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2022 Country Reports on Human Rights Practices: Yemen

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TRANSLATIONS

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EXECUTIVE SUMMARY

Yemen is a republic with a constitution that provides for a president, a parliament, and an independent judiciary. The internationally recognized government's control was limited in large portions of the country's territory due to influence exerted by the Iran-backed Ansar Allah movement (known colloquially as the Houthis) and other nonstate actors. The most recent presidential election occurred in 2012, when Abdrabbuh Mansour Hadi won a two-year mandate as president. On April 7, President Hadi issued a presidential declaration transferring his powers to an eight-member Presidential Leadership Council to serve as the executive body of the government, whose members were sworn in on April 17 in Aden.

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The primary entities of the internationally recognized government of Yemen responsible for internal security are the Political Security Organization and the National Security Bureau. By law, both organizations report to the interior minister and then to the president. The Criminal Investigation Division, which conducts most criminal investigations and arrests, the paramilitary Special Security Forces, and the counterterrorism unit, also report to the interior minister. Ministry of Defense-supervised units also performed some internal security functions. Competing tribal, party, and sectarian influences reduced the government's ability to exercise authority in many areas. Houthi forces controlled most of the residual national security entities in sections of the north and other former state institutions. The government of Yemen staffed national security entities in areas under its control, although large areas under nominal government of Yemen control were effectively controlled by tribal leaders and local military commanders. The Southern Transitional Council and affiliated armed groups took responsibility for security in large areas of the south, including the government's temporary capital of Aden. Civilian authorities did not maintain effective control over security forces. There were reports that security personnel on all sides committed abuses.

On April 1, the UN special envoy for Yemen announced a two-month humanitarian truce between the government and the Houthis that resulted in the cessation of most military operations, although skirmishes continued in some Houthi-controlled areas. According to reporting from the United Nations and other monitoring organizations, the truce resulted in a sharp reduction in civilian casualties, increased the flow of essential goods, improved freedom of movement, and facilitated greater humanitarian access in several areas throughout the country. The truce also allowed for the resumption of commercial flights into and out of Sana'a airport, facilitated the entry of oil tankers into the port of Hudaydah, and included consultations to open roads in Ta'iz Governorate and other governorates. Negotiations to open blocked roads continued at year's end. International and domestic observers reported the Houthis used the relative calm of the truce to increase social controls, including imposing so-called guardianship restrictions on freedom of movement by women. The United Nations succeeded in renewing the truce twice. On October 2, the Houthis rejected a UN proposal to further extend it. Although the truce was not renewed by year's end, key truce terms continued to hold and discussions between the parties continued, with the United Nations reporting that there continued to be no major military escalation by parties to the conflict as negotiations continued toward a more durable cease-fire.

Significant human rights issues by all parties to the conflict included credible reports of: unlawful or arbitrary killings; enforced disappearances; torture or other cases of cruel,

inhuman, or degrading treatment or punishment; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners and detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including widespread civilian harm and unlawful recruitment or use of child soldiers by all parties to the conflict, particularly the Houthis; serious restrictions on freedom of expression and media, including violence, threats of violence, unjustified arrests or prosecutions against journalists, censorship, and the existence of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to choose their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on international human rights organizations; lack of investigation of and accountability for gender-based violence, including but not limited to domestic, intimate partner violence or both, as well as sexual violence; and child, early, and forced marriage and female genital mutilation. There were significant barriers to accessing reproductive health; existence of laws criminalizing consensual same-sex sexual conduct between adults; and existence of the worst forms of child labor.

Impunity for security officials remained a problem, in part because the government exercised limited authority and failed to investigate and prosecute abuse and corruption. Houthi control over former government institutions in the north severely reduced the government's capacity to conduct investigations. The Houthis continued to benefit from confiscation of state resources, taxes on the business sector, and diversion of humanitarian assistance. The government did not undertake any significant anticorruption activities, while the Houthis continued to misuse former anticorruption authorities to stifle dissent and repress political opponents.

Nongovernmental actors, including the Houthis, tribal militias, and terrorist groups (including al-Qa'ida in the Arabian Peninsula and a local branch of ISIS), committed significant abuses with impunity. January was the deadliest month for civilian casualties in three years, which included a Saudi-led coalition air strike that resulted in significant civilian deaths and injuries and damaged civilian infrastructure. (See the *Country Reports on Human Rights Practices* for Saudi Arabia, the United Arab Emirates, and Iran.) October press reports citing Oxfam noted a

60 percent reduction in civilian casualties during the six months following the start of the truce.

Section 1.

Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports of government, progovernment, rebel, terrorist, and foreign forces committing arbitrary or unlawful killings (see section 1.g.).

Established in 2012 by Presidential Decree No. 140, the National Commission for the Investigation of Alleged Violations of Human Rights (the National Commission) is the lead body within the government tasked with opening formal inquiries into allegations of human rights violations by all parties to the conflict. Between January 1, 2021, and July 30, 2022, the National Commission investigated 97 cases of alleged extrajudicial killings across the country. These included 42 cases of reported extrajudicial killings committed by the Houthis, 23 cases committed by government-backed military and security forces, and 32 cases committed by other nongovernmental actors.

The National Commission reported that at 9 p.m. on February 24, government-affiliated police officers in Aden Governorate's Crater District went to Khaled Ali Salem Ba Hakeem's house in the Shi'b al-Aidaroos neighborhood and tried to bring him to the police station for questioning. When he refused to go without an official order, an officer reportedly shot him and allowed him to die from his injuries without seeking medical care. The National Commission's investigation concluded that the leadership of the Crater Police Station in Aden was responsible for this violation. There were no updates at year's end as to whether authorities pursued prosecution or other accountability measures. The National Commission reported that on October 31, Houthi forces shot and killed Mazen Tawfeeq Qassem al-Sani' as he was passing through a Houthi-controlled checkpoint in the al-Taffah District of al-Baydha

Governorate. There were no updates at year's end as to whether authorities pursued prosecution or other accountability measures.

b. Disappearance

Between January 2021 and July 2022, the National Commission documented 859 cases of alleged detention and forced disappearances committed by all parties across the country. The Houthis were reportedly responsible for 665 of these cases, while the internationally recognized government and its affiliated security services were reportedly responsible for 166.

In May, one of 12 Yemeni nationals arbitrarily detained by the Houthis in connection with their work for the U.S. diplomatic mission in Sana'a died following months in detention after the Houthis detained him and other current and former U.S. locally employed staff in October 2021. There was no update by year's end on the whereabouts of the remaining 11 individuals targeted by the Houthis for working for the U.S. diplomatic mission in Sana'a. None had been charged with any crime at year's end.

In September, the Abductees' Mothers Association reported updates regarding nine civilians forcibly disappeared by Houthi forces between 2018 and 2019. In July, Houthi-controlled "courts" determined that the duration of their "imprisonment" was sufficient and ordered their release, but as of December, there was no indication they had been released.

During the year, Mwatana for Human Rights (Mwatana) documented the enforced disappearance of 160 persons, including 13 children and four women. The organization attributed 53 disappearances to the Houthis, 47 to Southern Transitional Council (STC)-affiliated forces, and 45 to government and government-affiliated forces.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution prohibits torture and other such abuses. Although the law lacks a comprehensive definition of torture, there are provisions allowing prison terms of up to 10 years for those convicted of torture. In a September 2021 report, the UN Human Rights Council Group of Eminent International and Regional Experts on Yemen (GEE) assessed that all parties to the conflict engaged in torture and other forms of mistreatment. Journalists,

human rights defenders, and migrants were among the victims of these abuses (see section 1.g.). This was the last report the GEE produced prior to the UN Human Rights Council's decision to not renew its mandate in 2021.

Between May 2016 and May 2022, Mwatana investigated 13 cases of torture, as well as 48 cases of arbitrary detention, at the United Arab Emirates (UAE)'s Al Rayyan detention site, formerly the Al Rayyan International Airport. Former detainees said they were held in dark narrow cells where they could barely move. They were reportedly subjected to various forms of physical and psychological torture, including prolonged solitary confinement, deprivation of food and water, beatings, electrocution, and threats. Some also were reportedly subjected to sexual violence, including forced nudity, beatings on the genitals, rape, and threats of rape.

In August, the Ma'rib-based Yemeni Organization for Prisoners and Abductees published a report documenting 17,638 cases of "physical and mental torture" of detainees in Houthi detention centers between September 2015 and December 2021, including the mistreatment of 587 children and 150 women. The report also documented 178 detainees "tortured to death" by the Houthis, including 10 children and three women. According to the report, the Houthis subjected detainees to electric shock, beatings, and the "grill method," which involves suspending detainees over a steel rod for more than 24 hours.

Impunity remained a significant problem among security forces, including a lack of effective mechanisms to investigate and prosecute abuse. Civilian control of security agencies remained weak. There was no information that the government prosecuted any personnel for alleged human rights abuses, or that the Houthis or the STC took any accountability measures.

Prison and Detention Center Conditions

Prison conditions were harsh and did not meet international standards. Monitoring organizations reported overcrowding, limited ventilation, extremely high temperatures and humidity, and lack of access to natural light, bathroom facilities, health care, water, and sufficient meals.

The government exercised limited control over prison facilities. The Houthis, the STC, and rural tribes operated detention facilities within their respective areas of control.

Tribes in rural areas operated unauthorized “private” detention centers based on traditional tribal justice. Tribal leaders occasionally placed “problem” tribesmen in private jails, which sometimes were simply rooms in a sheikh’s house, to punish them for noncriminal actions. Tribal authorities often detained persons for personal reasons without any formal trial or judicial sentencing.

Prison authorities across the country kept women who had completed their sentences in jail if there was no male guardian to accompany them on release, or they released them only to women’s shelters if their families refused to receive them.

Abusive Physical Conditions: In August, the Abductees’ Mothers Association reported on deteriorating health care in Aden’s Bir Ahmed Prison, particularly for detainees who remained in the prison for an extended period.

