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## Human Rights Council

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Agenda item 2

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

### **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.

[22 August 2021]

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



## The Human Rights Situation in Yemen

### Arbitrary detentions and forced arrests as a tool to silence the community by the Houthis

The Houthi militias is an actor that assumes state-like functions in Yemen, and thereby is required to comply with the IHRL. Arbitrary detentions and forced arrests were widely practiced by the Houthis since the beginning of conflict in Yemen until the end of June 2021. The Houthis have arbitrarily detained and arrested over 23,000 people, about 8,000 of them were imprisoned without trials and without being brought before an independent court.<sup>1</sup>

In early June 2020, the Houthis detained about 150 individuals from the Tablighi Jamaat, a transnational Sunni Islamic missionary movement known for its non-engagement in political affairs, and put them in different prisons across Sanaa, Dhamar, Taiz, Amran, Al Mahwit, Ibb, and Al Hudaydah.<sup>2</sup> Such incident is just the tip of the iceberg with regard to the arbitrary practices by the Houthis against all who oppose their doctrinal policies and ideas in the areas under their control in northern Yemen.

The 20-year-old social activist and actress “Intisar al-Hammadi”, who was actively calling for social freedom of women is still on trial. She was arrested by security forces in civilian clothes at a checkpoint in Shamlan, Sanaa on February 20, 2021 and was inhumanely interrogated. She was blindfolded and subjected to other patterns of physical and verbal abuse. Under pressure, she had to confess of crimes she didn’t commit such as drug possession, promiscuity and prostitution. Subsequently, she was taken to the women’s division of the Central Prison in Sanaa where she was prevented from contacting her family or attorney.<sup>3</sup>

During Intisar’s detention in the Central Prison in Sanaa, she was subjected to verbal abuse and gender-based discriminatory and racist insults by the guards who also called her a “whore”. On April 21, 2021, “al-Hammadi” was summoned to the Public Prosecution of the Houthis in Sanaa to be questioned, with the presence of her attorney, Khaled Al-Kamal, about the charges brought against her, such as “drug abuse, drug dealing and prostitution”, to which she didn’t confess before the Prosecution.<sup>4</sup>

At the end of the interrogation, the prison warden slapped al-Hammadi and the Public Prosecution prevented her attorney from accessing her case file. After repeated requests to access her file, her attorney was threatened by a member of the armed factions of the Houthis.<sup>5</sup> On May 26, the Legal Sector of the Human Resources Department at the Sanaa Capital Secretariat suspended Al-Kamal from work for defending al-Hammadi.<sup>6</sup> The continued detention of al-Hammadi, among other human rights defenders in northern Yemen emphasizes the approach of the Houthi Movement that has been using such arbitrary practices as a tool to silence the community through the force of arms. This is in addition to portending a serious threat to the lives of many detainees in prisons under the supervision of the Houthi Movement, as confirmed by Intisar al-Hammadi’s suicide attempt in early July 2021.<sup>7</sup>

<sup>1</sup> Houthi Prisons, Torture Without Supervision, Maat for Peace, Development and Human Rights, March 17, 2021: <https://bit.ly/3jAz7S0>.

<sup>2</sup> The Houthis Arrest 150 Followers of "Tablighi Jamaat", Asharq Al-Awsat, June 24, 2021: <https://bit.ly/3Cpwf2W>.

<sup>3</sup> Yemen: Yemeni Actress Arbitrarily Detained at Risk of Compulsory “Virginity Test”, Amnesty International, May 7, 2021: <https://bit.ly/37FQv2t>.

<sup>4</sup> Al-Houthi Prosecution interrogates the artist Intisar Al-Hammadi in prison, Al-Mashhad Al-Arabi, April 21, 2021: <https://bit.ly/3xuEirJ>.

<sup>5</sup> *ibid*: <https://bit.ly/37FQv2t>.

<sup>6</sup> Intisar’s lawyer talks to “Al-Mashhad” about his suspension, Al-Mashhad, June 6, 2021: <https://bit.ly/2TZ45dN>.

<sup>7</sup> Yemen: Intisar al-Hammadi, imprisoned in Sanaa, attempts suicide, France 24, 3 July 2021: <https://bit.ly/3ywYieG>.

