



General Country of Origin Information Report on Yemen

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Introduction

This report was drawn up on the basis of the questions asked and points for attention mentioned in the Terms of Reference (ToR) compiled by the Ministry of Justice and Security. The ToR for this country of origin information report was adopted on 25 April 2023. This ToR, together with the report, is available at the Dutch Government's website. This general country of origin information report describes the situation in Yemen insofar as this affects the assessment of asylum applications from persons originating from Yemen, and for decision-making regarding the repatriation of Yemeni asylum seekers who have been rejected.

This country of origin information report is an update of the general country of origin information report from August 2022. The current reporting period covers the period from 1 August 2022 through 31 August 2023. The country of origin information report is a factual, neutral and objective representation of the findings that were made during the period under consideration. When describing developments and facts, context has been provided where possible, which can put information in a broader perspective in line with the request in the ToR for this country of origin information report. It is not a policy document, nor does it reflect the government's vision or policy in relation to any given country or region. It also does not contain any conclusions with regard to immigration policy.

This country of origin information report has been compiled on the basis of public and confidential sources, using carefully selected, analysed and verified information. In the compilation of this report, use was made of information from various sources, including non-governmental organisations (NGOs), specialist literature, media reporting and relevant government agencies. Except where the facts are generally undisputed or unless stated otherwise, the content in this country of origin information report is based on multiple sources. The public sources that were consulted are listed in the appendices of this country of origin information report.

Some of the information used was obtained during a research mission to Amman in Jordan and Aden in Yemen. This country of origin information report also draws on information from interviews held on-site during this mission with relevant expert sources. In addition, some of the information used was obtained through channels including the diplomatic representation of the Netherlands for Yemen, along with information originating from confidential conversations and correspondence outside the context of the official travel. Such information was used primarily to support and augment passages founded on publicly available information. The information obtained from the conversations and based on diplomatic correspondence is indicated as 'confidential source' in the footnote facility.

Section 1 addresses living conditions in Yemen. Section 2 addresses the political context and developments, and Section 3 concerns the security situation in Yemen during this reporting period. Section 4 describes compliance with and violations of human rights. Section 5 addresses matters relating to marriage, birth and legal authority. Section 6 describes the position of refugees and displaced individuals, and Section 7 concerns the repatriation of Yemeni citizens who are returning to Yemen (including those who have been forced to return).

Given the relatively short reporting period, it has not been possible to find public sources of new information on all parts of the respective topics. This is especially true for the months following 1 January 2023, as many sources work with annual

reports, which are not yet available for 2023. At the same time, this country of origin information report regularly refers to information from annual reports for 2022, while the reporting period covers only the last five months of that year. For this reason, where the sources did provide such insight, this country of origin information report always explicitly indicates information that refers to the entire year 2022. Not infrequently, reference is also made to information reported over the entire truce period (2 April 2022-2 October 2022), a portion of which also falls outside the reporting period for this country of origin information report. This is also stated explicitly. The relevance of distinguishing between the period before and after the truce relates to the fact that the truce situation has been de-facto perpetuated beyond 2 October 2022, such that various situations (such as levels and intensity of violence and actual territorial control) have remained largely unchanged.

In several places, the ToR calls for information to be provided with context based on population numbers in relevant regions or localities. During the investigation, however, it was found that it is difficult to determine the actual scope of population figures. There are limitations affecting the process of verifying data in Yemen, partly due to the security situation. In addition, the figures that were available appeared to be relatively outdated and subject to numerical changes, due to significant internal displacement and migration flows across the country (from the Horn of Africa to the Kingdom of Saudi Arabia in particular, as well as from Oman). In addition, population figures are apparently also used for political purposes, thus calling their credibility into question. For the reasons stated, this perspective has not been included. Otherwise, however, we have attempted to place facts in context as much as possible.

1 Living conditions

Yemen is a country ravaged for years by armed conflict, tribal divisions, food shortages and hunger, poverty and economic malaise. Since 2015, it has been embroiled in a civil war in which Yemen's internationally recognised government and its allies face the Ansar Allah movement, better known as the Houthi movement.

The UN-brokered truce, which was in force from 2 April 2022 to 2 October 2022, and the subsequent *de-facto* truce have led to a more stable military situation with no large-scale front-crossing escalation during this reporting period. This ushered in the longest period of relative calm since the start of the military conflict, which has now lasted for more than eight years.¹

Despite the substantial decrease in front-crossing hostilities as a result of the truce, living conditions (defined here as the humanitarian situation) did not meaningfully improve, and they even deteriorated during the first months of the truce.² The main causes were rising food and fuel prices, drought and floods. Although a cautious decline in the number of people experiencing acute food shortages was observed in the autumn, statistics relating to the overall humanitarian situation in Yemen in 2022 are still extremely worrying. The situation did not improve substantially in the first months of 2023.

According to figures from the World Bank, around 33 million people will be living in Yemen by 2023, almost half under the age of twenty years.³ A large majority (estimated at two-thirds) of them live in the area that is controlled by Houthi rebels. According to calculations by the UN humanitarian aid organisation (United Nations Office for the Coordination of Humanitarian Affairs, OCHA), 23.4 million people in Yemen were dependent on humanitarian support in 2022. Estimates from OCHA for 2023 were somewhat lower, at 21.6 million people. Roughly half the population lacked food security in 2022, and 4.7 million women and children were malnourished. More than half the population did not have access to safe drinking water or adequate sanitation. It is estimated that only slightly more than half of all health facilities were functioning adequately in 2022, and two-thirds of the population did not have access to basic healthcare.⁴

Several organisations have characterised the situation in Yemen as the greatest humanitarian crisis in the world.⁵ The Red Cross (International Committee of the Red Cross, ICRC) does not expect this situation to improve in the absence of a political solution to the conflict, coupled with growing economic problems, the

¹ United Nations Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023.

² International Organisation for Migration (IOM), *A Decisive Year for Yemen, IOM Appeals for USD 143 Million to Provide for Relief to Over 4 Million People in Need*, 27 February 2023; EuroMed Human Rights Monitor, *Reduction in Fighting has not alleviated Yemen's Humanitarian Crisis*, 16 October 2022; United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA of OCHA), *Humanitarian Response Plan 2023*, January 2023; confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

³ World Bank, data.worldbank.org, *Populations*, figures from 2021, consulted on 1 June 2023.

⁴ International Committee of the Red Cross (ICRC), *Yemen in Focus 2022, War in Yemen*, figures based on data from OCHA and UNICEF; Mwatana for Human Rights, contribution from the Chair, Rada Al-Mutawakel, for ECOSOC in January 2023; Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, pp. 32-35.

⁵ World Bank, *The World Bank in Yemen, Overview*, last updated on 20 October 2022; The Economist, *The war in Yemen as seen by ordinary Yemenis*, 27 October 2022; Norwegian Refugee Council (NRC), *Yemen, the Largest Humanitarian Crisis*, www.nrc.no/countries/middle-east/yemen, consulted on 4 May 2023; United Nations Population Fund (UNFPA), *Yemen: A crisis for women and girls*, 29 March 2023; Center for Preventive Action, *War in Yemen*, 25 April 2023.

impact of climate change and the reduction of funding for humanitarian and development aid in 2023.⁶

The high dependence on humanitarian aid among the population did not prevent the warring parties from obstructing access to it. Warring factions shifted aid to those not in need, in addition to hindering and intimidating aid organisations.⁷ For example, according to OCHA, a total of 3,300 incidents involving obstructed access to humanitarian aid took place in 2022.⁸

1.1 Effects of the truce on living conditions

The truce that was in force between 2 April and 2 October 2022 had a mixed impact on the population. On the one hand, positive effects (such as increasing opportunities to travel as a result of the reduction in violence) have been mentioned.⁹ Casualties also fell significantly due to a sharp reduction in combat operations. For further details on this point, see Section 3, 'Security situation'.

Water and electricity supplies in the Houthi-controlled towns of Sana'a and Al Hudayda also improved as a result of the supply of oil and petroleum products.¹⁰ As reported by UN Special Envoy Grunberg in January 2023, during the truce, 52 ships carrying fuel docked at Al Hudayda port as a result of truce agreements, and 51 flights were operated between Sana'a and Amman as a direct result of the truce.¹¹ Access of fuel ships to Al Hudayda and flights between Sana'a and Amman were also continued after the truce.¹²

In contrast, the truce had only a limited impact on the liveability of the country for citizens. For example, the transport of goods remained limited due to road closures. However, the movement of civilians and return of displaced persons were also hampered by landmines and explosive remnants of war (ERW). Civilian casualties due to ERW increased by more than 60 percent in 2022, relative to 2021. This was particularly true in Al Hudayda province, where civilians began to move around more after the shifting of the frontline, followed by the start of the truce.¹³ Civilian casualties due to ERW decreased again in the first half of 2023.¹⁴

Improvement in the humanitarian situation failed to materialise.¹⁵ For example, this was the case with regard to the massive destruction of houses and the lack of

⁶ ICRC, *News release, 60 years of impartial and independent humanitarian assistance in Yemen*, 29 December 2022.

⁷ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in Yemen in 2022*, 5 January 2023.

⁸ OCHA, Director Martin Griffith during the Security Council briefing, Meeting 9244 on 16 January 2023 (UN Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023).

⁹ Mwatana for Human Rights, *A Dark year despite the Truce, press briefing on the human rights situation in Yemen in 2022*, 5 January 2023.

¹⁰ Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, Mareike Transfeld & Agmed al-Sharjabi, January 2023.

¹¹ United Nations Secretary-General's Special Envoy for Yemen, Hans Grundberg, Security Council meeting 9244 on 16 January 2023 (UN Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023).

¹² Office of the Special Envoy of the Secretary General for Yemen (OSESGY), *Briefing for the Security Council*, 17 May 2023

¹³ Civilian Impact Monitoring Project (CIMP), *2022 Annual Report*, March 2023; CIMP, *Quarterly Report Q1: January-March 2023*.

¹⁴ CIMP, *Quarterly Report, Q1 January-March 2023*; CIMP, *Quarterly Report Q2 April-June 2023*.

¹⁵ Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, Mareike Transfeld & Agmed al-Sharjabi, 25 January 2023; Amnesty International (AI), *Yemen: Houthi's suffocating women with requirement for male guardians*, 1 September 2022, particularly: ... *Since April, the Houthi de facto authorities have increasingly insisted on the mahram requirement to restrict the movement of*

adequately functioning services. In the process, access to humanitarian aid, and particularly healthcare, was hampered in the Houthi-controlled area due to travel restrictions on women aid workers – the '*mahram*' requirement, which prohibits women from travelling without the approval and/or accompaniment of a male relative. Budget decreases in the aid organisations involved was seen as an additional complicating factor. The same applied to the deteriorating economic situation, which reduced the purchasing power of individuals.¹⁶

In its 2023 aid request, the International Organisation for Migration (IOM) stated that, despite a considerable decline in the new conflict-related displacement and the decrease in the number of civilian casualties as a result of the UN-enforced truce, humanitarian needs were exacerbated throughout the country by drought and flooding.¹⁷ In 2022, climate-related events led to an increase of 93 percent in new and indirect displacements, particularly in the provinces of Al Hudayda, Al Jawf, Marib and Taiz, which affected more than half a million people. In early 2023, the provinces of Marib, Hajjah, Taiz, Lahj and Amran were affected by floods.¹⁸ This further strained the historically fragile water resources and scarcity of clean drinking water, thereby displacing people and forcing already displaced communities to relocate again. In addition, the floods made humanitarian access more difficult.¹⁹

Against the sharp decline in the military conflict since the truce began, there has been an escalation in economic warfare by Houthi rebels. In late 2022, Houthi rebels bombed key oil installations in the south with drones. This brought to a halt the oil export revenues that were so important to the internationally recognised government.²⁰ In response, the government strained – unsuccessfully – to classify the Houthi movement as a terrorist entity in an attempt to isolate them.²¹

Even within the anti-Houthi coalition, however, economic resources were used for political purposes, according to one source. Rival parties within the internationally recognised government sought to weaken the position of the Southern Transitional Council (STC) by diverting revenues from aviation, telecom, the port authority and other entities away from it.²²

Overall, the ceasefire and subsequent *de-facto* truce improved the access of aid agencies to needy communities,²³ although this was mainly true for the southern provinces that were not under the control of Houthi rebels. In Houthi rebel-controlled territory, humanitarian access (especially for displaced persons and migrants) was limited and, in some cases, non-existent.²⁴ With a stronger grip on

women across areas they control in northern Yemen, including Saada, Dhamar, Hodeidah and Hajjah governorates, and Sanaa.

¹⁶ Assessment Capacities Project (ACAPS), *Yemen, Social Impact Monitoring Report: October-December 2022*, 3 March 2023; confidential source, May 2023.

¹⁷ IOM, *A decisive year for Yemen; IOM appeals for USD 183 million to provide relief for almost 4 million people in need*, 27 February 2023.

¹⁸ OCHA Yemen, *Humanitarian Update, Issue 3*, March 2023; confidential source, May 2023.

¹⁹ Center for Civilians in Conflict (CIVIC), *Risking the Future: Climate Change, Environmental Destruction and Conflict in Yemen*, October 2022; OCHA Yemen, *Humanitarian Update, Issue 3*, March 2023; confidential source, May 2023.

²⁰ For additional details on the drone attacks, see Section 3 under the sub-heading '*De-facto* continuation of the truce'; confidential source, May 2023.

²¹ International Crisis Group (ICG), *How Huthi-Saudi Negotiations Will Make or Break Yemen*, 29 December 2022; UN Security Council report, *November 2022 Monthly Forecast*, 31 October 2022; Sana'a Center for Strategic Studies, *Houthi strikes prompt government terrorism designation*, 14 November 2022; UN Press release, *Fresh Houthi Attacks Risk Renewing Conflict, Humanitarian Plight in Yemen, Special Envoy tells Security Council, Urging Maximum Restraint*, 22 November 2022.

²² Confidential source, May 2023.

²³ *Open letter to the Yemeni Parties to the Conflict from 141 NGO's; Restore and Renew the Truce and Build a Lasting Peace*, 22 March 2023; confidential source, May 2023.

²⁴ Confidential source, May 2023; confidential source, May 2023.

governance and greater unity of action, the quality of services for the Houthi rebel-controlled area's 'own' population was, in general, slightly higher than it was in the south.²⁵ According to one source, corruption was fought to some extent in the north.²⁶ Nevertheless, the Houthi region was increasingly seen as a police state, with the truce creating space for the Houthi *de-facto* authorities to tighten their grip on society. This was also the case with the *mahram* requirement, which increasingly kept women out of public life, as did the propaganda and education programmes of the Houthi movement.²⁷

The research gave no reason to qualify living conditions in the Houthi rebel-controlled area in general terms as either better or worse than those in the part of the country controlled by the internationally recognised government. Although the above does describe several differences, they have not given rise to a more general categorisation.

1.2 FSO Safer

Yemen's fragility is also illustrated by the situation surrounding the oil tanker FSO (Floating Storage and Offloading unit) Safer. It lies in the Red Sea off a Houthi-controlled part of Yemen's coast. Through a pipeline connection to Yemen's onshore oil fields, the ship acted as a floating transfer station for Yemeni oil exports. The plant had not been in use since the start of the conflict in 2015, and it had not been maintained. With a cargo hold four times larger than that of the Exxon Valdez tanker, which crashed in 1989, the single-hulled vessel was in danger of leaking or exploding due to overdue maintenance. It thus posed a potential risk of a major ecological and humanitarian disaster that could have a substantial impact on coastal ecology, fisheries, transit through this busy sea route and the provision of humanitarian aid. The cost of having to clean up the oil was estimated at USD 20 billion. Under the leadership of the United Nations Development Programme (UNDP), and with the direct involvement of the Netherlands, the United Kingdom and the United States, a salvage operation was undertaken during the reporting period by acquiring an alternative tanker to which the oil could be pumped.²⁸ Beginning in July 2023, oil was pumped from the deteriorating tanker to this modern tanker, and the FSO Safer was cleaned. This part of the operation was completed in August. In the next phase of the operation, the old tanker will have to be removed.²⁹

²⁵ Brookings Institution, *The Houthis after the Yemeni Ceasefire*, 27 January 2023; confidential source, May 2023, confidential source, May 2023.

²⁶ Confidential source, May 2023.

²⁷ EU Observer, *UN Aide Official: 'Don't forget women of Yemen'*, 9 September 2022; confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

²⁸ United Nations, *UN Plan for the FSO Safer Tanker, Stop the Red Sea Catastrophe*, [UN.org](https://www.un.org/); Greenpeace, *FSO Safer, A Ticking Timebomb*, [greenpeace.org](https://www.greenpeace.org/); BBC News, *UN buys Huge Ship to avert Catastrophic Oil Spill of Yemen*, 9 March 2023; United Nations Development Programme (UNDP), *United Nations Take Major Step Forward to Prevent Catastrophic Oil Spill in Red Sea as UN Development Programme Signs Agreement to Purchase Oil Tanker*, 9 March 2023; confidential source, April 2023.

²⁹ UN Secretary-General, *Secretary-General's message on the FSO Safer tanker*, 25 July 2023; UNDP, *United Nations completes removal of oil from decaying tanker in Red Sea*, 11 August 2023; UN Press release, *Secretary-General welcomes successful removal of oil from FSO Safer to Yemen replacement vessel, avoiding environmental, humanitarian catastrophe*, 11 August 2023; International Maritime Organization (IMO), *FSO SAFER: Ship-to-ship transfer of oil completed*, 21 August 2023; confidential source, August 2023.

