 2014

42 Asharq Al-Awsat, Al-Qaeda announces planned creation of "emirate" in Yemen: sources, 22 July 2014, <http://www.aawsat.net/2014/07/article55334563>, accessed 28 August 2014

43 The Economist, Unrest in Yemen: Southern grumps - Which is worse for the north: southern secession or al-Qaeda? 13 April 2013, <http://www.economist.com/news/middle-east-and-africa/21576113-which-worse-north-southern-secession-or-al-qaeda-southern-grumps>, accessed 28 August 2014

In January 2014 *Al Jazeera* reported complaints of unequal treatment of southern Yemenis led to the foundation of Al Hirak, the separatist group which has become increasingly visible since the 2011 uprising,

“When Yemen's south captures headlines at home and abroad, it is almost always because of the 'Southern Question' - complaints of unequal treatment of southern Yemenis by their northern counterparts that led to the foundation of the separatist Southern Movement, better known in Yemen as Hirak al-Janoubi or simply Hirak, in 2007.

Hirak has become an increasingly visible presence since the 2011 uprising that ousted Yemen's longtime President Ali Abdullah Saleh, and has been largely peaceful until now. But the standoff on Mansoura Street was representative in many ways of what daily life has become for southerners. Every few days, the south is brought to a standstill as two protagonists - Hirak, and the central government - play out a ritualised, low-intensity conflict in which there is no clear winner or loser. Young people lack education and jobs. For now, all they can do is to vent their frustration by tossing rocks at the army, the straw men of the north.”⁴⁴

In September 2013 the *International Crisis Group* reported that the Southern Movement are calling for separation or two state federalism,

“the question of the state's structure inevitably is tied to the so-called Southern issue, shorthand for the political, economic and social demands emanating from the South, which had been an independent state prior to 1990. There, a loosely aligned mix of organisations and activists, known as the Southern Movement (Hiraak), is calling for separation or, at a minimum, temporary two-state federalism followed by a referendum on the South's future. Separatist sentiment is running high and appears to have strengthened over the course of the transition.”⁴⁵

In January 2014 *Al Jazeera* reported that after Yemen's civil war, the Saleh regime cemented its control over the south, forcibly retiring southern soldiers and civil servants,

“After the civil war, the Saleh regime cemented its control over the south, forcibly retiring thousands of southern soldiers and civil servants and seizing land previously held by the socialist government, distributing it among senior military officers and tribal sheikhs loyal to Saleh. Some of Yemen's biggest oil fields are in the south, and many southerners complain that the revenues from oil exports were stolen by the regime, rather than being recycled into projects to develop the southern economy.

Southerners say that they have seen no improvement in their situation since Saleh stepped down, and Hirak's leadership has largely refused to take part in ongoing

44 Al Jazeera, Analysis: No voice for Yemen's southern youth: Young southerners would be key to an armed uprising in Yemen, yet their voices are rarely heard, 23 January 2014, <http://www.aljazeera.com/indepth/features/2014/01/analysis-no-voice-yemen-southern-youth-20141227274387428.html>, accessed 28 August 2014

45 International Crisis Group, Yemen's Southern Question: Avoiding a breakdown, 25 September 2013, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/145-yemen-s-southern-question-avoiding-a-breakdown.aspx>, accessed 20 July 2014

national reconciliation talks in Sanaa, demanding a referendum on independence which they say "all" southerners want. Hadi, a southerner himself, has said he will not allow unity to be broken, while tribal leaders in the north have promised war if any serious attempt is made at secession."⁴⁶

46 Al Jazeera, Analysis: No voice for Yemen's southern youth: Young southerners would be key to an armed uprising in Yemen, yet their voices are rarely heard, 23 January 2014, <http://www.aljazeera.com/indepth/features/2014/01/analysis-no-voice-yemen-southern-youth-20141227274387428.html>, accessed 28 August 2014

B. Security situation including actors of violence, targeted profiles, number and types of incidents, civilian casualties, number of reported targeted killings, kidnappings

In February 2014 the *US Department of State* reported that non-state actors committed significant abuses during the year,

“Non-state actors engaged in internal armed conflict with government forces and committed significant abuses during the year. Multiple armed groups, including pro-government and opposition tribal militias, regionally and religiously oriented insurgents, and terrorist groups including al-Qaida in the Arabian Peninsula (AQAP) perpetrated numerous human rights abuses. During the year AQAP repeatedly attacked security installations and conducted frequent campaigns to kill government officials and individuals deemed to engage in "immoral" conduct.”⁴⁷

1. Highlighting provinces/areas, including the Sa’dah Governorate (conflict between the Houthis and Salafists), Abyan Governorate, Sana’a Governorate, and Da’aleh Governorate

1.1 Sa’ada Governorate

In July 2014 the *US Department of State* reported that members of the Houthi movement continued a long-running, low level conflict with Salafis, especially in the Sa’ada governorate. Up to 200 individuals were killed,

“Politically motivated usage of sectarian rhetoric and propagation of Salafi-Sunni Islam fueled inter-sectarian tensions and conflict. Members of the Houthi movement continued a long-running, low-level conflict with Salafis, especially in the Sa’ada Governorate and parts of neighboring al-Jawf Governorate, which escalated substantially toward the end of the year. Throughout the year the Sa’ada Houthi community demanded that the Salafis from the Dammaj Institute -- a center of Salafi teaching, where students and their family members live, study, and allegedly participate in military training -- give up their weapons and expel foreign students. The conflict escalated into a localized battle and partial blockades late in the year. Up to 200 individuals were killed, and Salafis called for "jihad to protect Dammaj" and the use of sectarian language became more prevalent. Moreover, Salafis and Houthis each charged the other with inserting traditions or blocking traditions in mosques, sometimes leading to conflict. Clashes occurred in August, when a group of Sunni worshipers insisted on performing *Taraweeh* prayers (additional prayers predominantly identified with Sunni Islam) in a Zaydi mosque in Sana'a.

47 United States Department of State, 2013 Country Reports on Human Rights Practices - Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

Salafis based in Sa'ada accused Houthis of conducting raids against local residents and well known Sunni places of worship or study. The Salafis and other Sunni residents of the area called on the government to intervene. According to media reports in July, contests between Sunni Salafists and Zaydi Shia over control of two mosques in the capital led to fighting in which knives were used and to a bomb attack that wounded five people.”⁴⁸

USDOS also reported that a resurgence of Houthi-supported Shia celebrations, especially in Sana'a, occasionally led to clashes with Sunnis.⁴⁹

1.2 Al-Dale Governorate

In January 2014 *Human Rights Watch* called for the Yemeni authorities to make public their findings into an attack on a funeral in al-Dale`a governorate in December 2013 in which 15 people died,

“The Yemeni authorities should make public their findings into an attack on December 27, 2013, on the funeral of a southern separatist activist and prosecute any wrongdoing. The Yemeni military claimed that it was targeting armed militants in the attack in al-Dale`a governorate, which killed 15 people including two boys aged 3 and 11, and wounded at least 23 people.

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The funeral service was for Fahmi Muhammad Qasim, 26, of the Southern Movement (or Hirak), an umbrella group seeking independence or greater autonomy for southern Yemen, who had died in a traffic accident. The service was being held in a public school courtyard in the village of Sanah, Hajr District in al-Dale`a governorate. Qasim was from the area, and school courtyards are commonly used in rural Yemen for large gatherings. It was held on a Friday, when schools are closed, and so the students were not there.

Witnesses told Human Rights Watch that about 150 people, including at least 30 children, were present when the funeral began at 1 p.m. in the school courtyard. At around 1:30 p.m., witnesses spotted an armored vehicle mounting a large-caliber gun shoot three rounds of direct fire at the school. The first round hit the ground floor of the school. About five minutes later a second and third round hit the first floor of the school, destroying two classrooms, the witnesses said. Two people nearby told Human Rights Watch that they saw at least four rounds strike houses and other buildings near the school, destroying one of them, which media reports confirmed.”⁵⁰

In June 2014 *Amnesty International* reported that the incident remains to be investigated,

48 US Department of State, 2013 Report on International Religious Freedom - Yemen, 28 July 2014, <http://www.refworld.org/docid/53d906eb14.html>, accessed 02 August 2014

49 US Department of State, 2013 Report on International Religious Freedom - Yemen, 28 July 2014, <http://www.refworld.org/docid/53d906eb14.html>, accessed 02 August 2014

50 Human Rights Watch, Yemen: Publish Findings on Funeral Attack, Investigate Military Culpability, Address Wrongdoing, 16 January 2014, <http://www.hrw.org/news/2014/01/15/yemen-publish-findings-funeral-attack>, accessed 02 August 2014

“While Amnesty International appreciates efforts made by the authorities to protect and promote human rights in Yemen despite challenging conditions, it is extremely concerned at the ongoing violations and abuses in the armed conflicts targeting civilians in the north, and in the south and southeast of the country. The massacre of dozens of peaceful mourners, including children, in al-Sanah in al-Dale’ on 27 December 2013, allegedly by the army’s 33rd armoured brigade, has to date not been adequately investigated, and no one has been brought to justice.”⁵¹

In March 2014 *Amnesty International* reported that the Yemeni government has failed to investigate the deaths of 50 peaceful protesters in Sana’a in 2011,

“Yemen's authorities have manifestly failed to hold a thorough and independent investigation into the deaths of at least 50 peaceful demonstrators and bystanders killed in Sana'a during one of the bloodiest incidents of the 2011 uprising, said Amnesty International.

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On 18 March 2011, unidentified gunmen opened fire during a peaceful protest in Sana'a's Change Square, killing at least 50 demonstrators and bystanders.

An investigation was opened shortly after the incident by the then Attorney General. However, two weeks later, former President Ali Abdullah Saleh replaced him after he voiced public concern that his attempts to look into allegations about the involvement of top officials were being blocked.

In July 2011, the case was brought before a Criminal Court in Sana'a, which later ordered the new Attorney General to investigate senior officials - such as the former President - who had not been charged, but are widely believed to be implicated. The Attorney General has refused to do so.

The prospects for justice through the current process are exacerbated by the fact that, in 2012, a law was passed granting immunity to the former President and all of those who worked under him during his rule. This was a clear breach of Yemen's obligation under international law to investigate and prosecute those responsible for human rights violations.”⁵²

1.3 Sana’a Governorate

In August 2014 the *UN Office for the Coordination of Humanitarian Affairs* (UNOHCA) reported that Al Houthi captured Amran City on 8 July 2014. Fighting also spread to several districts in Sana’a Governorate,

51 Amnesty International, Lack of investigation into human rights violations entrenches impunity: Human Rights Council adopts Universal Periodic Review outcome on Yemen, 19 June 2014, <http://www.refworld.org/docid/53a97fe24.html>, accessed 02 August 2014
52 Amnesty International, Yemen: Three years on no justice for Sana'a protest killings, 18 March 2014, <http://www.refworld.org/docid/532bf08f4.html>, accessed 02 August 2014

“Following intermittent fighting in Amran Governorate since May, clashes between Al Houthi and Government forces culminated in the Al Houthi capture of Amran City on 8 July. Fighting also spread to several districts in neighbouring Sana’a Governorate during this time. This temporarily cut off access to Amran from Sana’a, where many humanitarian partners had based their Amran operations. Although media reports widely cited an agreement by Al Houthis to withdraw from Amran, local sources indicated widely divergent interpretations among parties to the conflict on the scope of this agreement.”⁵³

In August 2014, the *UN Security Council* condemned the actions of the Houthis who overran the city of Amran and set up camps around Sa’ana,

“Condemning the actions of the Houthis in Yemen who overran the city of Amran and the army headquarters there on 8 July, the Security Council this morning called on the faction to withdraw, cease hostilities in the area and remove camps and checkpoints around the country's capital, San'a”.⁵⁴

In August 2014 the *International Crisis Group* reported that “Tribal militants continued to attack critical energy infrastructure crippling oil exports, causing lengthy electricity blackouts in Sanaa.”⁵⁵

1.4 Amran Governorate

In July 2014 the *German Federal Office for Migration and Asylum* reported that the Houthi rebels conquered the provincial capital of Amran after heavy fighting. The Houthi are fighting for the independence of their tribal areas in the north,

“The Shiite al-Huthi rebels announced that they had conquered the provincial capital of Amran in north Yemen after heavy fighting. In recent days al-Huthi rebels had engaged in heavy fighting with the Yemeni soldiers and fighters of the Islah Party in Amran province. A rebel spokesman said that the fighters of the Sunni Islah party had fled the town. The army said that the rebels had surrounded a military base and fired at the soldiers from the surrounding buildings. The rebels had started an uprising in 2004. They are fighting for the independence of their tribal areas in the north of the country.”⁵⁶

UNOCHA reported that as of 6 August 2014, de facto control of Amran Governorate was in the hands of Al Houthis. *UNOHCA* reported that security has improved,

“As of 6 August, de facto control of Amran Governorate was in the hands of Al Houthis who invited local government officials to return to work. Security has

53 UNOCHA, Humanitarian Bulletin, Yemen, Issue 29 | 10 July – 10 August 2014, <https://yemen.humanitarianresponse.info/system/files/documents/files/OCHA%20Yemen%20Humanitarian%20Bulletin%20Issue%2029%20-%2010%20July%20to%2010%20August%202014.pdf>, accessed 29 August 2014

54 UN Department of Public Information, Security Council, in Presidential Statement, Urges Stop To Escalating Campaign by Yemeni Faction to ‘Bring Down The Government’, Disrupt Transition, 29 August 2014, <http://www.un.org/News/Press/docs/2014/sc11543.doc.htm>, accessed 29 August 2014

55 International Crisis Group, CrisisWatch Database, Yemen, 1 August 2014, <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs={9D2149C0-C350-40FC-BE12-7693FB454AEE}#results>, accessed 12 August 2014

56 Germany: Federal Office for Migration and Asylum, Information Centre Asylum and Migration Briefing Notes (14 July 2014), 14 July 2014, <http://www.refworld.org/docid/53c7c0e14.html>, accessed 02 August 2014

improved considerably since fighting ended on 9 July, and reports from partners indicate that civilians are able to move freely through the area and the markets are functioning.”⁵⁷

In August 2014 *Reuters* news agency reported that at least 200 people were killed and more than 35,000 displaced last month when Houthi rebels overtook Amran, 50 kms (30 miles) north of the capital Sanaa,

“In north-eastern Yemen, tribal sources said the fighting between the Shi’ite Houthi fighters and rivals loyal to the Islamist Islah party erupted in al-Jouf province on Tuesday night with both sides using heavy weaponry including tanks that were previously captured from the army.

Ceasefire agreements reached with government intervention have repeatedly failed to stop the conflict between the two sides. At least 200 people were killed and more than 35,000 displaced last month when Houthi rebels overtook Amran, 50 kms (30 miles) north of the capital Sanaa.”⁵⁸

In August 2014 the *International Crisis Group* reported that “the Houthis agreed to return Amran to govt control following pressure from President Hadi, along with UNSC, U.S., EU and GCC; tensions remained high, skirmishes continued in surrounding areas.”⁵⁹

1.4 Abyan Governorate

A report by *Amnesty International* said that Abyan province saw a "human rights catastrophe" during the conflict between the government and al-Qaeda-linked militants in 2011 and 2012.⁶⁰

Amnesty International reported that Ansar al-Sharia, an armed group affiliated with Al Qaeda in the Arabian Peninsula, controlled most towns and villages in Abyan by mid-2011, leading to an exodus of people from the Governorate,

“Ansar al-Shari’a (Partisans of al-Shari’a), an armed group affiliated with al-Qa’ida in the Arabian Peninsula (AQAP), rapidly established control of the small city of Ja’ar in the southern governorate of Abyan in early 2011. This was the period when the Yemeni authorities were brutally repressing large protests calling for President Ali Abdullah Saleh to step down. The armed group successfully attacked government forces and officials, and quickly gained considerable territory. By mid-

57 UNOCHA, Humanitarian Bulletin, Yemen, Issue 29 | 10 July – 10 August 2014, <https://yemen.humanitarianresponse.info/system/files/documents/files/OCHA%20Yemen%20Humanitarian%20Bulletin%20Issue%2029%20-%2010%20July%20to%2010%20August%202014.pdf>, accessed 29 August 2014

58 Reuters, Militants kills nine in southern Yemen, 15 die in northern clashes, 13 August 2014, <http://www.reuters.com/article/2014/08/13/us-yemen-violence-idUSKBN0GD0PY20140813>, accessed 29 August 2014

59 International Crisis Group, CrisisWatch Database, Yemen, 1 August 2014, <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs={9D2149C0-C350-40FC-BE12-7693FB454AEE}#results>, accessed 12 August 2014

60 Amnesty International, Conflict in Yemen: Abyan’s Darkest Hour, July 2012, <http://www.amnesty.org/en/library/asset/MDE31/010/2012/en/5c85d728-a9ab-4693-afe9-edec2b8670e/mde310102012en.pdf>, accessed 29 August 2014

2011, it controlled most towns and villages in Abyan, including the governorate's capital, Zinjibar, just 60km from the country's second largest city, Aden.

Fighting between government forces and Ansar al-Shari'a led to an exodus of people from Abyan following the armed group's control of Zinjibar in May 2011."⁶¹

Amnesty International reported that during its 14 month rule, Ansar al-Sharia committed a wide range of human rights violations including summary killings and amputations, overlapping with violations of international humanitarian law,

"During its 14-month rule in Ja'ar, Ansar al-Shari'a committed a wide range of human rights abuses in its attempts to maintain "order". It imposed punishments, including summary killings and amputations, on people it accused of spying, "sorcery" and theft, among other activities. It attempted to enforce discriminatory and repressive social and religious norms through the threat of violence. It intimidated, harassed and detained community activists perceived as challenging its rule. It also disrupted education and health care by restricting how schools could operate, and became involved in criminal activities to finance its activities.

As the situation in Abyan evolved into an armed conflict in mid-2011, abuses committed by Ansar al-Shari'a sometimes overlapped with violations of international humanitarian law (IHL), the rules of war. These included recklessly exposing civilians to harm by storing ammunition and explosives in crowded residential areas and initiating attacks from the immediate vicinity of inhabited houses, apprehending, holding and ill-treating civilians, restricting access to medical care, and heavy use of mines and booby traps."⁶²

[See also Section B (e)]

2. Threat of terrorist and regional insurgent violence

[See also Section A. Background to the conflict in Yemen]

In July 2014 the *US Department of State, Bureau of Diplomatic Security* reported that Yemen's various challenges coupled with poor economic conditions and a generally weak national security apparatus have allowed lawlessness to flourish and have given space for extremist groups to operate,

"The Republic of Yemen government transitioned to a new government in February 2012. However, Yemen continues to face many challenges, including resistance to change by former regime officials; tribal disputes; anti-government groups -- including Houthi groups in the north -- and a southern secessionist movement. These challenges, coupled with poor economic conditions and a generally weak

61 Amnesty International, Conflict in Yemen: Abyan's Darkest Hour, July 2012, <http://www.amnesty.org/en/library/asset/MDE31/010/2012/en/5c85d728-a9ab-4693-afe9-edec2b8670e/mde310102012en.pdf>, accessed 29 August 2014

62 Amnesty International, Conflict in Yemen: Abyan's Darkest Hour, July 2012, <http://www.amnesty.org/en/library/asset/MDE31/010/2012/en/5c85d728-a9ab-4693-afe9-edec2b8670e/mde310102012en.pdf>, accessed 29 August 2014

national security apparatus, have allowed lawlessness to flourish in many regions and have given space for extremist groups to operate.”⁶³

The *US Department of State, Bureau of Diplomatic Security* reported that indigenous and international terrorism present the most serious security concerns in Yemen.⁶⁴

Reporting on events in 2013, the *US Department of State, Bureau of Diplomatic Security* listed a number of local, regional, and international terrorism threats/concerns,⁶⁵

- Al-Qai'da in the Arabian Peninsula (AQAP) and AQAP-affiliated groups carried out hundreds of attacks -- including suicide bombings, car bombings, ambushes, kidnappings, and targeted assassinations by gunmen riding motorcycles -- throughout Yemen. The following list is not exhaustive, and details only a small fraction of the incidents recorded in 2013
- On January 10, unknown gunmen ambushed and killed Sheikh Ali Abdullah Abdul Salam in Mahfid, Abyan Governorate. Sheikh Abdul Salam served as an intermediary between the Yemeni government and AQAP
- On January 16, two unidentified gunmen riding motorcycles shot and killed Deputy Security Chief of the Dhamar Governorate, Brigadier General Abdullah al-Mushki, just south of Sana'a.
- On January 28, a suicide bomber affiliated with AQAP drove a vehicle-borne improvised explosive device (VBIED) into a checkpoint on the outskirts of Rada'a, al-Bayda Governorate, killing 11 soldiers and wounding 17
- On February 04, militants affiliated with Ansar al-Sharia ambushed Yemeni troops in the Walad Rabi'a district, al-Bayda Governorate, killing two soldiers and wounding three.
- On April 27, militants reportedly affiliated with AQAP attacked a checkpoint in Rada'a, al-Bayda Governorate, killing five soldiers.
- On June 27, armed tribesmen blew up the oil pipeline in Sirwah, Ma'rib Governorate, and remained at the site to prevent engineering teams from repairing the damage.
- On September 20, militants reportedly affiliated with AQAP detonated two car bombs at a military camp in al-Nashama, Shebwah Governorate, killing 21 soldiers. In a separate but related incident, armed gunmen attacked the police headquarters in Mayfa'a, killing eight police. The attackers reportedly kidnapped several soldiers during the attack and escaped using stolen vehicles. On Sept 9, an Air Force bus was bombed, and six Air Force personnel died in the attack. The bomb was apparently attached to the underside of the bus.

