

# 2020 Country Reports on Human Rights Practices: Yemen

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

## EXECUTIVE SUMMARY

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**ANNOUNCEMENT:** The Department of State will release an addendum to this report in mid 2021 that expands the subsection on Women in Section 6 to include a broader range of issues related to reproductive rights.

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Yemen is a republic with a constitution that provides for a president, a parliament, and an independent judiciary. In 2012 the governing and opposition parties chose Vice President Abd Rabbuh Mansour Hadi as the sole consensus candidate for president. Two-thirds of the country's eligible voters confirmed him as president, with a two-year mandate. In 2014 Houthi forces aligned with forces loyal to former president Ali Abdullah Saleh occupied the capital, Sana'a, igniting a civil conflict between Houthi forces and the Republic of Yemen Government (ROYG) that continued through the year. As a result of the conflict, currently approximately 80 percent of the population lives in territory controlled by the Houthis, not the ROYG.

The primary state security and intelligence-gathering entities, the Political Security Organization and the National Security Bureau, came under Houthi control in 2014, although their structure and operations appeared to remain the same. The ROYG staffed these entities in areas under its control. By law both organizations report first to the interior minister and then to the president; coordination efforts between the two entities were unclear. The Criminal Investigation Division reports to the Ministry of

Interior and conducts most criminal investigations and arrests. The paramilitary Special Security Forces was under the authority of the interior minister, as was the counterterrorism unit. The Ministry of Defense supervised units to quell domestic unrest and to participate in internal armed conflicts. Civilian authorities did not maintain effective control over security forces. Houthis controlled most of the national security apparatus in sections of the north and some former state institutions. Competing tribal, party, and sectarian influences further reduced ROYG authority, exhibited in April when the secessionist Southern Transitional Council declared “self-administration” over Aden. Saudi-brokered diplomatic efforts to restore the ROYG to Aden under the Riyadh Agreement were successful in December. Members of the security forces on all sides committed abuses.

In 2014 the Houthi uprising compelled the ROYG to sign an UN-brokered peace deal calling for a “unity government.” The ROYG resigned after Houthi forces, allied with former president Ali Abdullah Saleh’s General People’s Congress (GPC) party, seized the presidential palace in 2015. Houthi forces then dissolved parliament, replacing it with the Supreme Revolutionary Committee. Hadi escaped house arrest and fled to Aden, where he declared all actions taken by Houthi forces in Sana’a unconstitutional, reaffirmed his position as president, pledged to uphold the principles of the 2014 National Dialogue Conference, and called on the international community to protect the country’s political process.

After Houthi forces launched an offensive in the southern part of the country and entered Aden in 2015, Hadi fled to Saudi Arabia, and Saudi Arabia formed a military coalition, which undertook Operation “Decisive Storm,” on behalf of the ROYG. Peace talks in Kuwait in 2016 between the Houthis and ROYG ended inconclusively. In 2017 Houthi forces killed Saleh after he publicly split from the Houthis and welcomed cooperation with the coalition. In 2018 direct talks between the ROYG and Houthis under UN supervision in Sweden led to agreements on a ceasefire in and around the city and port of Hudaydah, as well as on prisoner exchanges and addressing the humanitarian situation in Ta’iz. These agreements were not effectively implemented; hostilities—including Houthi military offensives, Houthi drone and missile strikes within the country and on Saudi Arabia, and coalition airstrikes—continued to date.

Significant human rights issues included: unlawful or arbitrary killings by all parties; forced disappearances by all parties; torture and cases of cruel, inhuman, or degrading treatment or punishment by the ROYG, Houthis, and Emiratis; harsh and life-threatening prison conditions; arbitrary arrest and detention; political prisoners; serious problems with the independence of the judiciary; arbitrary infringements on privacy rights; serious abuses in an internal conflict, including unlawful recruitment or use of child soldiers, primarily by the Houthis; serious restrictions on free expression, the press, and the internet, including violence, threats of violence, or unjustified arrests or prosecutions against journalists, censorship, site blocking, and the existence of criminal libel and slander laws; substantial interference with freedom of assembly and association; serious restrictions on freedom of movement; pervasive abuse of migrants; the inability of citizens to choose their government through free and fair elections; serious acts of corruption; lack of investigation of and accountability for violence against women; criminalization of consensual same-sex sexual conduct between adults; and the worst forms of child labor.

Impunity for security officials remained a problem, in part because the government exercised limited authority and in part due to the lack of effective mechanisms to investigate and prosecute abuse and corruption. The ROYG had limited capacity to address human rights abuses due to the continued civil war. Houthi control over government institutions in the north severely reduced the ROYG's capacity to conduct investigations.

Nonstate actors, including the Houthis, tribal militias, militant secessionist elements, al-Qa'ida in the Arabian Peninsula, and a local branch of ISIS committed significant abuses with impunity. Saudi-led coalition airstrikes resulted in civilian casualties and damage to infrastructure. (See the *Country Reports on Human Rights Practices* for Saudi Arabia, the United Arab Emirates, and Iran.)

## Section 1. Respect for the Integrity of the Person, Including Freedom from:

## **A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS**

There were numerous reports of existing or former members of the ROYG security forces committing arbitrary or unlawful killings. Politically motivated killings by nonstate actors, including Houthi forces, militant secessionist elements, and terrorist and insurgent groups claiming affiliation with al-Qa'ida in the Arabian Peninsula (AQAP) or ISIS, also continued during the year (see section 1.g, Abuses in Internal Conflict).

In June unidentified gunmen killed Nabeel al-Qaiti, an Agence France Presse photojournalist, in front of his home in Aden. He had been reporting on the clashes between the ROYG and Southern Transitional Council (STC) forces in Abyan.