2 Political developments

2.1 Introduction

The political-administrative situation in Yemen has not changed substantially during this reporting period, as compared to the previous country of origin information report. In April 2022, following the entry into force of the truce between the internationally recognised government and the Houthi rebels, and under pressure from the Kingdom of Saudi Arabia and the United Arab Emirates (UAE), the authority of the government of Yemen was handed over by interim President Abdu Rabu Mansour Hadi to an eight-member Presidential Leadership Council (PLC) led by Hadi's adviser, Rashad Al-Alimi. The formation of the PLC was an attempt to bring together the main *de-facto* rulers within the Yemeni anti-Houthi coalition into the government, thereby giving it more legitimacy.³⁰

The formation of the Council nevertheless failed to eliminate the mutual rivalries of PLC members. For example, the leader of the separatist Southern Transitional Council (STC), Aydarous Al Zubaidi, is part of the PLC. The same applies to the leader of the 'Giants Brigades', Abu Za'ara, and the leader of the National Resistance Forces, Tareq Saleh, both of whom are simultaneously part of the West Coast Forces or Joint Forces on the West Coast, which are led by Tareq Saleh.

According to analysts, PLC lacked a coherent vision of the major challenges ahead. This political complexity was compounded by the actions of the PLC's two main foreign backers: Saudi Arabia and the UAE, each of which supported certain members of the PLC and opposed others.³¹ Furthermore, the political position of the Muslim Brotherhood-affiliated Islah Party within the PLC seemed further weakened after they were driven out of Shabwah by STC forces.³² According to one source, the fact that most PLC-members spent relatively little time in Yemen did not enhance their legitimacy.³³

Instead, the truce has had the opposite effect within the Houthi-controlled area. The end of large-scale hostilities has created more room for unity of action and a greater grip on the Houthis' 'own' territory.³⁴ The Brookings Institution describes governance by the Houthi *de-facto* authorities as 'functioning' and 'highly repressive'. The Houthi region is considered a police state.³⁵ This is addressed in further detail in Section 4, 'Human Rights'.

The April 2022 truce and the subsequent '*de-facto*' truce, did not lead to significant changes in the geographical scope of control and governance by the various parties in Yemen within their respective control regions. The political agenda was mainly

³⁰ Carnegie Endowment for International Peace, *Yemen's Post-Hybrid Balance, the New Presidential Council*, 9 June 2022; Council on Foreign Relations, *Yemen's Tragedy, War, Stalemate and Suffering*, last updated on 1 May 2023.

³¹ ICG, *Yemen's Troubled Presidential Leadership Council*, 4 May 2023; Carnegie Endowment for International Peace, *Yemen's Post-Hybrid Balance, the New Presidential Council*, 9 June 2022; confidential source, May 2023; confidential source, May 2023.

³² Critical Threats, *Understanding Military Units in Southern Yemen*, 16 December 2022; confidential source, May 2023, confidential source, May 2023.

³³ Confidential source, May 2023.

³⁴ Brookings Institution, *The Houthis after the Yemeni Ceasefire*, 27 January 2023; confidential source, May 2023.

³⁵ Brookings Institution, *The Houthis after the Yemeni Ceasefire*, 27 January 2023; EU Observer, *UN Aide Official: 'Don't forget women of Yemen'*, 9 September 2022; confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

dominated by the April 2022 truce, as well as the attempts to extend the truce and the subsequent negotiations for a permanent ceasefire.³⁶

2.2 Extension of the truce

On 2 August 2022, the government and Houthi rebels agreed on a two-month extension of the truce. Part of the agreement was a commitment to intensify negotiations to achieve an expansion of the truce.³⁷ The expanded truce proposal included measures relating to effective and transparent payment mechanisms for salaries and pensions for civil servants, the opening of roads around Taiz and to other areas, expansion of the number of destinations from and to Sana'a International Airport and expansion of the supply of fuel by sea to Al Hudayda. In addition, a comprehensive agreement should give impetus to resumption of the UN-led political process leading to lasting and just peace.³⁸

According to two sources, the representative of the Islah party, Abdulla al-Alimi withdrew from the PLC in August, due to dissatisfaction over fighting in Shabwah between the Giants Brigades and the Islah-affiliated forces. He was later persuaded to go back on his decision. The incident revealed the fragility in the south of the anti-Houthi coalition and the fragile unity of the PLC. Since the formation of the Council, infighting amongst its constituent parts has not abated, and political tensions are still very much present.³⁹ The signing of the 'National Charter' by the STC in May 2023 (described in more detail in Section 2.6 below) has further strained relations.⁴⁰

2.3 International efforts

The United Nations Special Envoy for Yemen, Hans Grundberg, travelled to the region in late August, early September 2022 and held talks in Riyadh, Tehran and Muscat on his proposals regarding an extended and comprehensive ceasefire. In support of Grundberg's efforts, the UN Security Council (SC) issued a statement on 12 September calling on the parties to show flexibility and urgently intensify negotiations to reach a comprehensive truce that could provide for a sustainable ceasefire.⁴¹ The statement also strongly condemned a Houthi attack on Taiz and military parades in Al Hudayda held by Houthis in defiance of ceasefire agreements.

2.4 End of the truce

On 1 October, a day before the truce deadline expired, Grundberg submitted a new proposal to the parties containing a six-month extension. The proposal also

³⁶ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, 22 August 2022, Sec. 1.1, pp. 6–15.

³⁷ OSESGY, *Press Statement*, 2 August 2022.

³⁸ OSESGY, *Press Statement*, 2 August 2022; ICG, *How Huthi-Saudi Negotiations Will Make or Break Yemen*, 20 December 2022.

³⁹ Reuters, *Clashes in oil-rich Shabwa test Yemen's new presidential council*, 11 August 2022; Amat Alsoswa, *Promoting the peace process in Yemen through economic development*, August 2022; confidential source, May 2023.

⁴⁰ The Arab Weekly, *South Yemen intensifies Push towards Secession while trying to reassure Regional Partners*, 24 May 2023; The New Arab, *Yemen Separatists National Charter calls for Partition*, 9 May 2023; UN Security Council Forecast, *Yemen Briefing and Consultation*, 13 May 2023; confidential source, May 2023, confidential source, May 2023.

⁴¹ UN Security Council, *Monthly Forecast*, 2 October 2022.

contained the same additional elements as in the previous extension agreement (e.g. regarding the payment of salaries and pensions of civil servants and access to Taiz).⁴² The proposal nevertheless failed to lead to an agreement between the parties.

In a statement on 2 October, Grundberg noted with regret that the ceasefire would not be extended.⁴³ He thanked the government for its positive attitude towards the extension proposal and called on both sides to show calm and restraint with regard to actions that could lead to escalation. His mediation efforts would continue unabated. The main stumbling block to agreement proved to be the payment of salaries to Houthi troops, which the government deemed unacceptable.⁴⁴

2.5 Talks between the Houthi movement and Saudi Arabia

The end of the truce marked the beginning of a new mediation effort. This led to several direct talks between Saudi Arabia and the Houthi rebels, with the involvement of Oman. Special Envoy Hans Grundberg welcomed the involvement of regional players in these mediation efforts and talks as an important step in the negotiation phase of an agreement. At the same time, however, he stressed the importance of full Yemeni 'ownership' of the process, in which civil society groups also had a role to play, apart from that of the warring parties.⁴⁵

On 10 March 2023, Saudi Arabia and Iran concluded an agreement mediated by China, in which both sides sought rapprochement and attempted to restore diplomatic relations after years of military and diplomatic enmity.⁴⁶ Amongst other things, the two countries decided to reopen mutual embassies in the two capitals.⁴⁷ Oman was also involved in creating this rapprochement. Although opinions differed on the extent of Iran's concrete support for the Houthi movement,⁴⁸ this development was judged as potentially positive for the likelihood of success in the talks between Saudi Arabia and the Houthi movement. 'Good relations between the two countries are also good for Yemen', assessed Grundberg in response to the announcement, although agreement between these two parties does not guarantee an end to the conflict.⁴⁹

Another positive sign was the agreement presented in Geneva on 20 March 2023 concerning the release of 887 conflict-related prisoners from the various parties. The

⁴² UN Security Council, *Monthly Forecast*, 2 October 2022; ICG, *How Huthi-Saudi Negotiations Will Make or Break Yemen*, 20 December 2022; Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, January 2023.

⁴³ OSESGY, *Statement on the Negotiations to Extend and Expand the Nationwide Truce in Yemen*, 2 October 2022.

⁴⁴ Middle East Institute, *The Dilemma of Public Sector Salary Payments in Yemen*, 23 February 2023; Security Council Report, *Monthly Forecast November 2022*, 31 October 2022; Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, January 2023.

⁴⁵ United Nations Secretary-General's Special Envoy for Yemen, Hans Grundberg, Security Council meeting 9244 on 16 January 2023 (UN Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023); ICG, *How Huthi-Saudi Negotiations Will Make or Break Yemen*, 29 December 2022; Yemen Policy Center, *A Rethink is Needed to Revitalize the Peace Process in Yemen*, 4 April 2023.

⁴⁶ The Economist, *China Brokers an Iran-Saudi Rapprochement*, 10 March 2023; Carnegie Endowment for International Peace, *Riyadh's Motivations Behind the Iran - Saudi Deal*, 30 March 2023.

⁴⁷ CNN, *Saudi Arabia and Iran agree to re-open Embassies during Beijing Talks on Resumption of Diplomatic Ties*, 6 April 2023.

⁴⁸ Global Policy, *Securitization Imperatives and the Exaggeration of the Iranian Involvement with the Houthi Movement by International Actors*, 7 April 2023; Council on Foreign Relations, *Yemen's Tragedy: War, Stalemate and Suffering*, last updated on 1 May 2023; War on the Rocks, *Negotiating Saudi Arabia's Defeat and the Houthi Victory in Yemen*, 15 March 2023.

⁴⁹ Security Council Report, *April 2023 Monthly Forecast*, 1 April 2023; AL Monitor, *In Yemen, Saudi-Houthi talks signal imminent cease-fire, but no peace in sight yet*, 12 April 2023; ICG, *How Huthi-Saudi Negotiations Will Make or Break Yemen*, 29 December 2022.

agreement was reached in the context of the Supervisory Committee on the Implementation of the Detainees Exchange Agreement, co-chaired by the UN Special Envoy and the International Committee of the Red Cross (ICRC).⁵⁰ The actual release of the prisoners on 14 and 15 April followed a visit by a Saudi delegation to Sana'a, where, accompanied by Omani mediators, further talks took place with the Houthi rebels on a permanent ceasefire.

2.6 Other political developments

Special Envoy Grundberg also personally visited Sana'a after the Houthi-Saudi talks in early May 2023, followed by a visit to Aden and Riyadh. He also spoke to Emirati and US officials before addressing the Security Council again later that month in New York. His visit to Aden coincided with an STC-organised political meeting of Southern parties that culminated in the signing of a 'National Charter'. During the meeting, the commander of the Giants Brigade and another southern leader, Faraj Salmeen Muhammad Al Bahsani, were appointed members of the STC, thereby expanding the STC segment in the PLC to three of the total of eight members.

The Charter, again advocating secession, appeared to be an attempt to strengthen the STC's position within the PLC. Its precise meaning and implications were not yet clear during this reporting period. In a statement to the Security Council, the UN Special Envoy also reiterated the importance of an inclusive, Yemeni political process, under the auspices of the UN.⁵¹

In June 2023, The Hague hosted the Yemen International Forum, organised by the Sana'a Center for Strategic Studies think tank to bring together different Yemeni parties to discuss their vision for sustainable peace in the country. Some 250 interlocutors gathered, including human-rights activists, researchers and policymakers. Delegations from the STC and other southern actors also participated in the conference, but not from the Houthi rebels. At the end of the forum, more than forty Yemeni NGOs signed the Yemen declaration for justice and reconciliation, which sets out a common vision for achieving justice and reconciliation in the post-conflict country.⁵²

⁵⁰ Reuters, *Saudi, Omani envoys hold peace talks with Houthi Leaders in Sanaa*, 9 April 2023; Deutsche Welle, *Saudi Delegation Arrives in Yemen to discuss Truce*, 9 April 2023, OSESGY: statement of 20 March 2023.

⁵¹ The Arab Weekly, *South Yemen intensifies Push towards Secession while trying to reassure Regional Partners*, 24 May 2023; The New Arab, *Yemen Separatists National Charter calls for Partition*, 9 May 2023; Security Council Report, *Yemen Briefing and Consultation*, 16 May 2023; confidential source, May 2023, confidential source, May 2023; confidential source, May 2023.

⁵² NOS Nieuws, *Honderden Jemenieten samen in Den Haag: 'Belangrijk om mét ons te praten'*, 12 June 2023; Sana'a Center for Strategic Studies, *Yemen International Forum concludes in The Hague*, 19 June 2023; Sana'a Center for Strategic Studies, *About the Yemen International Forum 2023*, <https://sanaacenter.org/yif/about>, consulted on 2 September 2023; confidential source, July 2023.

3 Security situation

3.1 Military actors

As was the case in the previous reporting period, the main armed actors were, on one side, the **Houthi rebels** and, on the other side, the **government units** and militias (supported by an international coalition led by Saudi Arabia and the UAE), along with troops of the UAE-backed STC.⁵³ Other groups, including **Al Qaida on the Arabian Peninsula (AQAP)**, played a role as well (albeit limited) in the combat operations during the reporting period.

The above-described complex political relations within the southern anti-Houthi camp⁵⁴ have also translated into the more volatile military relations in the southern region. One example concerns the distinction between the troops of the **STC**, which exercise control in the city of Aden and other parts of the southern provinces, and another major southern militia (the **Giants Brigades**). Both are formally under joint leadership of the internationally recognised government. In practice, however, they are part of an informal structure with different political drivers and personal relationships. At the same time, both are supported by the same foreign power: the UAE. The same applies to the **Joint Forces of the West Coast**, led by Tareq Saleh. The internationally recognised government receives additional support – primarily political and military – from Saudi Arabia. In late 2022, that country established a new militia (competing with other southern militias) in the south – the **National Shield Forces in Aden**, which subsequently also operated in Hadramawt. Saudi Arabia also supports the **Amajid Brigade** in Abyan.⁵⁵

After two extensions of two months each, the truce of 2 April 2022 expired on 2 October 2022. It was then (and until the end of this reporting period) followed by a *de-facto* truce. It is not known whether the warring parties made concrete agreements on this behind the scenes, but it is clear that the main achievements of the truce remained intact: Saudi Arabia no longer carried out bombings, the Houthi rebels and Saudi Arabia refrained from cross-border attacks, fuel ships continued to have access to Al Hudayda and regular flights between Sana'a and Amman continued. No front-crossing escalation occurred during this period, although occasional and periodic fighting did occur. This led to the longest period of limited hostilities during this military conflict.⁵⁶ One source aptly described the situation as 'no war, no peace, no truce'.⁵⁷

There have been no significant changes to the frontlines since the start of the truce, and the areas controlled by the various parties therefore remained intact.⁵⁸ See also the map in Section 8.5. The level of violence along the frontline since April 2022 was described by a source as being at a stable and significantly lower level than before the truce. According to the same source, when incidents of violence still occurred, it

⁵³ Carnegie Middle East Center, *Seas, Checks and Guns; Emirati and Saudi Maritime Interests in the Yemen Conflict*, 16 March 2023.

⁵⁴ See Section 2.1 above.

⁵⁵ Critical Threats, *Understanding Military Units in Southern Yemen*, 16 December 2022; Carnegie Middle East Center, *Seas, Checks and Guns; Emirati and Saudi Maritime Interests in the Yemen Conflict*, 16 March 2023; confidential source, May 2023.

⁵⁶ UN Security Council, *April 2023 Monthly Forecast*, 1 April 2023; OCHA, *Yemen Humanitarian Update Issue 12, December 2022*, posted on 18 January 2023; confidential source, January 2023.

⁵⁷ Confidential source, May 2023.

⁵⁸ Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, January 2023; confidential source, May 2023.

was not easy to determine which party had initiated them.⁵⁹ The frontline hostilities that did occur were largely not intended as attempts to tip the balance on the battlefield or gain territory, but rather as manifestations of military strength and presence in support of the negotiating position (on a ceasefire extension).⁶⁰

On 8 August 2022, shelling took place in Shabwah province between forces of the Giants Brigades and the Islamic Islah party with representation in the PLC.⁶¹ This happened after the governor of Shabwah sacked a local military leader, Abd Rabbo Laakab, against the wishes of the Islah party, who was then reappointed by the Minister of the Interior.

To consolidate its position, the STC (with military presence in Aden and Lahj) strengthened its position in the northern part of Shabwah province during the truce and, led by boss Aydarus Al Zubaydi, launched a military operation in neighbouring Abyan in August 2022 to 'combat terrorist forces'.⁶² The STC units in Abyan struck deals with other government-affiliated militias.