The Abductees’ Mothers Association also reported on poor conditions in the Houthi-run “Security and Intelligence Prison” in Sana’a. Detainees were reportedly subjected to starvation, solitary confinement, and beatings. Detainee family members were frequently subject to abuses and assaults while visiting detention centers. Detainees also reportedly lacked access to health care. The SAM Organization for Rights and Liberties (SAM) found that at times when detainees were taken to the hospital, the detainees’ families were forced to cover their medical expenses, although the Abductees’ Mothers Association noted at times prisoners were denied medicine provided by families. The group also reported that prisoners lacked blankets at several prisons under Houthi control.

The Abductees’ Mothers Association reported cases of partial paralysis, loss of hearing and sight, and death as the result of inadequate health care in detention centers. Many detainees also raised complaints before the court regarding the lack of health care in detention centers. Some detainees contracted diseases during their arrests, resulting in the deterioration of their health. Decisions were issued to refer detainees to doctors in some cases, but these decisions were rarely implemented, according to the Abductees’ Mothers Association.

The Ma’rib-based Yemeni Organization for Prisoners and Abductees documented 16 cases of death reportedly caused by deliberate medical negligence in Houthi prisons.

Administration: Limited information was available on prison administration. There was no information on whether authorities conducted investigations of credible allegations of

mistreatment. There was no ombudsman to serve on behalf of prisoners and detainees.

Authorities at government-controlled prisons generally allowed visitors to see prisoners and detainees when family members knew a detainee's location but limited the access of family members to detainees accused of security offenses. Family visits were arbitrarily halted in some cases.

Authorities permitted prisoners and detainees to engage in Islamic religious observances but prevented religious minorities from practicing their faiths.

In January, the National Commission conducted a field visit to government-run prisons in the Ta'iz Governorate, where they visited the Central Prison, the Criminal Investigation Prison, the Military Police Prison, the Women's Prison, and the Political Security Headquarters. The National Commission received numerous complaints from prison administrators that they were unable to provide enough food and medicine for the detainees in these prisons.

According to the report, the Houthis operated 639 prisons, of which 230 were public and 298 were secret facilities. The Houthis also created 111 new prisons in the basements of government institutional facilities.

Independent Monitoring: The conflict prevented prison monitoring by independent human rights observers. Monitoring organizations obtained information regarding the condition of prisons from released detainees and their family members. Humanitarian organizations reported that controlling authorities denied them access to detention centers. They also reported receiving threats related to their work, particularly from the Houthis.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but all parties to the conflict continued to arbitrarily detain individuals. The lack of functioning legitimate government institutions was the overarching obstacle to rule of law (see sections 1.c. and 1.g.).

Arrest Procedures and Treatment of Detainees

The law provides that authorities cannot arrest individuals unless they are apprehended while committing a criminal act or served with a warrant. Authorities must arraign a detainee within

24 hours or release them. A judge or prosecuting attorney, who decides whether detention is required, must inform the accused of the basis for the arrest. The law stipulates authorities may not hold a detainee longer than seven days without a court order. The law prohibits incommunicado detention, provides detainees the right to inform their families of their arrest, and allows detainees to decline to answer questions without an attorney present. The law requires the government to provide attorneys for indigent detainees, prohibits arrests or serving subpoenas between sundown and dawn, and contains provisions for bail. UN bodies, nongovernmental organizations (NGOs), and media reporting concluded that all parties to the conflict frequently violated these laws and international human rights norms (see section 1.g.).

Detainees often did not know which investigating agency arrested them, and the agencies frequently complicated matters by unofficially transferring custody of individuals between agencies.

Houthi-controlled entities and “courts” were accused of granting bail only if they received a bribe. Tribal mediators commonly settled cases in rural areas without reference to the formal court system.

According to SAM, on January 24, detainee Ibrahim Hilan died in the prison inside the Fourth Military District under the control of the government in Ma’rib City following a military raid on his barbershop on December 26, 2021. His family was informed that Ibrahim’s body was sent to the Authority Hospital in Ma’rib for an autopsy; however, the results had not been shared with the family as of the year’s end.

Arbitrary Arrest: The law prohibits arrests or serving subpoenas between sundown and dawn, but local NGOs reported government, STC, and Houthi security agents detained some persons suspected of crimes from their homes at night without warrants.

The UN Security Council Panel of Experts (POE) January report noted that the judicial system is weak and, in the few cases of arbitrary arrest or detention for which it issues orders or decisions, such rulings are largely disregarded by authorities and security forces. Local NGOs reported arrests by unidentified authorities and frequent incommunicado detentions for long periods of time. Between July 1, 2021, and July 31, 2022, the National Commission investigated 883 cases of arbitrary detention involving 1,142 victims. The National Commission investigated 650 cases allegedly perpetrated by the Houthis, 157 cases allegedly perpetrated by the Yemeni government, and 26 cases allegedly perpetrated by other parties.

The POE January report documented investigations into 34 cases of arbitrary arrests between December 6, 2020, and December 5, 2021; 18 were attributed to the government and its affiliated forces and 16 were attributed to the STC and its affiliated forces.

According to the Abductees' Mothers Association, there were 21 civilians arbitrarily detained by the government of Yemen in Ma'rib and Ta'iz at the start of 2022, 507 arbitrarily detained by Houthi forces in Houthi-controlled territory, 85 by the Southern Transitional Council-aligned Security Belt Forces in Aden, and 11 by the UAE-backed and government-aligned joint forces on the west coast.

During the year, Mwatana documented the arbitrary detention of 265 civilians, including 43 children and eight women; of these, the Houthis arbitrarily detained 146 civilians, government forces and affiliated groups arbitrarily detained 35, the STC detained 44, the joint forces arbitrarily detained 15, and armed elements belonging to al-Qa'ida in the Arabian Peninsula (AQAP) forcibly detained 3 civilians. According to a report published by SAM, on the morning of May 1, 10 fishermen from the al-Rabsa neighborhood, al-Hawk District, al-Hudaydah Governorate, went out for a fishing trip. After their boat broke down at five o'clock in the evening, Naval Forces – under the command of Major General Yahya Salah – arrested the fishermen and took them to an unknown destination. There was no update as to the fishermen's status or location at year's end.

On May 25, Abdulhameed al-Ajami, one of 12 persons unjustly detained by the Houthis due to their work for the U.S. diplomatic mission in Sana'a, died in Houthi custody. The additional 11 remained in detention at year's end.

There was no update on the two UN staff members who were arbitrarily detained in November 2021.

Pretrial Detention: Limited information was available on pretrial detention practices during the year, but persons arrested were frequently denied their constitutional right to be charged within 24 hours. Prolonged detentions without charge or, if charged, without a public preliminary judicial hearing within a reasonable time, were believed to be common practices, despite their prohibition by law.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, but there were no indications that any form of an independent judiciary existed.

The POE reported that the judicial system was weak, and that the parties to the conflict and security forces largely disregarded even the few orders or decisions the judiciary issued in cases of arbitrary arrest or detention.

The Abductees' Mothers Association reported in April on "constitutional and legal violations" that impede fair trials. For example, the Houthi-controlled "Specialized Criminal Court" in Sana'a did not allow detainees to meet with their lawyers privately, nor did it provide lawyers with adequate opportunities to prepare and present their defenses. Additionally, some sessions of this "court" were reportedly conducted in secret, with the lawyers and the accused blindfolded and taken to the "court" with only one day's notice.

On February 22, the "Specialized Criminal Court" in Sana'a purported to sentence three civilians to death after they were forcibly disappeared, detained under false charges, and mistreated until confession, according to Abductees' Mothers Association. There was no update by year's end as to whether the death sentences had been carried out.

Trial Procedures

The law considers defendants innocent until proven guilty. Authorities must arraign a detainee within 24 hours or release them. Trials were generally public, but all courts may conduct closed sessions "for reasons of public security or morals." Judges, who play an active role in questioning witnesses and the accused, adjudicate criminal cases. Defendants have the right to be present and to consult with an attorney in a timely manner. The law allows defense attorneys to counsel their clients, address the court, and examine witnesses and any relevant evidence. The law provides for the government to furnish attorneys for indigent defendants in serious criminal cases; in the past the government did not always provide counsel in such cases. There was no information regarding whether defendants have adequate time and facilities to prepare a defense or to free assistance of an interpreter. Defendants may confront or question witnesses against them and present witnesses and evidence on their behalf. Defendants have the right to not be compelled to testify or confess guilt and to appeal.

There was limited information available regarding respect for due process during the year. A court of limited jurisdiction considers security cases. A specialized criminal court, the State Security Court, operated under different procedures in closed sessions and did not provide defendants the same rights provided in the regular courts. Defense lawyers in security cases reportedly did not have full access to their clients' charges or court files.

In August, the Gulf Center for Human Rights (GCHR) reported that the Houthi-controlled "public prosecutor" charged human rights lawyer Abdulmajeed Sabra with "cooperating with countries of aggression," which GCHR described as harassment and targeting of Sabra due to his role in defending four journalists, and specifically for submitting an appeal to the Houthi-controlled "Specialized Criminal Court" questioning its jurisdiction over the cases.

In addition to established courts, there is a tribal justice system for noncriminal matters. Tribal judges, usually respected sheikhs, often adjudicated noncriminal cases under tribal law, which usually involved public accusation without the formal filing of charges. Tribal mediation often emphasized social cohesion more than punishment, sometimes at the expense of the accused's due process rights. The public often respected the outcomes of tribal processes more than the formal court system, which was viewed by many as corrupt and lacking independence.

The Houthis continued to "prosecute" more than 20 Baha'is on charges of apostasy and espionage dating from 2018; 19 remained in detention, and five were exiled.

Political Prisoners and Detainees

There were reports of political prisoners and detainees by all parties to the conflict. After the Houthis took over former state institutions, they detained activists, journalists, demonstration leaders, and other political figures representing various political groups and organizations opposed to the Houthis. The Houthis did not issue public "charges" against detainees and severely restricted or barred information to and access by local or international human rights organizations. NGOs claimed that absent public "charges," it was often difficult to determine whether these detentions were politically motivated.