The ROYG Human Rights Ministry reported in April that sporadic Houthi attacks in the al-Ghail district of al-Jawf governorate killed and injured 16 persons and displaced several families.

In August several ROYG media and local human rights organizations reported that a Houthi sniper in Ta'iz shot a nine-year-old girl, Rawida Saleh Mohammed, on her way to fill her jerrycan with water. Also in August the Yemeni Coalition for Monitoring Human Rights Violations (Rasd Coalition) issued a report stating that Houthi elements in Ta'iz shot three other children between February and August, in addition to Rawida.

On December 30, an attack attributed to the Houthis killed 17 persons, according to a Ministry of Interior report, including three International Committee of the Red Cross staffers, and wounded more than 100 others at the Aden airport. The attack occurred as a plane carrying the newly formed government's ministers and other officials landed from Saudi Arabia, prompting concerns that its purpose was to destabilize the new government.

## **B. DISAPPEARANCE**

In September the UN Human Rights Council Group of Eminent Experts on Yemen (UN Group of Experts) report stated it believed that parties to the conflict were continuing to

engage in enforced disappearances. There were reports of politically motivated disappearances and kidnappings by both ROYG and Houthi forces of individuals associated with political parties, nongovernmental organizations (NGOs), and media outlets critical of the ROYG or the Houthi movement (see section 1.g, Abuses in Internal Conflict). The Houthis and their allies sometimes detained civilian family members of ROYG security officials. The Houthis targeted and detained foreigners, including those believed to be working for foreign diplomatic missions. There were also reports of disappearances carried out by other parties to the conflict.

From August 2019 to July 31, the ROYG's National Commission to Investigate Alleged Violations to Human Rights (NCIAVHR) documented 1,298 cases of arbitrary arrests and enforced disappearances committed by various parties to the conflict, a 400 percent increase over the previous year.

According to a July report by Sana'a-based Mwatana Organization for Human Rights, from May 2016 to April, the ROYG was responsible for 90 incidents of enforced disappearance; the Houthis were responsible for 353 incidents of enforced disappearance; and United Arab Emirates (UAE) forces and UAE-aligned armed groups, including the STC, were responsible for 327 incidents of enforced disappearance.

In a March report, Human Rights Watch (HRW) documented 16 cases of arbitrary detentions of citizens by Saudi and allied Yemeni forces in al-Mahrah between June 2019 and February. Saudi security forces transferred 11 of the 16 detainees to Saudi Arabia and eventually released the five others. Five detainees were reportedly transferred in June to a prison in Abha, the capital of Asir province in Saudi Arabia; the families of these detainees were unaware of their whereabouts for five months until the detainees were registered at the prison in Abha. The other six detainees were reportedly men from the northern part of the country who were arrested while crossing the border from Oman into the country after receiving medical treatment in Oman.

The Aden branch of the Mothers of the Abducted Association issued a statement in August stating that association members continued searching for 38 forcibly

disappeared individuals; their fate and medical condition and those responsible for their disappearances were unknown. The association conducted a protest in September in Aden, which was then under STC control, to demand that security forces disclose their sons' whereabouts.

During the year, the UN Office of the Special Representative of the Secretary General for Children and Armed Conflict reported 22 child abduction cases.

### **C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT**

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 acts of torture.

The UN and human rights organizations continued to report that torture and other forms of mistreatment were common in ROYG-, Houthi-, and Emirati-controlled detention facilities. The UN Group of Experts reported abuses in detention included sexual violence, prolonged solitary confinement, electric shock, burning, and other forms of torture (see section 1.g., Abuses in Internal Conflict.).

According to the July report by the Mwatana Organization for Human Rights, from May 2016 to April, the ROYG was responsible for 65 incidents of torture; the Houthis were responsible for 138 incidents of torture, including 27 deaths in detention centers; and UAE forces and UAE-aligned armed groups, including the STC, were responsible for 141 incidents of torture, including 25 deaths in detention centers. In June gunmen, allegedly from a ROYG-appointed brigade, reportedly stormed the house in Ta'iz of ROYG Colonel Abdul Hakim al-Jabzi, the Operations Commander of the 35th Brigade, and kidnapped and tortured his son Aseel to death before throwing Aseel's body on a road. The motive was reportedly an internal political dispute.

According to several reports in August by Ma'rib-based Erada Organization against Torture and Forced Disappearance, Houthi militia forces in al-Bayda captured, tortured, and killed a ROYG soldier, Abdul Hafidh Abd al-Rab al-Tahiri. On August 25, Erada

reported that Houthis in Dhammar captured Ahmed Ali al-Saqhani, a ROYG soldier, and tortured him to death while in detention.

Impunity remained a significant problem in the security forces. Civilian control of security agencies continued to deteriorate as regional efforts to promote national reconciliation stalled. Exacerbating the problem of impunity, interest groups—including former president Saleh’s family and other tribal and party entities—expanded their influence over security agencies, often through unofficial channels rather than through the formal command structure.

## **PRISON AND DETENTION CENTER CONDITIONS**

Prison conditions were harsh and life threatening and did not meet international standards. The ROYG exercised limited control over prison facilities. Government officials and NGOs identified overcrowding, lack of professional training for corrections officials, poor sanitation, inadequate access to justice, intermingling of pretrial and convicted inmates, lack of effective case management, and deteriorating infrastructure as problems within the 18 central prisons and 25 reserve prisons (also known as pretrial detention centers). Lacking special accommodations, authorities held prisoners with physical or mental disabilities with the general population. The UN Office of the High Commissioner for Human Rights (OHCHR) reported conditions of detention facilities continued to deteriorate, including with respect to overcrowding, damaged buildings, and shortages of food and medicine.

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 trial or judicial sentencing.