## **Violations against the medical sector as a violation of the international humanitarian law**

The IHL contains a set of rules for the protection of the right to access to health care during armed conflicts, such as this conflict in Yemen. These rules are supposed to apply to states and non-state armed groups and they include, but not limited to, the prohibition of attacks on civilian installments and facilities. Hospitals enjoy special protection given they are treated as civilian installments and these hospitals shall not in any way be targeted as long as they are not used for military purposes.

However, during the period from May 2017 to May 2021, the Houthis committed about 4121 violations against the medical facilities in about 15 Yemeni governorates, most of which are located in northern Yemen controlled by the Houthis, as reported by the Yemeni Network for Rights and Freedoms. Such violations included extrajudicial killings, forced arrests and disappearances of the medical sector personnel as well as the use of installments for military purposes, the closure of sanitation facilities and the bombardment of health facilities.<sup>8</sup> The Houthi Movement has killed 62 people working in the health sector, including 29 against doctors, 14 nurses and 19 ambulance drivers.

Meanwhile, about 87 workers in the same sector were injured, including 32 doctors, 19 nurses and 36 ambulance drivers.<sup>9</sup> The violations didn't stop there, as the Houthi Movement arbitrarily arrested more than 200 people in the health sector, most of them were arrested while on duty in hospitals, health centers or private clinics, in addition to the forced disappearance of up to 16 workers in the sector. The Houthis didn't respond to the appeals by non-governmental organizations, and families of victims to reveal the whereabouts of those disappeared.<sup>10</sup>

## **The escalation of violations against civilians in Marib**

The human rights situation has been constantly deteriorating since the Houthis' attack on Marib Governorate in early February 2021. During the period from February to July 2021, more than 400 deaths, the majority of whom were women, children and the elderly, during attacks on the directorates of Marib. Most of these attacks were conducted by drones and ballistic missiles in an environment of total impunity and lack of accountability of such violations. These attacks have disproportionately affected the internally displaced persons in Marib, of whom about 79% are women and children,<sup>11</sup> as up to 24,000 of 1.3 million internally displaced persons were forcibly displaced following the escalation of attacks.<sup>12</sup> Meanwhile, 400,000 people are at risk of displacement if the escalation continues. In addition, the number of people living in extreme poverty has increased to more than 90% of the oil-rich governorate in northern Yemen.<sup>13</sup> The lack of pressure on the Houthis by the international community to stop its attacks on Marib and to engage in negotiations aimed at reaching a final settlement with regard to the war in Yemen will exacerbate the plight of civilians in Yemen in general and in Marib in particular.

<sup>8</sup> Yemen and the Houthis: More than 4,100 Houthi violations in the health sector during 4 years, Gulf 36, July 24, 2021: <https://bit.ly/3yATp4c>.

<sup>9</sup> More than 4100 Houthi violations in the health sector during 4 years, Al Arabiya, 25 July 2021: <https://bit.ly/3CtxxtK>.

<sup>10</sup> Ibid.

<sup>11</sup> Tragic situation.. 79% of the residents of Ma'rib camps are women and children, Al Arabiya, April 7, 2021: <https://bit.ly/3ApIFaD>.

<sup>12</sup> Yemen: The displacement of 24,000 people in Marib due to the Houthi escalation, Masrawy, April 18, 2021: <https://bit.ly/3CnD05r>.

<sup>13</sup> UN: 400,000 Yemenis in Marib are threatened with displacement, Al-Ahram, May 5, 2021: <https://bit.ly/3IGQT8M>.

### **Recommendations:**

- Intisar al-Hammadi must be immediately released and her family and attorney must be allowed to communicate with her;
  - Stop targeting all medical and health facilities in northern Yemen and respect the protection guaranteed to such installments under the IHL;
  - All parties in Yemen must comply with the Security Council resolution 2286 (2016) aimed at protecting workers in medical facilities from attacks during armed conflicts;
  - Ensure an appropriate work environment for human rights defenders and attorneys in Yemen and revoke the arbitrary dismissal of Khaled Al-Kamal, the attorney of social activist Intisar al-Hammadi;
  - The UNHRC must establish an independent and impartial mechanism for monitoring violations against the health sector in Yemen;
  - Safe passages must be established in Marib to allow the delivery of assistance by the humanitarian and relief organizations to the internally displaced persons;
  - The Houthis Movement must de-escalate the situation at Marib front lines and accept the international mediation to resolve the crisis in Yemen.
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