In December, *Arab News* reported that in October a Houthi-controlled "Specialized Criminal Court" put 29 Yemenis from Sa'ada on trial for allegedly communicating with the Saudi-led coalition and the government between January 2014 and December 2020, allegedly relaying

the locations of Houthi military facilities and leaders. Government officials accused the Houthis of using the courts to target these individuals for their opposition to the Houthis. *Arab News* reported that the Houthi-controlled “court” commuted the death sentences of 16 of these individuals and sentenced 13 to prison.

According to the POE report, four journalists detained by the Houthis in 2015, abused, and sentenced to death remained in Houthi detention as of October (see section 2.a., Violence and Harassment).

Civil Judicial Procedures and Remedies

The law provides a limited ability to pursue civil remedies for human rights abuses as tort claims against private persons. There were no reports of such efforts during the year. Citizens cannot sue the government directly but may petition the public prosecutor to initiate an investigation.

Property Seizure and Restitution

According to the January POE report, the Houthis continued to push forward judicial procedures against Baha'is to seize their assets and properties, even though many of the defendants had been expelled from the country.

The January POE report noted that disputes over land and property were a long-standing problem but that the problem increased as armed groups seized increasingly valuable land. The POE investigated one case that involved a government-affiliated armed group led by Majid al-Araj. Al-Araj supporters raided the al-Harq family home in August 2021 and arrested three family members, one of whom died in detention.

In February, SAM published a report on the Houthis' use of its “judiciary” to seize assets from political opponents. The report documented the seizure of more than \$1.7 billion by the group's “judicial guard,” which includes the “Specialized Criminal Court” in Sana'a, the criminal prosecution office, and the public assets prosecution and “court.”

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary or unlawful interference with an individual's privacy, family, home, or correspondences; however, the government generally was unable to effectively enforce this law. According to human rights NGOs, Houthi-controlled agents searched homes and private offices, monitored telephone calls, read personal mail and email, and otherwise intruded into personal matters without even purporting to possess "warrants" or authorization from Houthi-controlled "courts."

The *al-Mashareq* news platform reported on July 7 that the Houthis monitored the behaviors of citizens through the use of informants and a hotline to encourage individuals to report those who opposed the group. Additionally, those who did not participate in Houthi-led activities and events were deprived of aid and social services, and in some cases detained as Houthi opponents.

The law requires the attorney general personally to authorize telephone call monitoring and reading of personal mail and email, but there was no indication the law was followed.

Citizens may not marry a foreigner without permission from the Ministry of Interior, the National Security Bureau, and, in some instances, the Political Security Organization under regulations that authorities enforced arbitrarily. The ministry typically approved marriages to foreigners if they provided a letter from their embassy stating the government of the noncitizen spouse had no objection to the marriage and presented a marriage contract signed by a judge. There was no available information on existing practice.

g. Conflict-related Abuses

The United Nations, NGOs, media outlets, and humanitarian and international organizations reported what they characterized as disproportionate and indiscriminate use of force by all parties to the conflict, causing civilian casualties and damage to infrastructure from shelling, airstrikes, and land mines, which was a leading cause of civilian deaths. Observers reported a significant reduction in military operations after the truce went into effect in April and a resulting significant decline in civilian casualties. The POE described impunity as the norm, with almost no support available for victims of violations of international humanitarian law (IHL) and human rights law.

Prior to the UN-mediated truce, Saudi Arabia continued military operations in support of the internationally recognized government of Yemen against the Houthis. As a result of the truce,

which remained largely in effect through the end of the year, there were no cross-border aerial attacks between Saudi and Houthi forces. Additionally, humanitarian assistance providers benefitted from improved access. The UN Civilian Impact Monitoring Project (CIMP) reported in June that the truce had resulted in a complete cessation of airstrikes on Yemen and an 85 percent reduction in civilian casualties from frontline violence.

In 2016, the Saudi-led coalition formed a Joint Incident Assessment Team (JIAT) composed of 14 individuals from the countries making up the Saudi-led coalition. Bahrain, Egypt, Jordan, Kuwait, Saudi Arabia, and United Arab Emirates were still members of coalition during the year. The Saudi-led coalition provided JIAT with a mandate to investigate facts, collect evidence, and produce reports and recommendations on “claims and accidents” during coalition operations in the country. In a witness statement to a United Kingdom court in May, Mwatana questioned the credibility and accuracy of JIAT investigations, accusing the group of using contradictory evidence and ignoring some cases.

In January, the JIAT refused to find any wrongdoing by the Saudi-led coalition in connection with four airstrikes on July 26-29, 2018, in Hudaydah Governorate’s Zabid District that had resulted in civilian harm and that NGOs had alleged included violations of IHL. In all four cases, the JIAT claimed that the Saudi-led coalition was either not responsible for the strike or asserted that the coalition took all feasible precautions, and thus maintained that the strike did not violate IHL. As of year’s end, the JIAT had not published any conclusions from its investigation of the January air strike on a detention facility in Sa’ada that killed at least 90 civilians and wounded more than 100 (see below).

Tribal militias and terrorist groups, including AQAP and a local branch of ISIS, also committed significant abuses.

According to a UN report published on April 18 on the UN action plan to strengthen the protection of children affected by armed conflict, more than 10,200 children had been killed or maimed since the beginning of the conflict.

Mwatana documented 64 shelling incidents during the year that killed 49 persons, including 31 children and three women, and injured 173 persons. Two cases were attributed to government of Yemen forces, 43 to the Houthis, 12 to Saudi border guards, and six to UAE-backed forces. Military vehicles that struck civilians killed 13 persons, including seven children, and wounded 21 persons, according to Mwatana. Government forces were reportedly

involved in three of these incidents, the STC in eight incidents, and west coast joint forces in two incidents. During the year, unattributed clashes killed 53 persons, including 18 children and two women, and wounded 142 persons, according to Mwatana.

According to CIMP, January was the deadliest month in the conflict in more than three years, with more than 650 civilian casualties reported. Saudi-led coalition airstrikes resulted in civilian casualties and damage to civilian infrastructure on multiple occasions. In late January, the Saudi-led coalition carried out three strikes that resulted in at least 90 civilian deaths and injured more than 100 at a Houthi-run detention facility housing migrant workers and pretrial detainees in Sa'ada. Coalition airstrikes reportedly destroyed two residential buildings and damaged four adjacent residential buildings in Sana'a, as well as a telecommunications building in Hudaydah, which disrupted internet access countrywide for several days.

The UN Human Rights Field Office in Yemen continued to monitor and document civilian casualties, reporting the deaths of at least 19 civilians and wounding of 32 more in approximately 20 conflict-related incidents in April and May, the first two months of the ceasefire. The majority of these casualties were reportedly caused by land mines, improvised mines, and explosive remnants of war.

The POE investigated six airstrikes allegedly conducted by the SLC in 2021 and published their findings in their January 2022 report. According to the report, these incidents resulted in the deaths of 12 civilians, including two children and one woman, and injuries to 13 persons, including three children and three women. The POE was able to conclude investigations in only two of the six incidents. The POE was unable to attribute responsibility to a specific actor in the January 16, 2021, incident. The POE, however, documented that remnants of the explosive ordnances were consistent with guided bombs used by the SLC in the March 21, 2021, incident. Of the March incident, the POE concluded that "it is unlikely that the principles of distinction and proportionality were respected."

During the year, Mwatana documented 13 drone attacks that killed at least nine civilians, including five children, and injured at least 33 civilians, including 20 children and five women. According to Mwatana, the progovernment Giant Brigades militia were responsible for two drone attacks in al-Dhale Governorate. The Houthis were responsible for 10 drone attacks in Hudaydah, Ta'iz, and Ma'rib Governorates. There were reports that the Houthis used civilians to shield combatants. Houthi forces reportedly used captives as human shields at military encampments and ammunition depots under threat of Saudi-led coalition airstrikes.

In February, AQAP fighters stopped a UN convoy traveling from Aden, kidnapping four UN personnel, including three Yemenis and one foreigner, and an interpreter. One week later, AQAP kidnapped a foreign UN employee working in a refugee camp in Lahij Governorate. In March, the AQAP kidnappers demanded a \$5 million ransom for the release of the captured UN employees. Tribal leaders continued to negotiate with AQAP to secure their release, although no progress was reported by year's end. AQAP also abducted two foreigners working for Doctors Without Borders in the eastern region in early March.

In December, NGO Human Rights Watch (HRW) published a letter from the UN Special Procedures offices alleging Saudi security forces intentionally killed migrants attempting to cross into Saudi Arabia from Yemen and detailed allegations of a clandestine grave containing the bodies of up to 10,000 migrants. (See section 2.e., Abuse of Migrants and Refugees and the *Country Report for Human Rights Practices for Saudi Arabia* for additional information.)

Physical Abuse, Punishment, and Torture: In January, the POE assessed that torture and mistreatment were endemic and committed by all parties.

The POE documented nine cases in which the Houthis detained, tortured, maimed, and sexually violated women who opposed Houthi views. The POE also documented four cases of sexual violence where the Houthi women security wing tortured women.

In Aden, the POE documented that 10 persons accused by STC-aligned forces of participating in attacks against mosques and clerics were tortured during their detention and forced to sign confessions. The POE also noted that evidence concerning the alleged torture was disregarded by the presiding judge in their case.

In July, the UN Committee Against Torture expressed concerns regarding allegations of torture by UAE-armed forces, state security agencies, and nonstate armed groups, as well as in UAE-run and UAE-backed detention centers located in Yemen.

In December, HRW published a letter from the UN Special Procedures offices alleging Saudi security forces intentionally targeted and tortured migrants attempting to cross into Saudi Arabia from Yemen (see section 2.e., Abuse of Migrants and Refugees for additional information.)