According to the OHCHR, Houthi-affiliated tribal militias, known locally as popular committees, operated at least eight detention facilities in Sana’a, including Habra in the

al-Shu'aub district, Hataresh in the Bani Hashaysh district, and al-Thawra and the house of Ali Mohsen al-Ahmar in Haddah.

Reports from human rights organizations and the International Organization for Migration (IOM) indicated authorities and smugglers continue to detain migrants throughout the country, often in inhuman conditions and subject to repeated abuses of human rights including indiscriminate violence and rape (see section 2.f., Protection of Refugees).

**Physical Conditions:** The armed conflict negatively affected the condition of prisons. Observers continued to describe most prisons, particularly in rural areas, as overcrowded with poor sanitary conditions, inadequate food and access to potable water, and inadequate medical care. Limited information was available on prison populations during the year. Political prisoners reportedly faced torture, abuse, and other forms of mistreatment, while all prisoners experienced harsh physical conditions.

Media and international NGO reporting in past years found squalid conditions in Houthi detention facilities, including food infested with cockroaches, widespread torture, and absence of any medical care.

According to several reports from HRW and the OHCHR, individuals in detention facilities faced serious health risks from the COVID-19 pandemic. In July relatives of five detainees in Bir Ahmed Prison, an overcrowded, informal detention facility in a military camp controlled by the STC, told HRW that authorities in early April transferred 44 detainees into a room of only approximately 100 square feet that had previously held four persons. The detainees lacked masks, gloves, and hygiene products to protect themselves from COVID-19, as well as lacking basic healthcare services.

No credible statistics were available on the number of inmate deaths during the year.

**Administration:** Limited information was available on prison administration since the Houthi takeover in 2014. Poor recordkeeping and a lack of communication between prisons and the government made it difficult for authorities to estimate accurately the size of the prison population.

There was no ombudsman to serve on behalf of prisoners and detainees. ROYG authorities generally allowed visitors to see prisoners and detainees when family members knew a detainee's location but granted limited access to family members of those 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.

Independent Monitoring: The continuing conflict prevented substantial prison monitoring by independent human rights observers.

#### **D. ARBITRARY ARREST OR DETENTION**

The law prohibits arbitrary arrest and detention, but the UN Group of Experts found that all parties to the conflict continued to arbitrarily arrest and detain individuals accused of crimes. Persons arrested were frequently denied their constitutional right to be charged within 24 hours. They were frequently held incommunicado for periods of time, and subjected to torture and other forms of cruel, inhuman treatment. (See section 1.c, Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; and 1.g, Abuses in Internal Conflict.) The law prohibits arrests or serving subpoenas between sundown and dawn, but local NGOs reported authorities, including but not limited to the ROYG, the Houthis, and STC, took some persons suspected of crimes from their homes at night without warrants.

According to the July report by Mwatana Organization for Human Rights, from May 2016 to April, the ROYG was responsible for 282 incidents of arbitrary or abusive detention; the Houthis were responsible for 904 cases of arbitrary or abusive detention; and UAE forces and UAE-aligned armed groups, including the STC, were responsible for 419 incidents of arbitrary or abusive detention.

#### **ARREST PROCEDURES AND TREATMENT OF DETAINEES**

Since the capital's temporary relocation in 2015 to Aden, the ROYG lost control of most state institutions, including the court and prison systems, and both have deteriorated.

The law provides that authorities cannot arrest individuals unless they are apprehended while committing a criminal act or being served with a warrant. In addition, authorities must arraign a detainee within 24 hours or release him. The 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 states the government must provide attorneys for indigent detainees. UN, NGO, and media reporting concluded that all parties to the conflict frequently ignored these stipulations during the year. The law contains provisions for bail, and Houthi authorities in particular were accused of allowing bail only if they received a bribe. Tribal mediators commonly settled cases in rural areas without reference to the formal court system.

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

**Arbitrary Arrest:** In September the UN Group of Experts report stated it had “found reasonable grounds” to believe that parties to the conflict engaged in arbitrary detention. Two boys, one age 14 and the other age 16, were arrested in Khubar village in Shabwah in February by ROYG Special Security Forces. They were detained on the basis of their reported affiliation to the STC and Shabwani Elite Forces.

In April the Specialized Criminal Court in the Houthi-held capital of Sana’a sentenced four journalists to death and six others to jail on charges of “publishing and writing news, statements, false and malicious rumors and propaganda with the intent to weaken the defense of the homeland, weaken the morale of the Yemeni people, sabotage public security, spread terror among people and harm the country’s interest.” The OHCHR stated in an August 6 press release that despite a pending appeal of the conviction to the appellate division of the court, concerns were growing that the Houthi authorities might carry out the death sentence against the journalists. During their five-year detention, the journalists have been denied family visits, access to their attorney, and

health care. According to the OHCHR, they have also been tortured and subjected to “cruel, inhuman, and degrading treatment” (see section 2.a., Freedom of Expression, Including for the Press–Violence and Harassment.).

In April the Specialized Criminal Court ordered that another six detained journalists be released and placed under police surveillance. Only one has since been released, according to the OHCHR. There were no updates as of year’s end.

Houthi authorities continued to detain Levi Salem Marhabi, a Yemeni Jew who has been arbitrarily detained for more than four years despite a court ordering his release in September 2019.

Other nonstate actors also arbitrarily detained persons, including migrants.

Pretrial Detention: Limited information was available on pretrial detention practices during the year, but 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. Staff shortages, judicial inefficiency, and corruption caused trial delays.

In July the Mothers of Abductees Association stated that detainees had been held at Bir Ahmed, which is controlled by the STC, without charge or trial for up to two years.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Information was limited on whether persons arrested or detained were entitled to challenge the legal basis of their detention in court. The law provides that authorities must arraign a detainee within 24 hours or release him. It also provides that the judge or prosecuting attorney must inform the accused of the basis for the arrest. The ROYG, however, lacked the capacity to enforce the law.