63 US Department of State, Bureau of Diplomatic Security, Yemen 2014 Crime and Safety Report, 22 July 2014, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=15104>, accessed 28 August 2014

64 US Department of State, Bureau of Diplomatic Security, Yemen 2014 Crime and Safety Report, 22 July 2014, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=15104>, accessed 28 August 2014

65 US Department of State, Bureau of Diplomatic Security, Yemen 2014 Crime and Safety Report, 22 July 2014, <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=15104>, accessed 28 August 2014

- On September 30, AQAP militants overran the Second Military Regional Command (2MRC) headquarters in Mukalla, Hadramaut Governorate, killing 10 soldiers. A suicide bomber detonated a VBIED outside of the 2MRC building at the onset of the attack. Armed gunmen, wearing military uniforms, exchanged fire with soldiers before storming the 2MRC headquarters and taking hostages.
- On October 6, a German diplomatic security officer was murdered in the Haddah area of Sana'a, reportedly in a botched kidnapping attempt.
- On October 11, a suicide bomber blew himself up in a market in Yafa'a, Lahj Governorate, wounding seven people.
- On November 26, unidentified gunmen shot two Belarusians working as private contractors in Sana'a, killing one. In a separate incident, unidentified gunmen shot and killed Colonel Ahmed Ismail al-Jahdary, director of training at the police academy in Sana'a.
- On December 05, militants affiliated with AQAP initiated a complex attack on the Ministry of Defense headquarters in Sana'a. Suicide bombers detonated two VBIEDs: the first to gain entry into the complex, and the second in front of the hospital. Attackers wearing military uniforms entered the hospital and gunned down medical staff, patients, and visitors indiscriminately. The Yemeni government reported 57 people killed and hundreds wounded. Qasim al-Raymi, an AQAP military commander, apologized for the attack on the hospital in a December 21 video statement after the extent of the murder of innocent civilians was publicized, stirring widespread public outrage.
- On December 15, a Japanese diplomat was attacked outside his hotel in the Haddah area of Sana'a. The attack occurred as he entered his vehicle. He was injured but survived what was reportedly a botched kidnapping.

In January 2014 the *New York Times* reported that gunmen killed an Iranian diplomat as he left the Iranian ambassadors house in Sana'a.⁶⁶

In March 2014 the *United Nations Security Council* condemned terrorist attacks in Hadramawt which killed 20 Yemeni soldiers.⁶⁷

In May 2014 the *United Nations Security Council* condemned a terrorist attack in Sana'a which killed one person and injured an unspecified number of others.⁶⁸

In May 2014 Irish daily newspaper the *Independent* reported that Al Qaeda militants launched attacks in southern Yemen targeting army, security and government buildings, killing at least 16 troops.⁶⁹

66 The New York Times, Iranian diplomat dies in Yemen after shooting, 18 January 2014, <http://www.nytimes.com/2014/01/19/world/middleeast/iran-diplomat-dies-in-yemen-after-shooting.html>, accessed 22 September 2014

67 United Nations, UN News Centre, Security Council strongly condemns deadly terrorist attack in Yemen, 26 March 2014, <http://www.un.org/apps/news/story.asp?NewsID=47434#.VChIixaPL00>, accessed 20 September 2014

68 United Nations, UN News Centre, Security Council decries deadly terrorist attack in Yemeni capital, 5 May 2014, <http://www.un.org/apps/news/story.asp?NewsID=47728#.VChiMBaPL00>, accessed 20 September 2014

69 Independent, Al Qaida fighters kill 16 in Yemen, 24 May 2014, <http://www.independent.ie/world-news/middle-east/al-qaida-fighters-kill-16-in-yemen-30300752.html>, accessed 21 September 2014

In June 2014 *Al Jazeera* reported that armed men attacked power lines leaving the whole country without power,

“Yemen remains in a state of total darkness a day after a series of attacks on power lines left the country without electricity.

The country's energy ministry reported power lines linking the capital, Sanaa, with the al-Qaeda stronghold of Marib were attacked on Tuesday, leaving the entire nation of 23 million people without power.

"The act of sabotage at Kilometre 78 suspended the entire national power and energy grid, including at Marib's gas plant, and cut power in all provinces," a ministry spokesman told the defence ministry news website.

According to state news agency Saba, power lines in Marib had come under attack twice.

Technical teams were attempting to fix the lines after the first assault, but gunmen sabotaged them a second time and prevented technicians from fixing them again.”⁷⁰

In June 2014 *Al Jazeera* reported that eight army medics were killed and nine others injured by gunmen whilst riding a bus on route to Basaheeb military hospital.⁷¹

In June 2014 *The New York Times* reported that more than 500 people had been killed in the Amran Province in the past three weeks in fighting between the Yemeni army and Shi'ite insurgents.⁷²

In June 2014 *The New York Times* reported that coordinated attacks against an international airport, a military barracks and a post office by militants killed at least 15 people, including at least nine civilians who were killed by a suicide bomber.⁷³

In July 2014 *The Washington Post* reported that at least 35 people were killed and 40 wounded in two days of fighting between Shi'ite rebels and government allied tribesmen in and around the city of Amran.⁷⁴

In July 2014 *Reuters* reported that over 200 people were killed on 8 July when the provincial capital Omran was seized by Shi'ite Muslim tribal fighters, displacing more than 35,000 people,

“More than 35,000 people have been displaced in Yemen's Omran province, a local government refugee agency said on Wednesday, a day after Shi'ite Muslim tribal

70 Al Jazeera, Power-line attack plunges Yemen into darkness, 11 June 2014, <http://www.aljazeera.com/news/middleeast/2014/06/power-line-assault-plunge-yemen-into-darkness-201461164559672523.html>, accessed 20 September 2014

71 Al Jazeera, Medics killed in southern Yemen attack, 15 June 2014, <http://www.aljazeera.com/news/middleeast/2014/06/medics-killed-southern-yemen-attack-201461573415161370.html>, accessed 20 September 2014

72 The New York Times, Yemen: Deadly fighting flares, 4 June 2014, <http://www.nytimes.com/2014/06/04/world/middleeast/yemen-deadly-fighting-flares.html>, accessed 21 September 2014

73 The New York Times, Yemen: Militants attacks airport, 26 June 2014, <http://www.nytimes.com/2014/06/27/world/middleeast/yemen-militants-attack-airport.html>, accessed 21 September 2014

74 The Washington Post, Dozens die as rebels, tribesmen clash, 7 July 2014, http://www.washingtonpost.com/world/world-digest-july-7-2014/2014/07/06/908b3174-0535-11e4-a0dd-f2b22a257353_story.html, accessed 21 September 2014

fighters overran the provincial capital following fighting that killed more than 200 people.

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He said that most of these families were now staying in the open with no shelter and were in desperate need of humanitarian aid. Many others were still stuck in areas of confrontation unable to leave due to the clashes or because they cannot afford to pay for the costs of leaving, he said.”⁷⁵

In August 2014 the *New York Times* reported that a plot to kill former President, Ali Abdullah Saleh, with explosives planted in a tunnel running inside his compound was uncovered.⁷⁶

In August 2014 the *New York Times* reported that 15 soldiers were pulled off public transport and shot by Al Qaeda militants,

“Al Qaeda militants killed 15 soldiers in southern Yemen after seizing them from a public bus on Friday, military officials and witnesses said, in what appeared to be retaliation for an army offensive. The officials said the soldiers had been heading to Sana, the capital, for a vacation from the southern city of Sayoun when militants stopped their bus, pulled them off and shot them to death near Shibam, in the southern province of Hadramawt, officials said.”⁷⁷

In August 2014 *Reuters* reported that 9 people were killed and 14 injured by a roadside bomb in the southern town of Saber in Lahej province. *Reuters* reported a further 15 people died in al-Jouf province, in north-eastern Yemen, in fighting between Shi'ite Houthi fighters and Sunnis fighters loyal to the Islamist Islah party.⁷⁸

In August 2014 travel advice from the *UK Foreign and Commonwealth Office* (FCO) advised that there was a high threat from terrorism throughout Yemen and terrorists continued to threaten further attacks,

“There is a high threat from terrorism throughout Yemen and specific methods of attack are evolving and increasing in sophistication. Terrorists continue to threaten further attacks, particularly in light of on-going Yemeni security operations in the south. Al-Qaida in the Arabian Peninsula (AQAP) has previously targeted western interests and there could be a threat to commercial sites, transport infrastructure, diplomatic missions and any place where westerners gather.

There is a very high threat of kidnap from armed tribes, criminals and terrorists. So far in 2014, a number of foreign nationals have been kidnapped, and groups

75 Reuters, Refugee agency says more than 35,000 people displaced by Yemen fighting, 9 July 2014, <http://www.reuters.com/article/2014/07/09/us-yemen-houthis-displaced-idUSKBN0FE1VX20140709>, accessed 21 September 2014

76 New York Times, Yemen: Assassination plot foiled, 14 August 2014, http://www.nytimes.com/2014/08/15/world/middleeast/yemen-assassination-plot-foiled.html?_r=0, accessed 20 September 2014

77 New York Times, Yemen: Militants kill 15 soldiers, 8 August 2014, <http://www.nytimes.com/2014/08/09/world/middleeast/yemen-militants-kill-15-soldiers.html>, accessed 20 September 2014

78 Reuters, Militants kills nine in southern Yemen, 15 die in northern clashes, 13 August 2014, <http://www.reuters.com/article/2014/08/13/us-yemen-violence-idUSKBN0GD0PY20140813>, accessed 22 September 2014

actively continue to target westerners. In February and March 2014, there were at least 3 separate kidnap attempts against well-protected westerners.

The situation in Yemen remains volatile with continuing unrest and violent clashes. The threat of an escalation of violence and disorder remains.”⁷⁹

3. Inter-communal violence

3.1 Groups involved and where (which ethnic groups, towns)

In August 2014, *Reuters* news agency reported that the main groups involved in violence are Sunni Muslim militants from Al Qaeda and Shi’ite tribesmen and rival Sunni Islamists in the north,

“Yemen has been buffeted by violence mainly involving Sunni Muslim militants from al Qaeda in the south and Shi’ite tribesmen and rival Sunni Islamists in the north since mass protests in 2011 forced long-serving President Ali Abdullah Saleh to step down.

The country is also battling a secessionist movement in the south and the nationwide spread of an al Qaeda insurgency.”⁸⁰

In August 2014 *Freedom House* reported that tensions between Zaidis and Sunnis escalated and spread in 2013,

“Tensions between Zaidis, Yemen’s largest Shiite community, and Sunnis escalated and spread in 2013. Ongoing unrest between Ansar Allah, a Houthi rebel movement and the state in the North continued in 2013. Clashes between Houthis and Sunni Salafis in the north killed more than 250 people in November and December. Tensions also spread to Sanaa where the two communities waged low level violence against one another, including random attacks, struggles to control mosques, and staging competing demonstrations. State authorities responded harshly against Zaidi protests, killed 10 in one demonstration in June.”⁸¹

[See also Section B. ‘Security situation including actors of violence, targeted profiles, number and types of incidents, civilian casualties, number of reported targeted killings, kidnappings]

79 UK Foreign and Commonwealth Office, Foreign Travel Advice, Yemen, 26 August 2014, <https://www.gov.uk/foreign-travel-advice/yemen>, accessed 28 August 2014

80 Reuters, Militants kills nine in southern Yemen, 15 die in northern clashes, 13 August 2014, <http://www.reuters.com/article/2014/08/13/us-yemen-violence-idUSKBN0GD0PY20140813>, accessed 29 August 2014

81 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 29 August 2014

3.2 Types of violence, purpose of violence, and its prevalence (land use issues, cattle, migration patterns, cattle-raiding, abductions of women and children)

In August 2014 *Reuters* news agency reported that the Houthis have said their fight is against rivals loyal to the Islamist Islah party,

“The Houthis, named after their leader's tribe, have said their fight was against rivals loyal to the Islamist Islah party - which has links to the Sunni Muslim Brotherhood - rather than the government.”⁸²

In February 2014 the *US Department of State* reported that a number of internal conflicts continued in 2013 and the use of excessive force and other abuses was reported by all parties in conflict areas,

“A number of significant internal conflicts continued during the year. The use of excessive force and other abuses by all parties was reported in conflict areas. Clashes occurred in the center of the country, near the capital, including in the districts of Arhab and Nihm, and near Ta'iz. Government forces and progovernment tribal proxies battled fighters who sought to retain tribal control over routes and resources.”⁸³

USDOS reported that terrorist groups, including AQAP, regularly carried out attacks against government representatives and installations, members of Hirak, and other individuals accused of "immoral" behaviour.⁸⁴

3.3 Targets of violence and who is vulnerable to attack

In February 2014 the *US Department of State* reported that government forces responded with excessive force to demonstrations and protests. On 21 February 2013, security forces opened fire on protestors, killing at least 4 and wounding 40 others,

“There were numerous reports that members of the security forces committed arbitrary or unlawful killings. Government forces and their proxies responded at times with excessive force to demonstrations and protests in various parts of the country, particularly in Aden, where groups affiliated with the Southern Mobility Movement (Hirak) clashed with security forces and government proxies. On February 21, security forces opened fire to disperse a protest by Hirak activists in Aden, killing at least four persons and wounding 40 others. Excessive force was also used on both sides in internal armed conflicts in Sana'a, Marib, Ta'iz, Zinjibar,

82 Reuters, Militants kills nine in southern Yemen, 15 die in northern clashes, 13 August 2014, <http://www.reuters.com/article/2014/08/13/us-yemen-violence-idUSKBN0GDOPY20140813>, accessed 29 August 2014

83 United States Department of State, 2013 Country Reports on Human Rights Practices - Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

84 United States Department of State, 2013 Country Reports on Human Rights Practices - Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

Abyan, and elsewhere, resulting in the killing of civilian bystanders. Incidents in which significant numbers of innocent bystanders or non-combatants were killed dropped notably compared with the previous year, according to reports from local NGOs. NGO representatives stated, however, there were considerably more small-scale incidents that resulted in such deaths during the year.”⁸⁵

USDOS further reported that there were fewer incidents that resulted in large numbers of persons being killed, however targeted killings increased in 2013, directed at members of security organisations or foreign officials,

“There were fewer incidents during the year that resulted in large numbers of persons being killed, compared with the widespread violence of 2011. Clashes in and around Sana'a were sporadic and smaller in scale, with few fatalities. Targeted killings, however, increased during the year, usually directed at members of security organizations or foreign officials. In addition to the killings of security officials by drive-by motorcyclists, there were two bombings of military buses carrying recruits.”⁸⁶

In August 2014 the *UN Office for the Coordination of Humanitarian Affairs* (UNOCHA) reported that the Amran conflict has particularly affected women and children,

“The Amran conflict has particularly affected women, boys and girls. According to partner estimates, most IDPs from the recent conflict are women and children. Many families were displaced without adult male protection. IDPs living with host families often stay in overcrowded rooms where privacy is a major concern for women and girls. IDPs sheltering in schools or other public buildings faced similar concerns.”⁸⁷

3.4 Effects on general population (including fear, displacement)

See sections below: G ‘Humanitarian Situation’ and Section H ‘Internal Displacement’ for further information on the effects on the general population in Yemen.

4. Extent of disarmament

4.1. Among the Houthis and the Salafists

85 United States Department of State, 2013 Country Reports on Human Rights Practices - Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

86 United States Department of State, 2013 Country Reports on Human Rights Practices - Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

87 UN Office for the Coordination of Humanitarian Affairs (UNOCHA, Humanitarian Bulletin, Yemen, Issue 29, 10 July – 10 August 2014,

<https://yemen.humanitarianresponse.info/system/files/documents/files/OCHA%20Yemen%20Humanitarian%20Bulletin%20Issue%2029%20-%2010%20July%20to%2010%20August%202014.pdf>, accessed 29 August 2014

In March 2014 the *Yemen Post* reported that the Houthis rejected UN Security Council resolution 2140 and warned that as a group they will not agree to disarmament,

“On Friday the Houthis rejected UN Security Council resolution 2140 and warned that as a group they never agree to disarmament. Saleh Habra, the Head of the Houthis political council and former NDC representative wrote on his Facebook page that the group will never surrender its weapons as it had an inherent and inalienable right to protect its people from aggression.

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Last week President Abdo Rabbo Mansour Hadi called for the Houthis to surrender their weapons as a guarantee their men would no longer pose a threat to peace and stability. The group which is led by Abdel Malek al Houthi has categorically refused to cooperate, arguing the state sought only to serve Islahis’ interests and not that of the Yemeni people.

No longer a northern rebel faction, the Houthis have gained incredible traction over the past two years, to such an extent that they present a tangible political and military threat to al-Islah, Yemen’s most powerful political group. “No one has the right to disarm the Houthi movement,” wrote Habra on social media.”⁸⁸

However in April 2014 the *Yemen Post* reported that UN Special Envoy to Yemen confirmed that he had secured an agreement with the Houthis which sets out the terms for disarmament,

“Following months of uncertainty and aggravated tensions in the northern province of Amran as Houthis militants have sporadically clashed with local tribesmen for control over territories, UN Special Envoy to Yemen, Jamal Benomar confirmed that he had secured an agreement with the Houthis (Shi’ite group organized under the leadership of Abdel-Malek al-Houthi) which sets the terms for disarmament.

“The Houthis have agreed to a new initiative by President Abed Rabbo Mansour Hadi to promote dialogue related to disarmament, demobilization and reintegration,” he told reporters late on Thursday in the Yemeni capital, Sana’a.”⁸⁹

In April 2014 local news agency the *Shia News Association* also reported that the UN Special Envoy had reached a disarmament deal with the Houthis.⁹⁰ In April 2014 *Al Arabiya* reported that the Houthis agreed to a new initiative by President Abed Rabbo Mansour Hadi to promote dialogue related to the rebels’ “disarmament, demobilization and reintegration.”⁹¹

88 Yemen Post, The Houthis reject UNSC resolution and calls for disarmament, 01 March 2014, <http://yemenpost.net/Detail123456789.aspx?ID=3&SubID=7633>, accessed 29 August 2014

89 Yemen Post, UN Special Envoy to Yemen brokers truce with Houthis, 29 April 2014, <http://yemenpost.net/Detail123456789.aspx?ID=3&SubID=7788>, accessed 29 August 2014

90 Shia News Association, UN envoy to Yemen brokers disarmament deal with Shia group, 25 April 2014, <http://en.shafaqna.com/other-services/of-the-week/item/27442-un-envoy-to-yemen-brokers-disarmament-deal-with-shia-group.html?tmpl=component&print=1>, accessed 04 September 2014

91 Al Arabiya, U.N. Yemen envoy says rebel group agrees to talks, 25 April 2014,

4.2 U.S. drone attacks

In its 2014 world report *Human Rights Watch* reported that the US carried out at least 22 drone strikes against alleged AQAP members as of mid September 2013, killing between 72 and 139 people,

“The US carried out at least 22 drone strikes on alleged AQAP members as of mid-September, according to the New America Foundation and the United Kingdom-based Bureau of Investigative Journalism. The strikes killed between 72 and 139 people, most of them alleged militants, but lack of access to most targeted areas and the unwillingness of the United States to provide information on attacks, prevented full inquiries, including regarding civilian casualties.