3.2 **Al Qaida on the Arabian Peninsula (AQAP)**

During the month of September 2022, the STC encountered resistance from the forces of AQAP. Whereas in previous years, AQAP had mainly fought against Houthi forces in Marib and Shabwah, amongst others, in this reporting period, it mainly set its sights on the anti-Houthi coalition.⁶³ Forces from both sides (AQAP and STC) carried out operations in Abyan (6 September), in Madiyah and Lawdar (13 September) with numerous (several dozen) fatalities. On 10 September, STC units also conducted an operation against AQAP in Shabwah. On 18 September, STC units captured AQAP camps in Wadi Umaran and Madiyah. The month of September 2022 thus showed the biggest AQAP activity in the five years since the AQAP battles with Houthi units.⁶⁴

In the first months of 2023, two AQAP leaders in Marib were killed by US drones: the Yemeni explosives expert, Husayn Hadbul (on 30 January) and the Saudi media chief, Hamad al-Tamini (on 26 February).⁶⁵ Confrontations with Houthi forces were no longer reported in 2023. Due to the STC operations and US drone attacks, AQAP's military strength was weakened on balance, and the organisation concentrated itself in Abyan, Marib and Hadramawt, no longer maintaining a presence on the west coast.⁶⁶ Incidentally, not every claimed act of violence could actually be attributed to AQAP.⁶⁷ In some cases, AQAP had also allowed itself to be used as 'guns for hire' by local southern actors for some time, and it apparently

⁵⁹ Confidential source, May 2023.

⁶⁰ *Armed Conflict Location & Event Data Project (ACLED), Violence in Yemen during the UN-Negotiated Truce, resurgence of Al Qaida in the Arabian Peninsula*, October 2022; confidential source, May 2023; confidential source, May 2023.

⁶¹ ACLED, *Regional Overview: Middle East 6-12 August 2022*; Reuters, *Clashes in Oil-Rich Shabwah test Yemen's New Presidential Council*, 11 August 2022.

⁶² ACLED, *Violence in Yemen during the UN-Negotiated Truce, resurgence of Al Qaida in the Arabian Peninsula*, 14 October 2022; confidential source, May 2023.

⁶³ ACLED, *Al Qaida in the Arabian Peninsula, Sustained Resurgence in Yemen or Signs of Further Decline*, 6 April 2023, confidential source, May 2023; confidential source, May 2023.

⁶⁴ ACLED: *Violence in Yemen during the UN-Negotiated Truce, resurgence of Al Qaida in the Arabian Peninsula*, 14 October 2023; see also confidential source, May 2023.

⁶⁵ ACLED, *Al Qaida in the Arabian Peninsula, Sustained Resurgence in Yemen or Signs of Further Decline*, 6 April 2023.

⁶⁶ ACLED, *Al Qaida in the Arabian Peninsula, Sustained Resurgence in Yemen or Signs of Further Decline*, 6 April 2023; confidential source, May 2023.

⁶⁷ Confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

continued to do so during the reporting period.⁶⁸ In addition, incidents were reportedly sometimes deliberately attributed to AQAP for political reasons.⁶⁹

3.3 Islamic State

As reported in the previous country of origin information report, the influence and power of **Islamic State (IS)** in Yemen are substantially more limited than those of AQAP.⁷⁰ For this reporting period, the investigation revealed only a single reference to new IS activities.⁷¹ In July 2023, the UN reported that about a hundred IS fighters were estimated to still be in Yemen.⁷² This does not seem to provide any indication that the position of IS in Yemen has strengthened since the previous country of origin information report.

3.4 Civilian casualties during the truce

The 2 April 2022 truce and the subsequent *de-facto* truce between the internationally recognised Yemeni government and the Houthi rebels have significantly reduced front-crossing violence. There was a sharp drop in civilian casualties due to direct shelling and bombing.⁷³ The Saudi-led coalition carried out no cross-border airstrikes after the truce began, which was the main cause of the drop in casualties (fatalities).⁷⁴

Despite the aforementioned decrease in hostilities and decrease in civilian casualties from the start of the truce, the Civilian Impact Monitoring Project (CIMP)⁷⁵ reports that the number of civilian casualties for the whole of the year 2022 (2,496), was almost the same as it had been in 2021 (2,508), as was the case with civilian deaths (770 in 2022 to 769 in 2021).⁷⁶ The average number of civilian casualties per month during the first three months of 2022 was 365 and dropped to 156 per month on average after the truce came into force. While the frontline in the provinces of **Marib** and **Taiz** saw a decrease in casualties in 2022 compared to 2021, CIMP recorded an increase in civilian casualties in a majority of the remaining provinces. In 2022, most civilian casualties occurred in **Sa'da**, with migrants in particular falling victim to shelling near the border with Saudi Arabia. The peak occurred during the previous reporting period, however, before the truce came into force. There was shelling by Saudi border forces on migrants, with hundreds to thousands

⁶⁸ The Jamestown Foundation, *Terrorism Monitor: Volume XVI, Issue 2*, 26 January 2018; The Washington Institute for Near East Policy, *Death of AQAP's leader shows the group's fragmentation – and durability*, 14 February 2020; ICG, *Misunderstanding Yemen*, 20 September 2021; CTC Sentinel, *Twenty years after 9/11: The Jihadi Threat in the Arabian Peninsula*, September 2021; confidential source, May 2023.

⁶⁹ Confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

⁷⁰ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, Sec. 1.2.7 (pp. 23 and 24); see also Kali Robinson for the Council on Foreign Relations, *Yemen's Tragedy: War, Stalemate and Suffering*, last updated on 1 May 2023.

⁷¹ This has been confirmed by: confidential source, May 2023; confidential source, May 2023; United States Department of State, Bureau of Democracy, Human Rights and Labor (USDoS), *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023 mentions a case of severe abuse by a local branch of ISIS.

⁷² UN Security Council, *Seventeenth report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat (S/2023/568)*, p. 8, 31 July 2023.

⁷³ CIMP, *2022 Annual Report*, March 2023; CIMP, *Quarterly Report Q1 2023*; United Nations Office of the High Commissioner for Human Rights (UNOHCHR), *Yemen, Attacks on Civilians*, publication of press briefing from 4 November 2022.

⁷⁴ Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, Mareike Transfeld & Agmed al-Sharjabi, January 2023.

⁷⁵ CIMP is an independent organisation that monitors and analyses information based on open sources. The information has not been independently verified.

⁷⁶ CIMP, *Annual Report 2022*, March 2023.

of migrant casualties, according to Human Rights Watch (see also Section 6.1).⁷⁷ In 2022, combat operations in **Al Hudayda** were concentrated along the southern frontlines using mainly light weapons, artillery and drones.

During the formal truce from 2 April to 2 October 2022, the Armed Conflict Location & Event Data Project (ACLED⁷⁸) noted a total of 504 fatalities (civilian and military) from 2,977 incidents of violence between Houthi rebels and the forces of the internationally recognised government.⁷⁹ By far the majority of incidents involved shelling, including artillery and missile shelling (2,208), 374 drone attacks, 396 armed confrontations and 26 cases of 'disrupted weapons use'.⁸⁰

3.5 **De-facto continuation of the truce**

The end of the truce on 2 October 2022 did not lead to a return to pre-truce violence levels.⁸¹ Nevertheless, new shelling did take place. For example, this occurred shortly after the truce expired in early October 2022 during clashes between Houthi forces and units of the STC in the disputed western part of Yafa in Lahj province, killing four people on each side.⁸² Another example occurred in the last week of October, when the UN Human Rights Office reported three shellings in territory controlled by Yemen's internationally recognised government that left two civilians dead and four injured.⁸³

A Houthi drone attack on 21 October on a Greek-flagged ship loading oil at the port of al-Dhabba in Hadramawt province further disrupted the relative calm that had persisted even after the ceasefire expired at the beginning of the month.⁸⁴ The attack was strongly condemned by both Grundberg and members of the Security Council.⁸⁵ A drone attack carried out by Houthi rebels on the port of Qena in Shabwah province followed on 9 November.

According to ACLED, for the entire year 2022, a total of 6,713 fatalities (civilian and military) occurred in 6,433 registered incidents,⁸⁶ as compared to 18,333 fatalities in

⁷⁷ Human Rights Watch (HRW), *'They fired on us like rain': Saudi Arabian mass killings of Ethiopian migrants at the Yemen-Saudi border*, August 2023; confidential source, May 2023.

⁷⁸ Most of the data collected by ACLED comes from public, secondary reporting. Data on casualty numbers can be subjective and, according to ACLED itself, are the least accurate component of conflict data. The organisation declares that it uses the most conservative estimates available. In addition, ACLED records only fatalities. Information on injuries and victims of looting and kidnapping are not included (see: ACLED, *ACLED Codebook, January 2021*, consulted on: acleddata.com/acleddatanew/wp-content/uploads/2021/11/ACLED_Codebook_v1_January-2021.pdf).

⁷⁹ ACLED, *Yemen Truce Monitor*, <https://acleddata.com/middle-east/yemen/yemen-truce-monitor>.

⁸⁰ This includes the safe defusing of an explosive, the accidental detonation of explosives by its alleged responsible party, the interception of explosives in the air as well as the seizure of weapons or weapons platforms such as fighter planes, helicopters or tanks.

⁸¹ OCHA, *Yemen humanitarian update – issue 12/December 2022*, 18 January 2023; Yemen Policy Center, *Communication is Needed for a New Round of Yemen's Truce to be Impactful for Communities*, January 2023; European Institute of Peace, *Yemeni women continue to bear the brunt of the war*, 8 March 2023; UN Security Council, *April 2023 monthly forecast: Yemen*, 1 April 2023; Council on Foreign Relations, *Global conflict tracker: War in Yemen, updated July 31, 2023*; OSESGY, *Briefing by Special Envoy Hans Grundberg to the UN Security Council*, 16 August 2023; Global Centre for the Responsibility to Protect, *Yemen*, 31 August 2023.

⁸² Associated Press (AP), *Yemeni Official: Military Clashes kill 8 after truce fails*, 7 October 2022.

⁸³ UNOHCHR, *Yemen, Attacks on Civilians*, publication of press briefing from 4 November 2022.

⁸⁴ UN Security Council, *Press Statement on Yemen (SC 15080)*, 26 October 2022; for additional details on the two drone attacks (21 October and 9 November), see also ACLED, acleddata.com/2023/11/17/regional-overview-middle-east-5-11-november-2022; confidential source, May 2023.

⁸⁵ UN Security Council, *Press Statement on Yemen*, SC 15080 of 26 October 2022; for additional details on the two drone attacks (21 October and 9 November), see also ACLED, acleddata.com/2023/11/17/regional-overview-middle-east-5-11-november-2022.

⁸⁶ ACLED, acleddata.com, consulted on 3 April 2023. Selected criteria: From: 01/01/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Yemen.

7,357 registered incidents in the year before⁸⁷ and 19,685 fatalities in 10,010 registered incidents in 2020.⁸⁸ In the roughly nine months from the start of the truce on 2 April 2022 to the end of December 2022, ACLED recorded 2,261 fatalities (of 6,713 total deaths reported over the full twelve months).⁸⁹ Even in the first half of 2023, the number of casualties recorded by ACLED remained significantly lower than before the truce. In the period of January to June, there were 1,742 fatalities in 1,700 registered incidents.⁹⁰ These figures include casualties that occurred during inter-fighting between different forces of the anti-Houthi camp. In addition, ACLED counted deceased soldiers and civilians: CIMP counted only civilian casualties.

According to CIMP, the number of civilian casualties increased from 465 to 581 (including 140 fatalities) during the first three months of 2023, as compared to the last quarter of 2022. This was the highest number since the truce started in April 2022. More than half of the casualties (294) occurred in the western part of **Sa'da** (primarily in the districts of Shadah and Monabbih), caused by cross-border artillery fire, drones and other shelling.⁹¹ In the second quarter of 2023, the number of civilian casualties fell to 418 (including 136 fatalities), the lowest number of civilian casualties recorded by CIMP in any quarter since 2018. The number of civilian casualties in Sa'da also fell in this quarter, to 88.⁹²

In his January 2023 briefing to the Security Council, UN Special Envoy Grundberg spoke of a generally stable military situation, with no major escalation or movement along the frontlines.⁹³ In the weeks leading up to this briefing, however, there had been limited military activity along the frontlines, particularly in Marib, Taiz, Al Dhale, Al Hudayda, Lahj and along the border with Saudi Arabia.⁹⁴ According to Grundberg, this also resulted in civilian casualties. In his 15 March 2023 briefing, Grundberg spoke of an increase in the number and intensity of violent incidents, particularly along the frontlines in Marib and Taiz.⁹⁵ Although the situation along the frontline in Marib province, which had previously seen heavy fighting, had calmed down since the truce, it was considered one of the most active in spring 2023, according to one source.⁹⁶ In his briefing in the April 2023 meeting of the Security Council, Grundberg also pointed to military activities in Marib and Taiz, and now in Shabwah.⁹⁷ One source described the situation in Taiz as a pressure cooker, with frontlines close to the city. Houthi rebels allegedly use drones, snipers and mortars close to densely populated parts.⁹⁸

⁸⁷ ACLED, acleddata.com, consulted on 3 April 2023. Selected criteria: From: 01/01/2021; To: 31/12/2021; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Yemen.

⁸⁸ ACLED, acleddata.com, consulted on 3 April 2023. Selected criteria: From: 01/01/2020; To: 31/12/2020; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Yemen.

⁸⁹ ACLED, acleddata.com, consulted on 3 April 2023. Selected criteria: From: 02/04/2022; To: 31/12/2022; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Yemen.

⁹⁰ ACLED, acleddata.com, consulted on 1 September 2023. Selected criteria: From: 01/01/2023; To: 30/06/2023; Event type: Battles | Explosions/Remote violence | Violence against civilians; Country: Yemen.

⁹¹ CIMP, *Quarterly Report Q1 January-March 2023*; confidential source, May 2023.

⁹² CIMP, *Quarterly Report Q2 April-June 2023*.

⁹³ Special Envoy to the UNSG for Yemen, Hans Grundberg, UNSC meeting 9244 on 16 January 2023 (UN Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023).

⁹⁴ Special Envoy to the UNSG for Yemen, Hans Grundberg, UNSC meeting on 15 March 2023; confidential source, May 2023.

⁹⁵ Special Envoy to the UNSG for Yemen, Hans Grundberg, UNSC meeting on 15 March 2023.

⁹⁶ Confidential source, February 2023.

⁹⁷ Special Envoy for the UNSG, Hans Grundberg, UNSC meeting 9304 on 17 April 2023.

⁹⁸ Confidential source, May 2023.

3.6 Explosive Remnants of War (ERW)

The relative lull in hostilities led to more civilian movements, and particularly the return of displaced persons to their homes. These movements caused significantly more civilian casualties due to ERW (mines and explosive remnants of war). According to CIMP, there were 564 civilian casualties due to ERW in all of 2022. That is more than any other form of violence, and the highest number measured since the start of the conflict. Almost half of the casualties were reported in Al Hudayda. In 2022, ERW accounted for more than half of the child victims of armed violence, and children made up about half of the number of civilian victims of ERW with 226. The landmines and explosives left behind by the warring parties also prevented access to food and water, which also hampered the ability of displaced persons to return home.⁹⁹

In the first quarter of 2023, according to CIMP there were 121 civilian casualties due to ERW, slightly fewer than the 140 in the last quarter of 2022. Half of these were reported in Al Hudayda province; smaller numbers fell in Jawf and Marib.¹⁰⁰ In the second quarter of 2023, CIMP reported that the number of civilian casualties due to ERW had fallen to 67. The organisation could not pinpoint a concrete reason for this significant decline, but suggested the possibility that it was linked to awareness campaigns, clearance efforts and more stable frontlines that resulted in fewer movements of people.¹⁰¹

3.7 Attacks

In 2022, ACLED recorded a total of 55 **attacks** attributed to AQAP, with a total of 38 in the first six months of 2023.¹⁰² For example, on 4 November 2022 in Abyan, an STC vehicle was targeted by an improvised explosive device (IED) from AQAP militants, leaving four dead and five injured. On 26 December, AQAP again strafed STC units with an IED in Abyan, killing at least two. In this way, AQAP struck fighters of other militant groups with targeted attacks (mostly with IEDs). In addition, attacks by unidentified actors took place with some regularity, mostly aimed at military targets.¹⁰³ As described in Section 3.5, Houthi rebels strafed economic infrastructure under the control of Yemen's internationally recognised government with drones in autumn 2022.

3.8 Disappearances, extrajudicial killings, arbitrary detention and torture

Yemeni law stipulates that individuals cannot be arrested unless caught in the act or with a court order. The suspect must be charged within 24 hours or else released. A judge or prosecutor responsible for the charges must inform the detainee of the charge. Detainees must not be detained for more than seven days without a court order. Incommunicado detention is prohibited by law. Detainees have the right to inform their families about the detention, and they have the right to remain silent.

⁹⁹ Saba Yemen News Agency, *ERW caused 643 civilian casualties as of 2022*, 6 November 2022; Mwatana for Human Rights; contribution of the Chair, Rahya al-Mtuwakel for ECOSOC in January 2023; CIMP, *2022 Annual report*, March 2023.

¹⁰⁰ CIMP, *Quarterly Report, Q1 January-March 2023*.

¹⁰¹ CIMP, *Quarterly Report Q2 April-June 2023*.

¹⁰² ACLED, acleddata.com, consulted on 1 September 2023. Selected criteria: From: 01/01/2022; To: 30/06/2023; Event type: Explosions/Remote violence; Country: Yemen; Actor: AQAP.