## **E. DENIAL OF FAIR PUBLIC TRIAL**

The OHCHR reported the criminal justice system had become largely defunct in the areas where progovernment forces retained or reclaimed control, with Saudi coalition-

backed forces filling the void. In most cases, as documented by the OHCHR, detainees were not informed of the reasons for their arrest, were not charged, were denied access to lawyers or a judge, and were held incommunicado for prolonged or indefinite periods.

In areas under Houthi control, the judiciary was weak and hampered by corruption, political interference, and lack of proper legal training. Judges' social and political affiliations, as well as bribery, influenced verdicts.

The ROYG's lack of capacity to enforce court orders undermined the credibility of the judiciary. Criminals threatened and harassed members of the judiciary to influence cases.

The Baha'i International Community reported that on July 30 the Houthis released six Baha'is who had been detained because of their beliefs. The Houthis continued to prosecute more than 20 Baha'is for apostasy and espionage.

### **Trial Procedures**

The law considers defendants innocent until proven guilty. 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. Defendants can confront or question witnesses against them and present witnesses and evidence on their behalf. 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. The law allows defense attorneys to counsel their clients, address the court, and examine witnesses and any relevant evidence. Defendants have the right to appeal and could not be compelled to testify or confess guilt. 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

reportedly did not have full access to their clients' charges or court files. The lack of birth registration compounded difficulties in proving age, which reportedly led courts to sentence juveniles as adults, including for crimes eligible for death sentences (see section 6, Children).

In addition to established courts, there is a tribal justice system for noncriminal matters. Tribal judges, usually respected sheikhs, often also adjudicated criminal cases under tribal law, which usually involved public accusation without the formal filing of charges. Tribal mediation often emphasized social cohesion more than punishment. 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 UN Group of Experts reported in September that the Specialized Criminal Court operating in Houthi-controlled areas, particularly in Sana'a, was being used to suppress dissent, intimidate political opponents, and develop political capital to be used in negotiations. The Group of Experts noted that the rights of the accused were regularly denied and that security and political leadership exercised significant control. For example, the court sentenced 35 members of parliament to death in absentia on March 4 for "having taken actions threatening the stability of the Republic of Yemen, its unity, and security of its territory." The charges were brought against members of parliament who supported the ROYG.

## **POLITICAL PRISONERS AND DETAINEES**

There were numerous reports of political prisoners and detainees.

Following their takeover of state institutions, the Houthis detained activists, journalists, demonstration leaders, and other political figures representing various political groups and organizations opposed to the Houthis. The Houthis did not charge detainees publicly, 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 authorities held detainees for criminal or political activity.

The Mwatana Organization for Human Rights released a report in June describing the regular mistreatment of detainees in secret prisons, taken from interviews with detained civilians, including journalists, activists, lawyers, and students.

Mwatana also reported in September that the parties to the conflict prioritized the exchange of military detainees over civilian detainees following the Stockholm Agreement in 2018.

## **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.

### **F. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE**

The law prohibits these actions, but Houthi authorities continued such interference. According to human rights NGOs, Houthi authorities searched homes and private offices, monitored telephone calls, read personal mail and email, and otherwise intruded into personal matters without legally issued warrants or judicial supervision.

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 authorities enforced arbitrarily. The ministry typically approved marriages to foreigners if they provided a letter from their embassy stating the government of the non-Yemeni spouse had no objection to the marriage and presented a marriage contract signed by a judge. There was no available information on existing practice.

The UN Group of Experts reported the Houthis threatened and harassed relatives of disappeared detainees who were searching for the whereabouts of their loved ones.

The ROYG Ministry of Human Rights condemned a July raid by the Houthis on the home of Abdurrazaq al-Hagri, a Sana'a-based member of parliament, during which they stole personal belongings and threatened his family, including women and children, while forcing them to evacuate their home.

## **G. ABUSES IN INTERNAL CONFLICT**

The UN Group of Experts concluded that the ROYG, Houthis, Saudi-led coalition, and STC were “responsible for human rights violations including arbitrary deprivation of life, enforced disappearances, arbitrary detention, gender-based violence, including sexual violence, torture and other forms of cruel, inhuman, or degrading treatment, the recruitment and use in hostilities of children, the denial of fair trial rights, violations of fundamental freedoms, and economic, social and cultural rights.” The United Nations, NGOs, media outlets, as well as humanitarian and international organizations reported what they characterized as disproportionate and indiscriminate use of force by all parties to the continuing conflict, causing civilian casualties and damage to infrastructure from shelling and airstrikes. UNICEF reported that 2,000 children have been killed since the beginning of the conflict. The conflict resulted in at least 1,318 civilian casualties, including 511 deaths, from January through August, according to the Civilian Impact Monitoring Project.

In 2014 the Houthis took control of the capital and occupied many government offices. The conflict that ensued in 2015 continued during the year. The UN-led peace process included renewed attempts to bring about cessation of hostilities, despite limited implementation of the agreements reached during peace talks in Stockholm in 2018. Since 2015 Iran has provided hundreds of millions of dollars in support to the Houthi rebels and proliferated weapons that exacerbated and prolonged the conflict. Houthi rebels used Iranian funding and weapons to launch attacks against civilians and civilian infrastructure both within the country and in Saudi Arabia. Throughout the year the

Saudi-led coalition continued military operations against the Houthis (see the *Country Reports on Human Rights Practices* for Saudi Arabia, the United Arab Emirates, and Iran).