A Human Rights Watch investigation of six US targeted killing operations in Yemen—one in 2009 and the rest in 2012-13—found two attacks were unlawfully indiscriminate and four others raised serious laws-of-war concerns.”⁹²

In August 2014 *Al Jazeera* reported that a US drone killed three suspected Al- Qaeda fighters,

“Three suspected al-Qaeda fighters have been killed in a drone strike in Yemen’s central province of Maareb, security officials have said.

"The air raid was conducted by a US drone plane which targeted a house in the Maareb province, killing three people inside who are suspected to be members of al-Qaeda," a local official told the Reuters news agency.”⁹³

In December 2013 *Amnesty International* reported on an airstrike that killed 15 men in Rada', al-Bayda Governorate - around 170km south-east of the capital Sana'a. Local reports allege that a drone was used – which may suggest US involvement,

“The confusion over who was responsible for an airstrike that killed 15 men on their way to a wedding in Yemen on Thursday exposes a serious lack of accountability for scores of civilian deaths in the country, Amnesty International said.

Local security officials reportedly said the wedding convoy had been mistaken for al-Qa'ida operatives, but did not identify the type of aircraft used in the attack. Local media and tribal officials allege that a drone was used - if true, this would point to US involvement in the attack.

<http://english.alarabiya.net/en/News/middle-east/2014/04/25/U-N-Yemen-envoy-says-rebel-group-agrees-to-talks.html>, accessed 04 September 2014

⁹² Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

⁹³ Al Jazeera, Drone strike kills suspected Yemen fighters, 09 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/drone-strike-kills-suspected-yemen-fighters-201489152413100581.html>, accessed 10 August 2014

"Even if it turns out that this was a case of killings based on mistaken identity or dodgy intelligence, whoever was responsible needs to own up to the error and come clean about what happened in this incident," said Philip Luther, Director of Amnesty International's Middle East and North Africa Programme.

"The appalling lack of transparency over civilian deaths in Yemen means that when violations occur, the victims and their families have no effective access to redress or reparations. The utter lack of accountability for these killings must end."

According to local reports, at least 15 men were killed and a number of others wounded on Thursday when three missiles targeted a convoy of cars in Rada', al-Bayda Governorate - around 170km south-east of the capital Sana'a. Three of the 15 bodies were completely unidentifiable as they were blown into pieces in the attack."⁹⁴

4.3 Civilian casualties

In July 2014 in an interview with *Al Jazeera*, the *Yemen Human Rights Minister* stated she is against drone strikes because they affect civilians,

"I am against drone strikes because they affect civilians. The National Dialogue [transitional talks between Yemen's political and apolitical groups to reach a road map for the country's future] and the parliament called for the halting of drone strikes, so there is public consensus about the need for putting an end to drone missions.

I visited a victim of a drone strike in Rada'a district who lost his leg and one of his eyes. The man is working as a shepherd. Since he did not receive any reparations from the government, his poor family was forced to borrow money to treat him

There are many similar cases of people who lost their ability to work because of drone strikes. All reports that we receive show that no one has compensated the victims."⁹⁵

In February 2014 *Human Rights Watch* reported that a US drone strike in December 2013 killed at least 12 men and wounded at least 15 others attending a wedding procession. All were civilians,

"On December 12, 2013, a United States aerial drone launched four Hellfire missiles on a convoy of 11 cars and pickup trucks during a counterterrorism operation in rural Yemen. The strike killed at least 12 men and wounded at least 15 others, 6 of them seriously. Yemen authorities initially described all those killed in the attack outside the city of Rad`a as "terrorists." The US government never officially acknowledged any role in the attack, but unofficially told media that the

94 Amnesty International, Yemen: Death of 15 civilians in airstrike underscores serious lack of accountability, 13 December 2013, <http://www.refworld.org/docid/52b009c24.html>, accessed 02 August 2014

95 Al Jazeera, Q&A: Yemen's human rights minister - Hooria Mashhour told Al Jazeera that there is 'public consensus' in Yemen to end US drone strikes in the country, 16 July 2014, <http://www.aljazeera.com/news/middleeast/2014/07/qa-yemen-human-rights-minister-2014715135235852776.html>, accessed 10 August 2014

dead were militants, and that the operation targeted a “most-wanted” member of Al-Qaeda in the Arabian Peninsula (AQAP) who was wounded and escaped.

Witnesses and relatives of the dead and wounded interviewed by Human Rights Watch in Yemen said the convoy was a wedding procession. They said everyone in the procession was a civilian, including all of the dead and injured, and that the bride received a superficial face wound.”

After the attack, angry residents blocked a main road in Rad`a, a provincial capital in central Yemen, while displaying the bodies of those killed. Provincial authorities then unofficially acknowledged civilian casualties by providing money and assault rifles—a traditional gesture of apology—to the families of the dead and wounded.

Human Rights Watch found that the convoy was indeed a wedding procession that was bringing the bride and family members to the groom’s hometown. The procession also may have included members of AQAP, although it is not clear who they were or what was their fate. However the conflicting accounts, as well as actions of relatives and provincial authorities, suggest that some, if not all, of those killed and wounded were civilians.

This raises the possibility that the attack may have violated the laws of war by failing to discriminate between combatants and civilians, or by causing civilian loss disproportionate to the expected military advantage.

Neither the US government nor the Yemeni government has offered specific information that those whom the eight relatives and witnesses interviewed by Human Rights Watch listed as killed and injured were involved in militant activities.”

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The United States has conducted at least 86 targeted killing operations in Yemen since 2009, killing some 500 people, according to research groups that track the attacks.⁹⁷ The Long War Journal reports that this includes 105 civilians.⁹⁸ The main target in Yemen is Al-Qaeda in the Arabian Peninsula (AQAP), which President Barack Obama has called Al-Qaeda’s “most active and dangerous affiliate.”⁹⁹

In an October 2013 report, *Human Rights Watch* examined six US targeted killings in Yemen from 2009 to 2013 and found two of the strikes indiscriminately killed civilians.¹⁰⁰

In August 2014 the *Washington Post* reported that the Yemeni government paid the families of those killed in a US drone strike in 2013 more than \$1million,

96 Human Rights Watch, A Wedding That Became a Funeral: US Drone Attack on Marriage Procession in Yemen, 20 February 2014, ISBN: 978-1-62313-1074, <http://www.refworld.org/docid/530740134.html>, accessed 10 August 2014

97 The Long War Journal, “Charting the data for US air strikes in Yemen, 2002 – 2014,”

<http://www.longwarjournal.org/multimedia/Yemen/code/Yemen-strike.php>, accessed 10 August 2014

98 The Long War Journal, “Charting the data for US air strikes in Yemen, 2002 – 2014,”

<http://www.longwarjournal.org/multimedia/Yemen/code/Yemen-strike.php>, accessed 10 August 2014

99 The White House, Message to the Congress, Report Consistent with War Powers Resolution, 6-Month Report of December 13, 2013, <http://www.whitehouse.gov/the-press-office/2013/12/13/message-congress-report-consistent-war-powers-resolution>, accessed 10 August 2014

100 Human Rights Watch, “Between a Drone and Al-Qaeda” The Civilian Cost of US Targeted Killings in Yemen, 22 October 2013, <http://www.refworld.org/docid/530740134.html>, accessed 10 August 2014

“The Yemeni government paid the families of those killed or injured in a U.S. drone strike last year more than \$1 million, according to documents that provide new details on secret condolence payments seen as evidence that civilians with no ties to al-Qaeda were among the casualties.

The documents, which are signed by Yemeni court officials and victims’ relatives, record payouts designed to quell anger over a U.S. strike that hit vehicles in a wedding party and prompted a suspension of the U.S. military’s authority to carry out drone attacks on a dangerous al-Qaeda affiliate.

The records reveal payments that are many times larger than Yemeni officials acknowledged after the strike. The \$1 million-plus figure also exceeds the total amount distributed by the U.S. military for errant strikes in Afghanistan over an entire year.”¹⁰¹

5. Recent Political Developments

5.1 Since Yemen’s National Dialogue Conference (NDC) that took place in March 2013

The National Dialogue Conference (NDC) was a transitional dialogue process held at the Movenpick Hotel in Sana’a, Yemen from March 18, 2013 to January 24, 2014.¹⁰² It began on 18 March 2013 with 565 delegates including an ‘unprecedented’ number of youth, women and civil society organisations.¹⁰³ The structure of the dialogue was outlined in United Nations Security Council Resolution 2051.¹⁰⁴

The NDC work was divided according to nine wide ranging thematic working groups.¹⁰⁵

In its 2014 world report *Human Rights Watch* reported that there had been delays to the process of the National Dialogue Conference due to political maneuvering,

“Five hundred and sixty five representatives of political parties, women, youth, and civil society launched a national dialogue process in March, which was slated to produce recommendations within six months to guide the subsequent constitutional

101 Washington Post, 18 August 2014, http://www.washingtonpost.com/world/national-security/yemeni-victims-of-us-military-drone-strike-get-more-than-1million-in-compensation/2014/08/18/670926f0-26e4-11e4-8593-da634b334390_story.html, accessed 26 August 2014

102 Yemen Times, National Dialogue Conference Concludes, 28 January 2014, <http://www.yementimes.com/en/1750/news/3398/National-Dialogue-Conference-concludes.htm>, accessed 04 September 2014

103 United States Institute of Peace, Process Lessons Learned in Yemen’s National Dialogue, February 2014, http://www.usip.org/sites/default/files/SR342_Process-Lessons-Learned-in-Yemens-National-Dialogue.pdf, accessed 04 September 2014

104 UN Security Council 2051, The Situation in the Middle East, 12 June 2012, S/RES/2051 (2012), <http://unscr.com/en/resolutions/2051>, accessed 04 September 2014

105 A full list of conference topics can be found in the Appendix of United States Institute of Peace, Process Lessons Learned in Yemen’s National Dialogue, February 2014, http://www.usip.org/sites/default/files/SR342_Process-Lessons-Learned-in-Yemens-National-Dialogue.pdf, accessed 04 September 2014

drafting process regarding the nature of the state. At time of writing, the dialogue had yet to end because of delays caused by political maneuvering.”¹⁰⁶

In September 2013 the *International Crisis Group* reported that the timetable of the NDC has been delayed,

“Yemen is at a critical juncture. Its six-month National Dialogue Conference (NDC) was to have closed on 18 September, ushering in constitution drafting, a constitutional referendum and new elections. The timetable has slipped, and, though no end date has been set, there is an understandable urge among many international and some domestic actors to stick closely to agreed deadlines, wrap up the NDC negotiations and finish the transition to-do list. But despite progress, there is no broad-based, implementable agreement on the state’s future structure, and thus on the South’s status. Worse, such a result is unlikely to emerge from the current dialogue, even with a short extension. A rush to declare victory and complete the transition checklist could mean forcing through an outcome without necessary legitimacy or buy-in. It would be better to agree to a time-limited delay of the referendum, put in place modified transitional arrangements and ensure the next round of negotiations is in concert with confidence-building measures and includes a wider, more representative array of Southern voices.”¹⁰⁷

In September 2013 the *International Crisis Group* reported that the NDC faced severe limitations but had made some progress. The *International Crisis Group* reported that the NDC had considered possible outcomes to the Southern issue but that there was a lack of detail,

“To an extent, the NDC has made advances. It helped launch a healthy and overdue public debate over the roots of the Southern problem and began the consideration of potential outcomes. But the conference faced severe limitations. Debate in Sanaa is far removed from the increasingly separatist Southern street. Within the NDC, discussion of solutions, bereft of detail, was squeezed into the last two months of negotiations. Although consensus appears to be forming around a federal structure, critical elements remain unresolved: how to define administrative boundaries; redistribute political authority; and share resources. Even a general agreement will be hard to achieve. It will require bridging the yawning gap between Hiraak delegates, who demand a three-year transition under two-part federalism in order to rebuild the Southern state in advance of an ill-defined referendum on the South’s future status, and staunch pro-unity advocates, who passionately reject this option.

Garnering popular support for any eventual agreement will be more challenging still. The Hiraak delegation suspended its participation for nearly three weeks,

106 Human Rights Watch, World Report 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

107 International Crisis Group, Yemen’s Southern Question: Avoiding a breakdown, 25 September 2013, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/145-yemen-s-southern-question-avoiding-a-breakdown.aspx>, accessed 20 July 2014

complaining that negotiations were biased against it; even that delegation hardly is representative of broader and more militant Hiraak sentiment.”

In September 2013 the *International Crisis Group* reported that many in the South had a lack of confidence in the NDC and that security and economic conditions in the region had not changed,

“The South’s lack of faith in the NDC process perhaps was inevitable, but it has been exacerbated by the absence of genuine measures to improve security and economic conditions in the region. Government promises notwithstanding, little has changed, further undercutting those Southerners willing to negotiate and providing fodder to those for whom the only way out is separation.

As the time for reaching an agreement nears, all parties appear to be digging in their heels. The Hiraak NDC delegation demands significant concessions, arguing that anything short of two-state federalism and/or a promise to organise a referendum on the South’s future status is unacceptable; leaders from the former ruling party, the General People’s Congress (GPC), and from the predominant Islamist party, Islah, flatly refuse either prospect, clinging to the notion of a federal model with multiple administrative units.”¹⁰⁸

In April 2014 the *UK Foreign and Commonwealth Office* reported that the National Dialogue Conference made a number of positive recommendations in 2013,

“Some progress was made. The National Dialogue Conference (NDC) made a number of positive recommendations, notably to introduce a minimum legal age for marriage, and renewed commitments to pass a law on transitional justice and establish a commission to investigate the alleged human rights violations in 2011. Women and youth were well represented at the NDC, and a bill to establish a national human rights commission was drafted. The conclusion of the NDC is a positive step in Yemen’s transition. But effective implementation will be a challenge. For Yemen’s human rights situation to improve, the government will need to work quickly to enshrine the NDC’s recommendations into the new constitution and enforce them by law.”¹⁰⁹

In June 2014 the *International Crisis Group* reported that President Hadi held talks with Houthi leader Abd-al-Malik al-Huthi about implementing the NDC, but that NDC conclusions had yet to be implemented into a peace deal,

“In April 2014, President Hadi initiated talks with Huthi leader Abd-al-Malik al-Huthi about ending the recent fighting and implementing the NDC. But Hadi and UN Special Envoy Jamal Benomar must go further and transform the NDC conclusions into an implementable peace deal. The talks must include, at least informally,

108 International Crisis Group, *Yemen’s Southern Question: Avoiding a breakdown*, 25 September 2013, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/145-yemen-s-southern-question-avoiding-a-breakdown.aspx>, accessed 20 July 2014

109 FCO - UK Foreign and Commonwealth Office: *Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Yemen*, 10 April 2014, http://www.ecoi.net/local_link/273734/389498_en.html, accessed 29 August 2014

additional stakeholders: high-level representatives of the General People's Congress (GPC, former President Saleh's party), Islah, the Ahmars, Ali Mohsen and Salafis. Any realistic peace plan will need to satisfy the core concerns of belligerents and guarantee them with enforcement mechanisms."¹¹⁰

In August 2014 *Reuters* news agency reported that the fuel prices issue has negatively affected talks on forming a new government,

"Talks on forming a new Yemeni government collapsed on Sunday over demands by Shi'ite Muslim Houthis to restore fuel subsidies cut by President Abd-Rabbu Mansour Hadi, officials said, and further demonstrations in the capital Sanaa were expected."¹¹¹

In August 2014 the *Middle East Eye* reported that the Houthi's drive to push out the Yemeni government gained momentum after fuel prices were almost doubled,

"In the beginning of 2013, the Yemeni National Dialogue Conference was launched with the expectation of diffusing the political disputes, through peaceful negotiations between all conflicting Yemeni factions, including the Houthis.

"After ten months of intensive dialogue between: Yemen's Islah Party, The Southern Movement, Yemen's Socialist Party, the Houthi group, the GPC and the Salafist group (Rashad Party), the NDC ended with the drafting of a document which outlined 2000 resolutions to be implemented by a new Yemeni government.

However, the transitional government remained in power, which caused the Houthi delegates to withdraw participation from the NDC. They began to take to the streets to demand the downfall of the government which they professed unlawful.

The Houthi's drive to dissolve the Yemeni government gained momentum after Hadi's government decided to nearly double the prices of fuel and diesel at the end of July, a move which ignited public anger and streets riots deploring the fuel price hikes.

In an unprecedented event, the Houthi leader delivered a speech last Sunday in which he gave the Yemeni government an ultimatum: to reverse the cutting of fuel subsidies by Friday, or else "legitimate actions" would be taken to tumble the government."¹¹²

5.2 Agreement between northern and southern politicians on putting in place a new federal system of governance

110 International Crisis Group, The Huthis: From Saada to Sanaa, 10 June 2014, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/154-the-huthis-from-saada-to-sanaa.aspx>, 20 July 2014

111 Reuters, Talks on new Yemeni government collapse over Shi'ite Houthi subsidy demands, 24 August 2014, <http://www.reuters.com/article/2014/08/24/us-yemen-protests-idUSKBN0GN06820140824>, accessed 24 August 2014

112 Middle East Eye, Anti-government sentiment continues to grow in Yemen, 23 August 2014, <http://www.middleeasteye.net/news/houthis-move-topple-yemeni-government-1562958798>, accessed 24 August 2014

In February 2014 the *BBC* reported that Yemen is to become a federation of six regions as part of its political transition,

“Yemen is to become a federation of six regions as part of its political transition, state media report. Final approval was given by a committee chaired by President Abdrabbuh Mansour Hadi following two weeks of talks with delegates from across the country.

The federal structure should be enshrined in a new constitution that must be put to a referendum. The move is intended to end the complaints against centralisation that fed rebellions in the north and south.”¹¹³

The *BBC* reported that southern leaders rejected the decision to divide Yemen into six federations – many from the south had called for a federation of two regions,

“Many politicians from the south had called for a federation of two regions.

They argued that it would put them on a more equal footing with the north while securing their access to a larger share of the country's oil resources, which are located in the south.

Southern leaders swiftly rejected Monday's announcement.

"What has been announced about the six regions is a coup against what had been agreed at the dialogue," Mohammed Ali Ahmed, a former South Yemen interior minister who returned from exile in March 2012 and withdrew from the NDC in November, told the Reuters news agency.

Nasser al-Nawba, a founder of the separatist Hiraak al-Janoubi (Southern Movement), meanwhile vowed that it would continue what he described as its peaceful struggle until independence was achieved.”¹¹⁴

In February 2014 *the Yemen News Agency (SABA)* reported that a Presidential panel agrees to transform the country into "federal state of six regions,

“A meeting of the region determination committee chaired by President Abdo Rabbu Mansour Hadi approved on Monday the transformation of Yemen to a six-region federation.”¹¹⁵

In February 2014 *Al Jazeera* reported that the decision to split the future federation into six regions may not be accepted by southerners,

“Yemen's parties had been divided on whether to split the future federation into two or six regions. The government feared that a straight north-south divide could set the stage for the disgruntled south to secede.

113 BBC, Yemen to become federation of six regions, 10 February 2014, <http://www.bbc.com/news/world-middle-east-26125721>, accessed 29 August 2014

114 BBC, Yemen to become federation of six regions, 10 February 2014, <http://www.bbc.com/news/world-middle-east-26125721>, accessed 29 August 2014

115 Yemen News Agency (SABA) Yemen to become six-region federation, committee approves, 10 February 2014, <http://www.sabanews.net/en/news341196.htm>, accessed 04 September 2014

Hashem Ahelbarra, Al Jazeera's Yemen correspondent, said that even with the decision, which is step forward for the country's democracy, it will still face problems in the future.