¹⁰³ AA News, *Bomb Blast Kills Military Commander in Yemen's Sabwah*, 26 November 2022; Het Laatste Nieuws, *Minstens 13 Doden bij Vermoedelijke Al Qaida Aanslag in Jemen*, 13 September 2022.

These formal procedures were regularly violated, however, by all parties involved in the conflict.¹⁰⁴

All parties involved in the armed conflict were guilty of arbitrary detention, torture, abductions and forced disappearances.¹⁰⁵ In 2022, there was an increase in the numbers of people affected in all categories.

The Yemeni human-rights organisation Mwatana for Human Rights reported 160 **forced disappearances** of civilians for 2022 as a whole, representing an increase over the number of disappearances in 2021 (89 individuals).¹⁰⁶ These 160 people included thirteen children and four women. According to Mwatana, Houthi rebels were responsible for 53 enforced disappearances, with the STC responsible for 38 and other government-affiliated forces for 32 forced disappearances. The Joint Forces on the West Coast were responsible for 12 forced disappearances, and forces led by Saudi Arabia and the UAE were responsible for 9 disappearances. The US State Department described how the Abductees' Mothers Association provided an update in September 2022 on the status of some nine people forcibly disappeared by Houthi authorities. Although a court had ruled that the duration of their detention was complete, in December 2022, there was still no sign of their release.¹⁰⁷ Research has not been able to establish how this situation was at the end of the reporting period. Regarding the forced disappearance of children, the UN reported that established cases of this were often related to their recruitment – in most cases by the Houthis.¹⁰⁸

Five UN staff members who had been abducted in Abyan in February 2022, allegedly by AQAP, were released after eighteen months in August 2023.¹⁰⁹

Mwatana noted the **arbitrary detention** of 265 civilians – including 43 children and 8 women – for 2022, compared to 217 in 2021. Of these, Houthi rebels accounted for 146 people, government forces 35 people, the STC 44 people, Joint Forces on the West Coast 15 civilians and al-Qaeda-linked units 3 civilians.¹¹⁰ The number of cases of arbitrary detention increased, primarily under UAE influence in Hadramawt province, where prisons are said to be filled with people who had allegedly expressed themselves 'wrongly' (i.e. critical of the local rulers). Both the Hadrami elite forces and local authorities are said to be guilty of this. The same patterns were also said to have been observed in the provinces of Lahj, Shabwah and Abyan.¹¹¹ In Aden, people were arbitrarily detained mostly under the banner of counter-terrorism, and often tortured. Several militias and leaders are said to be guilty of this. The same practices took place in the Houthi-controlled north, but in a more

¹⁰⁴ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Mwatana for Human Rights, *A New Year Added to the Age of Bloody Conflict; press briefing on the situation of human rights in Yemen, 2021*, of 6 January 2022.

¹⁰⁵ HRW, *World Report 2023, Yemen*, 26 March 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023; SAM for Rights & Liberties, *No Justice, report on human rights violations related to the right of a fair trial*, 12 March 2023.

¹⁰⁶ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023.

¹⁰⁷ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Abductees' Mothers Association (AMA), *Statement Condemning the Constant Failing Facing Abductees and Detainees and the Violence against Them*, 7 December 2022.

¹⁰⁸ UN General Assembly, *Children and armed conflict (A/77/895-S/2023/363)*, p. 27, 5 June 2023.

¹⁰⁹ ACLED, *Al Qaida in the Arabian Peninsula, Sustained Resurgence in Yemen or Signs of Further Decline*, 6 April 2023; OSESGY, *Press Statement*, 16 August 2023; NOS Nieuws, *Vijf VN-medewerkers na 1,5 jaar vrijgelaten in Jemen*, 11 August 2023; confidential source, May 2023, confidential source, May 2023.

¹¹⁰ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023. Mwatana gives no further background information in the report on the 43 children who were arbitrarily detained.

¹¹¹ HRW, *Yemen: Release arbitrarily detained people*, 18 April 2023; confidential source, May 2023.

organised and structured manner. Individuals who openly spoke out against the local ruler were at particular risk of arbitrary detention. This was also true, especially in Houthi territory, for women detained without a *mahram* at a checkpoint or random people rounded up to serve as bargaining chips in a prisoner exchange.¹¹² Several (11) of the local staff members of the US embassy in Sana'a who had been detained in 2021, were also still in detention at the end of this reporting period.

The **judicial system** was considered weak, and to the extent that court rulings or judicial measures were pronounced or issued on such offences (such as abductions, forced disappearances and arbitrary detention), they led to little or no further action or consequences.¹¹³ The State Department pointed to local NGOs reporting on detentions by unidentified authorities, which often resulted in prolonged detention about which the authorities made no further announcements.

As an example, in its 2022 annual report on human rights in Yemen, the State Department outlined the case of around ten fishermen in the province of Al Hudayda. After being shipwrecked, they were arrested by naval units led by Major General Yahya Saleh and held in detention at an unknown location. Nothing was known about their fate six months later.¹¹⁴

In addition to a weak and inadequately functioning justice system (see also Section 4.2), the practice of arbitrary detention is caused by a culture of impunity. The lack of international criminal prosecution of such practices also encourages their use as instruments of revenge against and intimidation and silencing of political opponents.¹¹⁵

According to Mwatana, 58 people, including 4 women and children, were victims of **torture** in 2022 (up from 56 in 2021). The STC was responsible for 14 cases of torture, 3 of whose victims died in captivity as a result. The government and government-affiliated units were responsible for 13 cases of torture of civilians, 3 of whom also died as a result of the torture. Mwatana recorded 14 cases of torture by the Houthi authorities. Emirati forces and Hadrami elite forces were responsible for 9 cases of torture, according to Mwatana.¹¹⁶ Most incidents of torture reported during the reporting period involved prisoners arrested on the basis of alleged opposition or on the basis of their work as journalists or activists. Incidents were also reported in which suspects were tortured to extract confessions.¹¹⁷

Impunity is a serious problem in the case of torture, according to the State Department. There is a lack of effective mechanisms for investigating and

¹¹² Confidential source, May 2023; confidential source, May 2023; confidential source, April 2023.

¹¹³ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023; confidential source, May 2023.

¹¹⁴ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹¹⁵ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023; SAM for Rights & Liberties, *No Justice, report on human rights violations related to the right of a fair trial*, 12 March 2023; Mwatana for Human Rights, *A New Year Added to the Age of Bloody Conflict: press briefing on the situation of human rights in Yemen, 2021*, from 6 January 2022.

¹¹⁶ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023.

¹¹⁷ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023; UN Security Council, *Letter dated 21 February 2023 from the Panel of Experts on Yemen addressed to the President of the Security Council (S/2023/130)*, pp. 38-40, 185-186, 21 February 2023; Abductees' Mothers Association (AMA), *Mothers at the gates of justice 4: Seventh annual report*, pp. 11, 31, 40, 46, 60, 65, 22 July 2023.

prosecuting abuse. Civilian control of security services and structures were characterised as weak by the State Department.¹¹⁸

No documented records of **extrajudicial killings were found** over this reporting period, other than the civilian victims described in Section 3.4. The sources consulted contained no indication of a significant decrease in the practice of extrajudicial killings during the reporting period. According to the report of the Yemeni National Commission for the Alleged Violation of Human Rights, also cited by the State Department, 97 cases of extrajudicial killing were described during the period from July 2021 up to and including July 2022.¹¹⁹ Human Rights Watch and Mwatana also reported extrajudicial killings and executions by all parties to the conflict in general terms in their 2022 annual reports.¹²⁰

3.9 Tribal violence

According to ACLED, tribal violence increased significantly (50 percent compared to the six months before the truce) during the truce. This consisted largely of disputes over land and family feuds (blood feuds). These clashes took place across the country, both in areas controlled by Houthi rebels and in areas controlled by the government or government-affiliated parties. The greatest peaks of tribal violence were observed in the provinces of Shabwah, Marib, Ibb, Amran and Al Bayda.¹²¹

3.10 Movements between areas/checkpoints

As in the previous reporting period, there were (in principle) no formal impediments to moving within and between the areas controlled by the internationally recognised government and those controlled by Houthi rebels. Travel between areas controlled by different parties was also a daily necessity for some groups (for instance for much of the local UN staff working in Marib, who live in Sana'a).¹²²

Many checkpoints were located along the various routes. The number of checkpoints in the country was about the same as last year. In the area controlled by the STC, the number of checkpoints reportedly increased, due to inadequate payment of salaries. Slightly fewer than forty checkpoints were located along the 180-kilometre road from Aden to Taiz, with another sixty checkpoints reported along the 380-kilometre road from Aden to Sana'a. The number of checkpoints in Aden was reported to have decreased slightly. During the fact-finding mission, six armed checkpoints were passed on a seven-kilometre stretch from the airport to Aden city.¹²³

Despite the truce, hardly any improvement took place in the situation with regard to checkpoints. Some travellers were subjected to abuse, extortion and/or arbitrary

¹¹⁸ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023; USDoS, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2022*, 5 January 2023.

¹¹⁹ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Republic of Yemen National Commission to Investigate Alleged Violations of Human Rights, *10th Periodic Report (1/7/2021 – 31/7/2-2022)*, 29 August 2022.

¹²⁰ HRW, *2022 Annual Report*, 18 April 2023; Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in 2022*, 5 January 2023

¹²¹ ACLED, *Violence in Yemen during the UN Mediated Truce: April – October 2022*, 14 October 2022; United States Agency for International Development, Famine Early Warning Systems Network (FEWS), *Emergency Outcomes likely to Persist in Marib Amid Conflict and Reduced Assistance*, 2023.

¹²² Confidential source, May 2023.

¹²³ Confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

detention. This was especially the case for politicians, journalists and activists. In addition, women were hindered by the *mahram* rules regarding the compulsory accompaniment by a male relative. *Mahram* was enforced mainly in Houthi rebel-controlled territory. Following the introduction of the mandatory written *mahram* declaration by a male relative in the summer of 2022, it became almost impossible for women to travel alone, especially in Houthi-controlled territory. The physical presence of a male relative was often required, although a written declaration sufficed in some cases. In some cases, women who were stopped at checkpoints without this escort, especially in Houthi-controlled areas, had to wait in detention for a male relative to physically appear, and they sometimes had to pay additional illegal fines. According to one source, the *mahram* could sometimes be bought off: after paying a certain amount of money, women were allowed to continue travelling without having to comply with the stricter rules. This occurred to only a very limited extent.¹²⁴

In general, however, travellers were asked to present identification documents and, in some cases, a document from the authorities granting permission to travel. The research did not provide a precise overview of which documents had to be shown to which parties in which areas when passing through a checkpoint. Given the relatively large number of Yemenis without adequate registration, the lack of identification documents was a problem for many travellers. In addition, the payment of bribes was usually required as well. Due to the deteriorating economic situation, more bribes were apparently demanded during the reporting period than previously.¹²⁵

¹²⁴ Confidential source, May and September 2023, confidential source, May 2023.

¹²⁵ The Sana'a Center, *The War on Yemen's Roads*, 16 January 2023; Rights Radar, *Yemen: Death Checkpoints*, 5 February 2023; Al Mashareq, *Houthis interrogate Sana'a bound Travelers, provoke Fear at Checkpoints*, 14 September 2022; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023, confidential source, May 2023, confidential source, May 2023, confidential source, May 2023, confidential source, May 2023.

4 Human rights

During this reporting period, all parties involved in the Yemen conflict continued to violate humanitarian law and human rights without being punished.¹²⁶ Civilians were killed and injured in unlawful attacks, humanitarian aid was hampered and civilian property was destroyed. The government and, to a greater extent, the Houthi rebels continued to intimidate, arbitrarily detain and persecute journalists and activists. There were also enforced disappearances, torture and other forms of cruel, inhumane and degrading treatment or punishment, as well as brutal conditions of detention, arbitrary arrest and detention, and political imprisonment. Serious problems emerged with regard to the independence of the court authorities, civil-rights violations (see also Section 3.8) and the use of child soldiers by all parties involved in the conflict.¹²⁷ One concrete positive development concerned the right to life, which was better respected, as evidenced by the significant decrease in civilian casualties from shelling and bombing since the truce came into force (see also Section 3.4).¹²⁸

Serious corruption also occurred amongst the *de-facto* authorities, who imposed serious restrictions on the functioning of international human-rights organisations. The latter was true primarily the case in the region controlled by Houthi rebels.¹²⁹

All parties were guilty of gender-related violence and discrimination. Domestic and partner abuse occurred as well. Women were increasingly hampered in their range of social movement, including in terms of work and education, as well as in the giving and receiving of humanitarian aid. LGBTQI+ individuals continued unabated as targets (by all parties to the conflict) of arbitrary arrest, torture (including rape and other forms of sexual violence), threats and intimidation. Children were victims of severe forms of child labour. This also applies emphatically to the truce period.¹³⁰ The human rights organisation Mwatana documented a total of 1,066 violations against civilians or civilian targets during 2022 in seventeen provinces across a wide range of human rights, as well as violations of humanitarian law and law of war, including various types of attacks, child recruitment, obstruction of access to humanitarian support, attacks on basic services, torture, sexual violence, arbitrary detention, violation of freedom of the press and freedom of movement.¹³¹

¹²⁶ AI, *Report 2022/23: The State of International Human Rights 2022, Yemen Country Report*, 28 March 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in Yemen in 2022*, 5 January 2023; confidential source, May 2023, confidential source, May 2023; confidential source, May 2023.

¹²⁷ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹²⁸ Confidential source, May 2023.

¹²⁹ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in Yemen in 2022*; United Nations Convention Against Corruption Coalition (UNCAC Coalition), *New Civil Society Report on Yemen: Stronger Independence and Operationalization of Oversight and Anti-Corruption Bodies Needed to Better Implement and Enforce Legislation*, 17 August 2022; confidential source, May 2023.

¹³⁰ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in Yemen in 2022*; AI, *Report 2022/23: The State of International Human Rights 2022, Yemen Country Report*, 28 March 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023, confidential source, May 2023; confidential source, May 2023.

¹³¹ Mwatana for Human Rights, *A Dark Year despite the Truce, press briefing on the human rights situation in Yemen in 2022*.

4.1 Religious and ethnic groups

4.1.1 Religious groups

Nearly all (99 percent) of the Yemeni population are Muslims. An estimated 65 percent identify as Sunni, and 35 percent identify as Shia. The composition of the remaining 1 percent includes 'several thousand Christians'¹³² and approximately 2,000 Bahá'ís. The position of these various religious groups did not change meaningfully during this reporting period compared to the previous country of origin information report.

Pressure on **Christians** in all facets of life (such as education, work and faith practice) continued unabated. This was especially true in the Houthi-controlled region, where systematic religious indoctrination is taking place in all those sections of society.¹³³ In addition, Christians are particularly vulnerable to violence from AQAP or the Islah party in the south, according to the NGO Open Doors, which also reports that some Islamic aid workers deny humanitarian aid to Christians. The organisation has moved Yemen up several places on its World Watch list, placing Yemen third on the list of countries where the position of Christians is under pressure in 2023, after North Korea and Somalia.

According to the US Department of State, only four **Jewish** Yemenis were remaining in Yemen in 2022, including Levi Marhabi, mentioned in the previous country of origin information report, who had been held in detention in Houthi-controlled territory since 2016. He was tortured, which left him partially paralysed.¹³⁴ Houthi rebels use anti-Semitic slogans, including in school teaching materials. Jewish people cannot serve in the armed forces or state apparatus of the internationally recognised government of Yemen, because of their religion.

The US State Department reported that the Houthi *de-facto* authorities had forced members of the **Bahá'í** community to leave the country. Religious leaders and members of the community were arbitrarily detained. Forced disappearances also took place.¹³⁵ On 30 May 2023, during a gathering of members of the Bahá'í community, armed Houthi fighters forcibly carried away seventeen people, including five women, to an unknown location.¹³⁶ According to one source, although there was less pressure on the position of Bahá'í in the area controlled by the internationally recognised government, it was true that Bahá'í were also unable to profess their faith openly and visibly in that region. The latter also applied to Yemeni Christians and Jews, according to the same source.¹³⁷

During the reporting period, reports emerged that the Houthi *de-facto* authorities were restricting the religious freedoms of Sunni Muslims. For example, they banned

¹³² Open Doors, *World Watch List, Yemen 2022*. In a May 2022 publication ('Yemen at War, Christians in Peril'), the Christian organisation 'International Christian Concern' cites a figure of 40,000, but also states that the number could possibly be significantly lower due to the armed conflict.

¹³³ USDoS, Office of International Religious Freedom, *2022 Report on International Religious Freedom, Yemen*, 15 May 2023; Open Doors, *Yemen Country Page*, consulted on 28 May 2023; United States Commission on Religious Freedom, *Religious Freedom in Houthi-Controlled Areas on Yemen*, 11 May 2023.

¹³⁴ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹³⁵ USDoS, Office of International Religious Freedom, *2022 Report on International Religious Freedom, Yemen*, 15 May 2023.

¹³⁶ HRW, *Yemen: Houthis Forcibly Disappear Baha'is, armed forces storm community meeting*, 30 May 2023; [Twitter.com](#), #Bahai International Community (@bahaiBIC): 11:53 a.m. on 30 May 2023.

¹³⁷ Confidential source, May 2023.

Sunni services during Ramadan and closed Sunni places of worship to women.¹³⁸ As far as could be ascertained, no reports of large-scale religious-based persecution of Sunni Muslims in Houthi territory appeared during the reporting period.