The ROYG re-established a presence in Aden and additional areas in the south in 2016. While the president, vice president, and foreign minister remained in exile in Saudi Arabia, the remainder of the cabinet moved to Aden in 2018 and remained there until August 2019, when the STC seized control of the city. The STC remained in full control of Aden throughout the year until the newly formed government returned to Aden on December 30 under the Saudi-brokered Riyadh Agreement.

In a Yemeni Network for Rights and Freedoms report focused on one indicative month of Houthi abuses from July 15 through August 15, the report documented 141 Houthi abuses of civilians. The network's field team documented 26 killings and 21 injuries, including to women and children, resulting from Houthi bombing of residential neighborhoods, sniper shootings, and landmines. They also recorded 49 cases of kidnapping, including of women, enforced disappearance, torture, and humiliation of detained abductees by the Houthis. According to the report, the Houthi militia established nine new secret prisons, most of them in confiscated civilian homes or educational facilities. The team also investigated 27 cases of attacks against civilian targets by Houthi gunmen, particularly the homes of civilians, during the same period.

Because of damage to health facilities and water and sanitation infrastructure, as well as a lack of effective public measures to mitigate disease transmission, the country continued to experience several major communicable disease outbreaks, including cholera, COVID-19, polio, diphtheria, and other diseases. Between January and August, there were more than 180,000 cholera cases, which resulted in 55 deaths countrywide, according to the UN World Health Organization (WHO). More than 2,030 confirmed COVID-19 cases and 587 associated deaths were recorded in the country between early April and late September, although WHO reported that cases were significantly underreported. Furthermore, the COVID-19 outbreak resulted in decreased utilization of other health care services due to COVID-19-related fear and stigma, including cholera detection and treatment interventions.

Killings: The ROYG-based NCIAVHR reported 928 civilian casualties (comprising both injuries and deaths) during the year, which included 326 killed by the Houthis, 321 by the Saudi-led coalition, and 65 by unspecified other parties. (See section 1.a., Arbitrary Deprivation of Life.)

On January 18, the Houthis launched a drone attack on a mosque in a military camp in Ma'rib during evening prayers, killing more than 100 soldiers while they were praying, according to press reports.

On January 22, a missile hit Member of Parliament Hussein Bin Hussein al-Sawadi's home in Ma'rib, killing his daughter-in-law and two of his granddaughters and wounding five others, including al-Sawadi.

On February 15, the UN humanitarian coordinator for Yemen reported that as many as 31 civilians were killed and 12 others were wounded as a result of Saudi-led airstrikes conducted in al-Jawf governorate. The Saudi-led coalition claimed it conducted a search-and-rescue operation in the vicinity of a downed Saudi fighter jet and referred the incident to the Joint Incident Assessment Team (JIAT) for investigation.

The UN humanitarian coordinator for Yemen reported in April that six women and a child were killed and at least 11 others were injured when shells hit the women's section of the Central Prison in al-Mudhaffar district in Ta'iz.

During his July 28 briefing to the UN Security Council, Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock reported that at least 12 civilians were killed in a June 15 air strike of unknown origin on a vehicle in Sa'ada. Lowcock also described an air strike that killed nine civilians in Hajjah on July 12, and another that killed 11 civilians in al-Jawf on July 15.

On August 7, the UN humanitarian coordinator for Yemen reported that as many as nine children were killed and seven others were injured during Saudi-led strikes that occurred while the children were traveling by road in al-Jawf governorate. The report stated it was the third attack in less than a month to cause multiple civilian casualties.

The government of Saudi Arabia established the JIAT in 2016 to identify lessons and corrective actions, and to implement national accountability mechanisms, as appropriate. The Riyadh-based group, consisting of military and civilian members from coalition member states, investigated allegations by international organizations and individuals regarding civilian casualties and targeting of humanitarian aid convoys and infrastructure. The JIAT hosted press conferences throughout the year publicizing the results of more than two dozen investigations, which largely absolved the coalition of responsibility for civilian deaths in the incidents reviewed. The Saudi government has not prosecuted any cases based on JIAT findings to date. The OHCHR and others asserted the JIAT's investigations did not provide sufficient transparency on the targeting process for strikes. In 2018 HRW stated the JIAT's public conclusions raised serious questions regarding the ways in which the JIAT conducted investigations and applied international humanitarian law.

Other deaths resulted from attacks and killings by armed groups including the terrorist groups AQAP and ISIS-Yemen. The two groups carried out several deadly attacks against civilians, Houthi combatants, members of southern movements, and other actors. According to several reports, including from the ROYG, the designated terrorist group Ansar al-Sharia (an alias for AQAP) killed and crucified dentist Motthar al-Youssoufi on August 15 at a health center in Assowma'a district in al-Bayda governorate. The terrorist group 10 days later bombed the health center where the victim worked, accusing the center of debauchery because it allowed mixing of the sexes.

Physical Abuse, Punishment, and Torture: Torture and other forms of mistreatment were common in all detention facilities. The UN Group of Experts found reasonable grounds to believe that parties to the conflict engaged in torture, including sexual violence (see section 1.c., Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.).

The UN Group of Experts documented detention-related abuses. They also reported cases of torture in ROYG-controlled facilities at the Ma'rib Political Security Prison, including one case involving five men and two boys who were subjected to torture by

“suspension in painful positions, crawling on broken glass and screws, beating and electric shock to genitals with threats of sterilization, and burning of genitals.”

The UN Group of Experts reported that the Houthis tortured and mistreated detainees in detention facilities under their control, including at Sana’a Central Prison, unofficial facilities such as the security and intelligence detention center, and in secret detention facilities. They reported similar cases of torture at al-Saleh Prison in Ta’iz, particularly in the national security section operated by the Houthis. Methods of torture included “repeated and severe beating with sticks, electric cables, iron bars; electrocution; removal of fingernails; electrocution and beating of the genitals with threats of sterilization; forced nudity; sexual violence; and solitary confinement.”