"It shows that people in the north, who consider themselves the political elite in Yemen, still insist that they have to become and stay as a majority and therefore they were granted four provinces in the federal system," he said, adding that doubted the southerners would accept the system."¹¹⁶

5.3 The postponement of presidential elections to 2015 that were originally scheduled for February 2014.

In January 2014 US based news and information analysis company *IHS* reported that the National Dialogue Conference ended on 25 January 2014 and extended President Abdurabu Mansour Hadi's presidential term by one year. IHS reported that presidential elections will only be held after a referendum for a new constitution is held,

"The National Dialogue Conference (NDC) was originally scheduled to end on 18 September 2013, with a draft constitution approved by all the delegates, as well as consensus over a framework to resolve long-standing Houthi and southern grievances. It ended on 25 January 2014, with consensus over the concept of federal state representatives in the Yemeni NDC, including the former ruling General People's Congress (GPC) reached. The Document on Solutions and Guarantees (DSC) was signed on 8 January 2014. President Abdurabu Mansour Hadi was mandated as the chairman of the committee tasked with determining the number of regions in the new federalist state. The NDC also extended Hadi's term in office by one year and formally approved the concept of a federal state on 21 January. However, presidential elections will only be held after the new constitution is finalised through a referendum."¹¹⁷

In January 2014 the *Yemen Times* reported that under the outcomes of the National Dialogue Conference, perhaps the most contentious was the extension of the incumbent President's term in office by one year,

"NDC [National Dialogue Conference] Secretary General Ahmed Awad Bin Mubarak said that NDC members on Tuesday reached a consensus on the conference's final document, which paves the way for a new constitution. The document also stipulates that Yemen will become a multi-region federal system.

Perhaps the most contentious decision the document allows for is a one-year

116 Al Jazeera, Yemen to become six-region federation, 10 February 2014, <http://www.aljazeera.com/news/middleeast/2014/02/yemen-become-six-region-federation-2014210124731726931.html>, accessed 04 September 2014

117 IHS Jane's 360, Yemeni president consolidates power base and gains control of constitution drafting process, 27 January 2014, <http://www.janes.com/article/33134/yemeni-president-consolidates-power-base-and-gains-control-of-constitution-drafting-process>, accessed 04 September 2014

extension of Hadi's term in office. Proponents of the extension say it empowers the president to reform the government to achieve more efficiency and integrity. Hadi will also be in charge of restructuring the Shura Council—an advisory board to the Parliament—so that it is composed of equal numbers of Northern and Southern representatives.”¹¹⁸

In Marcy 2014 *Al Jazeera* reported that presidential elections are “likely to be held before the end of 2015.”¹¹⁹

In May 2014 the *AL Monitor* reported that the General People's Congress party (the ruling political party in Yemen) increasingly demanded on carrying out presidential elections. However the demands did not last long as the party was neither ready, nor would the international community given its supports,

“At the end of 2013, the General People's Congress (GPC) increasingly demanded on carrying out presidential elections, which were supposed to be held at the end of the transitional period. The demands did not hold up for long, though. The party itself was not ready for elections, and the international community, the sponsor of the political process, would not have agreed to hold presidential elections as long as the transitional period had only expired time-wise while the remaining missions were still pending. On the other hand, other powers called for holding parliamentary elections, but these demands also did not last long, perhaps because they were not serious or because the electoral process was not possible in the first place.

All political parties in Yemen are calling for the implementation of the outcomes of the National Dialogue Conference, and thus the discussions of other issues have been postponed. These issues include presidential and parliamentary elections, as well as a cabinet reshuffling or the replacement of the current government with a government that encompasses competent members.”¹²⁰

5.4 Since the transition government that succeeded President Ali Abdullah Saleh in 2012

In August 2014 *Reuters* news agency reported that thousands gathered in Sanaa to demand that the government rescind a decision to cut fuel subsidies,

“Tens of thousands of Yemenis converged on the capital Sanaa on Monday in a demonstration organised by the Shi'ite Houthi movement, demanding the government rescind a decision to curb fuel subsidies and calling on the administration to resign.

118 Yemen Times, National Dialogue Conference Concludes, 28 January 2014, <http://www.yementimes.com/en/1750/news/3398/National-Dialogue-Conference-concludes.htm>, accessed 04 September 2014

119 Al Jazeera, Yemen's quiet president, 02 Marc 2014, <http://www.aljazeera.com/video/asia/2014/03/yemen-quiet-president-201432112448542617.html>, accessed 04 September 2014

120 AL Monitor, Yemen's political stalemate persists, as Houthis gain influence, 16 May 2014, <http://www.al-monitor.com/pulse/politics/2014/05/yemen-political-stalemate-houthis-gain-influence.html#ixzz3CNZomSFb>, accessed 04 September 2014

The three-hour demonstration, mostly by Shi'ite Muslims, was the latest escalation by the Houthis, whose fighters have repeatedly fought government forces since 2004.

They have been trying to tighten their grip on the north as the majority Sunni country moves towards a federal system that will devolve more power to regions.

The demonstrators in central Sanaa chanted slogans calling for the fall of Prime Minister Mohammed Salem Basindwa's administration and waved posters accusing the government of corruption and describing the law to remove fuel subsidies as "a deadly dose for the people".¹²¹

In August 2014 *Al Jazeera* reported that the Al-Houthi leader called protestors to continue protesting in the capital,

"The UN Security Council on Friday called on the Houthis to end hostilities against the government and warned foreign countries not to interfere.

But late on Sunday, the Shia Houthi leader Abdul Malek al-Houthi said the time had come for the "third stage in popular escalation".

"The last phase mostly falls in the framework of civil disobedience ... I direct my call to the residents of the capital and its outskirts to gather tomorrow morning in Change Square," Houthi said in a televised address on a channel owned by the Houthis.

"The steps will continue to the end of the week," he said, adding that "if the corrupt continue dealing in an irresponsible way, we will be forced into further steps."¹²²

In September 2014 the *Yemen Times* reported that following the call made by Abdulmalik Al-Houthi on Houthis took to the streets across several Yemeni governorates on Monday 1st September to announce the "third escalation phase" against the government,

"In a televised speech on Sunday, Abdulmalik Al-Houthi explained the third escalation to include organized sit-ins in front of public institutions and ministries to prevent public employees from performing their jobs in an attempt to put pressure on President Abdu Rabu Mansour Hadi.

He also called on his supporters, who had already set encampments near to key ministries along Airport Road, to flock to Sana'a's Change Square to stage demonstrations.

The Houthis started the "first escalation" on August 18 and set camps at the entrances of Sana'a. The "second escalation" began a week later when Houthis

121 Reuters, Tens of thousands of Yemeni Houthis protest against fuel reform, government, 18 August 2014, <http://www.reuters.com/article/2014/08/18/yemen-protests-idUSL5N0QO2CN20140818>, accessed 29 August 2014

122 Al Jazeera, Call for Houthi civil disobedience in Yemen, 31 August 2014, <http://www.aljazeera.com/news/middleeast/2014/08/call-houthi-civil-disobedience-yemen-2014831212127650924.html>, accessed 03 September 2014

extended their presence by pitching tents close to key ministries along the Airport Road.

On Monday, as part of the third escalation, tens of thousands of Houthi members and supporters marched the streets in Amran, Sa'ada, Dhamar, and Taiz governorates, pressing for their demands to be met, and promising to persist until the government is ousted.

The Houthis' demands include the replacement of the government, a U-turn on fuel subsidy cuts, and the implementation of the NDC outcomes.

Three massive demonstrations in Sana'a caused severe traffic disruptions in the capital on Monday morning."¹²³

In August 2014 *Freedom House* reported that the Yemeni government and opposition launched the National Dialogue Conference in March 2013.

“As part of the transitional agreement, the Yemeni government and the opposition launched the country's NDC in March. The NDC, while boycotted by some in the opposition, was attended by 565 delegates, including members of the Southern separatist movement as well as rebels from the north. The Dialogue was not free of controversy, as some Yemenis were displeased with which delegates were selected to participate. The NDC was meant to move forward a new constitution that would be put up for a national referendum in October. The referendum was delayed due to tensions between Sanaa and the South. In December, several political parties agreed that giving limited autonomy to the South based vaguely on the notion of federalism would help break through stalled dialogue talks. It remained unclear at the end of the year what political force the agreement would have.”¹²⁴

5.5 Status of the constitutional drafting process and information on a public referendum

As noted above, the National Dialogue Conference was meant to move forward a new constitution that would be put up for a national referendum in October. The referendum was delayed due to tensions between Sanaa and the South.¹²⁵

In August 2014 the *UN Security Council* stressed the need for an initial draft of the Yemeni Constitution be passed,

“It [The UN Security Council] also stressed the need for an initial draft of the Yemeni Constitution to be passed to the National Authority review in a timely manner in order to conduct a referendum without delay. It reiterated the call for credible

123 Yemen Times, Houthis Begin “Third Escalation, 02 September 2014, <http://www.yementimes.com/en/1812/news/4268/Houthis-begin-%E2%80%9Cthird-escalation%E2%80%9D.htm>, accessed 03 September 2014

124 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

125 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

investigations into human rights violations in the country, in line with the outcomes of the Dialogue Conference and the Gulf Cooperation Council mechanism. Noting the formidable challenges confronting Yemen, it encouraged expedited reforms and implementation of socio-economic plans, and urged all parties to facilitate safe, unhindered access for humanitarian assistance.”¹²⁶

5.6 Status of the UN sanctions against former government and opposition leaders for interfering in the state’s political transition

In February 2014 the *United Nations Security Council* welcomed Yemen’s decision to launch the National Dialogue Conference on 18 March and threatened to use economic sanctions to stop reported spoilers aiming to derail the political transition,

“In a presidential statement, the 15-member Council said that the Conference should be conducted in an “inclusive manner involving the full participation of all segments of Yemeni society, including representatives from the South and other regions, and the full and effective participation of youth and women.”

The national dialogue is meant to feed into a constitution-making progress, and pave the way for general elections to be held in 2014.

In today’s statement, the Council cautioned against interference from the former regime, former opposition, and others “who do not adhere to the guiding principles of the Implementation Mechanism Agreement for the transition process,” including former president Saleh and former vice president Ali Salim Al-Beidh.

It was also concerned about reports of money and weapons being brought into Yemen from outside for the purpose of undermining the transition.

The Council said it is ready to “consider further measures,” including under Article 41 of the UN Charter, if actions aimed at undermining the Government of National Unity and the political transition continue.

Article 41 falls under Chapter VII of the Charter, which deals with threats to the peace, breaches of the peace and acts of aggression. It states that the Council may decide what measures – not involving the use of armed force – are to be employed to give effect to its decisions, and it may call on UN Member States to apply such measures.

126 UN Department of Public Information, Security Council, in Presidential Statement, Urges Stop To Escalating Campaign by Yemeni Faction to ‘Bring Down The Government’, Disrupt Transition, 29 August 2014, <http://www.un.org/ews/Press/docs/2014/sc11543.doc.htm>, accessed 29 August 2014

These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.”¹²⁷

D. Security Forces

1. Information on the restructuring of the security forces, including:

1.1. Police

In February 2014 the *US Department of State* reported that abuses still continued, despite efforts to disband the former police state,

“Despite government efforts to disband the former police state and reform the security services during the transition, local nongovernmental organizations (NGOs) and activists reported that abuses continued. Security forces essentially remained immune from civilian oversight.”¹²⁸

USDOS further reported that corruption and impunity were serious problems,

“Corruption and impunity were serious problems throughout the military-security establishment and intelligence bureaucracy. Some police stations reportedly maintained an internal affairs section to investigate security force abuses, and citizens had the right to file complaints with the Prosecutor's Office.”¹²⁹

In an undated report, INTERPOL, the world's largest international police organization, with 190 member countries, reported that national police structures are currently being examined with a view to restructuring and a new reformed force is “due to be launched shortly”.¹³⁰

1.2 Armed forces (unification and reformation)

In April 2013, the *Fair Observer* reported that Yemen's transitional President, Abdo Rabo Mansour Hadi, issued Presidential Decree No. 104/2013, which outlined a move to legislate the removal of direct control over military troops under the authority of former President Saleh's son,

“Hadi's decree was well received by people around the country and Yemenis abroad via social media networks. In particular, people were elated at the

127 UN News Centre, Yemen: Security Council threatens sanctions if political process is blocked, 15 February 2013, http://www.un.org/apps/news/story.asp?NewsID=44158#.VADse_lidUX8, accessed 29 August 2014

128 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 25 August 2014

129 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 25 August 2014

130 INTERPOL, Member Countries: Yemen, <http://www.interpol.int/Member-countries/Asia-South-Pacific/Yemen>, accessed 25 August 2014

president's surprising move to legislate the removal of direct control over military troops under the authority of Generals Ali Muhsin al-Ahmar and Ahmed Ali Abdullah Saleh, former President Saleh's son. While such decisions contributed to a surge in optimism, the general view among southern leaders, northern Houthi rebels and observers in Sana'a is that the process still fuels proxy conflicts creating opportunities for militants, militias and sheikhdoms."¹³¹

In April 2013 the *International Crisis Group* reported that military reform will require the instillation of a coherent command structure, discipline and removing the influence of the old elite,

“Although President Abdo Robo Mansour Hadi has taken important first steps, the harder part lies ahead: undoing a legacy of corruption and politicisation; introducing a coherent administrative and command structure, instilling discipline and unified esprit de corps; and continuing to weaken the old elite's hold without provoking a backlash. All this must be done as the nation faces a redoubtable array of security challenges, including al-Qaeda attacks; sabotage of critical infrastructure; growing armed tribal presence in major cities; Huthi territorial gains in the North; and increasing violence in the South over the issue of separation.

There is a long way to go. Under former President Ali Abdullah Saleh, the military-security services were virtually immune from civilian oversight and operated largely outside the law. Loyalties flowed to individual commanders, who hailed mostly from the president's family or tribe."¹³²

In August 2014 *IHS Jane's Intelligence Review* reported that reforms had been implemented to tackle corruption within public services, including the military,

“The reforms are intended to tackle widespread corruption by removing thousands of 'ghost workers' from the payroll that the government estimates to cost around USD200 million a year. The military has been particularly prone to abusing the existing system, with some senior officers vastly exaggerating the number of soldiers under their command, and siphoning off additional salaries."¹³³

1.2.1 Weakening of the Saleh family's power within the military

In August 2014 *Freedom House* reported that Hadi took steps to address Saleh's influence in the military in 2012 by restructuring the army and dismissing military leaders related to Saleh,

131 Fair Observer, Military Restructuring in Yemen Opens a Second Power Vacuum: Part 1, 24 April 2013, <http://168.61.42.194/article/military-restructuring-yemen-opens-second-power-vacuum-part-1?page=11>, accessed 25 August 2014

132 International Crisis Group, Yemen's military-security reform: Seeds of new conflict?, 4 April 2013, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/139-yemens-military-security-reform-seeds-of-new-conflict.aspx>, accessed 20 July 2014

133 IHS Janes Intelligence Review, Risk of attacks on Yemen's energy infrastructure rises as result of military payroll reform, 14 August 2014, <http://www.janes.com/article/42050/risk-of-attacks-on-yemen-s-energy-infrastructure-rises-as-result-of-military-payroll-reform>, accessed 28 August 2014

“Since coming to power Hadi has struggled to consolidate his political authority. Yemen's political stability has been adversely affected by meddling by Saleh and his supporters within the military. Hadi took steps to address Saleh's lingering influence within the military in 2012 by restructuring the army and dismissing military leaders closely related to Saleh, including his son, brother, and one of his nephews. Hadi took additional measures in 2013, assigning Saleh's son Ahmed Ali Saleh as the country's ambassador to the UAE and sending Saleh's nephew Ammar Muhammad Abdullah Saleh to Ethiopia, where he took up a diplomatic post as military attaché.”¹³⁴

134 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

1.3 Paramilitary forces

Global Security reports that Yemen's paramilitary force has about 71,000 troops. Approximately 50,000 constitute the Central Security Organization of the Ministry of Interior; they are equipped with a range of infantry weapons and armoured personnel carriers. An additional 20,000 are forces of armed tribal levies. Yemen is building up a small coast guard under the Ministry of Interior, training naval military technicians for posts in Aden and Al Mukalla. The coast guard currently has 1,200 personnel.¹³⁵

In September 2013 *Human Rights Watch* reported the alleged torture of a detainee by paramilitary Central Security Forces officers,

“Al-Sanbare told Human Rights Watch that after he had a dispute with paramilitary Central Security Forces officers on August 25, they beat him severely, breaking his arm. The officers then transferred him to a jail, where they shackled his arms and legs but did not treat his injuries. After his release, the police Criminal Investigation Division (CID) intervened with three public hospitals and a private hospital where he sought treatment for his injuries to keep him from getting a medical examination record of his condition. The case raises both the serious problem of torture in Yemeni detention centers and the government’s efforts to block redress for victims of abuse.”¹³⁶

2. Effectiveness of security forces in providing protection to civilians (size, skill, training, and organization of forces relative to the responsibilities given to them)

2.1 Status of civil-military relations

We were unable to identify information within the timeframe for this research.

2.2 Accountability of offenders within the military and police force (whether impunity is an issue)

In February 2014 *USDOS* reported that impunity for security officials remained a problem in Yemen,

“Impunity for security officials remained a problem, as the government was slow to act against officials implicated in committing abuses and using excessive force. Some

¹³⁵ Global Security, Yemen Intelligence Agencies, <http://www.globalsecurity.org/intell/world/yemen/index.html>, accessed 25 August 2014

¹³⁶ Human Rights Watch, Yemen: State Security Forces Torture Victim Denied Justice, Authorities Try to Block Redress for Injuries, 12 September 2013, <http://www.hrw.org/news/2013/09/12/yemen-state-security-forces-torture-victim-denied-justice>, accessed 25 August 2014

remained in their posts or were transferred to new ones. The government took some steps to address impunity by removing some officers from their posts.”¹³⁷

E. Good Governance/Rule of Law/Administration of Justice

1. Access to legal remedies, impunity

1.1. Quality of justice and avenues of obtaining justice

In February 2014 the *Global Observatory* reported that,

“About 50% of all Yemenis have little to no access to effective legal recourse that can help them resolve their differences.”¹³⁸

In February 2014 the *US Department of State* reported that the judiciary was weak and not fully independent; hampered by corruption and political interference,

“The constitution provides for an independent judiciary, but the judiciary was weak and not fully independent, as corruption and political interference severely hampered its operations. Litigants maintained, and the government acknowledged, that judges’ social ties and occasional bribery influenced verdicts. Many judges were poorly trained and some allowed personal or political affiliations to affect how cases were handled. The government’s lack of capacity and at times reluctance to enforce court orders, especially outside the cities, further undermined the credibility of the judiciary. Members of the judiciary also were threatened and harassed to influence cases.”¹³⁹

In April 2014, the *UK Foreign and Commonwealth Office* reported that Yemen is transitioning from confession-based prosecutions to evidence based and that the judiciary is subject to interference,

The government of Yemen acknowledges a weakness in the rule of law, with Yemen still transitioning from confession-based prosecutions to those based on evidence. The judiciary is still subject to government interference, and judges and lawyers continue to face intimidation.”¹⁴⁰

In August 2014 *Freedom House* reported that the judiciary is susceptible to interference from the executive and authorities have a poor record of enforcing judicial decisions,

137 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

138 Global Observatory, Injustice Begets Violence, and Violence Begets More of Both: The Case of Yemen, 03 February 2014, <http://theglobalobservatory.org/analysis/670-injustice-begets-violence-violence-begets-more-of-both-the-case-of-yemen.html>, accessed 29 August 2014

139 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

140 FCO - UK Foreign and Commonwealth Office: Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Yemen, 10 April 2014, http://www.ecoi.net/local_link/273734/389498_en.html, accessed 29 August 2014

“The judiciary is nominally independent, but it is susceptible to interference from the executive branch. Authorities have a poor record on enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice or direct appeals to executive authorities. Arbitrary detention is partly the result of inadequate training for law enforcement officers and a lack of political will on the part of senior government officials to eliminate the problem. Security forces affiliated with the Political Security Office (PSO) and the Ministry of the Interior torture and abuse detainees, and PSO prisons are not closely monitored.”¹⁴¹

In April 2014, the *UK Foreign and Commonwealth Office* reported that the Yemeni government failed to establish a commission to investigate alleged human rights violations in 2011,

“The government failed to establish the commission to investigate the alleged human rights violations in 2011.”¹⁴²

In its 2014 world report *Human Rights Watch* reported that there were delays to the establishment of a proposed independent commission of inquiry and that a draft transitional justice law presented by President Hadi was deeply flawed,

“In September 2012, President Hadi decreed that an independent commission of inquiry should be created to investigate alleged violations committed during the 2011 uprising and recommend accountability for perpetrators and redress for victims. Over one year later, he had still not nominated the commissioners.