Child Soldiers: All parties to the conflict were implicated in child soldier recruitment and use. According to a UN report published in April 18 on the UN action plan to strengthen the protection of children affected by armed conflict in Yemen, there were nearly 3,500 verified instances of children being recruited as child soldiers since the conflict began. During the beginning of the truce in April, the Houthis signed a plan with the United Nations to end the recruitment and use of child soldiers, as well as to stop the killing and maiming of children in the conflict. According to HRW, the parties to the conflict had a poor record of upholding commitments made in UN action plans. Houthi leaders previously pledged to end the use of child soldiers in 2012, as did the government in 2014.

The Houthis continued to hold “summer camps” to recruit child soldiers, despite their pledge to cease such recruitment. According to an *Arab News* report on May 22, government officials and activists alleged the Houthis continued to use the camps to radicalize and indoctrinate minors to become soldiers.

On June 19, the Associated Press also reported that the Houthis were still recruiting children into their military ranks. Two Houthi officials told the news agency that the Houthis recruited several hundred children, including those as young as 10 years, during the prior two months and deployed them to front lines as part of a buildup of forces during the truce that went into effect in April.

Mwatana documented the recruitment and use of approximately 83 children, including at least three girls, by parties to the conflict during the year. Three children were recruited by the government forces; UAE-backed STC, Giant Brigades recruited four children; the west coast joint forces recruited four children; the progovernment Shabwa Defense Forces recruited eight children; Saudi-led coalition forces recruited one child; and the Houthis recruited 63 children, including three girls.

The January POE report documented a case in which an instructor committed sexual violence against a child who underwent military training in a Houthi-run summer camp. The POE also documented several cases in which the Houthis either provided or denied humanitarian assistance to families solely based on whether their children participated in fighting or not.

The lack of a consistent system for birth registration compounded difficulties in proving age, which at times contributed to the recruitment of children into the military (see section 6, Children, Birth Registration for additional details.)

The U.S. government has determined that the government of Yemen recruited or used child soldiers from April 2021 to March 2022. Please see the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Other Conflict-related Abuse: All parties to the conflict routinely imposed severe restrictions on the movement of persons, goods, and humanitarian assistance. Continued clashes, fuel shortages, damage to civilian infrastructure (including the food supply chain), and lack of access for and bureaucratic constraints on humanitarian and human rights organizations' ability to reach vulnerable populations contributed to the worsening humanitarian situation. According to the Humanitarian Needs Overview analysis, 23.4 million persons in the country were estimated to require humanitarian assistance, of whom 12.9 million were in acute need as of December. The primary humanitarian assistance areas to address were food insecurity and malnutrition, health, water and sanitation needs, and protection.

During the year, Mwatana documented 85 incidents in which parties to the conflict obstructed the access of humanitarian aid and essential materials to civilians. According to Mwatana's report, 23 of these incidents were attributed to government-affiliated forces; six to the STC, including one incident involving the alleged arbitrary detention and torture of an aid worker; and 55 were attributed to the Houthis.

In January, the Moyyun Organization for Human Rights published a statement documenting the Houthis' continued theft of humanitarian aid. Moyyun collected testimony from civilians in Sana'a, Dhama, Ibb, and Taiz Governorates on the Houthis' use of food and financial aid provided by the United Nations to finance their war effort. The civilians reported that the Houthis sold aid on the black market and distributed food and cash aid to families of Houthi fighters, distributing only small amounts of leftover aid, if any, to the intended recipients.

In January, the POE reported many adults participated in Houthi-organized summer camps or cultural courses due to fear of losing employment benefits or humanitarian assistance. Additionally, the Houthis threatened to treat nonparticipants as foreign collaborators, arresting several activists who refused to attend Houthi-sponsored events in April (see section 2.a., Freedom of Expression for additional information.).

Section 2.

Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

Although the constitution provides for freedom of expression, including for members of the press “within the limits of the law,” the law calls for journalists to uphold national unity and prohibits criticism of the head of state. Government-aligned actors did not respect these rights, and the Houthis significantly restricted freedom of expression in areas under their control, using violence and intimidation.

Freedom of Expression: All parties to the conflict severely restricted freedom of expression.

Women human rights defenders, journalists, and activists faced specific repression based on gender (see section 1.e., Political Prisoners and Detainees). Human rights defenders faced harassment, threats, and smear campaigns from the government, Saudi-led coalition, and Houthi forces. NGO Freedom House reported that freedom of expression and private discussion remained severely limited because of intimidation by armed groups and unchecked surveillance by the Houthis. In multiple instances, Houthi-controlled entities went to the homes of activists and political leaders opposed to the Houthis and used the threat of arrest to intimidate perceived opponents and to silence dissent.

Prior to the outbreak of conflict in 2014, the transitional government approved legislation to regulate broadcasting and television channels. Several domestic private radio and television stations operated under media production company permits, and others broadcast from abroad for domestic audiences. The ongoing conflict made reporting increasingly perilous for reporters and prevented many investigative journalists from accessing parts of the country to report on human rights abuses. NGO Reporters Without Borders wrote that citizen-journalists in all parts of the country were monitored and could be arrested for critical social media posts.

A report prepared by media observatory organization Marsadak stated that there were violations against journalists in several cities and governorates, including those under control of the government and the Houthis. The report detailed violations that occurred the first half of the year. The location of the violations included 13 cases in Sana’a, three cases in Ibb, one case in Hudaydah, and nine cases in Ta’iz, among many others in the country.

According to the Journalists Association, the number of journalist killings increased to 50 between 2011 and 2022. In its annual report for 2022, the association stated that it had monitored 92 cases of violations against media outlets, journalists, photographers, and their belongings.

On December 30, 2021, government military intelligence forces in Hadrhramawt Governorate detained Hala Badhawi in the provincial capital, Mokalla, according to January reports by newspapers *al-Masdar* and *al-Ayyam*. Nabil Alosaidi, cochair of the Yemeni Journalists Syndicate, told the Committee to Protect Journalists (CPJ) that Badhawi was detained because of her writing on corruption in the province. GCHR reported that authorities had moved Badhawi to Mokalla's central prison on January 4. According to Womens News Agency, on April 19, the Specialized Criminal Court in Hadhramawt released Badawi on bail after she spent more than 100 days in prison. She had not published since her release.

On January 25, Houthi forces closed at least five radio stations in Sana'a, according to CPJ. Shuttered broadcasters included Voice of Yemen, Grand FM, al-Oula, Tufula FM, and al-Diwan, allegedly for failing to renew their licenses. The status of the five stations was unknown at year's end.

On April 11, Reporters Without Borders documented the disappearance of journalist Younis Abdul Salam, who was first reported missing in August 2021 in Houthi-controlled Sana'a.

During the year, Houthi intelligence services acknowledged holding him in detention. Abdul Salam's brother, Sultan, reported that the journalist's mental health had declined dramatically in the 14 months he had been held and that he had been denied medical treatment at a Sana'a hospital. According to the reports, Abdul Salam was beaten severely, punched, and kicked, as well as harassed, humiliated, and isolated in a tiny cell during the first days of his detention. He was then transferred to the prison run by the Houthi intelligence services, where he was held without trial on a charge of communicating with "foreign forces." His lawyer, Samah Sbeih, who was not allowed to visit him, submitted a request for his release in January that she said cited "arbitrary arrest, enforced disappearance and endangering the life of a person who is mentally ill," and added there was no legal justification for Younis's imprisonment.

Violence and Harassment: The government was unable to protect journalists from violence and harassment and in some cases was accused of failing to protect journalists in government- and progovernment-controlled areas. Progovernment militias, Houthis, and

tribal militias were responsible for a range of abuses against media outlets. Freedom House assessed in its 2022 *Freedom in the World Report* that “journalists endured violent attacks and enforced disappearances committed by all sides in the conflict.”

According to Amnesty International, two lawyers and 10 journalists were summoned for questioning by the Criminal Investigation Directorate for publishing content critical of the authorities. Judicial authorities prosecuted two of the journalists, and a court gave them suspended prison sentences. One journalist was charged for insulting public and military officials after publishing posts on social media in which he criticized military authorities in Ta'iz. On May 17, the Sabir Court of First Instance sentenced him to a one-year suspended prison term and a fine. On June 21, another journalist was sentenced to three months by the public funds court in Hadhramawt for insulting a public employee and threatening to publish private secrets. Mwatana's report during the year documented five cases of arbitrary detention, enforced disappearance, inhuman treatment, and torture committed against journalists and media workers. The report stated the government detained two journalists, the STC detained one, and the Houthis detained two.

On June 16, a car bomb killed journalist Saber al-Haidari in Aden's al-Mansoura District, according to CPJ.

On August 6, STC-affiliated security forces detained freelance journalist Ahmed Maher and his brother in Aden, according to CPJ. Both were presumed to remain in detention at year's end.

Journalist Tawfiq al-Mansouri – detained by the Houthis since 2015 and sentenced to death in 2020 – remained in poor health, according to a July CPJ report. His brother alleged that al-Mansouri suffered from diabetes, heart disease, swelling in his limbs and prostate, and shortness of breath. He claimed that guards at his detention facility beat him and denied him access to health care and food.

Censorship or Content Restrictions for Members of the Press and Other Media,

Including Online Media: Reporters Without Borders noted that objective reporting on the war was rare because the parties to the conflict controlled media outlets and threatened independent journalists with arbitrary detention and abusive treatment. All parties to the conflict restricted access for international reporters, as well as rights documentation bodies.

In August, Amnesty International reported that two journalists said they had stopped publishing critical views of the government due to fear of persecution.

The Houthis controlled the activities of several former state ministries responsible for press and communications. Freedom House assessed that the Houthis blocked certain news websites, online messaging and social media platforms, and satellite broadcasts (see section 2.a., Internet Freedom).

Libel/Slander Laws: The law criminalizes criticism of the “person of the head of state,” the publication of “false information” that may spread “dissent and division among the people,” materials that may lead to “the spread of ideas contrary to the principles of the Yemeni revolution,” and “false stories intended to damage Arab and friendly countries or their relations.” There was no information during the year on whether the government used these laws to restrict public discussion or retaliate against journalists or political opponents, or whether the Houthis pointed to these laws for similar purposes in areas under their control.