No evidence was found that the situation of Zaidite Shi'ites and Ismailite Shi'ites changed significantly during the current reporting period compared to the previous reporting period.¹³⁹

4.1.2 Ethnic groups

The **Muhamasheen** (an ethnic community of the marginalised, lowest social class) were victims of social and institutional discrimination based on race, ethnicity or social status.¹⁴⁰ According to most sources, between 3.2 and 4 million Muhamasheen were living in Yemen during the reporting period – having doubled in just twenty years, according to one source.¹⁴¹ The community lived in poverty, lacked access to basic needs and services, and suffered continuous social discrimination. Women were especially vulnerable to rape and other forms of abuse. Muhamasheen fall outside of tribal structures. Although slavery and the social caste system have long been abolished, discrimination was widespread, partly under the influence of tribal legal systems. There was forced labour, bonding through dependency due to debt, and human trafficking.

In the territory controlled by Houthi rebels, the Muhamasheen community was the target of forced recruitment. According to the International Organization for Migration (IOM), migrants of African descent and Muhamasheen have been excluded from education, formal jobs and housing. It has also been difficult for Muhamasheen to register births (only 9 percent have birth certificates¹⁴²). This has made it more difficult for them to access other official documents (for instance for work and education).

Muhamasheen have been widely displaced as a result of the armed conflict. They were particularly severely affected by the lack of traditional tribal structures of shelter and access to services, including access to humanitarian aid. Because they literally could not find shelter elsewhere and were often evicted from places where they were staying, they were largely forced to find safe refuge in the open field, as evidenced in a 2018 report by Minority Rights Group International.¹⁴³

The situation of the **Muwaladin** community (Yemenis with at least one parent of foreign descent, generally from the Horn of Africa, or from the Indian subcontinent)

¹³⁸ Middle East Institute, *The Houthis' war and Yemen's future*, September 2022; USDoS, Office of International Religious Freedom, *2022 Report on International Religious Freedom, Yemen*, 15 May 2023.

¹³⁹ See: Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, 22 August 2022, 3.1.2, p. 47.

¹⁴⁰ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples, Yemen, Muhamasheen* ([minorityrights.org/minorities/muhamasheen](https://www.minorityrights.org/minorities/muhamasheen), consulted on 27 May 2023); Agency for Technical Cooperation & Development (ACTED), IOM, Camp Coordination Camp Management (CCCM), NRC, *Muhamasheen community profile, survey conducted with Muhamasheen populations in IRC-controlled areas in Yemen, 2022*, 21 March 2023; confidential source, May 2023, confidential source, May 2023, confidential source, May 2023.

¹⁴¹ UN Habitat, *State of Yemeni cities 2020*, 7 August 2020; ACTED, IOM, CCCM, NRC, *Muhamasheen community profile, survey conducted with Muhamasheen populations in IRC-controlled areas in Yemen, 2022*, 21 March 2023; ACAPS, *Yemen: Challenges to housing, land, and property rights*, 14 April 2023; USAID, *Yemen – Complex emergency*, 21 April 2023; confidential source, May 2023.

¹⁴² USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023.

¹⁴³ ACAPS, *Yemen: Social Impact Monitoring Report October-December 2022*, 3 March 2023; Minority Rights Group International, *World Directory of Minorities and Indigenous Peoples, Yemen, Muhamasheen* ([inorityrights.org/minorities/muhamasheen](https://www.minorityrights.org/minorities/muhamasheen)), consulted on 27 May 2023; confidential source, May 2023.

could not be compared to that of the Muhamasheen. Although some degree of discrimination based on skin colour existed, particularly in the north, the associated disadvantage was not as severe as was the case for the Muhamasheen community. In the south, Muwaladin were able to hold significant positions in the private sector, and they were able to obtain official documents. In practice, however, official civil service jobs are poorly accessible to Muwaladin.¹⁴⁴

4.2 Legal protection

The formal organisation and actual practice of legal protection in Yemen (as detailed in the previous country of origin information report) has not changed significantly during this reporting period. For the description, we therefore refer to the previous country of origin information report.¹⁴⁵ To this, the following can be added.

The actual jurisdiction of the formally independent Yemeni judiciary during this reporting period was limited in equal measure by the limited control the government had over Yemeni territory. In addition, the conflict and instability in the country have significantly weakened the judicial system, with judges and other officials also facing threats.¹⁴⁶

In its 2022 annual report on human rights in Yemen, the State Department stated that there was no evidence of any independence on the part of the judiciary.¹⁴⁷ For instance, the scarce examples of court rulings in cases of arbitrary arrest or detention were ignored by those in power. Another source confirmed that the judicial system was barely capable of prosecuting human rights violations and was also highly politicised.¹⁴⁸ See also the details on the poor functioning of the judiciary in Section 3.8 of this country of origin information report. According to multiple sources, there were no known cases of successful actual prosecution of human rights violations by combatants or military personnel. The fear of repercussions would be too great, and the chances of success virtually non-existent.¹⁴⁹ Some organisations nevertheless did have some success in providing victims with legal assistance, including the Yemeni human rights organisation, Mwatana for Human Rights. According to one source, however, lawyers assisting victims of military personnel were also at risk of retribution.¹⁵⁰

Corruption continues to be a major problem within the system, where payment of salaries – including those of judges – is limited and irregular. A strike by judges, united in the Southern Judges Club, ended in August 2022 after the demands of the strikers were met. The strike had been called in response to the appointment of an allegedly corrupt prosecutor general, and it led to major docket delays and the creation of a backlog of cases, leaving suspects in pre-trial detention for especially long periods and effectively eliminating access to justice. As a result, Aden prison

¹⁴⁴ Confidential source, May 2023.

¹⁴⁵ See the previous country of origin information report: Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, pp. 67-71.

¹⁴⁶ International Center for Transitional Justice (ICTJ), *Accountability in Yemen Requires a Comprehensive Transitional Justice Process*, 20 March 2023.

¹⁴⁷ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁴⁸ Confidential source, April 2023.

¹⁴⁹ Confidential source, May 2023; confidential source, May 2023.

¹⁵⁰ Confidential source, May 2023.

was reportedly overcrowded, and new suspects stayed in police stations for long periods.¹⁵¹

The practice of impunity has been further exacerbated by the 2021 removal of the international mechanism for monitoring and cataloguing human-rights violations, as envisaged with the Group of Eminent Experts (GEE) on Yemen, as mandated by the UN Human Rights Council.¹⁵²

Law enforcement was also highly fragmented and carried out *de-facto* by military and paramilitary units. A number of investigative organisations (e.g. the Political Security Organisation and the National Security Bureau) fell under the Ministry of the Interior. This was also the case for the Criminal Investigation Division and the paramilitary Special Security Forces. At the same time, however, tribal, political and sectarian divisions hampered the ability of the internationally recognised government to assert its authority in many areas.¹⁵³ In practice, many parts of the government's security apparatus were in the hands of tribal leaders and local military leaders. According to the State Department, civilian authorities had no effective control over the security units. These units from all parties involved in the conflict committed a variety of abuses, including arbitrary detention.¹⁵⁴

The traditional and informal judicial process was also frequently chosen as an alternative to the formal judicial process. This has to do with an unwritten system of dispute resolution, which may use a combination of tribal law and Islamic sharia law. In this system, justice is administered by community leaders.¹⁵⁵ This route was sometimes also chosen as an appellate court in cases that were before a formal court in the first instance. Statements by such community leaders had formal force of judgment. During the aforementioned judges' strike in 2022, traditional justice offered an alternative to formal justice (albeit a modest one).¹⁵⁶ A hybrid formal/traditional justice system also existed in the region controlled by Houthi rebels, in which the sheikh or another leader could administer justice. Sheikhs were also allowed to use their own homes as prisons. As a result, suspects could be detained, tried, convicted and sentenced in the sheikh's house and having to serve their sentences there for long periods.¹⁵⁷

4.3 Conditions during detention

The US State Department described detention conditions as harsh, inhumane and cruel, and in no way up to international standards.¹⁵⁸ Detention centres suffered from overcrowding, poor ventilation, extremely high temperatures and humidity, along with a lack of natural light, sanitation, healthcare, drinking water and food.

¹⁵¹ Committee for Justice, *Yemen: UN concerned about Longstanding Strike by Judiciary and its Impact on Individuals Rights to Access to Justice*, 8 May 2022; confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

¹⁵² See the previous General Country of Origin Information Report on Yemen (August 2022, p. 75), which noted that, during the previous reporting period, there were no known cases of punishment of government officials or representatives of *de-facto* rulers against whom proceedings were initiated. For 2022, see: Mwatana, *A Dark Year Despite the Truce, press briefing on the Human Rights Situation in Yemen in 2022*, 5 January 2023.

¹⁵³ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁵⁴ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁵⁵ ACAPS, *Tribes in Yemen: An introduction to the tribal system*, p. 11, August 2020; International Legal Assistance Consortium, PILPG, in partnership with DeepRoot Consulting, *The Impact of the War on Yemen's Justice System*, pp. 5-6, November 2021; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; USDoS, Office of International Religious Freedom, *2022 Report on International Religious Freedom, Yemen*, 15 May 2023.

¹⁵⁶ Confidential source, May 2023.

¹⁵⁷ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023.

¹⁵⁸ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

Government monitoring of prisons was limited. In addition to the Houthi rebels, the STC and tribal authorities were also the *de-facto* rulers of prisons in the areas under their control. Some leaders used detention centres as illegal 'private' prisons where traditional tribal law was applied.¹⁵⁹ In some cases, individuals who caused trouble would be locked in a room in the local sheikh's house as punishment for non-criminal behaviour.

Throughout the country, women were kept in detention even after serving their sentences if no man was available to escort them out of prison. Women were also sometimes released only to go to a women's shelter if their families refused to take them in.¹⁶⁰ There was a massive stigma on female detention. For this reason, female prisoners sometimes also chose to remain in detention voluntarily after serving the sentence to avoid social exclusion and rejection, as well as abuse and rape after release.¹⁶¹ Proportionally more women were reportedly staying in prisons in Houthi territory than in the area under control of the internationally recognised government. This was due to the more generally deteriorating position of women in the Houthi region, where they faced increasingly strict *mahram*-related rules.¹⁶²

The Geneva-based Yemeni human-rights organisation SAM has also painted a disturbing view of detention conditions. All individuals investigated by SAM were living in detention in inhumane and cruel conditions while awaiting trial. For example, detainees were subjected to electroshock and simulated execution, deprived of sleep and beaten. Detainees were also violently coerced into forced confessions.¹⁶³

4.4 Freedom of expression

During this reporting period too, civilians and journalists were also threatened, arbitrarily detained and prosecuted by both the government of Yemen and the Houthi *de-facto* authorities for peacefully expressing their right to freedom of expression.¹⁶⁴ Freedom House gave Yemen a score of 0 out of 4 on the topic of 'free and independent media' in 2023, the same as during the previous reporting period.¹⁶⁵

In a general sense, people with a larger public footprint, for example journalists or social media users with a substantial number of followers were more likely to face reprisals following open criticism. According to one source, control in government-held areas in the larger cities (including Aden, Hadramawt and Taiz) was greater than in the rural areas under government control. In general, mere participation in a demonstration in government-controlled territory without the person concerned

¹⁵⁹ HRW, *2022 Annual Report*, 18 April 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁶⁰ AI, *Yemen, End the Male Guardianship restriction for releasing Women from Prison*, 25 January 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; HRW, *2023 Year Report, Yemen*, March 2023.

¹⁶¹ Confidential source, May 2023.

¹⁶² Minister Moamar Al-Eryani, Minister of Culture and Information in a publication by the Wilson Center: *Preventing the Next Kabul: Confronting the Houthi's Violent Oppression of Women in Yemen*, 24 March 2023; confidential source, May 2023; confidential source, May 2023.

¹⁶³ SAM for Rights & Liberties, *No Justice, report on human rights violations related to the right of a fair trial*, 12 March 2023.

¹⁶⁴ AI *Report 2022/23, the State of International Human Rights, Yemen Country Report*, 28 March 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; HRW, *World Report 2023, Yemen*, March 2023; Mwatana for Human Rights, *A Dark Year despite the Truce*, 5 January 2023.

¹⁶⁵ Freedom House, *Freedom in the World 2023: Yemen*, <https://freedomhouse.org/country/yemen/freedom-world/2023>, consulted on 1 September 2023.

having a substantial public profile did not lead to arrest, according to the source. According to the same source, a single comment on social media by a random citizen without a public profile also generally did not lead to further repercussions there. This applied to both urban and rural areas.¹⁶⁶

In the area controlled by the internationally recognised government, journalists, activists and political opponents were particularly at risk. Control by the Houthi regime was more intense and broader there than it was in the south. In the north, even a single comment or expression on social media by any citizen could lead to arrest or other reprisals.¹⁶⁷ In a report on the second half of 2022, the UN High Commissioner for Human Rights wrote that the parties to the conflict designated independent journalists as foreign agents, thereby hindering their work and promoting self-censorship. Four Yemeni journalists, who had previously been sentenced to death by Houthi rebels on suspicion of espionage, were released under the April 2023 prisoner swap (see Section 2.5).¹⁶⁸ Even when working from abroad, journalists were intimidated, threatened and risked arbitrary detention, enforced disappearance or murder. Women journalists were at additional risk, according to the High Commissioner for Human Rights.¹⁶⁹ Because the Houthi rebels did not make charges public, it was difficult to ascertain the number of political prisoners in the Houthi-controlled area, according to the State Department. Administration of prisoners in the area controlled by the internationally recognised government was very poor and incomplete.¹⁷⁰

In December 2022, Amnesty International reported on the prosecution and detention of and use of force against some seven journalists by the Houthi *de-facto* authorities. This involved the use of the 'Specialized Criminal Court' (SCC), a body generally used in cases related to state security. The SCCs in Al Hudayda and Sana'a handed down multi-year prison sentences to three journalists after unfair trials and confessions extracted under torture. Four other journalists sentenced to death awaited an appeal hearing before the Specialized Criminal Appeals Division, which delayed the hearing at least eight times earlier in 2022.¹⁷¹

Amnesty International also accused Yemen's internationally recognised government of the unlawful persecution and detention of at least three journalists following critical statements against the government.¹⁷² In March 2023, the US State Department also spoke of serious restrictions on freedom of speech and media freedom, including the use of force (or the threat thereof) against journalists, the unwarranted arrest and detention of journalists, censorship and the use of criminal defamation laws. On 28 February 2023, armed units affiliated with the STC expelled the Yemeni Journalists' Syndicate from their headquarters in Aden and installed a new organisation known as the Southern Media and Journalists' Syndicate.¹⁷³

In the areas controlled by Houthi rebels, houses and offices were searched by agents without a search warrant or other judicial authorisation, phone calls were tapped, and mail and email were read, amongst other invasions of personal

¹⁶⁶ Confidential source, May 2023.

¹⁶⁷ Confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

¹⁶⁸ UNOHCHR, *Yemen: Freedom of expression, May 2021 to December 2022*, March 2023; Reporters Without Borders, *Four Yemeni Journalists Finally Freed after Being Held Hostage for 8 Years*, 19 April 2023.

¹⁶⁹ UNOHCHR, *Yemen: Freedom of expression, May 2021 to December 2022*, March 2023; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁷⁰ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023.

¹⁷¹ AI, *Huthi's Must End the Persecution of Journalists and Crackdown on Media*, 22 December 2022.

¹⁷² AI, *Yemen: Government must stop Prosecution and Harassment of Journalists*, 18 August 2022.

¹⁷³ Reporters Without Borders (RWB), *Southern Separatists Storm Yemeni Journalists' Syndicate Headquarters*, 8 March 2023. The new syndicate denies allegations that the takeover of the building was enforced under threat of violence. The takeover was strongly condemned by RWB.

privacy.¹⁷⁴ Opponents and critics were silenced through intimidation and spying by armed units, who visited homes and intimidated opponents under threat of arrest.¹⁷⁵

Family members of critics of the authorities were also victims of intimidation and infringement of freedoms. For example, on 6 August 2022, the journalist Ahmed Maher and his brother were captured and tortured by STC-affiliated forces.¹⁷⁶ According to one source, relatives of Yemenis living abroad who spoke out were also at risk. Consequences could range from reprimand to disappearance.¹⁷⁷ The sources consulted did not reveal the scale on which it occurred that relatives of critics faced such problems.

Control of expressions also extended to the cyber and digital domain. Although the internationally recognised government was also monitoring domestic and foreign digital media and platforms, one source rated that of the Houthi movement as more advanced.¹⁷⁸ Early in the conflict, the Houthi *de-facto* authorities took over the local internet service provider to filter content and appropriate national websites.¹⁷⁹ With the help of China's Huawei, Yemen's internationally recognised government used this as a base on which to establish its own AdenNet, which is reportedly still modest in size.¹⁸⁰ Access to social media platforms was also occasionally blocked early in the conflict, including by temporarily blocking the internet.¹⁸¹ According to one source, black-outs occurred on a regular basis.¹⁸² In Yemen, about 10 percent of the population (3.2 million users) were active on social media. Social media were also used for propaganda purposes to malign certain parties, with specific groups (for instance, Bahá'ís and Jews) also being targeted with inflammatory and hate speech.¹⁸³

According to the journal *Foreign Policy*, neither of the two internet providers (YemenNet and AdenNet) had any formal privacy policy, and systematic violations of such privacy occurred.¹⁸⁴ Censorship by authorities also extended to the internet. Control was greater in Houthi territory than it was in the area controlled by the internationally recognised government. In December 2022, the social media activist Ahmed Hajar was arrested by Houthis in Sana'a.¹⁸⁵ For example, people in Houthi territory are said to be regularly arrested in response to expressions on social media.¹⁸⁶

Telephone and text-messaging traffic were also monitored. As with the internet, monitoring was greater in Houthi territory than it was in the south.¹⁸⁷ SIM cards are issued by name, requiring applicants to show a photo ID.¹⁸⁸

¹⁷⁴ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁷⁵ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁷⁶ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023.