Hadi presented a deeply flawed draft transitional justice law to parliament in January, but it has yet to be passed. The draft law does not grant victims judicial redress, but is merely a victim compensation scheme, limited in time to events of 2011.”¹⁴³

In its 2014 world report *Human Rights Watch* reported that a trial of 78 defendants in September 2012 who were suspected of involvement in the killing of 45 protestors was marred by political interference,

“The trial began in September 2012 of 78 defendants—but not the key suspects—for the deadliest attack of the uprising, in which pro-government gunmen killed 45 protesters and wounded 200 on March 18, 2011. It was marred by political interference, failure to follow leads that might have implicated government officials, and factual errors.”¹⁴⁴

141 Freedom House, *Freedom in the World – Yemen*, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

142 FCO - UK Foreign and Commonwealth Office: *Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Yemen*, 10 April 2014, http://www.ecoi.net/local_link/273734/389498_en.html, accessed 29 August 2014

143 Human Rights Watch, *World Report, 2014, Yemen*, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

144 Human Rights Watch, *World Report, 2014, Yemen*, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

1.2 Tribal customary law systems

1.2.1 Legitimacy and reach

In April 2013 the *Carnegie Endowment for International Peace* (CEIP) a US based private non-profit organization stated that tribal customary law has been relied on for centuries, if not millennia, in Yemen,

“Yemenis have relied on indigenous tribal traditions to regulate conflict and establish justice for centuries, if not millennia. Tribal law has effectively handled conflicts between various tribes, between tribes and extractive companies, and between tribes and the government. It has successfully prevented and resolved conflicts over resources, development services, and land, and has sometimes managed to contain complex revenge-killing cases.”¹⁴⁵

In February 2014 the *Global Observatory* reported that,

“50% [of Yemeni's] has reasonably good access to tribal customary law systems. These remain fairly effective but are under growing strains.”¹⁴⁶

In 2014 *USDOS* further reported that tribal mediators reportedly settled almost all rural cases without reference to the formal court system.¹⁴⁷

In 2012 *CEIP* stated that tribal mechanisms for conflict resolution need to be integrated with the formal system so that they work alongside and complement formal institutions.¹⁴⁸

In 2012 *CEIP* stated that Yemenis turn to tribal customary law because of perceived corruption and interference in the judiciary,

“Tribal Customary Law is dominant in tribal areas, and Yemenis in urban areas often prefer to use it over the formal court system. Moreover, people are often discouraged from turning to the government because of perceived corruption, nepotism, lack of integrity, and inefficiency, as well as the length of judicial processes and the government’s inability to reinforce the law the law and court orders. The government has been criticized for making payments to individuals who create conflict (spoilers) in an effort to convince them not to, for instance, block roads etc.

The government of Yemen acknowledges the tribal system and sometimes turns to tribes to resolve complex conflicts, especially those between the government and tribes, and tribes and corporations working in tribal areas. This was the case in May

145 Carnegie Endowment for International Peace, *Tribal Governance and Stability in Yemen*, Nadwa Al-Dawsari, April 2012, http://carnegieendowment.org/files/yemen_tribal_governance.pdf, accessed 29 August 2014

146 Global Observatory, *Injustice Begets Violence, and Violence Begets More of Both: The Case of Yemen*, 03 February 2014, <http://theglobalobservatory.org/analysis/670-injustice-begets-violence-violence-begets-more-of-both-the-case-of-yemen.html>, accessed 29 August 2014

147 US Department of State (USDOS) *Country Reports on Human Rights Practices- Yemen*, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 03 September 2014

148 Carnegie Endowment for International Peace, *Tribal Governance and Stability in Yemen*, Nadwa Al-Dawsari, April 2012, http://carnegieendowment.org/files/yemen_tribal_governance.pdf, accessed 29 August 2014

2010 , when the deputy governor of Marib was killed in a drone attack. Former president Saleh himself requested the intervention of a mediation committee that included prominent shieks from the Marib governorate to contain a potential clash between the government forces and tribes.”¹⁴⁹

In February 2014, the *US Department of State* reported that unauthorised prisons and detention centres controlled by tribes in rural areas continued to operate,

“Unauthorized "private" prisons and detention centers controlled by tribes in rural areas continued to operate on the basis of traditional tribal justice. Tribal leaders sometimes placed "problem" tribesmen in private jails, sometimes simply rooms in a sheikh's house, to punish them for noncriminal actions. Tribal authorities often detained persons for personal or tribal reasons without trial or judicial sentencing.”¹⁵⁰

1.2.2 Accommodation of modern human rights principles

[See 1.2.1 Legitimacy and Reach]

1.3. Influence of ruling elites within the legal system and their level of oversight over the state judiciary

In February 2014 the *Yemen Times* stated that since 1990 the state judiciary has become an extension of the ruling elite on a nationwide scale. The *Yemen Times* stated that cases that concern interests involving influential individuals are either not prosecuted or judgements are never implemented,

“Against this background, the first trend that is clearly discernible in the area of justice is that, since 1990, the state judiciary has incrementally become an extension of the ruling elite on a nationwide scale. This was achieved through three interlinked processes. First, the executive took control of the Supreme Judicial Council – charged with administration of the judiciary. As a result, judicial independence became largely fictional. Second, the judiciary was largely staffed on the basis of party-affiliation and loyalty instead of merit. Third, legal training, civic education and legal infrastructure were, probably purposefully, vastly underfunded in relation to what popular demand for justice required. These developments had three general consequences. To start with, cases that concern interests involving influential individuals are either not prosecuted or judgments are not implemented (an estimated 60 percent). Moreover, the grand corruption that is practised by major

149 Carnegie Endowment for International Peace, *Tribal Governance and Stability in Yemen*, Nadwa Al-Dawsari, April 2012, http://carnegieendowment.org/files/yemen_tribal_governance.pdf, accessed 29 August 2014

150 US Department of State (USDOS) *Country Reports on Human Rights Practices- Yemen*, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 03 September 2014

powerbrokers is replicated at micro-scale throughout the state judiciary. Finally, in many places state-based justice is simply absent.”¹⁵¹

In August 2014, *Freedom House* reported that as part of the November 2011 agreement for him to step down from power, former president Ali Abdullah Saleh was granted immunity from prosecution for his role in the country’s deadly crackdown in 2011.¹⁵²

1.3.1 Existence of legal mechanisms to challenge the ruling elites

In its 2014 world report *Human Rights Watch* reported that immunity and inaction has led to a lack of accountability of ruling elites,

“In 2012, Yemen’s parliament granted Saleh and his aides immunity from prosecution, and the current president, Abdu Rabu Mansour Hadi, has not created mechanisms to provide accountability for past abuses.”¹⁵³

In its 2014 world report *Human Rights Watch* reported that in April 2013 a trial judge ordered that former president Salah and 11 top aides be reinvestigated in connection with a trial of defendants suspected of involvement with progovernment groups who killed 45 protesters, that was marred by political interference.¹⁵⁴

In February 2014 the *Global Observatory* reported that limited access to effective legal recourse is,

“largely the result of conscious efforts by Yemen’s ruling elites over the past 20-odd years to capture and marginalize the legal mechanisms that could have been used to challenge their rule.

In consequence, a large number of disputes have remained unresolved, and many of these disputes have become grievances. Some of these grievances have been collectivized, turned violent, and contributed to an increase in sectarian politics.

This suggests that the current violence in Yemen is driven at least in part by interests and injustices at the micro-level. Hence, grand geopolitical narratives should be treated with caution. It also suggests that improving Yemen’s “state of justice” is vital to give implementation of the recent results of the National Dialogue Conference a chance.”¹⁵⁵

151 The Yemen Times, From The Struggle For Citizenship To The Fragmentation Of Justice - Yemen From 1990 To 2013, 20 February 2014, <http://www.yementimes.com/en/1757/opinion/3510/From-the-struggle-for-citizenship-to-the-fragmentation-of-justice---Yemen-from-1990-to-2013.htm>, accessed 04 September 2014

152 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 03 September 2014

153 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

154 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

155 Global Observatory, Injustice Begets Violence, and Violence Begets More of Both: The Case of Yemen, 03 February 2014, <http://theglobalobservatory.org/analysis/670-injustice-begets-violence-violence-begets-more-of-both-the-case-of-yemen.html>, accessed 29 August 2014

The *Global Observatory* stated that against tribal customary law is the main mechanism for the peaceful legal resolution of disputes, however, it is suffering from a gradual erosion of its legitimacy as a result of cooption of tribal leaders by ruling elites,

“Tribal customary law is the main mechanism for the peaceful legal resolution of disputes, which has been the case for centuries. About 70-80% of all disputes that are resolved legally are estimated to be handled by this system. However, tribal law is suffering from a gradual erosion of its legitimacy and reach. Cooptation of tribal leaders by the ruling elite-cum-government; growing business interests of sheikhs that create conflicts of interests; and the struggle of tribal law to resolve collective action problems as well as accommodate modern human rights principles cause it to vary significantly in relevance across Yemen. This is a dangerous development in a society in which the rich tradition of tribal customary law has traditionally exercised significant restraint on impunity and dispute escalation.”¹⁵⁶

2. Due process (including arrest and detention procedures)

In August 2014 *Freedom House* reported that the Yemeni judiciary is nominally independent, but susceptible to interference. Authorities have a poor record on enforcing judicial rulings and citizens turn to tribal systems of justice,

“The judiciary is nominally independent, but it is susceptible to interference from the executive branch. Authorities have a poor record on enforcing judicial rulings, particularly those issued against prominent tribal or political leaders. Lacking an effective court system, citizens often resort to tribal forms of justice or direct appeals to executive authorities. Arbitrary detention is partly the result of inadequate training for law enforcement officers and a lack of political will on the part of senior government officials to eliminate the problem. Security forces affiliated with the Political Security Office (PSO) and the Ministry of the Interior torture and abuse detainees, and PSO prisons are not closely monitored.”¹⁵⁷

In February 2014 the *US Department of State* reported that the Yemeni government frequently did not adhere to arrest and detention procedural safeguards that are guaranteed under Yemeni law,

“The law provides that an individual cannot be arrested unless apprehended while committing a criminal act or served with a summons, and that a detainee must be arraigned within 24 hours or be released. The judge or prosecuting attorney must inform the accused of the basis for the arrest and decide whether detention is required. The law stipulates a detainee may not be held longer than seven days

156 Global Observatory, *Injustice Begets Violence, and Violence Begets More of Both: The Case of Yemen*, 03 February 2014, <http://theglobalobservatory.org/analysis/670-injustice-begets-violence-violence-begets-more-of-both-the-case-of-yemen.html>, accessed 29 August 2014

157 Freedom House, *Freedom in the World – Yemen*, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 25 August 2014

without a court order. The government frequently did not adhere to these requirements, due to both lack of capacity and poor policy guidance.

The law contains provisions for bail, but some authorities abided by these provisions only if they received a bribe. Incommunicado detention is prohibited and the law provides detainees the right to inform their families of their arrest, and allows detainees to decline to answer questions without an attorney present, but authorities did not always respect these rights. The law states the government must provide attorneys for indigent detainees, but it often did not do so.”¹⁵⁸

According to *USDOS*, citizens regularly accused security officials of ignoring due process when arresting and detaining suspects and demonstrators. Persons were arrested and detained without charge, family notification, or hearings,

“Citizens regularly accused security officials of ignoring due process when arresting and detaining suspects and demonstrators. Some members of the security forces continued to arrest or detain incommunicado persons for varying periods without charge, family notification, or hearings. Detainees often did not know which investigating agency arrested them, and the agencies frequently complicated this determination by unofficially transferring custody of individuals among agencies.”¹⁵⁹

In April 2014 *Human Rights Watch* reported that despite the fact that Yemen is a party to the International Covenant on Civil and Political Rights which prohibits imprisonment “merely on the ground of inability to fulfill a contractual obligation” under article 11, there are at least 142 people are being held in the Sanaa Central Prison in Yemen because of a debt or fine they are unable to pay.¹⁶⁰

Human Rights Watch described the story of a 35 year old woman held in prison for one year and 3 months because she is unable to pay a debt,

“Anwar Ali al-Sayid, 35, was a businesswoman with investments in a factory in Aleppo, Syria and multiple real estate ventures including a wedding hall in Sanaa. The uprisings in the Arab world greatly affected her investments: Yemen's uprising in 2011 forced her to shut her wedding hall and a bomb attack in late 2011 destroyed the factory in Syria. Investors took her to court seeking their money, and a judge ruled that she owed them a total of 450 million Yemeni Riyal (YER) (US\$2.1 million). She sold all her assets and some of the investments were forgiven but she had a remaining debt of YER50 million (\$233,000).

The judge ordered her to pay back that amount, but she has been held in prison for one year and three months because she is unable to pay. She says she asked the judge to allow her to prove insolvency, but the judge said that this would be

158 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

159 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 September 2014

160 Human Rights Watch, Yemen: Dozens Jailed for Debts, 22 April 2014, <http://www.refworld.org/docid/5370add34.html>, accessed 03 September 2014

reviewed "next time." She made this request every time she appeared in court but received the same response each time."¹⁶¹

2.1 Arbitrary arrests and detentions

In February 2014 the *US Department of State* reported that arbitrary arrest and detention continued to occur and the Yemeni authorities did not enforce the law consistently. The transitional government released most of the protesters detained during the mass arrests of 2011 but an estimated 58 remain detained,

"The law prohibits arbitrary arrest and detention, but authorities enforced the law inconsistently. In cases involving suspected security offenders and those affiliated with human rights NGOs or members of groups challenging the government, such as HIRAK, arbitrary arrest and detention continued to occur.

In 2012 the transitional government released most of the thousands of protesters detained during the mass arrests of 2011; however, an estimated 58 detainees continued to be held without charge in Sana'a Central Prison. As a result of a hunger strike launched by the group in May, which was joined by Minister of Human Rights Hooria Mashour, authorities released all but five detainees in June following a presidential order. The remaining five were awaiting trial at year's end."¹⁶²

In June 2013 *Amnesty International* reported that hundreds, possibly thousands of people have been subjected to arbitrary arrest in recent years. Many were held for prolonged periods without charge or trial, including periods of incommunicado detention and accounts of being subjected to torture or other ill-treatment,

"Hundreds, possibly thousands, of people suspected of involvement in anti-government protests in 2011 or ongoing protests in the south or of links with the Huthi armed group or armed Islamist groups have been subjected to arbitrary detention in recent years. While many were released without charge soon after their arrest, many others have been held for prolonged periods without charge or trial, including weeks or months in incommunicado detention, where they have been subjected to torture or other ill-treatment. Some have been convicted and sentenced to prison terms, often after unfair trials in Specialized Criminal Courts and remain imprisoned. Most of the detainees held in relation to the protests in 2011 were released without charge, many soon after arrest, but some only after long periods of incommunicado detention. However, the fate and whereabouts of

161 Human Rights Watch, Yemen: Dozens Jailed for Debts, 22 April 2014, <http://www.refworld.org/docid/5370add34.html>, accessed 03 September 2014

162 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

some of them remains unknown and Amnesty International is concerned that they may be subject to enforced disappearance.”¹⁶³

Amnesty International further reported that many were arrested and detained by National security forces, who operate their own detention centres. Certain legal safeguards are generally ignored,

“Many were arrested and detained by Political Security and National Security agents, who operate their own detention centres and rarely comply with the legal requirement under Yemeni law to produce a warrant prior to carrying out an arrest. They also generally ignore other legal safeguards, including the right to challenge the legality of one’s detention and the right to contact one’s family and have a lawyer present during interrogation. Others were detained by the Central Security Forces, the Criminal Investigation Department and the Republican Guard.”¹⁶⁴

Amnesty International further reported that the armed forces and security forces have killed scores of people suspected of links to Al Qaeda; some circumstances suggesting the killings amounted to extrajudicial executions,

“Since 2009, the armed forces and security forces have killed scores of people suspected of links to al-Qa’ida or other armed groups outside of armed conflict situations, some in circumstances suggesting that no attempt was made to arrest them and that the killings amounted to extrajudicial executions. Security forces also appear to have resorted to summary killings of several Southern Movement activists; Amnesty International documented four such cases in 2009-2010.”¹⁶⁵

3. Prison conditions (including ill-treatment, torture, overcrowding, health care in prison)

In February 2014 the *US Department of State* reported that prison conditions in Yemen were poor and did not meet international standards, with prisoners lacking many basic needs,

“There were approximately 14,000 individuals held in the country’s prisons, 92 percent of whom were men between the ages of 18 and 35. Political prisoners reportedly faced torture, abuse, and other forms of mistreatment, while all prisoners experienced harsh physical conditions. Many prisoners also faced prolonged stays in detention beyond their sentences if they or their families were unable to pay fines or expected bribes. Many prisons, particularly in rural areas, were described as

163 Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

164 Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

165 Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

overcrowded, with poor sanitary conditions, inadequate food, and inadequate medical care.¹⁶⁶

In April 2014 the *Yemen Times* reported that a prisoner had committed suicide in his cell, highlighting the poor prison conditions in Yemen. A fellow inmate told the *Yemen Times* how he had tried to commit suicide several times and another said that prison authorities pay no attention to the grievances of prisoners,

“Abdulla Ghudain, a prisoner who was being held in Ibb Central Prison, committed suicide in his cell on Thursday. His death has highlighted the poor conditions of prisons in Yemen.

Speaking on the phone with a number of prisoners in Ibb Central Prison, the *Yemen Times* was told that mistreatment was the major reason behind Ghudain's suicide.

One prisoner, whose name has been withheld for his own safety, said that "one of the officers was provocatively mistreating the prisoners including Ghudain. This led Ghudain to commit suicide."

He told the *Yemen Times*, "I tried myself to commit suicide many times over the past six months but my friends stopped me."

Another prisoner, speaking on condition of anonymity, said that prison authorities pay no attention to the grievances of prisoners and turn a blind eye to frequent abuses."¹⁶⁷

The *Yemen Times* reported that in December 2012, the prisoners at Ibb Central Prison set the prison on fire to protest alleged abuses. Eleven inmates were left dead, and as a consequence, the prison director was replaced.¹⁶⁸

In January 2013 *Amnesty International* reported that a group of 77 children held at Sana'a central prison went on hunger strike to protest at their conditions and about a fellow inmate's recent death sentence,

“Despair and hopelessness pervade in a Yemeni prison where scores of children are on hunger strike to protest at their conditions and about a fellow inmate's recent death sentence, activists have told Amnesty International.

Since Sunday, 77 alleged juvenile offenders have refused to eat their prison meals at the central prison in the capital Sana'a until the authorities comply with a list of demands made in a handwritten signed statement.

They launched the hunger strike in response to the sentencing to death of Nadim al-'Azaazi on 26 January for a crime he is accused of committing when he was reportedly 15.

166 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

167 *Yemen Times*, IBB Prison Suicide Highlights Poor Prison Conditions, 08 April 2014, <http://www.yementimes.com/en/1770/news/3696/ibb-prison-suicide-highlights-poor-prison-conditions.htm>, accessed 02 September 2014

168 *Yemen Times*, IBB Prison Suicide Highlights Poor Prison Conditions, 08 April 2014, <http://www.yementimes.com/en/1770/news/3696/ibb-prison-suicide-highlights-poor-prison-conditions.htm>, accessed 02 September 2014

“Executing juvenile offenders is expressly prohibited in Yemen's Penal Code and international human rights law – the Yemeni authorities must live up to their obligations and overturn this death sentence immediately,” said Philip Luther, Middle East and North Africa Programme Director at Amnesty International.

“The reports we've received from inside Sana'a Central Prison point to truly appalling conditions faced by juvenile offenders, and we urge the authorities to act immediately to ensure children are treated humanely and not kept behind bars for longer than their sentences.”¹⁶⁹

4. Corruption

Yemen was ranked 167 out of 177 in Transparency International's Corruption Perception Index (177 being most corrupt).¹⁷⁰

In February 2014 the *US Department of State* (USDOS) reported that the Yemeni government did not implement the law for corruption effectively. Corruption was a serious problem in every branch and level of the government, and the culture of corruption was pervasive,

“The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

[]

Analyses by impartial international and local observers, including Transparency International, agreed that corruption was a serious problem in every branch and level of government, including the executive, legislative, and judicial branches, and especially the security sector. International observers presumed government officials and parliamentarians benefited from insider arrangements, embezzlement, and bribes. Political leaders and most government agencies took negligible action to combat corruption.

The culture of corruption was pervasive, and petty corruption was widely reported in nearly every government office. Job candidates often were expected to purchase their positions. Tax inspectors were believed to undervalue assessments and pocket the difference. Many government officials and civil service employees received salaries for jobs they did not perform or multiple salaries for the same job.

