



# General Assembly

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## Human Rights Council

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Agenda items 2 and 3

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Partners For Transparency, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

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\* Issued as received, in the language(s) of submission only.



## Cases of arbitrary detention in Yemen

Partners for Transparency is deeply concerned about the flagrant violations of human rights that Yemen suffers at the hands of the Houthi militia, in light of the absence of law, the disruption of the judiciary, and the imposition of de facto authority in the areas under its control, as human rights reports documented and monitored the testimonies of many Yemeni victims at the hands of the Houthi militia, especially with the increase in cases of arbitrary arrest, detention and enforced disappearance, as well as the torture that these detainees are subjected to, which sometimes amounts to death. We would like to point out that the Houthi militia is responsible for 904 incidents of arbitrary detention, and 770 cases of enforced disappearance, and 344 incidents of torture, including 66 deaths in the place of detention, from May 2016 until April 2020.<sup>1</sup>

In a related context, the forces of the Houthi militia have arrested critics, opposition figures, journalists, human rights activists, and members of the Baha'i faith, all arbitrarily and in violation of all international conventions and agreements. Therefore, the Houthi militia has transferred many government buildings and headquarters, including clubs Sports, colleges and vital headquarters, to centers for arbitrary arrest and detention of kidnapped persons, as the number of those places in the capital, Sana'a alone, reached 30 prisons.

Partners for Transparency would like to emphasize that arbitrary detention and arrest is one of the major crimes that Yemenis suffer from, which constitute real and systematic terrorism against human rights, and of course the situation get worse with the outbreak of the Coronavirus "Covid-19", in light of the poor conditions of the overcrowded and unsanitary detention facilities, which does not have adequate ventilation, toilets, or shower facilities, and the Houthi militia does not have the ability to accommodate the increasing numbers of arbitrarily detained, as well as does not have the medical supplies or equipment necessary to counter such a rapidly spreading pandemic. Partners for Transparency calls on the Working Group on Arbitrary Detention to take practical steps to release these detainees, and to provide the necessary assistance that would bring the perpetrators to justice.

## The Houthi militia unofficial places of arbitrary detention and torture

The conflict in Yemen has launched widespread waves of arbitrary arrests and abductions. Some detainees have been held in unofficial places of detention, including private homes, without being informed of the reason for their detention or giving them the opportunity to challenge the legality of that detention.

The Houthis run several places where they practice increasing operations of arbitrary detention and torture, which sometimes amount to extrajudicial killing. The Security and Intelligence agency (formerly known as the national and political security agencies) is one of the largest detention centers run by the Houthi militia. Human rights organizations have verified that the militia has committed not less than 159 incidents of arbitrary detention, as well as 32 cases of torture of detainees in the Security and Intelligence agency in the capital, Sana'a. Detainees have reportedly underwent multiple types of torture during detention, including nail pulling, severe beatings, electric shocks, in addition to inhuman detention conditions, during the period from May 2016, to April 2020. The Houthi militia also used buildings in the residential city of Saleh as an unofficial detention center, and human rights reports documented at least 63 incidents of arbitrary detention, 4 incidents of torture, and two deaths in those detention centers located in the city of Al-Saleh. The Houthis also held detainees in their custody, and they have not allowed them to communicate with their families, in addition to their exposure to various forms of torture and inhuman treatment.<sup>2</sup>

In the same regard, the Houthi militia has used the Security and Intelligence agency building, located in Al Hudaydah governorate, similar to the Security and Intelligence Service

<sup>1</sup> مواطنة: أطراف النزاع تخفي وتعذب وتحتجز المئات في مراكز احتجاز غير رسمية في اليمن، مواطنة، 30 يونيو 2020. <https://cutt.us/rJpus>.

<sup>2</sup> في العتمة، وقائع الاختفاء القسري والاحتجاز التعسفي والتعذيب في مراكز الاحتجاز غير الرسمية في اليمن، للفترة من مايو 2016-2020، مواطنة لحقوق الإنسان، أبريل 2020، <https://cutt.us/YFRaZ>.

detention center in Sana'a, and a human rights organization has verified at least 24 incidents of arbitrary detention and 7 incidents of torture during the period from May 2016 until April 2020. Former detainees have reported their groundless imprisonment, and in addition to not being investigated, they have been deprived of their right to appoint a lawyer, and they have also been prevented from communicating with their relatives. Moreover, the Houthi forces have used at least one building of the Community College in the city of Dhamar as a detention center, where it transferred detainees from all governorates under their control. Human rights organizations have monitored the occurrence of at least 36 incidents of arbitrary detention, two incidents of torture and one death in this place of detention. Former detainees have reported the extremely poor conditions of detention and poor health situation, which increased the spread of infectious diseases among detainees, such as tuberculosis and scabies, as well as the use of various forms of torture against detainees.<sup>3</sup>

## Cases of arbitrary detention and torture by the Houthis

The Houthi militia use arbitrary detention, enforced disappearance, and torture as a method of domination and spreading terror in society. It usually records the detainees' confessions that are extracted by force, so that these confessions are broadcasted on the government channels under their control, in addition to their channel "Al Masirah", and other loyal channels. The Houthi militia also forced individuals to confess to trumped-up charges before their release, as well as to make undertakings requiring that the former detainee be returned to prison in case he breached his pledge.