In August the Defense Foundation for Rights and Freedoms (DFRF), a local NGO, reported that Saeed Arif Saeed Moqbel Jalijal had been forcibly disappeared by UAE officers and tortured in al-Wadah Hall in Aden for four years. According to his statements, an Emirati officer tortured him by burning and electric shock.

Also in August the DFRF stated that pro-STC forces in Aden unlawfully and repeatedly detained and tortured three youths from rival factions.

Child Soldiers: Although the law and ROYG policy expressly forbid the practice, HRW found that one-third of all combatants were minors. The UN Group of Experts assessed that during the year both coalition-backed forces and Houthi forces conscripted or enlisted children younger than age 18 into armed forces or groups and used them to participate actively in hostilities, with cases of recruitment and use of boys as young as seven years old. The Yemeni Armed Forces, Houthi-affiliated resistance groups, and the different southern forces, including but not limited to the STC, have all been documented as having recruited children, according to the UN Group of Experts.

Most cases of child soldiers were attributed to Houthi forces. The UN Group of Experts reported that the Houthis used the education system to indoctrinate students in Houthi ideology, incite violence, and recruit children from 34 schools across six governorates (Amran, Dhamar, Raymah, Sa’ada, Sana’a, and Ta’iz). The group also documented the recruitment of girls by the Houthis into the Zainabiyat forces, the female Houthi security

apparatus. Since 2015, 12 girls aged 13-17 allegedly survived sexual violence as well as forced and early marriage directly linked to their recruitment.

Tribes, primarily affiliated with the Houthis, but also including some tribes armed and financed by the ROYG to fight alongside its regular army, used underage recruits in combat zones, according to reports by international NGOs such as Save the Children. Combatants reportedly included married boys between the ages of 12 and 15 in fighting in the northern tribal areas; tribal custom considered married boys as adults who owe allegiance to the tribe. As a result, according to international and local human rights NGOs, one-half of tribal fighters were youths younger than age 18. Other observers noted tribes rarely placed boys in harm's way but used them as guards rather than fighters.

The lack of a consistent system for birth registration compounded difficulties in proving age, which at times contributed to the recruitment of minors into the military. The United Nations also documented the deprivation of liberty of boys by armed forces and groups for their alleged association with opposing parties.

Also 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, worsening macroeconomic conditions, fuel shortages, damage to civilian infrastructure, and lack of access for and bureaucratic constraints on humanitarian organizations to reach vulnerable populations contributed to the worsening humanitarian situation. The United Nations reported that 24.3 million individuals needed humanitarian assistance as of November. As of November, the United Nations reported that there were more than 40 front lines where relief workers must negotiate passage with various armed groups, which complicated and delayed aid delivery.

The United Nations reported that since 2019, parties to the conflict increasingly impeded humanitarian operations. Continued Houthi interference in relief operations had resulted in the disruption of humanitarian activities in the north, affecting an estimated 9 million persons as of November. Houthi officials issued more than 310 directives between

January 2019 and November to control organizations providing humanitarian assistance.

Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock told the UN Security Council in October that humanitarian staff in the south also faced challenges due to insecurity, including harassment by armed groups.

There were reports of attacks on health-care facilities and health-care workers. The WHO recorded 142 attacks on health facilities from March 2015 to March.

On February 7, a number of international NGOs released a joint statement that described an attack on Ma'rib's main hospital, which serves up to 15,000 patients. In addition, a nearby hospital and mobile clinic were also structurally damaged. The Group of Eminent Experts found reasonable grounds to believe that these attacks were, at a minimum, prohibited indiscriminate attacks due to the imprecise nature or deployment of the weapons used.

On March 13, the al-Thawra hospital, supported by Medecins Sans Frontieres (MSF), was struck multiple times by shelling by an unknown group. A week earlier, on March 5, the hospital's general laboratory was damaged and a medical staff member was wounded by shelling. Since 2018 MSF recorded at least 40 incidents of violence against the hospital, its personnel, and patients, including shootings inside or near hospital premises. Hospital buildings and structures were hit more than 15 times by small arms fire and shelling, and there were several incidents of medical staff being harassed and attacked. An MSF-supported hospital in Ta'iz was also affected by shelling in October.

There were reports of the use of civilians to shield combatants. Houthi forces reportedly used captives as human shields at military encampments and ammunition depots under threat of coalition airstrikes.

## Section 2. Respect for Civil Liberties, Including:

## **A. FREEDOM OF EXPRESSION, INCLUDING FOR THE PRESS**

Although the constitution provides for freedom of expression, including for 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. The Houthis did not respect the rights as provided in the constitution, and the government was unable to enforce them.

**Freedom of Speech:** All parties to the conflict severely restricted the right to freedom of expression. Female human rights defenders, journalists, and activists faced specific repression on the basis of gender. Local human rights defenders faced harassment, threats, and smear campaigns from the government, Saudi-led coalition, and Houthi forces. Freedom House reported that freedom of personal expression and private discussion remained severely limited as a result of intimidation by armed groups and unchecked surveillance by the Houthi authorities. In multiple instances Houthis went to the homes of activists, journalists, and political leaders opposed to the Houthis and used the threat of arrest and other means to intimidate perceived opponents and to silence dissent.

**Press and Media, Including Online Media:** Prior to the outbreak of conflict, the transitional government approved legislation to regulate broadcasting and television channels. A number of domestic private radio and television stations operated under media production company permits, and several stations broadcast from abroad for domestic audiences.

**Violence and Harassment:** The government was unable to take any substantive steps to protect journalists from violence and harassment. Progovernment popular resistance forces, Houthis, and tribal militias were responsible for a range of abuses against media outlets.