USDOS reported that the independent Supreme National Authority for Combating Corruption (SNACC) was formed in 2007 to receive complaints and develop programs to

169 Amnesty International, Yemen: Scores of children on prison hunger strike after minor sentenced to die, 30 September 2013, <http://www.amnesty.org/en/news/yemen-scores-children-prison-hunger-strike-after-minor-sentenced-die-2013-01-30>, accessed 02 September 2014

170 Transparency International, Corruption by Country / Territory: Yemen, <http://www.transparency.org/country#YEM>, accessed 25 August 2014

raise awareness of corruption, and included a council of government, civil society, and private sector representatives.¹⁷¹ According to SNACC officials, 100 corruption cases were referred for prosecution during the year, but no sentences were pronounced by year's end.¹⁷²

UDSOS reported that as a part of the pledge by the transitional government to maintain transparency throughout the course of the National Dialogue, live coverage of NDC meetings was televised, and the NDC Secretariat established a website providing background information and daily updates of working group activities and other NDC news."¹⁷³

In April 2014 *Integrated Regional Information Networks* reported that the anti-corruption agenda in Yemen is struggling against a culture of impunity,

"The 2011 street revolts that drove Yemeni President Ali Abdullah Saleh from office and spurred an internationally-monitored democratic political transition were considered a boon for anti-corruption activists, who had spent the past decade trying to foster good governance reforms in a prevailing system of graft to little effect.

But more than two years into the process and despite the impetus given to the new democratization era by interim President Abd Rabu Mansur Hadi, the anti-corruption agenda is still grappling with a culture of impunity in which people are reluctant to blow the whistle out of fear of losing their jobs, donor funding or worse.

The founder of a local human rights foundation, who requested anonymity, said Saleh's overthrow dismantled one patronage system only to create a plethora of opportunities for new actors to exploit, increasing the competition.

"Under Saleh, bribery was more standardized - there was a limit to how much a soldier would demand," he told IRIN. "Now, with no central authority, each group has its own price."¹⁷⁴

In August 2014 *Freedom House* stated that Corruption is "endemic" in Yemen,

"Corruption is endemic. Despite recent efforts by the government to fight graft, Yemen lacks most legal safeguards against conflicts of interest. Auditing and investigative bodies are not sufficiently independent of executive authorities."¹⁷⁵

F. Human Rights Situation

171 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

172 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

173 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

174 *Integrated Regional Information Networks*, Despite new era, anti-corruption agenda struggles in Yemen, 29 April 2014, <http://www.refworld.org/docid/538dc7974.html>, accessed 29 August 2014

175 *Freedom House*, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 25 August 2014

1. Women and children

During its Universal Periodic Review (UPR) on June 19, 2014, Yemen made commitments to address a range of human rights recommendations raised by other UN member countries. In June 2014 *Human Rights Watch* urged Yemen to uphold its commitments made during its review by the UN Human Rights Council,

“Yemen should uphold the commitments it made during its rights review before the United Nations Human Rights Council in Geneva. These include ratifying the Rome Statute to join the International Criminal Court (ICC), establishing a commission of inquiry into rights violations committed during the 2011 uprising, and adopting measures to promote the equality of women.”¹⁷⁶

1.1 Legally sanctioned discrimination against women

In June 2013 *Amnesty International* reported that women and girls in Yemen face severe and widespread discrimination in law and practice,

“Women and girls in Yemen face severe and widespread discrimination in law and practice. Discriminatory provisions in Yemeni law require amendment to ensure conformity with Yemen’s international human rights obligations. These include provisions in the Personal Status Law (Law No. 20 of 1992, as amended in 1997 and 1999) relating to marriage, divorce, custody of children and inheritance. The law also contains numerous discriminatory provisions that severely constrain women’s lives and facilitate early and forced marriage and other abuses against women and girls. It allows girls under the age of 15 to be married with their guardian’s consent as long as the marriage is not consummated before they reach puberty.

The Penal Code also reinforces the very low status that women and girls endure in Yemen. For example, it provides lenient punishments for men who commit “honour killings”, the murder of a female relative for perceived “immoral” behaviour, including zina (sexual relations outside of marriage). Article 232 provides that a man who murders or injures his wife or her partner having caught them committing adultery should receive a maximum prison sentence of only one year or a fine. In most other murder cases, the punishment is death.”¹⁷⁷

In its 2014 world report *Human Rights Watch* reported that women faced severe discrimination and lacked legal protection,

“Women in Yemen face severe discrimination in law and in practice. Women cannot marry without the permission of their male guardians; they do not have equal rights

¹⁷⁶ Human Rights Watch, Yemen: Keep UN Rights Review Commitments, 22 June 2014, <http://www.refworld.org/docid/53aa7dd54.html>, accessed 02 August 2014

¹⁷⁷ Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

to divorce, inheritance or child custody; and a lack of legal protection leaves them exposed to domestic and sexual violence.”¹⁷⁸

The Yemen constitution states that Shari’a (Islamic law) is the source of all legislation. Many laws contain provisions that discriminate against women, including the personal status law, the penal code, the citizenship law and the evidence law. In front of the court, a woman is not considered a full person; in some cases a woman’s testimony is not accepted at all (e.g. in cases of adultery and retribution), and in some other cases a woman’s testimony will be worth half of that of a man.¹⁷⁹

Yemen acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1984 and maintains the reservation made upon accession to article 29 (1), which relates to the settlement of disputes concerning the application and interpretation of the convention.¹⁸⁰ While Yemen has not made any reservations to the articles that concern gender equality, the CEDAW Committee expressed concern in its concluding observations to Yemen’s sixth periodic report (2007) about the unclear status of the convention in the national legal system and the lack of compliance with its provisions.¹⁸¹

In February 2014 the *US Department of State* reported that women in Yemen face deeply entrenched discrimination in both law and practice,

“Women faced deeply entrenched discrimination in both law and practice in all aspects of their lives. Women cannot marry without permission of their male guardians, do not have equal rights in inheritance, divorce, or child custody, and have little legal protection. Women did not enjoy the same legal status as men under family law, property law, inheritance law, and in the judicial system. They experienced discrimination in areas such as employment, credit, and pay, owning or managing businesses, education, and housing. This discrimination was accentuated by the 52 percent female illiteracy rate. In higher education women accounted for 30.5 percent of university students countrywide. A 30-percent quota for the admission of women to institutions of higher education was adopted by the National Dialogue Conference, and the NDC recommended a 30-percent quota for women in all government agencies be included in the new constitution.

Women also faced unequal treatment in courts, where the testimony of one man equates to that of two women. In calculating accidental death or injury compensation based on sharia, female relatives receive 50 percent of what male relatives receive. Female parties in court proceedings such as divorce and other family law cases normally deputized male relatives to speak on their behalf, although they have the option to speak for themselves.

178 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

179 Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

180 See United Nations Treaty Collection (<http://treaties.un.org>) for declarations and reservations made by State Parties

181 See Committee on the Elimination of Discrimination against Women, Concluding observations of the Committee on the Elimination of Discrimination against Women: Yemen, CEDAW/C/YEM/CO/6, 2008, <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-YEM-CO-6.pdf>

A husband may divorce a wife without justifying the action in court. Under the formal court system, a woman must provide a justification. Under tribal customary law, however, a woman has the right to divorce without justification.

Some interpretations of sharia in the country prohibit a Muslim woman from marrying a non-Muslim man, although other interpretations permit marrying a Christian or Jewish man. A Muslim man is allowed to marry a non-Muslim woman. The foreign wife of a male citizen must remain in the country for two years to obtain a residency permit.”¹⁸²

In February 2014 the *US Department of State* reported that women do not have the right to confer citizenship on their foreign-born spouses,

“Citizenship is derived from one's parents. A child of a Yemeni father is a citizen. Yemeni women may confer citizenship on children born of a foreign-born father if the child is born in the country. If the child is not born in the country, the Ministry of Interior may, in rare cases, permit a woman to confer citizenship on the child if the father died or abandoned the child. The NDC recommended that a parent of either sex be able to pass on citizenship to a child. Women do not have the right to confer citizenship on their foreign-born spouses.”¹⁸³

1.1.1 *Personal Status Law concerning marriage, divorce, child custody, and inheritance*

In August 2014 *Freedom House* reported that Yemen's penal code allows lenient sentences for those convicted of “honor crimes”. FGM is prohibited but is still prevalent,

“Yemen's penal code allows lenient sentences for those convicted of "honor crimes" – assaults or killings of women by family members for alleged immoral behavior. Although the law prohibits female genital mutilation, it is still prevalent.”¹⁸⁴

Freedom House further reported that Women continue to face discrimination in several aspects of life. A woman must obtain permission from her husband or father to receive a passport and travel abroad, cannot confer citizenship on a foreign-born spouse, and can transfer Yemeni citizenship to their children only in special circumstances. Women are vastly underrepresented in elected office; there is just one woman in the lower house of parliament. School enrollment and educational attainment rates for girls fall far behind those for boys.”¹⁸⁵

In February 2014 the *US Department of State* reported that the laws on divorce and marriage apply differently to men and women,

182 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

183 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

184 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

185 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

“A husband may divorce a wife without justifying the action in court. Under the formal court system, a woman must provide a justification. Under tribal customary law, however, a woman has the right to divorce without justification.

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In its 2014 world report *Human Rights Watch* reported that legal protections with regard to marriage, child custody and divorce,

“Women in Yemen face severe discrimination in law and in practice. Women cannot marry without the permission of their male guardians; they do not have equal rights to divorce, inheritance or child custody; and a lack of legal protection leaves them exposed to domestic and sexual violence.”¹⁸⁷

1.1.2 *Level of protection for women who suffer from domestic violence*

In February 2014 the *US Department of State* reported that the law provides women with protection from domestic violence, but authorities did not enforce this provision effectively. Violence against women was usually handled through tribal legal systems. The large majority of women in rural areas had little access to shelters or other assistance,

“The law provides women with protection against domestic violence except spousal rape under the general rubric of protecting persons against violence, but authorities did not enforce this provision effectively. Courts were largely viewed as corrupt or inefficient. Criminal sanction for spousal violence was rare. Violence against women was usually handled through the tribal arbitration process rather than through the criminal courts. Local female tribal experts have argued that tribal arbitration is fairer for women, and it often was preferred to the courts for that reason. Spousal abuse generally was undocumented but was considered a major problem by women's groups. Violence against women and children was considered a family affair and was more likely to be handled through tribal arbitration than be reported to police. Due to social pressures, an abused woman was expected to take her complaint to a male relative, rather than to authorities, to intercede on her behalf or provide sanctuary.

Small shelters for battered women in Sana'a and Aden assisted victims, and telephone hotlines operated with moderate success in major cities, but the large

186 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 24 August 2014

187 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

majority of women in rural areas had little access to shelters or other assistance.”¹⁸⁸

1.1.3. Legality of marital rape

In February 2014 the *US Department of State* reported that the law criminalizes rape, although spousal rape is not criminalized because a woman may not legally refuse sexual relations with her husband.¹⁸⁹

1.1.4 Instances and impunity of honour killings

In February 2014 the *US Department of State* reported that the Yemeni penal code allows leniency for persons guilty of committing an honor crime,

“The law regarding violence against women states that a man should be executed if convicted of killing a woman. The penal code, however, allows leniency for persons guilty of committing an honor crime or violently assaulting or killing a woman for perceived "immodest" or "defiant" behavior. The law does not address other types of honor crimes, including beatings, forced isolation, imprisonment, and forced and early marriage. The penal code also allows for a substantially reduced sentence when a husband kills his wife and a man he believes to be her lover.”¹⁹⁰

In October 2013 the *BBC* reported that a fifteen year old girl was burned to death by her father for contacting her fiancé before the wedding.¹⁹¹

1.2. FGM practices

In January 2014 the *United Nations Committee on the Rights of the Child* (CRC) expressed its concern at the high incidence of FGM in the coastal governorates,

“The Committee is deeply concerned that despite efforts of the State party to combat female genital mutilation (FGM), such as the adoption of the National Plan to Combat FGM (2008), there is still a high incidence of this harmful practice in the coastal governorates. It is concerned at reports indicating that FGM is also prevalent in other governorates”¹⁹²

188 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 01 August 2014

189 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 01 August 2014

190 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 01 August 2014

191 BBC, Yemeni 'burns daughter to death for contacting fiance', 23 October 2013, <http://www.bbc.com/news/world-middle-east-24638059>, accessed 20 August 2014

192 UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, para. 47, <http://www.refworld.org/docid/52f89d5c4.html>

1.3. Forced recruitment of child soldiers by Yemini armed forces and other armed groups

In June 2014 the *US Department of State* reported that despite legislation that members of the armed forces must be at least 18 years of age, the number of child soldiers increased in 2013. Official government armed forces and militias recruited minors,

“Despite a 1991 law requiring that members of the armed forces be at least 18 years of age, credible reports indicated that children under 18 joined the official government armed forces – as well as militias – during the country-wide civil unrest in 2011. The number of child soldiers reportedly increased in 2013 as armed groups continued to recruit minors into their ranks. Some families supportive of Houthi rebels, including those residing in locations outside Houthi control, send their children to Sa'ada to be trained by the Houthis in the use of arms to serve in their militias. During the reporting period, there were reports of underage recruits in military uniforms manning military checkpoints and carrying weapons. The Popular Committees in the Abyan Governorate used boys between the ages of 13 and 17 to guard checkpoints, while in the north, NGOs reported that children were being recruited in the Sa'ada Governorate by both Houthi and Salafi factions. Al-Qa'ida in the Arabian Peninsula (AQAP) recruited boys for combat operations against military and security forces.”¹⁹³

In January 2014 the *UN Committee on the Rights of the Child* expressed its serious concern that the recruitment and use of children in hostilities has been a long practice within the armed forces,

“The Committee is seriously concerned that the State party, through its armed forces, bears direct responsibility for the recruitment and use of children in hostilities, as reported by the United Nations Secretary-General (S/2012/261 para. 164 and S/2013/383 paras. 24, 25). It is particularly concerned that this has long been a practice within the armed forces which is exacerbated by poverty, as families enlist their children in the armed forces for financial reasons, as well as by the belief that bearing arms, including by children, is linked to masculinity and tribal honour. The Committee expresses its serious concern about the presence of children within the armed forces, the abolished First Armoured Division (FAD) and the Republican Guard, which constitutes a grave breach of the State party's obligations under the Optional Protocol.”¹⁹⁴

The *UN Committee on the Rights of the Child* also expressed concern that pro-government tribal militias and armed groups are directly involved in the recruitment and use of children in hostilities,

¹⁹³ United States Department of State, 2014 Trafficking in Persons Report - Yemen, 20 June 2014, : <http://www.refworld.org/docid/53aab98014.html>, accessed 04 August 2014

¹⁹⁴ UN Committee on the Rights of the Child, Concluding observations on the report submitted by Yemen under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 31 January 2014, http://tbinternet.ohchr.org/Treaties/CRC-OP-AC/Shared%20Documents/YEM/CRC_C_OPAC_YEM_CO_1_16310_E.pdf, accessed 29 August 2014

“The Committee is deeply concerned that pro-government tribal militias and armed groups are directly involved and rely on the recruitment and use of children in hostilities. It is particularly concerned that, in 2011, children represented approximately 15% of the recruits of the pro-government tribal militias, including girls who were used as spies, cooks or to carry detonators as reported by the United Nations Secretary-General (S/2011/250, para. 197).”¹⁹⁵

In relation to recruitment by non-State armed groups, the *UN Committee on the Rights of the Child* expressed concern about the continued recruitment and use of children in hostilities by the Al Houthi and Ansar al-Sharia armed groups. It also expressed concern at reports of sexual exploitation, abuse and violence against boys and girls, by Ansar al-Sharia,

“The Committee welcomes the pledge made by the Al-Houthi armed group to bring to an end grave violations against children as well as to release children within its ranks and reintegrate them into civilian life, following the visit of the Special Representative of the United Nations Secretary-General on children and armed conflict in November 2012. However it expressed deep concern about the continued recruitment and use of children in hostilities by the group to, inter alia, man checkpoints, or to combat against pro-government tribal militias. It is further concerned that children’s involvement with Al Houthi is accepted by children’s family members and local communities in areas controlled by the armed group, as this is perceived, including by the children, as an obligation to protect land and family.

The Committee expresses its deep concern about the continuous recruitment and use of children in hostilities by Ansar al-Sharia armed group. It is very concerned at reported instances of recruitment cases of boys for the purpose of sexual exploitation and abuse, as well as about cases of sexual violence, including rape against girls who have been forced into marriage with members of Ansar al-Sharia.”¹⁹⁶

The *UN Committee on the Rights of the Child* expressed concern that the recruitment and use of children under 18 by non-State armed groups is not prohibited under national legislation,

“The Committee is concerned that the national legislation does not prohibit and criminalize the recruitment or use in hostilities of children under the age of 18 years by non-State armed groups in any circumstances. It regrets that the State party’s

195 UN Committee on the Rights of the Child, Concluding observations on the report submitted by Yemen under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 31 January 2014, http://tbinternet.ohchr.org/Treaties/CRC-OPAC/Shared%20Documents/YEM/CRC_C_OPAC_YEM_CO_1_16310_E.pdf, accessed 29 August 2014

196 UN Committee on the Rights of the Child, Concluding observations on the report submitted by Yemen under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 31 January 2014, http://tbinternet.ohchr.org/Treaties/CRC-OP-AC/Shared%20Documents/YEM/CRC_C_OPAC_YEM_CO_1_16310_E.pdf, accessed 29 August 2014

legislation does not contain an explicit provision criminalizing recruitment and use of children under 18 years in the national Armed Forces in war or peace time.”¹⁹⁷

In its 2014 world report *Human Rights Watch* reported that it had children were recruited by the Temini armed forces, First Armoured Division, Republican Guard and armed group Ansar al-Sharia and that children were used in civil disobedience campaigns by the Southern Movement,

“In recent years, Human Rights Watch has documented cases of children participating in combat with both the First Armored Division and the Republican Guard. In June 2012, UNICEF Yemen reported several incidents of child recruitment by the Yemeni armed forces and by the armed group Ansar al-Sharia, an offshoot of AQAP. In September, the United Nations special rapporteur on children in armed conflict announced that the government had approved an action plan to end the recruitment and use of children in government armed forces.

In Aden, from February until June, the Southern Movement (or Hirak), an umbrella group seeking independence or greater autonomy for southern Yemen, prevented nearly 50,000 children from going to school on Wednesdays and Saturdays so that they could participate in a civil disobedience campaign. At least a dozen schools in Aden came under armed attack during the campaign from Hirak forces, some several times. In September, the civil disobedience campaign resumed, but campaigners agreed to exempt schools, allowing students to attend even on the weekly day of general strike.”¹⁹⁸

1.4 Child labour

In June 2014 the *US Department of State* reported that there are approximately 1.7 million child laborers under the age of 14 in Yemen. Girls are exploited for commercial sex work,

“The Yemeni government and international NGOs estimate that there are approximately 1.7 million child laborers under the age of 14 in Yemen, some of whom are subjected to forced labor. Yemeni girls are subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15-years-old are exploited for commercial sex in hotels and clubs in the governorates of Sana'a, Aden, and Taiz.”¹⁹⁹

In January 2014 the *UN Committee on the Rights of the Child* expressed concern at the percentage of child laborers in Yemen and inconsistencies in national legislation with the international standards regarding the minimum age for employment,

197 UN Committee on the Rights of the Child, Concluding observations on the report submitted by Yemen under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 31 January 2014, http://tbinternet.ohchr.org/Treaties/CRC-OP-AC/Shared%20Documents/YEM/CRC_C_OPAC_YEM_CO_1_16310_E.pdf, accessed 29 August 2014

198 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

199 United States Department of State, 2014 Trafficking in Persons Report - Yemen, 20 June 2014, <http://www.refworld.org/docid/53aab98014.html>, accessed 04 August 2014

“The Committee notes the adoption of Ministerial Decree No. 11 (2013) which updates the list of hazardous occupations for children. However, it is seriously concerned at the information provided by the State party, according to which the percentage of child labourers in the age group 5 to 11 years is 11% of the total child labourers in the State party and that this percentage increases up to 28.5% in the age group 12-14 years. It is also concerned at inconsistencies in the State party’s legislation with the international standards regarding the minimum age for employment, in particular because the Child Rights Act (2002) sets the minimum age for admission to employment at a lower age (14 years) than the age of completion of basic education, set at 15 years in the Public Education Act (1992). It is further concerned that the majority of children work in the agriculture and fishing sectors or as domestic servants as well as at the fact that these children are forced to carry out hazardous work. The Committee is also concerned about the lack of protection measures for children labourers from abuse, including sexual abuse.”²⁰⁰

1.5 Child marriages

In June 2013 *Amnesty International* reported that early marriage was common and sometimes women and girls were forced into marriage through the threat of violence,

“Marriage of girls under 18 is common and has included girls as young as eight. Such marriages typically lead to the girl’s withdrawal from school and, in some cases, have led to death or injury because of complications during childbirth. Women who assert their right to marry a partner of their own choice against the wishes of their family risk physical violence and restrictions on their freedom of movement. In some cases, women and girls, particularly those living in rural areas, are forced into marriage, sometimes through the threat of violence”²⁰¹

In its 2014 world report *Human Rights Watch* reported that child marriage was widespread, including girls as young as 8,

“Child marriage remains widespread with doctors and the media reporting the deaths of child brides as young as 8 years old following their wedding night or childbirth. Yemen has not legislated a minimum age of marriage.”²⁰²

In January 2014 the *United Nations Committee on the Rights of the Child* expressed its serious concern at the high prevalence of child marriage,

“The Committee expresses its serious concern at the high prevalence of child marriage as well as at the widespread perception among families that marrying their daughters at a young age would preserve the family’s “honour”. It is further

200 UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, <http://www.refworld.org/docid/52f89d5c4.html>, accessed 04 August 2014

201 Amnesty International, Yemen: Submission to the UN Universal Period Review 18th Session of the UPR Working Group, January – February 2014, 01 June 2013, MDE 31/002/2014, <http://www.refworld.org/docid/52eb7e2f4.html>, accessed 28 August 2014

202 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

concerned at reports indicating that girls as young as 8 years have been given into marriage by their families, particularly in rural areas, as well as at reports stating that during 2012, girls have been forcibly married to members of Ansar al-Sharia armed group, in conflict-affected areas. It regrets the lack of information with respect to the causes and extent of crimes committed in the name of so-called honour in the State party.”²⁰³

In an interview with Al Jazeera in July 2014, the *Yemeni Human Rights Minister* was asked what she had done to stop child marriage in Yemen,

“We have worked for many years to fix a legal marriage age, but were confronted by a handful of MPs and influential figures. Frankly, this issue has a political dimension. The former president's party [the General People's Congress], which has most of the seats in the parliament, has been unenthusiastic to pass the law, in order to embarrass the opposition and try to paint them as supporting child marriage.