On May 17, the Sabir Court of First Instance in Ta’iz found a journalist guilty and sentenced him to a one-year suspended prison term and a fine for “insulting” public and military officials on Facebook, according to Amnesty International.

Nongovernmental Impact: Nongovernmental actors inhibited freedom of expression, including for members of the press. See above sections for more information regarding the actions of progovernment security forces and the Houthis.

Internet Freedom

Censorship affected internet freedom, and there were notable cases of Houthi intrusion into cyberspace. The Houthi-controlled “Public Telecommunications Corporation” and internet service providers systematically blocked user access to websites and internet domains that the Houthis deemed dangerous to their political agenda (see Academic Freedom and Cultural Events).

Internet access was significantly limited and disrupted by the ongoing conflict. An SLC air strike in January against a telecommunications facility in Hudaydah disrupted internet service in parts of the country for a period of several days (see section 1.g. for more information).

In December, the Houthis arbitrarily detained Sana'a-based social media activist Ahmed Hajar due to what media reports described as pointed criticism of the Houthis for "excessive taxation, extensive corruption, the destruction of the educational system, and the inability to pay public workers." His arrest led to increasing public demands on the Houthis to combat spreading corruption.

Restrictions on Academic Freedom and Cultural Events

Media and NGO reports indicated that the Houthis significantly inhibited academic freedom and asserted their influence on cultural events.

According to Scholars at Risk (SAR), the presence of armed groups "severely undermined the right to education, academic freedom, and institutional autonomy." On some campuses, Houthi forces took control of operations and interfered in teaching and other academic activities, and faculty and students were also subjected to detentions and dismissals for being critical of their authority. The Houthis politicized course content to bolster Houthi influence and quash opposition. The January POE report documented cases in which humanitarian assistance was provided or denied to teachers based on whether they taught the Houthi curriculum (see section 1.g. for more information).

On January 20, SAR documented that Houthi forces – at the request of university administrators – suppressed an on-campus student demonstration at Sana'a University by medical students requesting to postpone final exams. Houthi forces reportedly beat and arrested an unknown number of student protestors.

SAR also reported two additional violent incidents at Dhamar University during the summer. Houthi gunmen forcibly entered the Faculty of Arts on June 27, attacking several members of the university staff and damaging university property, and reportedly assaulting the dean's secretary and one professor, Majali al-Raa'ini.

On August 13, Houthi forces entered the Faculties of Arts and Education of Dhamar University and assaulted university staff. Houthi forces, at the direction of a Houthi official in the governorate, took control of the two faculties' buildings and reportedly assaulted and detained two university security personnel who attempted to stop them from entering the campus.



b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, but these rights were not respected in practice.

Freedom of Peaceful Assembly

Amnesty International reported that all parties to the conflict continued to curtail peaceful assembly of human rights defenders, journalists, political opponents, and perceived critics.

Freedom of Association

While the law provides for freedom of association, it also regulates associations and foundations and outlines the establishment and activities of NGOs. Government authorities required annual NGO registration. The law requires the government to provide a reason for denying a registration, such as deeming an NGO's activities "detrimental" to the state. It forbids NGO involvement in political or religious activities. It permits foreign funding of NGOs. The law requires government observation of NGO internal elections.

A January Sana'a Center report on civil society organizations (CSOs) in Ma'rib indicated that ongoing conflict in the governorate had led to increased restrictions on CSO activities.

Nonresident CSOs are required to open branches in Ma'rib and obtain separate authorization from the government's Ministry of Social Affairs and Labor in Aden. CSOs reported that registration constraints and security permit requirements had delayed activity implementation.

In December, 43 Yemeni CSOs issued a joint statement relaying concern regarding the impact of "economic warfare" between the government and Houthi-controlled authorities on CSO operations, citing December 18 government announcements "pertaining to the freezing of bank accounts for NGOs and exchange companies." The government subsequently refrained from implementing the reported measures.

There were reports the Houthis harassed and detained activists and shut down numerous NGOs, often citing treason or conspiracy with foreign powers. Houthi-controlled entities created the "Executive Office for Monitoring Operations of International Organizations,"

reportedly to monitor NGO activity. Several NGOs originally based in Sana'a moved to Aden or other cities in government-controlled areas, or abroad.

Houthi *mahram* guardianship restrictions on movement by women and application of mahram restrictions in other areas of the country significantly constrained humanitarian and NGO activities, and in some cases deliberately targeted women working for NGOs and humanitarian organizations (see sections 2.d. and 6, Women, Discrimination).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation; however, there were many restrictions on these freedoms.

In-country Movement: Progovernment forces, the Houthis, and tribal forces maintained checkpoints on major roads. In many regions, armed tribesmen frequently restricted freedom of movement, operated their own checkpoints, sometimes with military or other security officials, and often subjected travelers to physical harassment, extortion, theft, or short-term kidnappings for ransom. Damage to roads, bridges, and other infrastructure from the conflict hindered the movement of goods and persons throughout the country, including hampering the delivery of humanitarian aid and commercial shipments (see section 1.g.).

Houthi forces kept the main roads in and out of the city of Ta'iz closed since 2015, severely restricting freedom of movement for civilians and impeding the flow of essential goods, medicine, and humanitarian access to the city's residents. The Houthis agreed under the terms of the truce to negotiate with the government on restoring access to Ta'iz roads, but there was no progress while the truce remained in effect, and the roads remained closed as of years' end.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that from April to June there was a moderate decrease in humanitarian access incidents impacting the security

and safety of aid workers, with a total of 532 access incidents across 18 governorates, of which 89 percent occurred in Houthi-controlled areas, during that period. From July to September, OCHA reported a significant increase in incidents compared with the previous quarter, with 673 incidents across 19 governorates, of which 94 percent occurred in Houthi-controlled areas.

Women did not enjoy full freedom of movement, although restrictions varied by location. The Office of the UN High Commissioner for Refugees (UNHCR) reported that harassment at checkpoints of women and girls not accompanied by a male escort, as well as inability to afford transport, hampered women's ability to reach health, nutrition, and other services.

SAM investigated six cases of violations against women and children at Houthi-controlled checkpoints from February to December, including detention, extortion, and gender-based sexual assaults. SAM reported that women were reluctant to disclose sexual assaults or sexual harassment due to social norms and stigma.

Houthi "authorities" continued to require women to show guardianship permission and have their guardian (father, brother, husband, or son) present to obtain or renew personal identity cards, despite the law not requiring such conditions.

During the last year, the Houthis increased the enforcement of mahram requirements. The requirement for women to be accompanied by a mahram is not contained in the law, and authorities had not made any formal changes to legislation, according to a November report by NGO ACAPS covering July-September. As of year's end, the Houthis were largely enforcing mahram through verbal directives and governorate-level localized circulars.

Beginning in July, UN agencies collectively suspended travel for official purposes of male and female national staff on domestic and international flights out of Sana'a on UN Humanitarian Airlift Service flights until authorities rescind the mahram requirement, which remained in place at year's end.

In August, Houthi Land Transport Regulatory "Authority" (LTRA) issued a verbal directive stating that women were not permitted to travel unaccompanied by a mahram within Houthi-controlled governorates, to government-controlled areas, or outside the country. Consequently, reports were received from women in Sana'a indicating that car rental agencies were refusing to rent vehicles to women without a mahram to drive from Sana'a to Aden or

sell spaces for travel in vehicles. This represented a tightening of restrictions since July, when the LTRA directed travel and car rental offices to obtain written consent by a mahram, attested by the neighborhood leader, but did not require an accompanying mahram (see section 6 Women, Discrimination for additional information.)

The POE January report identified the Houthis' role in planting land mines, and possibly sea mines in the southern Red Sea, as contributing to a lack of freedom of movement.

There were reports that forces affiliated with the STC detained some travelers they deemed "suspicious" (see section 1.g., Abductions).

Foreign Travel: The Houthi takeover of Sana'a in 2014 and the government relocation to Aden in 2015 left no official government authority in control of customs or immigration functions at Sana'a International Airport. In 2016, the Saudi-led coalition ordered the closure of Sana'a International Airport to commercial traffic, permitting only UN humanitarian flights. As part of the UN-mediated truce, commercial flights commenced in April and continued as of year's end, by which point tens of thousands of Yemenis had been able to travel to regional hubs.

In the past, women needed the permission of a male guardian, such as a husband, before applying for a passport or leaving the country. A husband or male relative could bar a woman from leaving the country by placing a woman's name on a "no-fly list" maintained at airports. Prior to the conflict, authorities strictly enforced this requirement when women traveled with children. Houthis reimposed similar restrictions on women's international travel. In view of the deterioration of infrastructure and lack of security due to the conflict, many women reportedly declined to travel alone.

Authorities continued to require women to have guardianship permission and have a male guardian present to obtain or renew passports. Women's lack of access to legal documentation further restricted their ability to travel abroad.

Exile: There were reports that the Houthis exiled political opponents and religious minorities.

e. Protection of Refugees

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: No law addresses the granting of refugee status or asylum, and there was no system for providing protection to asylum seekers. According to UNHCR, the government has granted prima facie status to Somali nationals since 1991. The Houthis attempted to take over the refugee status determination process in areas under their control, leading many refugees to have lapsed documentation. According to UNHCR, asylum seekers were not being registered in northern areas of the country.

The government of Yemen could not provide physical protection to refugees or migrants; many were held in detention centers operated by the Houthis in the north and by the government in the south. Smuggling groups often helped de facto “authorities” run these detention centers. According to UNHCR, approximately 65 percent of refugees and asylum seekers resided in southern governorates.

According to the June UNHCR *Strategy and Action Plan*, there were 102,000 refugees and asylum seekers. Asylum seekers were mainly from Ethiopia and Somalia.