¹⁷⁷ Confidential source, May 2023; confidential source, May 2023.

¹⁷⁸ Confidential source, May 2023.

¹⁷⁹ *Foreign Policy*, *Yemen's parallel war in Cyberspace*, 6 January 2022; confidential source, May 2023.

¹⁸⁰ Axios, *How Yemen's civil war went cyber*, 29 November 2018; confidential source, May 2023, confidential source, May 2023.

¹⁸¹ Al Jazeera, *Yemen's report lack of access to social media sites*, 30 March 2015; confidential source, May 2023.

¹⁸² Confidential source, May 2023.

¹⁸³ *Foreign Policy*, *Yemen's parallel war in Cyberspace*, 6 January 2022.

¹⁸⁴ *Foreign Policy*, *Yemen's parallel war in Cyberspace*, 6 January 2022.

¹⁸⁵ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

¹⁸⁶ Confidential source, May 2023.

¹⁸⁷ Confidential source, May 2023; confidential source, May 2023.

¹⁸⁸ Confidential source, May 2023; confidential source, May 2023.

4.5 Demonstrations

Freedom of assembly has been further compromised across the country during this reporting period.¹⁸⁹ This was particularly true in the part of the country controlled by Houthi rebels, where the vast majority of Yemenis live. According to various sources, this part of the country has been increasingly taking on the characteristics of a police state since the truce.¹⁹⁰ In various sectors of society, Houthi *de-facto* authorities felt that the truce had empowered them to increase control over the population, and space for dissent has largely disappeared. Demonstrations did not take place for fear of the consequences such expressions would have.¹⁹¹ As one source characterised the climate, 'If you don't cooperate, you'll be arrested'.¹⁹² Demonstrations following a forced disappearance or killing, as still occurred a few times during the previous reporting period,¹⁹³ have not been observed in territory controlled by Houthi rebels during this reporting period. Some demonstrations were observed in the internationally recognised government-controlled region, including a protest in Aden against the poor economic situation in late December 2022. In that part of the country, the mere participation in a demonstration for citizens without a high profile (i.e. who were not politicians, activists or journalists), did not generally lead to arrest or detention.¹⁹⁴

4.6 Armies and recruitment

Since the previous reporting period, there have been no relevant changes regarding the legislation on **recruitment** and **desertion** by the Houthi forces, the government army or militias allied with the government army.¹⁹⁵ The practice of recruitment and the handling of desertion by the warring parties also remained broadly the same during this reporting period, although there seems to have been a decline in the recruitment of child soldiers by the armed forces of the internationally recognised government. The following may be mentioned here in this regard.

All warring parties involved in the conflict recruited **child soldiers** during this reporting period, even though this is not a formal policy; neither in Houthi territory nor in government-controlled territory.¹⁹⁶ The recruitment of child soldiers violates Yemeni law, including the Juvenile Welfare Act of 1992 and the Rights of the Child Act of 2002.¹⁹⁷ The US State Department stated that Yemen's internationally recognised government deployed child soldiers from April 2021 to sometime in March 2022.¹⁹⁸

In April 2022, the Houthi movement and the internationally recognised government signed an agreement with the UN containing a renewed commitment to combat the

¹⁸⁹ Confidential source, May 2023.

¹⁹⁰ Confidential source, May 2023; confidential source, May 2023; confidential source, May 2023.

¹⁹¹ Confidential source, May 2023, confidential source, May 2023, confidential source, May 2023; confidential source, May 2023.

¹⁹² Confidential source, May 2023.

¹⁹³ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, p. 65, August 2022; Arab News, *Rare Protests in Yemen after Activists Death*, 24 March 2021.

¹⁹⁴ Confidential source, May 2023.

¹⁹⁵ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, pp. 30-31.

¹⁹⁶ UNSG, *Annual Report of the UN Secretary-General on children and armed conflict*, 12 July 2022; HRW, *Yemen, events of 2022, Children and Armed Conflict*; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; The Arab Center Washington DC, Afrah Nasser, *Child Soldiers in Yemen: Cannon Fodder for an Unnecessary War*, 2 February 2023; confidential source, May 2023; confidential source, May 2023.

¹⁹⁷ Arab Center Washington DC; Afrah Nasser, *Child Soldiers in Yemen: Cannon Fodder for an Unnecessary War*, 2 February 2023.

¹⁹⁸ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

use of child soldiers. The internationally recognised government also promoted an active policy to counter the recruitment of child soldiers and, with the involvement of the Ministry of Human Rights, had reportedly appointed a focal point in every unit or militia under their command.¹⁹⁹ In December 2022, the UN reported a 'significant decrease' in the number of verified cases of recruitment of child soldiers.²⁰⁰ According to various sources, the recruitment of children is still common in practice amongst the armed forces in the anti-Houthi camp, but on a considerably smaller scale than amongst Houthi rebels.²⁰¹

For the Houthi rebels, this involved the recruitment of several hundred children (including ten-year-olds), during the first months of the truce.²⁰² According to the Iraqi news site Al Mashareq, based on the authority of Houthi officials and other sources, the Houthi movement scaled up recruitment and prepared children for the fight in 'summer camps' in the summer of 2022 (and thus during the truce).²⁰³

According to a survey published in December 2022, a total of 3,995 children have been recruited since the start of the conflict in 2015, including 3,904 boys for combat and 91 girls deployed at checkpoints.²⁰⁴ There was undiminished economic motivation for the practice of recruiting child soldiers: given the poor economic situation, soldiering was a welcome addition to family incomes. Militias often provided the only employment opportunities available. There have also been reports of social pressure for children to serve in the armed forces.²⁰⁵

4.7 LGBTQI+

The situation regarding LGBTQI+ rights in Yemen has not improved since the last reporting period.²⁰⁶ Although homosexuality itself was not punishable, sexual acts with someone of the same sex were punishable by death for married men and up to seven years in prison for women.²⁰⁷ There are no known recent cases of actual execution.²⁰⁸ Nevertheless, members of the LGBTQI+ community were subjected to arbitrary arrest, torture (including rape and other forms of sexual violence), threats and harassment by the Houthi *de-facto* authorities, as well as by the internationally recognised government of Yemen and the STC. The STC and Houthis reportedly arrested at least five people on grounds of non-compliance with female or male appearance and/or behaviour in public or on social media or following LGBTQI+-

¹⁹⁹ Confidential source, 2023.

²⁰⁰ Office of the Special Representative on Children and Armed Conflict, *Yemen, Developments and Concern*, 5 December 2022.

²⁰¹ Al Jazeera, *Houthis continue to recruit Child-Soldiers, despite Truce*, 16 June 2022; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; UN General Assembly, *Children and armed conflict (A/77/895-S/2023/363)*, pp. 26-27, 5 June 2023; confidential source, May 2023.

²⁰² AP, *In Yemen, Child Soldering continues Despite Houthi Promise*, 12 June 2022; Al Jazeera, *Houthis continue to recruit Child-soldiers, despite Truce*, 16 June 2022; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023; confidential source, May 2023.

²⁰³ Al Mashareq, *Yemen takes Steps to protect Children from the Effects of War*, 12 August 2022; AP, *In Yemen, Child Soldering continues Despite Houthi Promise*, 12 June 2022; Al Jazeera, *Houthis continue to recruit Child-Soldiers, despite Truce*, 16 June 2022.

²⁰⁴ UNICEF, *More Than 11,000 Children Killed or Injured in Yemen: UNICEF Executive Director, Catherine Russel Calls for Urgent Renewal of Truce Following Visit*, 12 December 2022; see also UNICEF, *Yemen Crisis*, last updated on 22 May 2023.

²⁰⁵ Confidential source, May 2023; confidential source, May 2023.

²⁰⁶ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023, confidential source, May 2023, confidential source, May 2023.

²⁰⁷ HRW, *2022 Annual Report*, 18 April 2023; AMERA International, *Yemen LGBTQI+ Resources*; Equaldex, *LGBT Rights in Yemen*, (www.equaldex.com/region/yemen), consulted on 12 June 2023; confidential source, May 2023.

²⁰⁸ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023.

related activism.²⁰⁹ An LGBTQI+ person was picked up and questioned by plainclothes officers on the street on suspicion of sodomy, transferred to another prison, where this person was further questioned, beaten and raped. Houthi officers arrested a homosexual man on the street on suspicion of sexually deviant behaviour. He was detained for several hours and first released after agreeing to cooperate in keeping an eye on and entrapping other men and reporting on this to the Houthi authorities.²¹⁰

Apart from the criminalisation and strict penalties for LGBTQI+ orientation and activities, these issues were subject to a major societal taboo and a hostile climate, as a result of which people have very limited space for being open about their orientation, for fear of persecution. Persons suspected of having an LGBTQI+ orientation have experienced discrimination.²¹¹ Men of LGBTQI+ orientation were vulnerable to sexual violence used by other men to reinforce their own base of power.²¹² One source typified the situation in the area controlled by Houthi rebels as even more hostile than it was in the government-controlled area.²¹³ The same source characterised the danger of criminal prosecution for homosexual men in particular as acute. Even in the previously relatively tolerant Aden, attitudes towards homosexuality are said to have become more hostile, due in part to the influence of more conservative immigrants and Internally Displaced Persons (IDPs).²¹⁴ Another source indicated that attempts by the international community to improve the position of the LGBTQI+ community were in danger of backfiring, given the prevailing conservative societal attitudes.²¹⁵

4.8 Women's rights

The relevant formal legislation has remained unchanged. The specific rights and duties of women are set out in the Personal Status Law of 1992, which was also in force during this reporting period. For example, the law prescribes that the husband is the formal head of the household and has the right to be obeyed by the wife, who has the general duty to obey the husband. By law, women's primary role in society is to perform household chores. Women need the consent of a male guardian to enter into marriage. Married women need permission from their husbands to leave the home. The provisions of the Personal Status Law on divorce, inheritance and guardianship are also disadvantageous to women. Furthermore, the provisions of the Penal Code include that a witness statement given by a woman is worth less than that of a man, and that the punishment can be reduced for a man who kills a female relative for alleged 'dishonourable' conduct.²¹⁶

²⁰⁹ AI, *Report 2022/23, The State of International Human Rights 2022, Yemen Country Report*, 28 March 2023.

²¹⁰ AI, *Report 2022/23, The State of International Human Rights 2022, Yemen Country Report*, 28 March 2023.

Regarding the arrest of the aforementioned LGBTQI+ person, the report uses the term 'third gender'. This generally refers to a person whose gender identity falls outside the traditional male-female spectrum. The report does not specifically indicate the gender identity of the person referred to here.

²¹¹ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; confidential source, May 2023.

²¹² Ingeborg Albert Rikheim, *The Power of Patriarchy: A qualitative case study of sexual violence against men in the conflict of Yemen, 2022*; confidential source, May 2023.

²¹³ Confidential source, May 2023.

²¹⁴ Confidential source, May 2023.

²¹⁵ Confidential source, May 2023.

²¹⁶ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, Sect. 3.1.6.1.

The position of women and the situation regarding women's rights had deteriorated, as compared to the previous reporting period.²¹⁷ Various sources have outlined a worrying view. There have been reports of systematic violation of the rights of girls and women, restriction of work-related travel of women without a male companion (*mahram*), obstruction of access to reproductive healthcare, restriction of employment opportunities, segregation of men and women in public spaces (such as schools, universities, restaurants and shops) and fuelling discriminatory behaviour and misogyny.²¹⁸

4.8.1 *Mahram*

The *mahram* (compulsory accompaniment of a woman by a male relative) was increasingly tightly enforced, particularly in the Houthi rebel-controlled region, thus increasingly restricting women's opportunities for movement and economic (or other) development.²¹⁹ The measure thus also affected humanitarian aid in Yemen. The rule also applied to female local staff members of the UN and humanitarian aid organisations. They were largely unable to be accompanied, forcing them to discontinue their jobs. This led to staff shortages at those organisations. The *mahram* has also had an additional limiting effect on access to assistance for women and girls, as this assistance could not be offered by women. This is because assistance provided to women by men, especially in maternity care, is generally considered inappropriate. This also applies to humanitarian work on behalf of victims of domestic and other violence.²²⁰ During a briefing at the SC in March, the UN assistant secretary-general for humanitarian affairs reported that the *mahram* rules and associated travel restrictions on female UN staff had not been lifted.²²¹

The *mahram* rules were not based on formal legislation, but were issued orally by the Houthi authorities, and they were thus also considered *de-facto* legislation.²²² According to reported cases, the instructions were also applied in a variety of situations, including by car rental companies or in the sale of bus tickets. While a *mahram* certificate (written approval from the husband or guardian) was initially sufficient for car rentals, the rule was tightened in July 2022, banning car rentals to women without a male escort. The travel restriction did not only apply within areas controlled by Houthi rebels, but also to travel to areas controlled by the government

²¹⁷ UNFPA, *Yemen, a Crises for Women and girls*, 29 March 2023; UNFPA, *Violence Plagues Women & Girls amid Yemen's Relentless Conflict*, 28 February 2023; HRW, *Houthi's violating Women's and Girls' Rights in Yemen*, 6 February 2023; AI, *Yemen, Huthis 'suffocating' women with requirement for male guardians*, 1 September 2022; UN Working Group on Discrimination against Women and Girls, *Mandates of the Working Group on discrimination against women and girls; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the right to education; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on violence against women and girls, its causes and consequences (AL YEM 2/2022)*, 2 December 2022.

²¹⁸ UN Working Group on Discrimination against Women and Girls, *AL YEM 2/2022*, 2 December 2022.

²¹⁹ OCHA head, Martin Griffiths during a Security Council briefing, 9244th meeting on 16 January 2023 (UN Security Council, *Seventy-eighth year, 9244th meeting: The situation in the Middle East (S/PV.9244)*, 16 January 2023); AI, *Yemen, Huthis 'suffocating' women with requirement for male guardians*, 1 September 2022, particularly: 'Since April, the Huthi de facto authorities have increasingly insisted on the mahram requirement to restrict the movement of women across areas they control in northern Yemen, including Saada, Dhamar, Hodeidah and Hajjah governorates, and Sanaa'; HRW, *Trapped: How male guardian policies restrict women's travel and mobility in the Middle East and North Africa*, pp. 113-117, 18 July 2023.

²²⁰ AI, *Yemen, Huthis 'suffocating' women with requirement for male guardians*, 1 September 2022.

²²¹ UN Security Council, *Security Council Report: April 2023 Monthly report*, 1 April 2023.

²²² AI, *Yemen, Huthis 'suffocating' women with requirement for male guardians*, 1 September 2022; UN Working Group on Discrimination against Women and Girls, *AL YEM 2/2022*, 2 December 2022. '...It was reported that in August 2022, Ansar Allah's Land Transport Regulatory Authority (LTRA) issued a verbal directive stating that a woman was not permitted to travel unaccompanied by a mahram within Ansar Allah-controlled governorates, to Government of Yemen (GoY)-controlled areas, or even outside the country'; HRW, *Houthi's violating Women's and Girls' Rights in Yemen*, 6 February 2023.

of Yemen and abroad.²²³ Given that these rules are not written, it is not possible to provide a detailed view of exactly which obligations are imposed and where. What is clear, however, is that these rules severely limited the ability to travel for women and girls.

In July 2022, in protest against the measure, the UN decided not to book female and male local staff on domestic or international flights operated by the United Nations Humanitarian Air Services (UNHAS) from Sana'a until the measure is withdrawn. This was intended to avoid the appearance of approving of the measure, which has been assessed as inherently discriminatory. In addition to significantly restricting the ability of women and girls to move around, in practice, the *mahram* rule resulted in cutting off humanitarian aid for women and girls, as well as for households run by women.²²⁴

Despite the lack of a legal basis, since the outbreak of the conflict in 2015 a long-standing practice has been increasing in Yemen whereby women are unable to obtain passports without a male escort.²²⁵ Prompted in part by a publicity campaign under the slogan 'My Passport without Guardianship', the Ministry of the Interior in internationally recognised government-controlled territory issued a circular in March 2022 that facilitated the process of obtaining passports for women (i.e. without a *mahram* requirement). According to the State Department, the issuance of passports to women had not yet improved in practice.²²⁶ Human Rights Watch also reported in July 2023 that, in practice, women still needed permission from a *mahram* to apply for a passport.²²⁷

4.8.2 *Violence against women and girls*

Women and girls continued to suffer disproportionately from gender-based violence (GBV).²²⁸ According to the United Nations Population Fund (UNFPA), violence against women and girls had increased instead, with IDPs, women-led households and the disabled being particularly vulnerable.²²⁹ This referred to various forms of GBV, including domestic violence, honour killings, female genital mutilation, child marriage and harassment. In addition to the conflict, the coronavirus pandemic enhanced the extent and scope of these forms of violence.²³⁰ In addition, all forms of GBV were strengthened by political and security instability. A failing law enforcement system and a fragile social safety-net system, as is the case in Yemen, further increased the severity and scope of GBV. Warring parties also used forms of GBV to curtail political and humanitarian activism, thereby hindering the access of women and girls to aid, mobility and, consequently, economic activity.²³¹ In addition, the stigma associated with sexual and gender-based violence has made

²²³ UN Working Group on Discrimination against Women and Girls, *AL YEM 2/2022*, 2 December 2022; HRW, *Trapped: How male guardian policies restrict women's travel and mobility in the Middle East and North Africa*, pp. 113-117, 18 July 2023.