We are now discussing in the cabinet another law called the Child Rights Law, which includes ... fixing a minimum age for marriage at 18.”²⁰⁴

In its 2014 world report *Human Rights Watch* reported a sub committee of the national dialogue had proposed that the minimum age of marriage be raised to 18 years,

“The national dialogue presented an important opportunity to secure protection for women and girls' rights. The rights and freedoms committee within the national dialogue made positive recommendations on equality of men and women and non-discrimination, including a recommendation that the minimum age of marriage should be set at 18.”²⁰⁵

1.6 Access to education

In January 2014 the *UN Committee on the Rights of the Child* noted the effort of Yemen in the field of education however it remained concerned at,

“(a) The low quality of education;

(b) The lack of adequate school infrastructure, in particular the lack of sanitation facilities in most schools;

203 UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, <http://www.refworld.org/docid/52f89d5c4.html>, accessed 04 August 2014

204 Al Jazeera, Q & A; Yemen's Human Rights Minister, 16 July 2014, <http://m.aljazeera.com/story/2014715135235852776>, accessed 14 August 2014

205 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

- (c) Reports indicating that school fees are requested to be paid in some public schools, despite the provisions in law stating that basic education is free;
- (d) The significant disparities in the enrolment rates of girls to basic education among the governorates of the State party and about the gender gap in school enrolment rates;
- (e) The persistence of traditional attitudes and beliefs against girls' education in particular in rural areas, child marriage and low number of female teachers, all of which contribute to the high dropout of school rates of girls;
- (f) The widening gap in the rate of school enrolment of children with disabilities and children addressed as Muhamasheen children when compared with the nationwide rates; and
- (g) The limited number of schools offering vocational and technical education.”²⁰⁶

The *UN Committee on the Rights of the Child* also expressed concern over attacks on school facilities and their occupation by the armed forces or non-State armed groups. Schools have been used to provide shelter for IDPs which has prevented children from continuing their education,

“The Committee expresses its serious concern over attacks on schools facilities and their occupation by the armed forces or non-State armed groups involved in the conflict, which have led to the partial or whole damage of school facilities and their closure since 2011. It is concerned that authorities of the State party have used schools to provide shelter to internally displaced persons, situation which have prevented children enrolled in such schools to continue their education.”²⁰⁷

2. Human trafficking

In June 2014 the *US Department of State* reported that Yemen is a country of origin, and to a lesser extent, a transit and destination country for men, women and children subjected to forced labour and women and children subjected to sex trafficking,

“Yemen is a country of origin and, to a lesser extent, a transit and destination country for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. Some Yemeni children, mostly boys, migrate to the Yemeni cities of Aden and Sana'a, or travel across the northern border to Saudi Arabia and, to a lesser extent, to Oman, where they are subjected to forced labor in domestic service, small shops, or as beggars. Some of these children are forced into prostitution by traffickers, border patrols, other security officials, and their

²⁰⁶ UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, <http://www.refworld.org/docid/52f89d5c4.html>, accessed 04 August 2014

²⁰⁷ UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, <http://www.refworld.org/docid/52f89d5c4.html>, accessed 04 August 2014

employers once they arrive in Saudi Arabia; some children are forced to smuggle drugs into Saudi Arabia.²⁰⁸

USDOS reported that Yemeni girls are subjected to sex trafficking within the country and in Saudi Arabia. Some Saudi men used legally-contracted “temporary marriages” for the purpose of sexually exploiting Yemeni girls,

“Yemeni girls are subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15-years-old are exploited for commercial sex in hotels and clubs in the governorates of Sana'a, Aden, and Taiz. The majority of child sex tourists in Yemen are from Saudi Arabia, with a smaller number possibly originating from other Gulf nations. Some Saudi men used legally-contracted "temporary marriages" for the purpose of sexually exploiting Yemeni girls – some reportedly as young as 10-years-old; some are subjected to sex trafficking or abandoned on the streets of Saudi Arabia. Civil society organizations report that as a result of the dire economic situation in Yemen, particularly in the north, sex trafficking of Yemeni children increased during 2012 and 2013. In addition, some sources report that the practice of chattel slavery continues in Yemen. While no official statistics exist detailing this practice, sources report that there could be 300 to 500 men, women, and children sold or inherited as slaves in Yemen, including in the Al-Zohrah district of Al-Hudaydah Governorate, west of Sana'a, and the Kuaidinah and Khairan Al-Muharraq districts of the Hajjah Governorate, north of the capital. While there is no clear evidence of the use of force for this recruitment, poverty, lack of education, and cultural mores increase vulnerability for trafficking.”²⁰⁹

USDOS reported that the Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so.”²¹⁰

In May 2014 *Human Rights Watch* reported that human traffickers tortured African migrants with the involvement of members of the security forces,

“Traffickers in Yemen hold African migrants in detention camps, torturing them to extort payment from their families, with the complicity of local officials [] Sometimes the torture ends in death.”²¹¹

3. Freedom of the press, including attacks on journalists

In its 2014 world report *Human Rights Watch* reported that there has been an increase in assaults on journalists and bloggers and that the government has not taken action to protect journalists,

208 United States Department of State, 2014 Trafficking in Persons Report - Yemen, 20 June 2014, <http://www.refworld.org/docid/53aab98014.html>, accessed 04 August 2014

209 United States Department of State, 2014 Trafficking in Persons Report - Yemen, 20 June 2014, <http://www.refworld.org/docid/53aab98014.html>, accessed 04 August 2014

210 United States Department of State, 2014 Trafficking in Persons Report - Yemen, 20 June 2014, <http://www.refworld.org/docid/53aab98014.html>, accessed 04 August 2014

211 Human Rights Watch, Yemen: Migrants held at 'Torture Camps,' 25 May 2014, <http://www.hrw.org/news/2014/05/25/yemen-migrants-held-torture-camps>, accessed 2 August 2014

“Since President Hadi took office, the authorities have eased formal controls on media, though legal restrictions remain. However there has been an increase in assaults on journalists and bloggers by the authorities and their supporters, and by militant groups, including Saleh loyalists, Huthis, and religious conservatives.

In the first half of 2013, the Freedom Foundation, a Yemeni organization that monitors press freedom, recorded 144 attacks affecting 205 media members, including verbal harassment, confiscations, politicized prosecutions, enforced disappearances, and killings.

The government generally has not condemned these attacks, investigated them, held those responsible to account, or taken measures to protect journalists.”²¹²

In its 2013 attacks on the press report the *Committee to Protect Journalists* reported that the journalists faced threats from state and non-state actors, reporting that at least 7 journalists were abducted over the year,

“The state of press freedom in Yemen in 2013 reflected the overall uncertainty and insecurity of a country in transition after decades of rule under President Ali Abdullah Saleh. The press faced serious consequences for failing to navigate a complicated web of red lines from the government, tribal groups, and political factions. Many journalists received death threats after crossing those red lines, and several were threatened or attacked by various assailants. CPJ documented at least seven journalists who were abducted over the year, all of whom were later released. Journalists covering protests related to the anniversary of the brief civil war in the country were assaulted by demonstrators, unidentified gunmen, and government security forces. The government continued to prosecute journalists for a range of charges, including defamation and insulting public officials. Still, there were some reasons for optimism. Freelance journalist Abdulelah Hider Shaea was freed in July after three years’ imprisonment, and CPJ documented no Yemeni journalists in prison for the first time since 2009. For the second year in a row, CPJ documented no journalists killed in relation to their work.”²¹³

In March 2014 *Reporters Without Borders* stated that “two years after Abd Rab Mansour Hadi became president, the situation of freedom of information in Yemen continues to be very worrying, especially as regards violence against media personnel.”²¹⁴ With the help of reporting by the Freedom Foundation, a Yemeni NGO, and the Union of Journalists, *Reporters Without Borders* has registered more than 20 cases of harassment and violence against journalists, not only by armed individuals and groups but also by members of the security forces. All have gone unpunished.²¹⁵

212 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

213 The Committee to Protect Journalists, Attacks on the Press in 2013, <https://cpj.org/2014/02/attacks-on-the-press-in-2013-yemen.php>, accessed 4 August 2014

214 Reporters Without Borders, Journalists constantly harassed and attacked in Yemen, 13 March 2014, available at: <http://www.refworld.org/docid/532302e04.html>, accessed 04 August 2014

215 Reporters Without Borders, Journalists constantly harassed and attacked in Yemen, 13 March 2014, available at: <http://www.refworld.org/docid/532302e04.html>, accessed 04 August 2014

In June 2014 *Human Rights Watch* reported the confiscation of equipment of the private TV station Yemen Today by Yemeni authorities,

“Yemeni authorities should immediately return the broadcasting equipment of the private TV station Yemen Today and permit it to resume broadcasting. Military forces raided the station, owned by former president Ali Abdullah Saleh, on June 11, 2014, following its coverage of protests in the streets of Sanaa, the capital.”²¹⁶

Human Rights Watch also reported that this follows on from other incidents restricting media freedom in Yemen,

“In a separate incident, Muhammad al-Qadhi, a reporter for London-based Sky News, told Human Rights Watch that on June 12, 2014, he was on a street in Sanaa photographing passers-by for a piece about the Muslim holiday Ramadan. A soldier approached him, ordered him to stop taking photos, and tried to confiscate his camera. Al-Qadhi says he refused to hand over his camera. The soldier finally let him go, al-Qadhi said, adding that the soldier told him that given the tense atmosphere caused by the protests, troops apparently had orders to stop all journalists from reporting in the streets that day.

In May, the government prevented Al Jazeera reporters from covering the ongoing fighting in the governorates of Abyan, Shabwa, and al-Bayda.

The incidents indicate an escalation of government restrictions on media coverage in the country since President Hadi took office in early 2012. A September 2013.”²¹⁷

In June 2014 *Reporters Without Borders* reported that the Yemeni government closed two news media, and the attack of journalists covering demonstrations,

“Two news media owned by former President Ali Abdallah Saleh that have a reputation for tendentious news reporting – Al-Yemen Al-Youm TV and the Al-Yemen Al-Youm newspaper –were raided and closed on 11 June by members of the presidential guard.

For no apparent reason, members of the security forces attacked Sky News correspondent Mohamed Al-Kadhi, smashing his equipment, while he was doing a report on the month of Ramada on 12 June.

Riot police used teargas and live rounds to disperse journalists who were demonstrating outside the “14 October” printing press in Aden in 7 June in protest against the manager’s alleged corruption.

The police also targeted journalists who were there just to cover the protest. According to Marwan Al-Janzir, the head of the Aden branch of the Journalists’ Union, and Workers’ Union general secretary Nawfel Rajah, 15 journalists and 20 employees of the printing press were beaten and threatened at gunpoint by riot

216 Human Rights Watch, Human Rights Watch, Yemen: Stop Blocking News Coverage, 23 June 2014, <http://www.refworld.org/docid/53aa7ea64.html>, accessed 04 August 2014

217 Human Rights Watch, Human Rights Watch, Yemen: Stop Blocking News Coverage, 23 June 2014, <http://www.refworld.org/docid/53aa7ea64.html>, accessed 04 August 2014

police before being forced to leave. One journalist, Hani Al-Mohtadi, was detained for an hour.

Police threatened and attacked TV cameramen who were in the Aser district of the capital on 4 June to cover a demonstration demanding an end to the war in Amran, the governorate to the north of Sanaa governorate. Al-Jazeera Musbasher's Mansour Allaw, Sky News Arabia's Mohamed Sallama and Al-Arabiya's Abdullah Al-Sofi were all beaten by police and forbidden to cover the demonstration.²¹⁸

In August 2014 *Freedom House* reported several attacks on journalists,

"Although they have diminished in scale as the 2011 protest movement receded, attacks on journalists have continued. In February Wagdi al-Shabi, who previously worked for the Yemeni daily *Al-Ayyam*, was killed by unknown assailants wearing military uniforms in his home in Aden. In April an explosive device was found in the offices of Shabab TV in Sanaa and disarmed before it could detonate. Mansoor Noor, a correspondent for "September 26" newspaper was shot in Aden and had to have his leg amputated. Also in April two Al Jazeera journalists were attacked by members of the Southern secessionist movement."²¹⁹

In August 2014 the Committee to Protect Journalists reported a series of attacks against journalists working for state-run outlets,

"The Committee to Protect Journalists is alarmed by a string of attacks on Yemeni journalists working for state-run outlets in the past week. At least one journalist has been killed and another survived an assassination attempt, according to the Ministry of Information and news reports.

Abdul Rahman Hamid al-Din, a director and producer for the state-run Sanaa Radio, succumbed to his wounds in a hospital on August 16 after being shot in the head the day before, the Ministry of Information said. News reports said al-Din was shot in Sanaa on Friday by unknown gunmen.[] On the same day that al-Din died, an explosive device was discovered underneath the car of Ibrahim al-Abiad, the director for the state-run Yemen TV, the ministry said."²²⁰

4. Attacks on health workers, and humanitarian workers

In its 2014 world report *Human Rights Watch* reported that health workers have been subjected to shootings, threats and physical attacks by armed groups,

218 Reporters Without Borders, Government closes two news media, police attack journalists, 13 June 2014, <http://www.refworld.org/docid/53a01e9c4.html>, accessed 04 August 2014

219 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 25 August 2014

220 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

“Health workers and facilities are struggling to protect themselves from armed groups. Medecins Sans Frontieres reported 18 different attacks against their staff in Amran in the past year, including shootings, threats, and physical attacks on health workers.”²²¹

Forty-five incidents of attacks on health services or staff have been documented by MSF from 2010-2013.²²² In September 2013 the *Yemen Times* reported that little is being done to mitigate the problem,

“All over Yemen, health care workers are struggling to protect themselves against attacks varying from threats on their lives to kidnappings to the robbery of vital medical supplies, and little seems to be done to mitigate the problem.”²²³

Since 16 January 2014, the *UN High Commissioner for Human Rights* has documented a series of eight attacks wherein four hospitals and clinics as well as an institution for people with disabilities were shelled.²²⁴

In January 2014 the *UN Office for the Coordination of Humanitarian Affairs* reported that amidst a fragile political process, the security situation remains unpredictable in Yemen and kidnappings, including of humanitarian workers, continue to be a serious concern. Such security concerns will impact on humanitarian organisation’s ability to deliver assistance,

“The political process, however, remains fragile and despite increased stability and improved security in many parts of the country, the security situation remains unpredictable. 2013 saw small scale and localized conflict both in the north and the south of the country, as well as politically motivated assassinations and sabotage of infrastructure. Kidnappings, including of humanitarian workers, continue to be a serious concern.”²²⁵

In December 2013 US based news agency the *Global Post* reported that two German aid workers and a local colleague were killed in the terrorist attacks against Yemen's Ministry of Defense which has reportedly claimed lives of at least 52 people.²²⁶

5. Sexual Orientation and Gender Identity

221 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

222 Yemen Times, With No Specific Law to Protect Them, Health Care Workers are at Risk, 10 September 2013, <http://www.yementimes.com/en/1710/health/2869/With-no-specific-law-to-protect-them-health-care-workers-are-at-risk.htm>, accessed 29 August 2014

223 Yemen Times, With No Specific Law to Protect Them, Health Care Workers are at Risk, 10 September 2013, <http://www.yementimes.com/en/1710/health/2869/With-no-specific-law-to-protect-them-health-care-workers-are-at-risk.htm>, accessed 29 August 2014

224 Office of the UN High Commissioner for Human Rights (OHCHR) Pillay condemns attacks on civilians by Yemen's armed forces; calls for humanitarian access in Al Dhale Governorate, 26 February 2014, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14283&#sthash.GWwDms4I.dpuf>, accessed 29 August 2014

225 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014

226 The Global Post, Two German aid workers killed in Yemen: FM, 05 December 2013, <http://www.globalpost.com/dispatch/news/xinhua-news-agency/131205/two-german-aid-workers-killed-yemen-fm>, accessed 29 August 2014

5.1 Domestic legal framework relating to LGBTI individuals

In February 2014 the *US Department of State* reported that the LGBT community faced discrimination and attacks,

“Lesbian, gay, bisexual, and transgender (LGBT) persons faced discrimination and could face the death penalty, although no executions have been held in more than a decade. The penal code criminalizes consensual same-sex sexual conduct, with the death penalty as a sanction, under the country's interpretation of Islamic law.”²²⁷

5.2 Treatment of LGBTI individuals

In February 2014 the *US Department of State* reported that the LGBT community faced discrimination and attacks,

“There were reports that members of AQAP killed four men accused of homosexual activity in Huta. At least two other similar attacks reportedly occurred during the year.

On September 29, suspected AQAP gunmen shot and killed a young man in the south, claiming that he was gay and thus an apostate. Police stated the incident represented the sixth murder targeting alleged gays during the year.

Due to the illegality of and possibly severe punishment for consensual same-sex sexual conduct, there were no LGBT organizations. As the law does not prohibit discrimination, LGBT issues were not considered "relevant" for official reporting by the government, and few LGBT persons were open about their sexual orientation or gender identity.”²²⁸

In August 2014 *Freedom House* reported that same-sex sexual activity is illegal and punishable by death. There were credible reports of Al Qaeda in the Arabian Peninsula killing men for being gay,

“Same-sex sexual activity is illegal and punishable by death. In 2013 there were credible reports of AQAP killing men for allegedly being gay. Due to the severe threat against them, few LGBT Yemenis reveal their sexuality or gender identity.”²²⁹

G. Humanitarian Situation

227 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 August 2014

228 US Department of State (USDOS) Country Reports on Human Rights Practices- Yemen, 27 February 2014, <http://www.refworld.org/docid/53284a4814.html>, accessed 04 August 2014

229 Freedom House, Freedom in the World – Yemen, 22 August 2014, <http://www.refworld.org/docid/53fc364b9.html>, accessed 27 August 2014

1. Food and water insecurity (highlighting worst affected provinces/areas)

In its 2014 world report *Human Rights Watch* reported that according to UN sources “Yemen faces a growing humanitarian crisis, with nearly half the population lacking sufficient food.”²³⁰

In August 2014 the *UN Office for the Coordination of Humanitarian Affairs* reported that 14.7million are in need of humanitarian aid in Yemen, 10.6 million are food insecure, and 13.1 million people do not have access to safe water and sanitation.²³¹

In July 2014, a joint survey by the *United Nations Children’s Fund (UNICEF)* and the *United Nations World Food Programme* survey found that over 10 million Yemenis (41%) are food insecure. There were huge variations among different governates, for example almost 70% in the northern governate of Sa’da were food insecure,

“Around five million people were found to be severely food insecure, suffering from levels of hunger where external food assistance is generally required and the prevalence of chronic malnutrition among children under the age of five is beyond the international benchmark of “critical.” The Comprehensive Food Security Survey, which is usually held every two years, also shows that Global Acute Malnutrition (GAM) rates in Yemen are serious across most of the country and at emergency levels in some areas. The survey is carried out with the support of Yemen’s Central Statistical Office and funding from the United States government.