The UN Group of Experts reported that the Houthis arbitrarily detained journalists and human rights defenders in Sana’a prisons, such as Sana’a Central Prison, unofficial facilities like the security and intelligence detention center, and in secret detention facilities, including former residential buildings in and around Sana’a.

Reporters Without Borders reported that photographer Abdullah Bukeir, who was arrested and detained in a ROYG-controlled facility in April, began a hunger strike and

by June was hospitalized because of his condition. As of December, he remained in detention.

Amnesty International reported in July that the Houthis had detained 10 journalists since 2015 on false charges, subjected them to torture and other forms of abuse, and sentenced four of them—Akram al-Walidi, Abdelkhaleq Amran, Hareth Hamid, and Tawfiq al-Mansouri—to death in April for espionage (see section 1.d, Arbitrary Arrest or Detention.). The journalists reportedly suffered from a range of medical problems while in detention.

**Censorship or Content Restrictions:** The Houthis controlled several state ministries responsible for press and communications, including the Ministry of Telecommunications. In that capacity they selected items for formerly government-run broadcast and print media and did not allow reports critical of themselves. The Ministry of Telecommunications and internet service providers reportedly blocked websites and domains that authorities deemed critical of the Houthi agenda. The OHCHR reported Houthi forces censored television channels and banned newspapers from publication.

**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 whether the ROYG or the Houthis used these laws to restrict public discussion or retaliate against journalists or political opponents.

**Nongovernmental Impact:** Nongovernmental actors inhibited freedom of expression, including for members of the press. The OHCHR reported that since the start of the conflict in March 2015 there were 357 human rights abuses against journalists, including 28 killings, two enforced disappearances, one abduction, 45 physical assaults, and 184 arbitrary arrests and detentions. These abuses were committed by both government authorities and nonstate actors.

## **INTERNET FREEDOM**

Censorship affected internet freedom, and there were notable cases of Houthi intrusion into cyberspace. The Houthi-controlled Public Telecommunications Corporation systematically blocked user access to websites and internet domains it deemed dangerous to their political agenda.

## **ACADEMIC FREEDOM AND CULTURAL EVENTS**

The NSB maintained permanent offices on campuses, reflecting continued government concern regarding security and, in some cases, controversial speech. Partisan officials at the Ministry of Higher Education and academic institutions reviewed prospective university professors and administrators for political acceptability before hiring them and commonly showed favoritism toward supporters of specific political parties. There were no reported instances of censored curriculums or sanctioned professors or students; however, after their takeover, Houthi and other actors' incursions onto campuses and detentions of academics appeared designed to intimidate perceived opponents.

Scholars at Risk (SAR) reported that armed groups, mostly Houthi forces, targeted individual students, faculty, and university administrators over perceived disloyalty to a particular armed group. The Houthis subjected scholars and students to a number of academic reforms aimed at bolstering Houthi influence and quashing opposition. The reforms include the imposition of lectures and apparently politicized courses developed by the Houthis. Students have reportedly been required to study speeches and sermons by Houthi military leaders. One scholar in exile told SAR that Houthi forces have required faculty to attend lectures on the group's ideology.

On January 25, Houthi militants arrested Hamid Aqlan, president of the Sana'a-based University of Science and Technology, along with one of his administrative colleagues. The Houthis reportedly charged Aqlan with "aiding aggression" based on accusations that he smuggled the university's financial and electronic records, including those of the university hospital, to the private university's owners in Aden. Aqlan was brought to an undisclosed location where Houthi soldiers denied him contact with family and colleagues. The day of his arrest, the Houthis announced the appointment of a new president, Adel al-Mutawakkil, whom the ROYG identified as a supporter of the Houthis.

On February 2, Houthi forces released Aqlan; however, they detained him again on February 11 at a checkpoint in Ibb governorate, along with his brother and three other companions. On March 4, Aqlan was charged with “falsifying a personal identity.” While his companions were released, Aqlan remained in custody at year’s end.

On February 2, armed Houthi forces raided a Sana’a University lecture hall and assaulted sociology professor Ali Baalawi, apparently for allegedly criticizing the appointment of a military commander’s relative as dean of the Faculty of Arts, despite lacking the appropriate qualifications. Baalawi was promptly removed from campus and reportedly barred from returning to the university.

On May 19, Houthi forces detained Hodeidah University faculty member Wadih al-Sharjabi, apparently for social media commentary critical of the Houthi militia. Al-Sharjabi, a communications lecturer, had reportedly demanded over Facebook that the militia release several university students who were arrested for allegedly fighting alongside state armed forces.

SAR also documented Houthi activities to deter campus activities the Houthis found objectionable. On February 2, Houthi soldiers and a number of pro-Houthi student informants shut down an academic competition hosted at the University of Ibb that they claimed was “immoral” and did not have their advance approval.

## **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 the majority of the country, i.e., areas that the ROYG did not control.

### **FREEDOM OF PEACEFUL ASSEMBLY**

The law provides for freedom of peaceful assembly. The Houthis and their affiliates responded to demonstrations and protests in various parts of the country with excessive force. SAR reported that in March students at the University of Science and Technology in Sana’a allegedly received threatening letters after holding a peaceful campus protest

against the Houthi occupation of the university and the continued detention of the university's former president Dr. Hamid Aqlan (see section 2.a, Freedom of Expression–Academic Freedom and Cultural Events).

## **FREEDOM OF ASSOCIATION**

While the law provides for freedom of association, there were reports the Houthis harassed and detained activists and shut down NGOs. Houthi authorities closed numerous NGOs during the year without proper due process, citing treason or conspiring with foreign powers. Houthi authorities created the Executive Office for Monitoring Operations of International Organizations to oversee the work of NGOs and reportedly police NGO activity. Several NGOs originally based in Sana'a moved to Aden or other cities in government-controlled areas, or abroad.