Abuse of Migrants and Refugees: The International Organization for Migration (IOM) reported that the ongoing conflict had placed thousands of migrants in extremely vulnerable situations. The country, nevertheless, remained a transit country for thousands of migrants from the Horn of Africa to reach the Arabian Peninsula. In October, the IOM recorded more than 42,000 migrant arrivals in the year. Migrants, mainly from Ethiopia and Somalia, continued to face protection risks, including physical abuse and sexual violence at the hands of smugglers or traffickers. Authorities did not investigate exploitation of migrants in most cases, as law enforcement often conflated smuggling with trafficking. The article of the penal code that criminalizes slavery does not criminalize all forms of trafficking as defined under international law.

In December, HRW reported that the United Nations sent the government of Saudi Arabia and the Houthis a letter earlier that month outlining “a series of grave allegations of rights abuse against migrants and asylum seekers, including killings, torture, arbitrary detention, and sexual abuse.” (See the *Country Report on Human Rights Practices for Saudi Arabia* for more information.)

The UN letter further alleged that that “those [migrants] killed instantly [were] reportedly either left in situ or, if it [was] safe to do so, buried by other migrants on site.” It also noted that a clandestine cemetery reportedly was in al-Khals that may contain up to 10,000 bodies of migrants allegedly killed in Ar Raqw. The UN experts warned in the letter that women and girls were also at risk of sexual violence by smugglers who, having collaborated with the Houthi-controlled Yemen Immigration, Passport and Nationality Authority (IPNA), extorted migrants. For example, migrants in an IPNA reception camp in the town of Monabbih reportedly were subjected to forced labor, sexual exploitation, forced drug trafficking, and other forms of abuse. HRW stated that migrants who failed to pay smuggling fees or submit to exploitation reportedly were detained or forcibly returned to the south part of the country.

Freedom of Movement: Freedom of movement was difficult for all persons in the country, including refugees, in view of the damage to roads, bridges, and other basic infrastructure, and due to checkpoints and road closures (see section 2.d.). In May, the IOM reported 4,500 migrants had been stranded near the location of fighting in Ma’rib, unable to continue their journey to neighboring countries.

Forcible transfers to the south from Houthi-controlled governorates continued, although Houthi authorities began cooperating with humanitarian organizations to allow voluntary humanitarian repatriation flights to repatriate migrants as an alternative to forcibly removing them.

Access to Basic Services: Refugees generally lacked access to basic services due to the conflict. Many health facilities remained closed due to damage caused by the conflict, some were destroyed, and all facilities faced shortages - in supplies, including medications and fuel to run generators. According to UNHCR, the Kharaz refugee camp in Lahj Governorate was the only refugee camp in the country and hosted more than 9,000 refugees and asylum seekers. UNHCR helped provide services to camp residents.

Durable Solutions: The IOM reported that during the year it assisted 2,075 migrants, mostly Ethiopians, to voluntarily return to their home country.

f. Status and Treatment of Internally Displaced Persons

According to an Internal Displacement Monitoring Center report published in July, approximately 232,000 displacements were recorded across the country between January and

June, of which 153,000 took place between January to March, and 79,000 between April and June.

(For additional information, please see section 1.g., Conflict-related Abuses.)

g. Stateless Persons

There was minimal reporting available on stateless persons.

The country contributed to statelessness through discrimination against women in nationality laws (see section 6., Women, and also Children, for more information).

Section 3.

Freedom to Participate in the Political Process

The law provides citizens with the ability to choose their government peacefully through free and fair periodic elections based on universal and equal suffrage. The outbreak of fighting in 2014 interrupted a government-initiated new voter registration program. There have been no elections since the conflict began.

Elections and Political Participation

Recent Elections: In 2015, the Houthis overturned the constitution, disbanded parliament, and announced the formation of an appointed Supreme Revolutionary Committee as the highest governing body. Houthi-aligned members of the General People's Congress, the largest political party, announced the formation of a Supreme Political Council and the reconvening of parliament in Sana'a, followed by the announcement of a "national salvation government." The Houthi "government" and its institutions did not receive international recognition, and elections for parliament were not held.

In 2019, the internationally recognized government of Yemen reconvened parliament for the first time since 2015, in Sayoun, but parliament has not reconvened since then. The most

recent parliamentary elections were in 2003.

The 2019 Riyadh Agreement between the government of Yemen and the STC sought to create a more inclusive cabinet and unite military forces under the government of Yemen umbrella. After more than a year of stalled implementation, a newly formed cabinet arrived in Aden in 2020. On April 7, then President Hadi transferred his powers to an eight-member Presidential Leadership Council. The council, sworn in on April 17 in Aden, serves as the executive body of the internationally recognized government.

Political Parties and Political Participation: The law requires political parties to be national organizations that do not restrict their membership to residents of a particular region or to members of a particular tribe, religious sect, class, or profession. The former ruling General People's Congress party split into several regional factions and a separate faction under Houthi control in Sana'a. The sitting cabinet and the Presidential Leadership Council included members affiliated with established political parties, as well as other political elements, including the STC. Presidential Leadership Council Vice President Tareq Saleh opened political offices for his "National Resistance Forces," a component of the west coast joint forces, outside of his traditional base on the west coast.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate in past elections. Persons who identified as lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) have not participated openly in the political process.

The National Dialogue Conference of 2013-14 recommended a quota of 30 percent participation by women in all branches of government services, but this remained unrealized. No women during the year held ministerial positions in the government. Women also were underrepresented in UN-led talks related to the truce. Several women were appointed to a Consultation and Reconciliation Committee under the Presidential Leadership Council, and one woman was named to the government's official negotiating delegation for UN-led peace talks. Women remained active in civil society, including participating in protests and demonstrations in the south, publishing a newspaper in al-Mahrah Governorate that advocated for sustainable development and peace, developing a feminist road map for peace, negotiating the release of detainees and political prisoners, and working through civil society organizations to hold authorities accountable.

Freedom House wrote that the minority group with East African origins known as the *muhamasheen* (marginalized) accounted for as much as 10 percent of the population but suffered discrimination in politics and society. The 2015 National Dialogue Conference Outcomes included targets for youth and women's political participation, but not for muhamasheen participation, while the Constitutional Drafting Committee included one draft article pledging to promote their political participation. The Sana'a Center reported that the muhamasheen lacked political power in local communities to lobby for inclusion in development projects and humanitarian beneficiary lists.

Section 4.

Corruption and Lack of Transparency in Government

While the law provides for criminal penalties for official corruption, the government did not implement the law effectively. There were reports of official corruption during the year. The constitution requires approval of one-fifth of the members of parliament to conduct a criminal investigation of a deputy minister or higher-ranking official. The law then requires a two-thirds majority in parliament and presidential permission to bring criminal investigation results to the general prosecutor for indictment. The government has never used this procedure.

Corruption: Corruption was pervasive throughout the country, and observers reported petty corruption in nearly every government office. Applicants for government jobs were often expected to purchase their positions via bribery. Observers believed tax inspectors routinely undervalued property assessments and pocketed the difference. Many government officials and civil service employees, including teachers and health-sector workers, went unpaid due to lack of government resources, while public-sector payrolls continued to be burdened by "ghost workers" receiving salaries for jobs they did not perform. Corruption also regularly affected government procurement.

On August 17, the United Nations Corruption and Economic Crime Branch (CEB) within the Division for Treaty Affairs (DTA) reported in its UN Convention Against Corruption (UNCAC) report that the country had made some progress by developing legislation and oversight

bodies for the implementation of articles of Chapter II (Presentation Measures) and Chapter V (Asset Recovery) of the UNCAC, but that many gaps persisted in implementation.

Local and international organizations, including Transparency International, agreed corruption was a serious problem in every branch and level of government and among nonstate actors, especially in the security sector. International observers claimed government officials routinely benefited from insider arrangements, embezzlement, and bribes.

In January, the government launched its Second National Anti-Corruption Strategy for 2022 to 2026. The CEB, however, noted very weak implementation of the government's first strategy covering 2010 to 2014.

In August, the ATWAD Anti-Corruption Organization, an NGO, published a report analyzing the implementation of the UNCAC in Yemen. In its assessment, the government's Supreme National Authority for Combatting Corruption (SNACC) continued to suffer from a lack of sufficiently qualified staff and investigators, as well as a lack of independence. The government lacked adequate reporting mechanisms for corruption and written protections for whistleblowers. Finally, SNACC struggled to cover its operating expenses and employee salaries.

A January report by a Sana'a Center researcher accused the government and the Houthis of benefiting from corruption and mismanagement, alleging the government paid "lavish wages" to "consultants" living outside the country, while the Houthis "imposed multiple taxes and levies on the people under their control and spent the revenues collected on the war and their corrupt network that runs the state." It reported a six-fold increase in real estate prices in Sana'a, as Houthi elites often used housing to shelter the proceeds of corruption.

In November, media outlets reported on leaked names of government-subsidized scholarship recipients for universities outside the country. The names included family members of government officials. On December 8, the government formed a committee to review government-subsidized scholarships for those studying abroad, and the committee canceled funding for ineligible scholarship recipients. The Presidential Leadership Council announced in mid-December that relatives of government officials would be ineligible for government scholarships.

Section 5.

Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally faced access restrictions by all parties to the conflict, which hampered in-person investigations, and were harassed for publishing their findings on human rights cases. Government officials were rarely cooperative and responsive to their views.

International NGOs (INGOs) and international organizations (IOs) faced permission restrictions in accessing Houthi-controlled areas and frequently were not able to operate at full capacity in Sana'a. Local employees of INGOs and IOs faced potential detention and kidnapping by nongovernment forces (see section 1.d., Arbitrary Arrests for more information). Local NGOs faced similar restrictions to INGOs and IOs.

The UN Office of the High Commissioner for Human Rights (OHCHR) documented Houthi restrictions on independent monitoring activities between May 1, 2021, and April 30, 2022. OHCHR documented 14 incidents against Mwatana field researchers and lawyers. These incidents included threats, intimidation, surveillance, arbitrary detention, and physical attacks against staff by all parties to the conflict. Additionally, an HRW researcher located in the country received an anonymous telephone call in January, urging him to stop documenting human rights violations and to leave the region bordering Saudi Arabia as soon as possible. In February, a group of gunmen of unknown affiliation blocked the researcher's car and allegedly threatened the researcher and family. The researcher had previously reported on human rights violations on the Yemen-Saudi border.