Levels of food insecurity across the country showed a slight decline from 45 per cent to 41 per cent, since the last similar survey in 2011, but there were huge variations among different governorates. In the northern governorate of Sa’ada, almost 70 per cent of people were food-insecure, compared with fewer than 10 per cent in Al Mahra in the east. Rural areas are worst affected.

Similar disparities are evident in malnutrition rates in different parts of the country, with global acute malnutrition rates ranging from critical, denoting an emergency, in the western coastal governorates of Taiz, Hodeidah and Hajja, to serious or poor in almost all other governorates.[]

Twelve governorates have critical levels of stunting, a condition caused by chronic malnutrition, where children fail to grow properly over time and never reach their physical and mental potential. Worst-affected is the governorate of Al Mahweet, west of Sana’a, where more than 60 percent of children are stunted, or short for

230 Human Rights Watch, World Report, 2014, Yemen, <http://www.hrw.org/world-report/2014/country-chapters/yemen>, accessed 14 August 2014

231 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Bulletin, Yemen, Issue 29 | 10 July – 10 August 2014,

<https://yemen.humanitarianresponse.info/system/files/documents/files/OCHA%20Yemen%20Humanitarian%20Bulletin%20Issue%2029%20-%2010%20July%20to%2010%20August%202014.pdf>, accessed 29 August 2014

their age. Seven governorates have serious levels (between 30 per cent and 39.9 per cent) and two are classified as poor (20-29.9 per cent).²³²

The survey illustrated that there was some improvement in food security and a decrease in hunger levels in Ibb, Sana'a, Mareb and Rayma but a severe deterioration in the central governorate of Shabwa, from nearly 38 percent food insecure in 2011 to more than 57 percent in 2014. The data was gathered from all 22 of Yemen's governorates, based on more than 10,500 household interviews and measurements taken from some 14,000 women and 13,500 children."²³³

In July 2014 *UNICEF* reported that one in five Yemeni children is underweight, 58% are stunted. Yemen has the second highest level of chronic malnutrition:

"One in five Yemeni children is underweight, 58 per cent are stunted. After Afghanistan, Yemen has the second highest level of chronic malnutrition," he said, adding that other protection concerns include keeping children in school, as well as reducing child marriage and child labour.

Overall, there are 14.7 million people in need of humanitarian assistance in Yemen - or 58 per cent of the population; 10.5 million of them are food insecure; and there are 320,000 registered internally displaced persons. The country is also plagued by ongoing instability, lacks basic social services and is on "the brink of economic collapse," warned the two officials.

"This is one of the largest humanitarian challenges in terms of scale and scope that we face in the world. It is extremely fragile there at the moment," said Mr. Ging.

"The humanitarian response is not the solution for Yemen. Yet, the humanitarian component of the international intervention is the one that's having to pick up the pieces most immediately."

Adding to the country's woes, said Mr. Ging, is the "curse of khat," a drug that is undermining health as well as the economy and development of Yemen. He stressed the need for a plan to address this scourge, noting that 70 per cent of the water resources are estimated to be used for the growing of this drug.

Despite the constraints, he went on to highlight the important humanitarian work that is being carried out in Yemen. One million people are in receipt of food assistance; 300,000 people have received nutritional support; 200,000 have benefited from water and sanitation support; 1.5 million are receiving health care

232 United Nations Children's Fund (UNICEF) Over 10 million Yemenis struggle for food, UNICEF and WFP food security survey shows, 15 July 2014, http://www.unicef.org/media/media_74283.html, accessed 02 August 2014; See also UN News Service, New UN survey shows 10 million Yemenis still struggle for food, 15 July 2014, <http://www.refworld.org/docid/53c8fc9b4.html>, accessed 02 August 2014

233 United Nations Children's Fund (UNICEF) Over 10 million Yemenis struggle for food, UNICEF and WFP food security survey shows, 15 July 2014, http://www.unicef.org/media/media_74283.html, accessed 02 August 2014; See also UN News Service, New UN survey shows 10 million Yemenis still struggle for food, 15 July 2014, <http://www.refworld.org/docid/53c8fc9b4.html>, accessed 02 August 2014

support; and 400,000 vulnerable and conflict-affected people are receiving protection services.”²³⁴

In May 2014 the *Norwegian Refugee Council/the Internal Displacement Monitoring Centre* reported that Yemen remained in the grip of a major humanitarian crisis during 2013,

“More than 10 million people faced severe food insecurity, and around 12 million lacked access to clean drinking water or sanitation facilities. Despite its extremely dry climate, Yemen is also prone to flash floods and landslides when rains sweep across the southwestern tip of the Arabian Peninsula. Natural hazards increase protection risks for IDPs displaced by other causes, and make them vulnerable to further displacement. An estimated 52 per cent of the population lives below the poverty line and gender is a key determinant of vulnerability.”²³⁵

2. Poverty (population living below the poverty line)

The *World Bank* reports that Yemen is one of the poorest countries in the Arab world, 54.5% of the population in 2012,

“Yemen is one of the poorest countries in the Arab world. Poverty, which was already increasing prior to the latest political crisis has risen further from 42% of the population in 2009, to 54.5% in 2012. Yemen has one of the highest population growth rates in the world, and is one of the most food insecure countries globally. Approximately 45% of the population is food insecure and Yemen’s scarce water resources are far below the regional average.”²³⁶

In June 2014 *Oxfam* reported that the fuel crisis is driving levels of hunger as food prices have increased,

“The fuel crisis is driving rising levels of hunger as food prices soar. Hunger levels before the crisis were already extremely high with 10.5 million going hungry every day.⁴ In June 2014, an Oxfam market survey found that the price of rice had increased an average of 73 per cent since the fuel crisis hit the western coastal governorate of Al Hodeidah at the beginning of the year. In the most extreme cases, families that paid YR250 (\$1.16) for one kilogramme of rice at the beginning of the year, by June were paying YR650 (\$3.02) for the same amount. The survey also found that the price of flour had increased by an average of 49 per cent and the price of vegetables by 100 per cent in some rural areas.”²³⁷

234 UN News Service, UN News Service, Urgent efforts needed to avert further crises in Somalia, Yemen – UN relief officials, 2 July 2014, <http://www.refworld.org/docid/53ba52584.html>, accessed 02 August 2014

235 Norwegian Refugee Council Internal Displacement Monitoring Centre (NRC/IDMC), Global Overview 2014: people internally displaced by conflict and violence - Yemen, 14 May 2014, <http://www.refworld.org/docid/53747466d.html>, accessed 24 August 2014

236 World Bank, Yemen Overview, last updated 17 March 2014, <http://www.worldbank.org/en/country/yemen/overview>, accessed 18 August 2014

237 Oxfam, Oxfam Briefing Note: Yemen in Crisis, How Yemen can survive the fuel crisis and secure its future, 24 June 2014, <file:///C:/Users/Adrienne/Downloads/bn-yemen-fuel-crisis-diesel-reactive-240614-en.pdf>, accessed 29 August 2014

3. Access to health care and other services (including for the displaced population)

In August 2014 the *UN Office for the Coordination of Humanitarian Affairs* reported 8.6 million people do not access to adequate healthcare in Yemen.²³⁸

4. Access of humanitarian workers in areas of high conflict

In January 2014 the *UN Office for the Coordination of Humanitarian Affairs* reported that amidst a fragile political process, the security situation remains unpredictable in Yemen and kidnappings, including of humanitarian workers, continue to be a serious concern. Such security concerns will impact on humanitarian organisation's ability to deliver assistance,

“The political process, however, remains fragile and despite increased stability and improved security in many parts of the country, the security situation remains unpredictable. 2013 saw small scale and localized conflict both in the north and the south of the country, as well as politically motivated assassinations and sabotage of infrastructure. Kidnappings, including of humanitarian workers, continue to be a serious concern. It can be expected that conflicts over natural resources (as described in the Humanitarian Needs Overview (HNO) - primarily over land and water - will increase, unless mitigating measures are introduced. Displacement from conflict and political unrest in 2013 was, however, limited in scale and short-term. It is expected that even with a successful outcome of the political process, these security concerns will continue in 2014 and possibly into 2015. Insecurity and conflict will not only continue to cause human suffering, but also impact on humanitarian organizations' ability to deliver assistance.”²³⁹

UNOCHA reported that humanitarian access constraints in Yemen in 2013 varied from problems with visas to access constraints caused by conflict. They were also direct access denials from non-state actors and overall conflict put humanitarian workers at risk,

“Humanitarian access constraints in Yemen in 2013 varied from problems associated with obtaining visas for humanitarian workers and bringing in security related equipment to the country to access constraints caused by insecurity and conflict. There were also direct access denials from non-state actors. In the north of the country there have been problems with assessments, distributions and other aspects of delivering assistance in line with the humanitarian principles. In the south, there are problems related to the lack of rule of law institutions and security for humanitarian organizations. Inter-tribal conflict and conflict between political and

238 UN Office for the Coordination of Humanitarian Affairs (UNOCHA, Humanitarian Bulletin, Yemen, Issue 29, 10 July – 10 August 2014,

<https://yemen.humanitarianresponse.info/system/files/documents/files/OCHA%20Yemen%20Humanitarian%20Bulletin%20Issue%2029%20-%2010%20July%20to%2010%20August%202014.pdf>, accessed 29 August 2014

239 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014

religious groups continue to put local people and humanitarian workers at risk. Broadly, access constraints in Yemen fall into three categories:

- Restriction of movement of agencies, personnel or goods into Yemen.
- Military operations and ongoing hostilities impeding humanitarian operations.
- Violence against humanitarian personnel, assets and facilities.”²⁴⁰

H. Internal Displacement

1. Government IDP policy and engagement

In May 2014 the *Norwegian Refugee Council/the Internal Displacement Monitoring Centre* reported that,

“The government adopted a national policy on internal displacement in June 2013. It was the result of an extensive consultative process, including IDPs. It aims to prevent arbitrary displacement, support both IDPs and host communities and create the conditions for durable solutions. It is vital that the policy be implemented, because the achievement of durable solutions is critically important not only for IDPs but also for improving stability in the country as a whole.”²⁴¹

In August 2014 *Integrated Regional Information Networks* reported that some IDPs from Yemen’s black Muhamasheen community accused the Yemeni government of preferential treatment,

“Saddam Al-Kamal, spokesperson for the Yemeni government's Executive Unit for IDPs, said they were trying their best to cope with the scale of the crisis and would both help IDPs return and offer support for those that chose to stay in Sana'a. "Both the returnee and the staying IDPs have received food and non-food assistance from the Executive Unit for IDPs' camps and its partners like OCHA, Islamic Relief and Médecins Sans Frontières," Al-Kamal said.

Yet some IDPs dispute this statement, accusing the Yemeni authorities of preferential treatment. In Sana'a IRIN met around 400 families sleeping without cover in a park opposite the mayor's office. They come from Yemen's black Muhamasheen (marginalized) community, often derogatorily referred to as "servants" and discriminated against on account of their dark skin. The families say that since their displacement they have no support from the state.

"We have black skin, hence [the Yemeni authorities] think we don't deserve to be treated like the other light skinned IDPs," complained Ahmed Ali Al-Ansi, who fled Amran a few weeks ago. They had been demonstrating outside the presidential

240 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014

241 Norwegian Refugee Council Internal Displacement Monitoring Centre (NRC/IDMC), Global Overview 2014: people internally displaced by conflict and violence - Yemen, 14 May 2014, <http://www.refworld.org/docid/53747466d.html>, accessed 24 August 2014

palace and the Yemeni government's Executive Unit for IDPs, but say they were chased away by residents brandishing weapons. Kamal denied there had been any discrimination in the government's policies."²⁴²

In January 2014 the *UN Committee on the Rights of the Child* expressed concern at the situation of children who have been internally displaced and the lack of information on the implementation of the National Policy on Internally Displaced Persons,

"The Committee is concerned at the situation of children who have been internally displaced from the southern and northern governorates of the State party as a result of the different phases of armed confrontations in the recent years. While noting the adoption of the National Policy on Internally Displaced Persons, in June 2013, the Committee is concerned at the lack of information on the implementation of such policy, in particular the interventions aiming at addressing the needs of internally displaced children. It is particularly concerned at reports indicating the poor living conditions of internally displaced children."²⁴³

2. Situation of IDPs who fled Abyan during the 2012 offensive into neighbouring governorates of Aden and al-Lahij

In May 2014 the *Norwegian Refugee Council/ the Internal Displacement Monitoring Centre* reported that

"The vast majority of IDPs live in host communities. Some are living in protracted displacement and are reluctant to return in the absence of a political solution to the conflict, de-mining and the reconstruction of damaged property and infrastructure. By the end of 2013, around 228,000 formerly IDPs had returned to their homes, most of them in Abyan governorate. The sustainability of returns needs to be supported, however, by reconstruction, ensuring access to basic services, rebuilding livelihoods and re-establishing governance and the rule of law."²⁴⁴

3. IDPs in northern Yemen

In July 2014 the *United Nations Humanitarian Coordinator in Yemen* voiced alarm at the recent escalation of violence in Amran Governorate which has displaced thousands of families in the past few days,

"I am deeply worried about the safety and welfare of civilians caught up in the conflict," Johannes Van Der Klaauw said in a statement issued yesterday in the capital, Sana'a.

242 Integrated Regional Networks, (IRIN), Yemen IDPs mull return to Amran after ceasefire, 31 July 2014, available at: <http://www.refworld.org/docid/53e0a5154.htm>, accessed 18 August 2014

243 UN Committee on the Rights of the Child (CRC), Concluding observations on the fourth periodic report of Yemen, 31 January 2014, CRC/C/YEM/CO/4, <http://www.refworld.org/docid/52f89d5c4.html>, accessed 04 August 2014

244 Norwegian Refugee Council Internal Displacement Monitoring Centre (NRC/IDMC), Global Overview 2014: people internally displaced by conflict and violence - Yemen, 14 May 2014, <http://www.refworld.org/docid/53747466d.html>, accessed 24 August 2014

"All parties to the conflict have a responsibility to make sure that civilians are spared from the fighting and that those who are affected by conflict are able to move to more secure areas."

There are reports of more than 200 civilians, including women and children, having been killed, and thousands of people are reportedly trapped inside the conflict zone in Amran City, unable to flee the fighting, according to the statement.

The latest escalation follows a ceasefire that came into force in Amran Governorate on 4 June after several days of heavy fighting between Government forces and Al Houthi militants in areas surrounding Amran City.

Mr. Van Der Klaauw said that reports of the seizure of humanitarian assets and the targeting of civilian infrastructure, including schools and hospitals, are "very upsetting," adding that there is no excuse for direct attacks on civilian infrastructure or on humanitarian assets.

Humanitarian partners are providing life-saving services, including food, water and sanitation, shelter and emergency healthcare in accessible areas, he stated. However, humanitarian access is constrained by ongoing fighting, roadblocks and other restrictions.

"I call on all parties to facilitate aid agencies' access to civilians, and to protect and respect humanitarian activities, workers, and property at all times to ensure that aid can reach vulnerable people who are in desperate need of assistance."

The Humanitarian Coordinator said he is seeking dialogue with the parties to the conflict to ensure rapid and unimpeded humanitarian access to people in need.

He also fully supported the statement made by the Secretary General's Special Advisor to Yemen, Jamal Benomar, urging the parties to observe the ceasefire, find a peaceful resolution to their grievances, and allow delivery of assistance to all populations in need.

Nearly 15 million people in Yemen - over half the population - are in need of some form of humanitarian aid this year. The UN and its partners have launched a \$592 million response plan that remains woefully underfunded."²⁴⁵

In May 2014 the *Norwegian Refugee Council/Internal Displacement Monitoring Centre* reported there were 307,000 IDPs in Yemen, mainly in the north of the country.²⁴⁶

4. IDPs' access to shelter, healthcare, and other basic needs, as well as durable solutions

245 UN News Service, Yemen: UN relief official alarmed as renewed clashes displace thousands in country's north, 9 July 2014, <http://www.refworld.org/docid/53bfda0b4.html>, accessed 02 August 2014

246 Norwegian Refugee Council Internal Displacement Monitoring Centre (NRC/IDMC), Global Overview 2014: people internally displaced by conflict and violence - Yemen, 14 May 2014, <http://www.refworld.org/docid/53747466d.html>, accessed 24 August 2014

In January 2014 the *UN Office for the Coordination of Humanitarian Affairs* (UNOCHA) reported there are 307,000 IDPs in Yemen. 38,000 families are in immediate need of shelter and continuous supports,

“Yemen experiences continuous displacement, in addition to the protracted displacement of some 307,000 IDPs all over the country. While many IDPs have achieved some level of integration and self-reliance, about 38,000 families are in immediate need of shelter and continuous support in terms of non-food items (NFIs). In cases of new displacement, providing shelter is, at times, when no adequate accommodation within the host community is possible, essential. The assistance in terms of NFIs and shelter allows new IDPs to seek safety and reclaim some level of normalcy in the location of displacement.”²⁴⁷

In August 2014 *Integrated Regional Information Networks* reported that thousands of people displaced in Northern Yemen are looking to return to their homes, but face significant challenges,

“Thousands of people displaced by recent heavy fighting between Houthi rebels and government forces in the city of Amran in northern Yemen are looking to return to their homes following a recent Houthi withdrawal, but they face significant challenges.

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The militarized atmosphere in Amran is not the only cause for concern for humanitarians. Yemen is facing a crippling long-term fuel shortage, while a decision to remove fuel subsidies has led to mass protests in Sana'a in recent days in which at least one person has been killed.

Many aid workers have been forced to cancel or suspend fieldwork, resulting in delays to support for vulnerable groups, while the health sector in Amran is suffering from a lack of medicines, fuel and human resources.

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Yahya Shouai and his family are among thousands of dispossessed from Amran currently in the capital Sana'a awaiting the opportunity to return home. "There is no food, no shelter, no tents and no latrines either," Shouai said. "Even the park toilets were closed and we were not given access to use them."²⁴⁸

5. Livelihood opportunities

In February 2014 the *UN Office for the Coordination of Humanitarian Affairs* (UNOCHA) estimated that 5,500 people remain displaced in the south of Yemen. Returnees face

247 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014

248 Integrated Regional Networks, (IRIN), Yemen IDPs mull return to Amran after ceasefire, 31 July 2014, available at: <http://www.refworld.org/docid/53e0a5154.htm>, accessed 18 August 2014

tremendous challenges in re-establishing their lives. IDPs from Abyan cited concern over lack of livelihood opportunities as a deterrent from returning,

“It is estimated that some 5,500 people remain displaced in the south. Returnees and marginalized groups face tremendous difficulties in re-establishing their lives and livelihoods, particularly in Abyan. Some of the IDPs are still residing in the six remaining collective centres, established in schools. This group is very reluctant to return to Abyan, many citing insecurity related to the absence of rule of law, whilst others cite lack of shelter and concern over the lack of livelihood opportunities.”²⁴⁹

UNOCHA predicts displacement will continue into 2014 and 2015 and will provide opportunities to participate in productive safety-net and livelihood enhancement activities,

“Localized conflict continues to result in displacement which is expected to continue into 2014 and 2015. Many of the newly displaced will need food assistance for up to four months and assistance to establish viable livelihoods in their areas of return or displacement. In response, the food security and agriculture cluster (FSAC) will provide opportunities to participate in productive safety-net and livelihood enhancement activities.”²⁵⁰

249 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014

250 UN Office for the Coordination of Humanitarian Affairs (UNOCHA) Humanitarian Response Plan Yemen 2014, Period: January 2014 – December 2015, 12 February 2014, https://docs.unocha.org/sites/dms/CAP/HRP_2014_Yemen.pdf, accessed 29 August 2014