²²⁴ UN Working Group on Discrimination against Women and Girls, *AL YEM 2/2022*, 2 December 2022.

²²⁵ *Les Glorieuses, Impact, Passport Control, how Yemeni Women won the Right to travel without Permission of a Man*, 28 April 2022; USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, p. 39.

²²⁶ USDoS, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2022*, March 2023.

²²⁷ HRW, *Trapped: How male guardian policies restrict women's travel and mobility in the Middle East and North Africa*, p. 115, 18 July 2023.

²²⁸ UNFPA, *2023 UNFPA Response in Yemen*, February 2023.

²²⁹ UNFPA, *Yemen, a Crisis for Women and Girls*, 29 March 2023.

²³⁰ Yemen Policy Center, *How Humanitarian and Peace Frameworks fail to respond to Gender-based Violence in Yemen*, December 2022.

²³¹ Yemen Policy Center, *How Humanitarian and Peace Frameworks fail to respond to Gender-based Violence in Yemen*, December 2022.

victims reluctant to report crimes, fearing repercussions from perpetrators (who are often in positions of local power).²³² For this reason, according to one source, it was also difficult to chart precise figures.²³³

Girls were at increasing risk of becoming victims of forced marriage, human trafficking and child labour.²³⁴ For 2023, the United Nations Population Fund (UNFPA) estimated that 7.1 million women and girls need help with regard to the prevention of or treatment for GBV in Yemen.²³⁵ According to Amnesty International, all parties in Yemen were guilty of violence and discrimination against women, in addition to imposing a series of oppressive informal and legal norms.²³⁶

One source described the situation with regard to GBV in Houthi territory as more severe than that in the government-controlled area.²³⁷ Relief activities and projects for victims of GBV in areas controlled by Houthi rebels needed prior approval from the Supreme Council for the Management and Coordination of Humanitarian Affairs and International Cooperation (SCMCHA), which routinely applied administrative delaying practices or tried to discourage projects.²³⁸ Most shelters for women and girls in the Houthi region were closed by the *de-facto* authorities, according to one source. In the rest of the country, only a handful of shelters (possibly three) with proper care facilities were available for victims of GBV. There were also a number of 'safe spaces' for women, where the focus was more on economic capacity-building.²³⁹

According to a January 2023 report by the UNFPA, two of every three girls in Yemen were married off before the age of eighteen years.²⁴⁰ Poor living conditions (such as displacement due to the conflict), economic malaise and the removal of social safety nets contributed to the decision of parents to marry off their daughters early.²⁴¹ According to one source, no marriage (either voluntary or forced) could be dissolved without the consent of the husband.²⁴²

4.9 Unaccompanied minors

During this reporting period, the relevant legislation for children, as described in the August 2022 country of origin information report, did not change substantially.²⁴³ According to established custom in Yemen, care for unaccompanied minors was provided within the extended family. Article 110 of the Yemeni Child Rights Law stipulates that unaccompanied children under the age of fifteen years who cannot be taken care of within the family are to be accommodated in either an alternative

²³² ICTJ, *ICTJ Hosts Training for Field Monitors with Yemen's National Commission Investigating Human Rights Violations*, 15 November 2022.

²³³ Confidential source, May 2023.

²³⁴ UNFPA, *2023 UNFPA Response in Yemen*, February 2023; UNFPA, *Yemen, a Crisis for Women and Girls*, 29 March 2023.

²³⁵ UNFPA, *2023 UNFPA Response in Yemen*, February 2023; UNFPA, *Yemen, a Crisis for Women and Girls*, 29 March 2023.

²³⁶ AI, *The State of International Human Rights, Yemen Country Report 2022*, 28 March 2023.

²³⁷ Confidential source, May 2023.

²³⁸ UN Working Group on Discrimination against Women and Girls, *AL YEM 2/2022*, 2 December 2022.

²³⁹ Confidential source, May 2023.

²⁴⁰ UNFPA, *Violence Plagues Women & Girls amid Yemen's Relentless Conflict*, 28 February 2023.

²⁴¹ UNFPA, *Violence Plagues Women & Girls amid Yemen's Relentless Conflict*, 28 February 2023.

²⁴² Confidential source, May 2023.

²⁴³ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, Section 3.1.9., pp. 61 and 62.

family (the *kafala* system)²⁴⁴ or in a shelter for minors. In addition, children aged fifteen years or older whose parents have fallen away often take charge of the family themselves.

In 2022, UNICEF recorded 3.2 million displaced children in Yemen. UNICEF provided temporary shelter for children and supported those who were not with their parents in finding relatives ('family tracing') and achieving reunification.²⁴⁵ Various NGOs (including War Child and Save the Children) were also active in providing protection and care for children, but no specific information was found on the care of numbers of unaccompanied minors within the various programmes.²⁴⁶ No indications were found that the practice of accommodating unaccompanied 'under the radar' minors described in the previous country of origin information report has changed.²⁴⁷

²⁴⁴ For an explanation of the *kafala* system, see: Assim & Sloth-Nielsen, 'Islamic kafalah as an alternative care option for children deprived of a family environment', in: *African Human Rights Law Journal*, 14 (2014), pp. 322–345.

²⁴⁵ UNICEF, *Yemen Country Office: 'Humanitarian Situation Report 2022'*.

²⁴⁶ Save the Children, *What is Happening in Yemen Right Now?* (savethechildren.org/us/where-we-work/yemen/), consulted on 29 May 2023; War Child, *Where We Work, Yemen*, (www.warchild.org.uk), consulted on 29 May 2023.

²⁴⁷ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, Section 3.1.9., pp. 61 and 62.

5 Marriage, birth, legal custody

A traditional Yemeni wedding requires a formal visit by the groom and his family to the bride's family, during which the bride's father is asked for his daughter's hand and precious gifts are exchanged. The groom sees his wife during that visit, and then again at the marriage ceremony. The father of the bride decides on the marriage, although he will sometimes ask his daughter for her opinion. The husband and wife celebrate separately with ritual customs for several days before the marriage. The objects of the dowry remain the property of the woman, even in the case of divorce. In the wedding ritual – always on a Wednesday – the groom and father of the bride sit together in the presence of the Islamic scholar, the *qadi*, and follow a ritual of questions and responses, after which the *qadi* places a white cloth over the shaken hands of father and groom. After this ritual, sultanas or money are scattered about. This is followed on Friday by the *Leylat az Zaffat* ritual, with a sumptuous meal for the community.²⁴⁸ According to one source, marriages that have taken place in a traditional manner under Islamic law but have not been formally registered carry legal validity.²⁴⁹

Although Yemen is committed through international treaties to oppose child marriages, there is no evidence of this in practice – neither by the internationally recognised government nor by the Houthi *de-facto* authorities. Attempts to enshrine a minimum age (eighteen or fifteen years) in law failed after the political turmoil surrounding President Saleh's departure in 2011. According to the most recent data from the NGO Girls not Brides, 32 percent of Yemeni girls under the age of eighteen years and 9 percent of those younger than fifteen years of age were married.²⁵⁰ According to one source, marriages with child brides could not be dissolved without the husband's consent.²⁵¹

Under international law and Yemeni law, children in Yemen are entitled to a legally registered name.²⁵² Birth registration was the responsibility of the Ministry of the Interior, and specifically the Civil Status Authority and Civil Registry. Formally, registration was required no later than 60 days after birth, although this is subject to a tolerance period of up to one year. In practice, many births were not recorded during the reporting period.²⁵³ According to information from the Civil Status Authority, for birth registration, a notification from a hospital, maternity or district mayor was sufficient (in addition to information regarding parents and/or the person doing the registration).²⁵⁴ Although births taking place outside a hospital could be registered, this was done to only a limited extent. According to one source, this was even more true for Muhamasheen, who rarely recorded births.²⁵⁵

²⁴⁸ [Zawaj.com](#), *Wedding Customs Around the World, A traditional Yemeni Wedding*, consulted on 27 May 2023; The Bell, *Wedding Traditions of Yemen*, 5 April 2022.

²⁴⁹ Confidential source, June 2022; confidential source, June 2022; confidential source, May 2023.

²⁵⁰ Girls not Brides, *Learning & Resources, Yemen* (www.girlsnotbrides/learning-resources/childmarriage), consulted on 27 April 2023).

²⁵¹ Confidential source, May 2023.

²⁵² Article 10 of the Yemeni Child Rights Law and Article 7 of the Convention on the Rights of the Child.

²⁵³ USDoS, *2022 Country Reports on Human Rights Practices: Yemen*, 20 March 2023; UNFPA, *Advancing civil registration for vital statistics in the Arab countries*, p. 79, 23 November 2022; Civil Registration Center for Development, *Towards universal birth registration in Yemen*, p. 9, May 2013; Landinfo, *Temanotat Jemen: Sivilregister, identitetsdokumenter og pass*, pp. 11-14, 27 June 2022; USDoS, Bureau of Consular Affairs (travel.state.gov), consulted on 27 April 2023.

²⁵⁴ Yemeni Ministry of the Interior, *Civil Registration Authority, Birth Certificate* (cra.gov.ye), consulted on 27 April 2023.

²⁵⁵ USDoS, Bureau of Consular Affairs (travel.state.gov), consulted on 27 April 2023; confidential source, May 2023.

More than three-quarters of all Yemeni children had no birth certificate.²⁵⁶ This made the children, especially those who were displaced and marginalised, vulnerable by restricting access to healthcare and schooling. It also made children more vulnerable to harsh treatment in the justice system, human trafficking and other forms of abuse.

In recent years, UNICEF has promoted birth registration with a number of field campaigns in sixteen provinces, particularly in areas where communities have been widely displaced. According to the UNICEF website, the organisation provided more than 54,000 children and adults with birth certificates during the campaign. The campaigns took place in areas controlled by the internationally recognised government, as well as in territory controlled by the Houthi *de-facto* authorities. The registration of births is thus also possible in areas controlled by the Houthi movement.²⁵⁷

²⁵⁶ UNICEF, *Obtaining Birth Certificates: The first step to realizing children's rights*, 14 February 2023; UNICEF, *Yemeni children are receiving their Passport for Life, nearly 83% of the children do not have a birth certificate*, [Unicef.org](https://www.unicef.org/yemen/stories/yemeni-children-are-receiving-their-passport-for-life-nearly-83-of-the-children-do-not-have-a-birth-certificate), 24 December 2018; Harvard FBX Center for Health & Human Rights, *Birth Registration will mean greater Protection for Children in Yemen*, 20 March 2015.

²⁵⁷ UNICEF, *Obtaining Birth Certificates: The first step to realizing children's rights*, [Unicef.org](https://www.unicef.org/yemen/stories/yemeni-children-are-receiving-their-passport-for-life-nearly-83-of-the-children-do-not-have-a-birth-certificate), 14 February 2023; confidential source, May 2023.

6 Refugees and displaced persons

6.1 Refugees in Yemen

As during the previous reporting period, Yemen is the only country in the Arabian Peninsula to have acceded to the 1951 Refugee Convention. Although aid organisations are trying to do their work in the Houthi-controlled part of the country through practical cooperation, access is limited for both international organisations and NGOs.²⁵⁸ Only one 'official' refugee camp exists in the area controlled by the internationally recognised government: the Kharez Camp in Lahj, where 9,000 refugees and asylum seekers resided in 2022. The camp was run by the UN and other donor agencies.

Yemen is part of what is known as the 'Eastern Corridor', along which large flows of migrants (mostly irregular) moved.²⁵⁹ Within Yemen, during the reporting period, after arriving from the Horn of Africa, migrants moved towards Saudi Arabia mainly along two routes: a south-eastern route through Hadramawt and Shabwah, and a more western route through Lahj and Taiz.²⁶⁰

By 2022, the UNHCR counted a total population of refugees and asylum seekers in Yemen of nearly 100,000 people, more than 90 percent of whom were from the Horn of Africa (Somalia, Ethiopia and Eritrea), with just under 10% from the Arab world (Iraq, Syria and the Palestinian Territories).²⁶¹ In the first six months of 2023, the IOM had already counted about 82,000 new migrants in Yemen.²⁶² In most cases, their goal was to travel through Yemen to Saudi Arabia. According to one source, the first Sudanese refugees also arrived in Yemen, as a result of the conflict in Sudan that flared up in spring 2023.²⁶³ According to the IOM, many migrants were victims of human trafficking, violence and other human rights violations.²⁶⁴ According to one source, smugglers took migrants headed for Saudi Arabia to Marib, where they usually became stranded.²⁶⁵ According to the human-rights organisation Mwatana, as early as January 2023, the number of violations committed by Saudi border units against African and Yemeni migrants had increased sharply.²⁶⁶ Migrants headed for Saudi Arabia were shelled at the Sa'da border with artillery and by snipers of the Saudi border units.²⁶⁷ In this regard, one source referred to 800 migrants who were killed and 1,700 who were wounded in 2022.²⁶⁸

²⁵⁸ Confidential source, May 2023, confidential source, May 2023; confidential source, May 2023.

²⁵⁹ IOM, Regional Office for the East and Horn of Africa, *Migration Along the Eastern Corridor, Report 32, 28 November 2022*.

²⁶⁰ IOM, *Data Monitoring Matrix, Flow Monitoring Survey (FMS) Quarterly Dashboard (January-March 2023)*, 21 May 2023; HRW, 'They fired on us like rain': Saudi Arabian mass killings of Ethiopian migrants at the Yemen-Saudi border, August 2023.

²⁶¹ UNHCR, *Refugee Data Finder*, <https://www.unhcr.org/refugee-statistics/download/>, consulted on 30 May 2022. Criteria consulted: year: 2022; country of origin: YEM; country of asylum: all countries.

²⁶² IOM Yemen, *Quarterly migration overview: January to March 2023*, 14 June 2023; IOM Yemen, *Dispatch: April 2023*, 15 June 2023; IOM Yemen, *Dispatch: May 2023*, 9 July 2023; IOM Yemen, *Dispatch: June 2023*, 14 August 2023.

²⁶³ Confidential source, May 2023.

²⁶⁴ IOM, *A Decisive Year for Yemen, IOM Appeals for USD 143 Million to Provide for Relief to Over 4 Million People in Need*, 27 February 2023.

²⁶⁵ Confidential source, May 2023.

²⁶⁶ Mwatana, *A Dark Year Despite the Truce, press briefing on the Human Rights Situation in Yemen in 2022*, 5 January 2023: 'The number of dead and wounded migrants reached hundreds'.

²⁶⁷ Confidential source, May 2023; confidential source, May 2023.

²⁶⁸ Confidential source, May 2023.

The increase in violent incidents against migrants at the border between Yemen and Saudi Arabia was confirmed in August 2023, in a comprehensive investigative report by Human Right Watch.²⁶⁹ The report described the journey of Ethiopian migrants by boat to the Yemeni coast and then overland towards migrant camps in Sa'da on the Saudi border. During their journey on foot across the Saudi border, the migrants were then regularly fired upon by Saudi border forces. According to Human Rights Watch, these forces used both targeted gunfire and mortars against groups of Ethiopian migrants. Although the exact number of casualties could not be determined, this would have involved 'hundreds, possibly thousands' of fatalities between March 2022 and June 2023.²⁷⁰

Migrants were also at risk of falling victim to ERW during their journey through Yemen.²⁷¹ One source also referred to cooperation between smugglers and the Houthi authorities. The latter brought migrants from the border in Sa'da back south and, at the frontline, made them cover the last stretch on foot.²⁷² According to one source, after returning from Saudi Arabia, most foreign migrants settled in Houthi-controlled territory and in Lahj.²⁷³

The IOM also received notification of Oman's deportation of more than three hundred migrants (most of whom were Ethiopian) from the border with Oman back to the Yemeni province of Mahrah during the first four months of 2023.²⁷⁴ The migrants had travelled through Yemen with the destination of Oman.

In 2022, the IOM supervised the safe return of more than 4,000 migrants from Yemen to destinations including Ethiopia.²⁷⁵ In addition, one source mentions the spontaneous return of 602 refugees to Somalia and 170 refugees to Ethiopia in 2022.²⁷⁶

6.2 Refugees from Yemen

In 2022, the UNHCR worldwide registered more than 72,000 refugees and asylum seekers from Yemen. In Jordan, the UNHCR registered 1,783 refugees and nearly 11,000 asylum seekers from Yemen, as well as 163 refugees and 7,900 asylum seekers in Egypt. In Somalia, the UNHCR recorded 9,877 refugees and no asylum seekers from Yemen in 2022. In the same year, there were 3,027 refugees and also no asylum seekers from Yemen in Djibouti.²⁷⁷

²⁶⁹ HRW, 'They fired on us like rain': Saudi Arabian mass killings of Ethiopian migrants at the Yemen-Saudi border, August 2023.