The United Nations or Other International Bodies: On June 15, the UN special envoy said that despite the truce, freedom of movement for the United Nations and other international organizations was still severely restricted by road blockades in Ta'iz and other governorates.

No new mandate was created to replace the UN Group of International and Regional Experts on Yemen (GEE) after its mandate ended in October 2021.

Government Human Rights Bodies: The government's National Commission was established in 2015 to investigate all alleged human rights abuses since 2012. The National Commission consists of a chair and eight members with legal, judicial, or human rights backgrounds. The National Commission continued to investigate and report on human rights conditions during the year and participated in training with the United Nations. It is nominally independent of the government but does not have enforcement power.

In August, the National Commission released its 10th periodic report, documenting 3,609 incidents of human rights violations in all governorates from July 1, 2021, through July 31, 2022. The commission addressed violations committed by the government and government-backed security forces, the Houthi militia, the Saudi-led coalition, and other parties to the conflict.

In renewing OHCHR's cooperation with the National Commission in 2017, the then UN deputy high commissioner for human rights noted the National Commission failed to comply with internationally recognized methodology and impartiality standards.

In September, the UN high commissioner for human rights published updates on the work of the National Commission. During much of the reporting period from September 2021 to August 2022, OHCHR found that the National Commission was the only functional institution investigating accountability in areas controlled by the government, but that the Houthis denied the National Commission formal access to areas under their control. Additionally, according to UNHCR, the Houthis continued to detain a field monitor from its office since 2017 without trial.

Section 6.

Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape, but it does not criminalize spousal rape. The punishment for rape is imprisonment for up to 25 years. The government did not enforce the law effectively. By law authorities may prosecute rape survivors on charges of

fornication if authorities do not charge a perpetrator with rape. According to law, without the perpetrator's confession, the rape survivor must provide four male witnesses to the crime. There were no reliable rape prosecution statistics, and the number of rape cases was unknown. Human rights NGOs said sexual and gender-based violence cases were underreported.

The POE reported in January that the "Houthi policy of sexual violence and repression against politically active and professional women continued." The POE reported that former women detainees were particularly vulnerable in Houthi-controlled areas because of the assumption that they were subjected to sexual violence while in detention, carrying an associated stigma. The POE documented a case of a woman detainee forced to have sex with multiple men at Houthi detention centers, in preparation for future employment as a prostitute used to gather information for Houthi security services. The POE also reported investigation of cases of sexual violence where the Houthis women security wing (Zainabiyath) was directly involved in arrests, detention, or violence against women detainees.

Mwatana documented nine rape cases and one attempted case of rape during the year, of which two cases were attributed to the government, two to the STC, and six to the Houthis. Among the survivors were four girls, five boys, and a woman.

Muhamasheen women were particularly vulnerable to rape and other abuse because of the general impunity for attackers (see section 6, Systematic Racial or Ethnic Violence and Discrimination).

The law states that authorities should execute a man if convicted of killing a woman. The law, however, allows leniency for persons guilty of committing an "honor" killing or violently assaulting or killing a woman for perceived "immodest" or "defiant" behavior. The law does not address other types of gender-based abuse, such as forced isolation, imprisonment, and early and forced marriage.

The law provides women with protection against domestic violence, except spousal rape, under the general rubric of protecting persons against violence, but authorities did not enforce this provision effectively. Survivors rarely reported domestic abuse to police, and criminal proceedings in cases of domestic abuse were rare.

Female Genital Mutilation/Cutting (FGM/C): The law does not prohibit FGM/C, although a 2001 ministerial directive banned the practice in government institutions and medical facilities, according to HRW. According to UNFPA, the most recent data, which is from 2013, indicated 19 percent of women ages 15 to 49 had undergone FGM/C, with prevalence rates as high as 80 percent and 85 percent in al-Mahrah and Hadramawt, respectively. FGM/C was less common among young girls ages 15 to 19 than among women ages 45 to 49.

Sexual Harassment: No laws specifically prohibit sexual harassment, although the penal code criminalizes “shameful” or “immoral” acts. Authorities rarely enforced the law, and sexual harassment was a major problem for women.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The ongoing conflict and ensuing humanitarian crisis made it difficult to find reporting on the government’s approach to reproductive rights, including possible interference by the government with the right of couples and individuals to decide the number, spacing, and timing of their children. The conflict led to a breakdown of the health-care system, and women and girls, including survivors of sexual violence, did not have access to essential reproductive health services. UNFPA reported in late July that only 20 percent of health facilities offered maternal and child health services, due to lack of supplies, staff shortages, damage due to conflict, inadequate equipment and supplies, and inability to meet operational costs. As a result, five million women and girls of childbearing age and 1.7 million pregnant and breastfeeding women had limited or no access to reproductive health services.

According to the Euro-Med Human Rights Monitor, more than half of all childbirths were performed by nonspecialists. UNFPA reported in 2021 that one woman died during childbirth every two hours.

According to Mwatana’s annual report, the Houthis issued a decision that banned family planning for being inconsistent with “faith identity.”

Discrimination: Women faced deeply entrenched discrimination in both law and practice in all aspects of their lives. Mechanisms to enforce equal protection were weak, and the government did not implement them effectively.

Women could not marry without permission of their male guardians; did not have equal rights in inheritance, divorce, or child custody; and had little legal protection. They experienced discrimination in areas such as employment, credit, pay, owning or managing businesses, education, and housing.

A male relative's consent was often required before a woman could be admitted to a hospital, creating significant problems in the context of the conflict and humanitarian crisis with many households having no adult men. Women also faced unequal treatment in courts, where a woman's testimony equals half that of a man's testimony. A husband may divorce a wife without justifying the action in court. In the formal legal system, a woman must provide justification.

Any citizen who wishes to marry a foreigner must obtain the permission of the Ministry of Interior (see section 1.f.). A woman wishing to marry a foreigner must present proof of her parents' approval. A foreign woman who wishes to marry a male citizen must prove to the ministry that she is "of good conduct and behavior." Women experienced economic discrimination, and the Houthis prohibited women from participating in certain professions and increasingly prevented women from being able to exercise freedom of movement through enforcement of mahram requirements.

Mahram requirements prevented women and girls, particularly woman-headed households, from receiving humanitarian aid, as women staff were unable to travel to field locations, according to international organizations. Aid delivery in affected areas was severely impacted since it was generally considered inappropriate for male staff to deliver certain types of support or assistance, including assistance related to maternal health activities.

During the year, the international humanitarian community documented the entrenchment of mahram requirements across Houthi-held areas. OCHA documented evidence of the spread of mahram into communities in Abyan, Lahij, and Ma'rib, areas nominally under government control, where mahram was being enforced locally by tribal authorities.

In late December, the news site *Yemen Future* reported the Houthis announced that the "Court of Appeal" in Sana'a, was holding its second trial session for the artist and model, Entisar al-Hammadi, who had been detained by the Houthis for nearly two years after being "convicted" of crimes including "prostitution" and "drug use" and "sentenced" to five years in prison because of her work in the fashion industry.

Systemic Racial or Ethnic Violence and Discrimination

Although racial discrimination is illegal, some groups, such as the muhamasheen community and the *muwaladeen* (citizens born to foreign parents), faced social and institutional discrimination based on race, ethnicity, and social status. The muhamasheen, who traditionally provided low-prestige services such as street sweeping, generally lived in poverty and endured persistent societal discrimination, including discrimination in employment. Muhamasheen women were particularly vulnerable to rape and other abuse (see section 6, Rape and Domestic Violence).

Media reports referencing muhamasheen activists noted that while social castes and slavery were abolished in the 1960s, tribal justice systems reinforced historical patterns of discrimination. The most recent estimated number of victims of modern slavery in country remained the 2018 report by Walk Free, an NGO focused on ending modern slavery. Walk Free estimated there were 85,000 victims of modern slavery in the country, or 3.1 percent of the population, but that due to the impossibility of conducting surveys under conflict, data likely underestimated the problem. This broad category included forced labor and debt bondage, human trafficking, and forced and early marriage.

During the year the Houthis reportedly targeted muhamasheen communities to recruit fighters. In July, the Houthis killed four muhamasheen and injured another in Amran Province after they refused to join Houthi fighters on the front lines.

The IOM reported that 35,000 African migrants and muhamasheen were excluded from schools, formal jobs, and decent housing.

Muhamasheen struggle to register their newborns, with only 9 percent holding birth certificates, according to UNICEF, the absence of which limits access to other government documents, as well as jobs and services.

Children

Birth Registration: Citizenship derives from a child's parents. A child of a citizen father is a citizen. Women may confer citizenship on children born of a foreign-born father if the child is born in the country. If the child is not born in the country, in rare cases the Ministry of Interior

may permit a woman to transmit citizenship to the child if the father dies or abandons the child.

There is no universal birth registration, and many parents, especially in rural areas, never registered children or registered them several years after birth. The requirement that children have birth certificates to register for school was not universally enforced. The lack of birth registration reportedly led courts to sentence juveniles as adults, including for crimes eligible for death sentences (see section 1.g., Child Soldiers for additional information).

Education: The law provides for universal, compulsory, and tuition-free education from ages six to 15. Public schooling was free to children through the secondary school level, but HRW reported that many children, especially girls, did not have easy access to education.

UN reports indicated that more than 2,900 schools had been “destroyed, damaged, or used for noneducational purposes” as a result of the conflict, impacting approximately 1.5 million school-age girls and boys. These reports also estimated that 2.4 million students ages six to 17 did not attend school.

Approximately 170,000 teachers in Houthi-controlled provinces had not received regular pay since 2016.

Child Abuse: The law does not define or prohibit child abuse, and there was no reliable data on its extent. Authorities considered violence against children a private family matter.