The Houthi militia practices all kinds of humanitarian violations in Yemen, and with regard to arbitrary detention, in 2020, and in Taiz Governorate alone, there are 305 cases of abduction and detention in Al-Saleh Prison in Taiz, and they are still lying behind the bars of the Houthi armed prisons, where they are subjected to torture and ill treatment. Among them, 31 sick persons, suspected of being infected with the new Corona virus "Covid-19", in light of poor prison conditions and poor medical care, and the detainees' inability to receive the necessary treatment that saves their lives. In the course of the conversation, the mother of one of the arbitrarily detained recalls that on January 20, 2019, her son (S.H.L - 24 years old) was in a nearby barber shop, where a taxi arrived and three armed men got out of it and took him by force, and after twenty days she knew that they belonged to the Houthi militia, and that her son is being held in the Political Security prison in Hodeida. And in June 2019, the Houthis transferred him to Hanish Prison, which is notoriously known for prohibiting visits, contacts, the entry of food or money.<sup>4</sup>

In a related context, the Specialized Criminal Court, headed by the Houthi militia, has sentenced 30 academics and political figures from the Yemeni Islah Party to death, and fabricated charges against them, and among them were the professor and the well-known political figure, Yousef Al-Bawab, who has been detained since 2016, according to reports. He was arbitrarily detained, subjected to various forms of torture, his procedures were delayed, and he was subjected to an unfair trial, in addition to his lack of access to adequate medical care and legal advice, and he is still being held incommunicado.<sup>5</sup>

In the same framework, the Houthi militia detained at least 44 people, including five persons who were tortured in the detention center of the Security and Intelligence agency in Ibb Governorate, during the period from May 2016 to April 2020, and a security officer at the political Security agency, accompanied by armed men in civilian clothes, all of them affiliated with the Houthi militia, detained Musaad Muhammad Abdo (a pseudonym - 53 years) from Al-Dhahar District, Ibb Governorate, on charges of belonging to the Islah Party, and took him to Ibb's Political Security building, where he was held in solitary confinement in a cell measuring approximately two square meters, and during the period of detention, they did not allow him to communicate with his family members, nor did they allow anyone to

<sup>3</sup> Ibid.

<sup>4</sup> المختطف (س.ح.ل) 24 عاماً - محافظة الحديدة، رابطة أمهات المختطفين، 24 يوليو 2020. <https://cutt.us/rW8ww>.

<sup>5</sup> United States of America Department of State, 2019 Country Reports on Human Rights Practices: Yemen, 2019. <https://cutt.us/ZDWBU>.

visit him<sup>6</sup>, all this in addition to documenting dozens of cases in which the Houthis carried out arbitrary detention and used torture. Former detainees have stated that they were kicked and beaten with iron bars and rifles, and hanged up on walls with their arms are tied behind them. Additionally, human rights reports reveal that there are at least 3,478 detainees held by Al-Houthi militia, and at least 128 of them were killed.<sup>7</sup>

## Recommendations

Partners for transparency calls on the international community to take immediate actions in order to put an end to the flagrant violations committed by the Houthi militia, and urges the Working Group on Arbitrary Detention and members of the Human Rights Council to call on the Yemeni government to take into account the recommendations submitted by it, which can be detailed, as follows:

1. The need to consider ratifying international conventions to which it is not a party, including the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and political Rights, and the Rome statute of the International Criminal Court.
2. The immediate and urgent release of all individuals who are arbitrarily arrested and detained, especially children and women, and to investigate the crimes of torture practiced against the detainees.
3. The necessity of an immediate end to the practice of arbitrary arrest and detention, enforced disappearance, torture and other forms of ill-treatment.
4. Work to ensure that detention facility personnel act in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.
5. The necessity of assigning the investigation in all allegations of torture and ill-treatment in Al-Houthi militia detention facilities to an international agency, and making the findings of the investigation public.
6. The continuous work to combat the practices of arbitrary arrest or detention, enforced disappearance and torture, and to investigate them continuously, prosecute those responsible, provide adequate compensation to the victims, and inform the detainees' families of their whereabouts until their release; so that they would check on their loved ones.

<sup>6</sup> في العتمة، وقائع الاختفاء القسري والاحتجاز التعسفي والتعذيب في مراكز الاحتجاز غير الرسمية في اليمن، للفترة من مايو 2016 - <https://cutt.us/YFRaZ>، موطنة لحقوق الإنسان، يونيو 2020.

<sup>7</sup> Human Rights Watch, Yemen, World Report 2020. <https://cutt.us/zCpoU>.