²⁷⁰ HRW, 'They fired on us like rain': Saudi Arabian mass killings of Ethiopian migrants at the Yemen-Saudi border, pp. 27-50, August 2023.

²⁷¹ Mwatana, *A Dark Year Despite the Truce*, press briefing on the Human Rights Situation in Yemen in 2022, January 2023; confidential source, May 2023.

²⁷² Confidential source, May 2023.

²⁷³ Confidential source, May 2023.

²⁷⁴ IOM, *Displacement Tracking System Yemen – Annual Rapid Displacement Tracking Dataset – 2022*, 10 January 2023.

²⁷⁵ IOM, *Voluntary Humanitarian Return Movements for Ethiopian Migrants Re-start in Sana'a*, 11 October 2022.

²⁷⁶ Confidential source, May 2023.

²⁷⁷ UNHCR, *Refugee Data Finder*, <https://www.unhcr.org/refugee-statistics/download/>, consulted on 1 September 2023. Selected criteria: Year: 2022 | Country of Origin: YEM | Country of Asylum: All countries.

6.3 Displaced persons

According to UNHCR figures, there were 4.5 million displaced persons in Yemen at the end of 2022,²⁷⁸ more than 1.5 million of whom were residing in hosting sites supported by the IOM and the UN.²⁷⁹ The remainder of the displaced persons were living primarily in houses within the community or in the field. In 2022, 60,000 displaced persons were added, mainly due to conflict or flooding. In the first six months of 2023, the IOM recorded a total of more than 21,000 people who had been displaced at least once. This was a substantial decrease from the first half of 2022, when the IOM had still counted more than 42,000 new displaced persons.²⁸⁰

At least 1.5 million of the 4.5 million displaced persons have sought refuge in Marib province, particularly in the city of Marib itself.²⁸¹ The displaced persons in Marib were staying in 197 camps, as well as with local communities. Many displaced persons also stayed in the area on the country's west coast. The IOM referred to a significant drop in the number of new displaced persons following the entry into force of the 2 April 2022 truce and the subsequent *de-facto* truce situation, which continued until the end of this reporting period.²⁸² The total number of 4.5 million displaced persons in 2022 was nevertheless slightly higher than that for 2021 (4.4 million).²⁸³

Few if any displaced persons have returned home to date. According to IOM research conducted among displaced persons in Marib in September 2022 (i.e. four months after the truce took effect), three quarters of the households surveyed had no intention of returning. Only 3 percent did intend to return to their original place of residence. The main reasons given for staying were the security situation in the original place of residence, security risks associated with the return journey and inadequate facilities in the original place of residence. Many displaced persons also expressed a lack of confidence in the peace talks and in an actual restoration of living conditions, even if a permanent truce were to become a reality.²⁸⁴ The presence of ERW was identified as an additional obstacle to return. One source cited the city of Al Hudayda as an example, where ERW have been dismantled in and around the city itself, but have yet to be dismantled in the field. As a result, local farmers could not yet return home.²⁸⁵ Most of the displaced persons interviewed in Marib (city and province) were from Sana'a, Marib, Dhamar, Al Hudayda, Hajjah, Ibb, Amran, Raymah and Al Mahwit. The return of displaced persons had taken place mainly to Taiz, Aden, Al-Dahle and Shabwah.

The IOM provided much of the humanitarian assistance to displaced persons and, in April 2023, the organisation warned in particular of poor access to even basic healthcare for displaced persons and locals in Marib, as well as along the west coast, due to budget shortfalls.²⁸⁶ Displaced persons were almost entirely dependent on humanitarian aid. In addition to difficulties in accessing basic services and the threat

²⁷⁸ UNHCR, *2022 Factsheet Yemen*, [UNHCR.org](https://www.unhcr.org).

²⁷⁹ UN CCCM, *Yemen, Response Overview*, consulted on 27 May 2023; confidential source, May 2023.

²⁸⁰ IOM, *Rapid Displacement Tracking: 2023 Biannual Report (January-June)*, 27 August 2023; confidential source, May 2023.

²⁸¹ UNHCR, *Refugee Data Finder*, <https://www.unhcr.org/refugee-statistics/download/>, consulted on 30 May 2023. Selected criteria: Year: 2022 | Country of Origin: YEM | Country of Asylum: All countries; confidential source, February 2023.

²⁸² IOM, *A Decisive Year for Yemen, IOM Appeals for USD 143 Million to Provide for Relief to Over 4 Million People in Need*, 27 February 2023.

²⁸³ UNHCR, *Global Focus datalink*, <https://reporting.unhcr.org/operational/operations>. Selected criteria: Country: Yemen; Year: 2021/population.

²⁸⁴ IOM, *Displacement Tracking Matrix, Marib IDP Intention Survey*, October 2022; confidential source, May 2023.

²⁸⁵ Confidential source, May 2023.

²⁸⁶ IOM, *Shortfall in Funding could leave Over Half a Million People in Yemen without Healthcare*, 6 April 2023.

of deportation, they had problems accessing documentation, which is also important for eventual return. In addition, displaced persons faced injuries due to the conflict along the frontline, as well as diseases (such as measles and polio) and gender-based violence.

In a number of cases, displaced persons from the north were forcibly evicted from their residences in the STC-controlled part of Yemen.²⁸⁷ This was also the case for Muhamasheen communities. In the province of Marib, no displaced persons from the north were expelled, and the authorities operated in a more facilitative manner.²⁸⁸ One source had observed increasing tension between local populations and displaced persons, partly as a result of the humanitarian support received by displaced persons. In some cases, displaced persons were also considered unwanted by the local population, as they originally came from areas of the enemy. This sometimes prompted expulsions. The relationship between displaced persons and migrants was also strained.²⁸⁹

The living conditions of displaced persons in the south were considered critical. High political fragmentation made delivering aid increasingly complicated.²⁹⁰ Conditions in the territory controlled by Houthi rebels were more difficult to ascertain, due to the lack of access for international organisations and NGOs in Houthi territory. As reported by one source, although the improved security situation resulting from the truce had positive effects for displaced persons, such progress was partly offset by other types of problems, including budget shortfalls, lack of local safety (due to practices such as carjacking and kidnapping), the stealing of humanitarian aid and, especially, the effects of increasingly strict *mahram* rules.²⁹¹ A source described humanitarian access in general both in the north and in the internationally recognised government-controlled area as less and worse than it had been before the truce.²⁹²

²⁸⁷ Confidential source, May 2023; confidential source, May 2023.

²⁸⁸ Confidential source, May 2023.

²⁸⁹ Confidential source, May 2023.

²⁹⁰ Confidential source, May 2023; see also confidential source, May 2023; confidential source, May 2023.

²⁹¹ Confidential source, May 2023.

²⁹² Confidential source, May 2023.

The situation regarding returning Yemeni refugees is broadly the same as described in the previous country of origin information report, and the overview is thus similarly incomplete, due to a lack of factual information. The following could be noted.

Most Yemeni migrants move to Saudi Arabia in search of work for economic reasons. As noted in the previous country of origin information report, significant numbers of Yemenis from Saudi Arabia have migrated back to Yemen since 2021, due to stricter visa requirements and higher work-permit prices in Saudi Arabia.²⁹³ Almost all returning Yemenis crossed the border at Al Wadeeah near the provinces of Hadramaut and Al Jawf. The number of returning Yemenis in 2020 (more than 14,000) almost doubled to 27,000 in 2021, thereafter more than doubling to 65,737 in 2022. In the first half of 2023, the IOM counted 27,078 returning Yemenis.²⁹⁴ According to the IOM, the decision to return had more to do with the aforementioned conditions in Saudi Arabia than with the improved security situation in Yemen since the truce took effect and the *de-facto* truce situation since then in Yemen.²⁹⁵

Most returning Yemenis faced forced deportation in Saudi Arabia after entering the country in an irregular manner. Others were forced to return because they could no longer comply with recent immigration and tax regulations, according to the IOM. Returning Yemenis were almost exclusively male (95 percent). Children accounted for 3 percent of all returning Yemenis, and one in three returning children travelled unaccompanied, according to the IOM. Only 4 percent of Yemenis returning from Saudi Arabia had valid documents.

It was not possible to determine exactly where in Yemen the returnees eventually settled, but from a survey based on interviews conducted at the border by the IOM, the majority intended to travel to northern provinces controlled by Houthi rebels (Al Mahwit, Sana'a, Amran, Sa'da, Hajjah and Al Hudayda).²⁹⁶ One source described the returning Yemenis as an exceptionally vulnerable group.²⁹⁷ One source also pointed out the negative impact of the return on the income situation of Yemeni families, due to the decrease in remittances from Saudi Arabia.²⁹⁸ The UNHCR has issued no recent advice about returning to Yemen. The most recent advice dates from October 2021.

Multiple sources considered it highly plausible that the internationally recognised government, the STC and the Houthi de-facto authorities had and were working with lists of wanted persons.²⁹⁹

²⁹³ Dutch Ministry of Foreign Affairs, *General Country of Origin Information Report on Yemen*, August 2022, Section 6, p. 79.

²⁹⁴ IOM, *Data Tracking Matrix, IOM Yemen Flow Monitoring Registry*, <https://dtm.iom.int/data-product-series/flow-monitoring-registry>, consulted on 2 September 2023.

²⁹⁵ IOM, *Data Tracking Matrix, IOM Yemen Flow Monitoring Registry, Non-Yemeni Migrant Arrivals and Yemeni Migrant Returns to Yemen in 2022*, 8 March 2023.

²⁹⁶ IOM, *Data Tracking Matrix, IOM Yemen Flow Monitoring Registry, Non-Yemeni Migrant Arrivals and Yemeni Migrant Returns to Yemen in 2022*, 8 March 2023.

²⁹⁷ Confidential source, May 2023.

²⁹⁸ Confidential source, May 2023.

²⁹⁹ Confidential source, May 2023; confidential source, May 2023.

Little to no concrete information was available on failed attempts at return to Yemen by asylum seekers from Europe or other western countries. The UNHCR had no access to relevant data (such as numbers, origin or conditions for admission upon return). In addition, no information was found on specific circumstances (such as security or the nature and motive for departure of returning Yemenis). It can be assumed that returning Yemenis at least faced the conditions experienced by displaced persons, as described in Section 6.3 above.

8 Appendices

8.1 Publications consulted

141 NGOs

- Open letter to the Yemeni Parties to the Conflict from 141 NGOs; Restore and Renew the Truce and Build a Lasting Peace, 22 March 2023

Abductees' Mothers Association (AMA)

- Mothers at the Gates of Justice 4: Seventh annual report, 22 July 2023

Agency for Technical Cooperation & Development (ACTED), IOM, Camp Coordination Camp Management (CCCM), Norwegian Refugee Council (NRC)

- 2022 Muhamasheen community profile, survey conducted with Muhamasheen populations in IRC-controlled areas in Yemen, 2022, 21 March 2023

AI Monitor

- In Yemen, Saudi-Houthi Talks signal Imminent Cease Fire, but no Peace in Sight Yet, 12 April 2023

Amnesty International

- The State of International Human Rights 2022, Yemen Country Report, 28 March 2023
- Yemen: Huthis 'suffocating' women with requirement for male guardians, 1 September 2022
- Yemen, End the male guardianship restriction for releasing women from prison, 25 January 2023
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- Yemen: Social Impact Monitoring Report October-December 2022
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- Al Qaida in the Arabian Peninsula, Sustained Resurgence in Yemen or Signs of Further Decline, 6 April 2023

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Assessment Capacities Project (ACAPS)

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- 2022 Annual Report, March 2023
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Council on Foreign Relations

- Yemen's Tragedy, War, Stalemate and Suffering, 1 May 2023

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- Understanding Military Units in Southern Yemen, 16 December 2022

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- Press Release: Reduction in Fighting has not alleviated Yemen's Humanitarian Crisis, 16 October 2022

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- Yemen's parallel war in Cyberspace, 6 January 2022

Global Policy

- Securitisation Imperatives and the Exaggeration of the Iranian Involvement with the Houthi Movement by International Actors, 7 April 2023

Greenpeace:

- FSO Safer, A Ticking Timebomb

Harvard FBX Center for Health & Human Rights

- Birth Registration Will Mean Greater Protection for Children in Yemen, 20 March 2015

Human Rights Watch

- World Report 2023, Yemen, 26 March 2023
- Yemen: Release arbitrarily detained people, 18 April 2023
- Yemen: Houthis Forcibly Disappear Baha'is, armed forces storm community meeting, 30 May 2023

- Houthis violating Women's and Girls' Rights in Yemen, 6 February 2023
- Trapped: How male guardian policies restrict women's travel and mobility in the Middle East and North Africa, 18 July 2023
- 'They fired on us like rain': Saudi Arabian mass killings of Ethiopian migrants at the Yemen-Saudi border, August 2023

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- Accountability in Yemen Requires a Comprehensive Transitional Justice Process, 20 March 2023
- ICTJ Hosts Training for Field Monitors with Yemen's National Commission Investigating Human Rights Violations, 15 November 2022

International Committee of the Red Cross (ICRC)

- Yemen in Focus 2022, War in Yemen

International Crisis Group (ICG)

- Misunderstanding Yemen, 20 September 2021
- How Huthi-Saudi Negotiations Will Make or Break Yemen, 29 December 2022
- Yemen's Troubled Presidential Leadership Council, 4 May 2023

International Legal Assistance Consortium, PILPG, in partnership with DeepRoot Consulting

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- Terrorism Monitor: Volume XVI, Issue 2, 26 January 2018

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- Tenth Periodic Report (1 July 2021-31 July 2022), 22 August 2022

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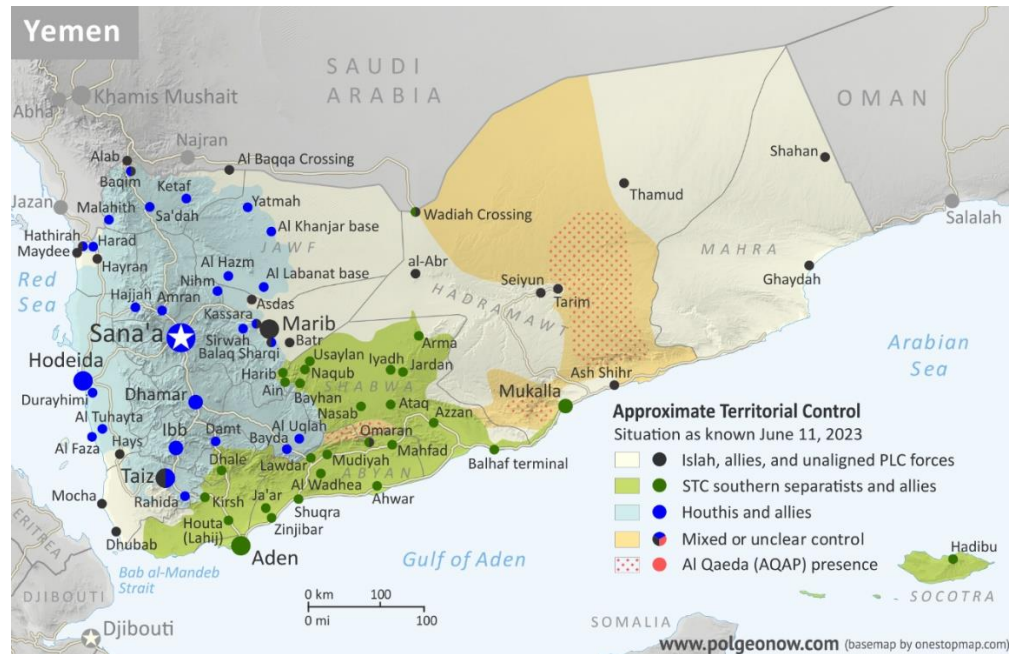
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8.4 Abbreviations used

ACAPS	Assessment Capacities Project
ACLED	Armed Conflict Location & Event Data Project
AQAP	Al-Qaida on the Arabian Peninsula
CIMP	Civilian Impact Monitoring Project
ECDHR	European Centre for Democracy and Human Rights
ERW	Explosive remnants of war
FSO (Safer)	Floating storage and offloading unit
GBV	Gender-based violence
GEE	Group of Independent Eminent International and Regional Experts on Yemen
HRW	Human Rights Watch
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IOM	International Organization for Migration
IS	Islamic State
JRF	Joint Resistance Forces
KSA	Kingdom of Saudi Arabia
LGBTQI+	Lesbian, homosexual, bisexual, queer, intersex and other non-binary people
NGO	non-governmental organisation
OSESGY	Office of the Special Envoy of the Secretary-General for Yemen
PLC	Presidential Leadership Council
SC	Security Council
SCC	Specialised Criminal Court
SCMCHA	Supreme Council for the Management and Coordination of Humanitarian Affairs and International Cooperation
STC	Southern Transitional Council
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHAS	United Humanitarian Air Services
UNHCR	United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOHCHR	United Nations Office of the High Commissioner for Human Rights
USCIRF	United States Commission on International Religious Freedom
USAID	United States Agency for International Development
USDoS	United States Department of State
UAE	United Arab Emirates
UN	United Nations
UNSG	Secretary-General of the United Nations
WB	World Bank
WHO	World Health Organization

8.5 Map of Yemen



Source: Evan Centanni / Political Geography Now (<https://www.polgeonow.com/>), 11 June 2023