Child, Early, and Forced Marriage: Early and forced marriage was a significant, widespread problem, exacerbated by the conflict. The United Nations reported that forced marriage and child marriage for financial reasons due to economic insecurity was a systemic problem. There is no minimum age for marriage, and girls reportedly married as young as age eight. The UN special representative on sexual violence noted that out of desperation, internally displaced persons arranged marriages for girls as young as age 10; the UN Population Fund (UNFPA) estimated that one in five displaced girls ages 10 to 19 were married. According to a UNICEF report issued during the year, 9 percent of girls were married before age 15, and 32 percent of girls were married before age 18.

According to UNICEF, girls forced into early marriage often remain trapped in a cycle of poverty and unfulfilled potential, and married boys and girls were more vulnerable to being

coerced into child labor or recruited into fighting (see section 1.g., Child Soldiers).

Sexual Exploitation of Children: The law prohibits pornography, including child pornography, although there was no information available on whether the legal prohibitions were comprehensive. The law criminalizes the commercial sexual exploitation of children. The law does not define statutory rape and does not impose an age limit for consensual sex.

Displaced Children: As of November, according to UNICEF, half of all internally displaced persons in the country were children. As of early in the year, UNICEF estimated two million children were internally displaced.

Antisemitism

Media outlets reported in March that approximately four Jews remained in the country after the Houthis expelled 13 individuals from three families in 2021. One Jewish citizen, Levi Salem Musa Marhabi, remained in Houthi-controlled detention, where he had been since 2016. He was subjected to torture that left him partially paralyzed, according to the NGO Insaf.

The Houthi movement continued to use antisemitic slogans. Anti-Israel rhetoric often blurred into antisemitic propaganda. The Houthis propagated such materials and slogans throughout the year, including adding anti-Israel slogans and rhetoric into the elementary education curriculum and books. The POE January report noted that children in Houthi summer camps were instructed to shout the Houthi slogan, which contains the phrase “death to Israel, curse the Jews.”

Members of the Jewish community were not eligible to serve in the military or national government. Government and nongovernment authorities forbade them from carrying the ceremonial national dagger.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law criminalizes consensual same-sex sexual conduct, with the death penalty as a sanction under the country's interpretation of Islamic law. There were no known executions of LGBTQI+ persons in recent years.

Violence against LGBTQI+ Persons: The government did not consider violence or discrimination against LGBTQI+ persons "relevant" for official reporting.

Discrimination: Due to the criminalization and possible severe punishment for consensual same-sex sexual conduct, few LGBTQI+ persons were open regarding their sexual orientation or gender identity. Individuals known or suspected of being LGBTQI+ faced discrimination.

Availability of Legal Gender Recognition: Legal gender recognition is not available.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: Information regarding involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals was unavailable.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Information regarding restrictions of freedom of expression, association, or peaceful assembly was not available.

Persons with Disabilities

The constitution and laws affirm the rights of persons with disabilities. The laws permit persons with disabilities to exercise the same rights as persons without disabilities, but the government did not effectively enforce them. The law mandates the establishment of special educational institutions to provide basic education to persons with disabilities. Additional articles of the law state education is a right for persons with disabilities.

UNICEF reported in 2015 that "schools did not necessarily accept children with disabilities" due to inaccessible buildings, lack of specialized materials, staff, and transport. The Ministry of

Social Affairs and Labor was responsible for protecting the rights of persons with disabilities. Ministry programs aimed at integrating children with special needs largely halted with the outbreak of the conflict. The Yemen Fund for the Care and Rehabilitation of People with Disabilities reported in 2018, the most current information available, that only 750 students with disabilities were still studying at the university level, and that 190,000 students with disabilities had been deprived of education after 300 specialized centers shut down.

The impact of eight years of conflict continued to worsen access, as well as social stigma and official indifference towards persons with disabilities. Information concerning patterns of abuse of persons with disabilities in educational and mental health institutions was not publicly available. The NGO Humanity and Inclusion found that 81 percent of persons with disabilities believed they were unable to reach or use humanitarian services.

Other Societal Violence or Discrimination

While there were no reports of social violence against persons with HIV or AIDS, the topic was socially sensitive and infrequently discussed. Discrimination against persons with HIV or AIDS is a criminal offense. Information was not available regarding whether there were incidents of discrimination.

Section 7.

Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of citizens employed in the private sector to join unions and bargain collectively. These protections do not apply to public servants, day laborers, domestic servants, foreign workers, and other groups who together made up most of the workforce. The civil service code covers public servants. The law prohibits antiunion retaliation, including prohibiting dismissal for union activities. While unions may negotiate wage settlements for their members and may conduct strikes or other actions to achieve their demands, workers have the right to strike only if prior attempts at negotiation and arbitration fail. They must give

advance notice to the employer and government and receive prior written approval from the executive office of the General Federation of Yemen Workers' Trade Unions (GFYWTU). Strikes may not be carried out for "political purposes." The proposal to strike must be put to at least 60 percent of all workers concerned, of whom 25 percent must vote in favor for a strike to be conducted.

While not formally affiliated with the government, the GFYWTU was the only official federation and worked with the government to resolve labor disputes. A union's ability to strike depended on its political strength. Authorities often accused unions and associations of being linked to a political party. The International Trade Union Confederation in June and July issued a letter and statement that accused the government of setting up organizations under their control "in an effort to weaken the GFYWTU," and of confiscating property from the federation in Aden and Shabwah. The government-aligned Yemeni Teachers Syndicate advocated for educators and in April accused the Houthis of killing or wounding more than 1,500 teachers in six years and of indoctrinating children.

The government was unable to enforce labor laws due to the ongoing conflict. The government did not enforce laws on freedom of association and the right to collective bargaining in areas under its control. Additionally, Houthi-controlled former ministries purportedly responsible for the implementation of labor laws in areas under Houthi control did not implement the law in those areas.

b. Prohibition of Forced or Compulsory Labor

The law does not prohibit and criminalize all forms of forced or compulsory labor, and the government did not effectively enforce the law. Penalties were not commensurate with those for other serious crimes, such as kidnapping. The law prescribes up to 10 years' imprisonment for any person who "buys, sells, gives [a human being] as a present, or deals in human beings," but the statute has a narrow focus on transactions and movement. Although information was limited, in previous years there were numerous reports of forced labor in both urban and rural areas. The newspaper *Asharq al-Awsat* reported in 2019 that prominent Houthis held more than 1,800 citizens as slaves and servants who worked in their residences and places of work.

Migrant workers and refugees were vulnerable to forced labor. For example, some Ethiopians, Eritreans, and Somalis were forced to work on *khat* (a plant that contains stimulants) farms;

some women and children among this population may also have been exploited in domestic servitude.

Also see the Department of State's *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> and the

Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at

<http://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods/> .

d. Discrimination with Respect to Employment and Occupation

The law does not address employment discrimination on the basis of sexual orientation, political opinion, national origin, social origin, gender identity, HIV status, or other communicable diseases. Discrimination based on race, gender, and disability remained a serious problem in employment and occupation (see section 6, Persons with Disabilities). The law prohibits women from working the same hours as men and in jobs deemed hazardous, arduous, or morally inappropriate. The law reserves 5 percent of government jobs for persons with disabilities, but the law was rarely enforced. It was unclear whether penalties for any other discriminatory practices were commensurate with those for other violations of civil rights and how often penalties were applied against violators.

There were reports of migrant workers mistreated in detention centers before being sent back to their country of origin due to the COVID-19 pandemic. The muhamasheen experienced racial and employment discrimination (see section 6, Systematic Racial or Ethnic Violence and Discrimination). Persons with disabilities faced limited access to the workplace and discrimination in hiring (see section 6, Persons with Disabilities). Foreign workers may join unions but may not be elected to office. The Houthis discouraged women from obtaining work outside of the Houthis' gender norms. The Houthis' increasingly restrictive mahram requirements exacerbated the negative effect on women's ability to travel (see sections 2.d. and 6, Women, Discrimination for additional information).

e. Acceptable Conditions of Work

Wage and Hour Laws: The minimum wage for private sector employees must be at least the public-sector minimum wage. The law mandates that wage payments depend on the terms of the employment contract. Employees may be paid on a monthly, fortnightly, weekly, or hourly basis.

The minimum civil service wage was more than the estimated poverty income level; however, many civil servants were not paid consistently for several years, and most salaries were too low to provide for a large family. Workdays are limited to eight hours. Work weeks are limited to 48 hours that must be distributed over six working days followed by one day of paid rest. The maximum working hours during the month of Ramadan cannot exceed six hours per day or 36 hours per week. The law also states that an employee's workday must have at least one hour of rest so that any continuous period of work does not exceed five hours. Friday is the day of rest but may be substituted for another day of the week if required for work. Most entities worked 40 hours a week distributed over five days.

Occupational Safety and Health: Occupational safety and health (OSH) laws and standards were not appropriate for the main industries in the country.

Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The law provides workers the right to remove themselves from a hazardous workplace.

The law obligates employers to provide health care to workers for preemployment medical examinations and for periodic medical exams while employed.

There was no credible information available regarding work-related accidents or fatalities during the year.

Wage, Hour, and OSH Enforcement: No information was available regarding penalties imposed for wage and hour violations or if any were applied. Many workshops and stores operated 10- to 12-hour shifts without penalty. The government did not enforce penalties for OSH violations.

Informal Sector: A March 2021 report of the Organization for Economic Cooperation and Development, estimated that informal employment represented 78 percent of total employment, the most current estimate available. In a July report, the government reported that the informal sector had developed at an “accelerated pace” in recent years due to the impact of conflict and lack of effective economic policies. World Bank data from 2014, the most recent year available and prior to the conflict, put the percentages working in the nonagricultural informal sector at 69 percent for men and 63 percent for women. The safety law does not apply to the informal sector, including domestic servants, casual workers, or agricultural workers. Working conditions were poor in the informal sector, and wage and overtime violations were common. Foreign migrant workers, youth, and women workers typically faced the most exploitative working conditions.

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