The law regulates associations and foundations and outlines the establishment and activities of NGOs. Authorities required annual registration. The law exempts registered NGOs from taxes and tariffs and requires the government to provide a reason for denying an NGO 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. There were no known attempts by NGOs to register during the year.

## **C. FREEDOM OF RELIGION**

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

## **D. FREEDOM OF MOVEMENT**

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

In-country Movement: Rebel forces, resistance forces, security forces, and tribes maintained checkpoints on major roads. In many regions, especially in areas outside

effective central security control, 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 also hindered the delivery of humanitarian aid and commercial shipments (see section 1.g, Abuses in Internal Conflict).

Women in general did not enjoy full freedom of movement, although restrictions varied by location. Oxfam reported that in areas controlled by radical Islamic groups such as AQAP, men at checkpoints increasingly insisted on adherence to the *mahram* system, the cultural obligation of women to be accompanied by male relatives in public. The Office of the UN High Commissioner for Refugees (UNHCR) reported that harassment at checkpoints of women and girls not accompanied by a male, as well as inability to afford transport, hampered women's ability to reach health, nutrition, and other services.

The Houthis banned the mixing of genders in cafes unless the couple had children or carried a marriage certificate.

Local observers reported individuals from Houthi-controlled areas faced increasing discrimination and difficulties when traveling in the southern portion of the country.

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 Sana'a airport customs or immigration functions. In 2016 the coalition closed Sana'a International Airport to commercial traffic, permitting only UN humanitarian flights, thereby preventing thousands of local citizens from traveling abroad. Those who needed to leave the country attempted alternative routes that required long journeys across active front lines at high risk and cost.

The closure of airports and land borders as a result of COVID-19 further complicated international travel. In September the Houthi authorities temporarily closed Sana'a airport to UN flights.

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, but there were no reports of government authorities enforcing this requirement during the year. There were attempts, however, by the Houthis to impose 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 (see section 6, Women).

## **E. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS**

Prior to 2014 the transitional government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees (see section 2.f, Protection of Refugees), returning refugees, asylum seekers, stateless persons, and other persons of concern.

The Houthi takeover, coalition airstrikes, and active fighting made it difficult for humanitarian organizations to reach many areas of the country due to security concerns (see section 1.g, Abuses in Internal Conflict—Other Conflict-related Abuse).

UNHCR reported in September that more than 156,000 additional persons had been internally displaced since the beginning of the year, and further displacement occurred during increased fighting in Ma'rib. Close to one million IDPs were living in more than 1,600 IDP sites in deplorable conditions; UNHCR and its partners had access to 660 of those sites to provide assistance.

The European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations reported in March that heavy fighting in al-Hazm caused massive secondary and tertiary displacements of IDPs towards Ma'rib. An estimated 1,800 households reportedly fled the area as fighting escalated and more than 2,100 IDPs had already reached Ma'rib.

In April, Under Secretary General for Humanitarian Affairs and Emergency Relief Coordinator Lowcock said that 60,000 persons had fled conflict in al-Jawf since January, most of them arriving in Ma'rib.

UNHCR declared in July that up to 670 IDP families had been newly displaced in Abyan due to recent clashes between STC and ROYG forces.

In August the Executive Unit for the Management of IDPs in Ma'rib reported the displacement of 1,580 families from their homes and displacement camps due to military operations launched by Houthi rebels in the Medghal district of Ma'rib.

According to UNHCR, summer flooding temporarily displaced an additional 300,000 individuals, some of whom were already living in IDP camps. The worst hit areas were Ma'rib, Amran, Hajjah, Hudaydah, Ta'iz, Lahj, Aden, and Abyan governorates, where floods killed more than 150 persons.

Humanitarian organizations' access to IDPs and other vulnerable populations was generally limited and unpredictable due to the continuing conflict; however, many humanitarian organizations maintained a presence in multiple locations. According to the United Nations, humanitarian organizations, local NGOs, and charities that still functioned in the capital supported IDPs and other conflict-affected persons in Sana'a and other parts of the country with food, shelter, nonfood items, and other support. IDPs from Sa'ada reported limited access to cash for purchasing basic household items. COVID-19 exacerbated the challenges of reaching IDPs.

NGOs reported shelter continued to be a primary concern for IDPs. The IOM reported IDPs largely sought refuge with relatives or friends, or rented accommodations where many faced frequent threats of eviction due to late rent payments. Others were held in unconventional shelters in public or private buildings such as schools, health facilities, or religious buildings, primarily in Ta'iz and Lahj. The shifting nature of the conflict displaced many IDPs multiple times as the front lines of the conflict changed, requiring individuals to seek new shelter with every subsequent displacement.

## **F. PROTECTION OF REFUGEES**

The IOM reported that new arrivals of migrants declined significantly due to COVID-19 travel restrictions. Between January and September, the IOM recorded somewhat more than 33,000 arrivals, compared to more than 84,000 during the same period in 2019.

The country received refugees from a variety of countries. Many refugees became increasingly vulnerable due to the worsening security and economic situation in the country. Somali, Ethiopian, Eritrean, and other refugees, asylum seekers, and migrants shared in the general poverty and insecurity of the country.

According to UNHCR, there were 283,898 refugees and asylum seekers in the country as of August, mostly from Somalia and Ethiopia. Many were attempting to reach or return to Saudi Arabia for work and had entered the country based on false information from smugglers that the conflict in the country was over, according to UNHCR and the IOM. Many took refuge at the Kharaz refugee camp and towns in the south. The ROYG 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. UNHCR and other organizations stated there were reports of refugees and migrants facing physical and sexual abuse, torture, and forced labor in both Houthi and ROYG-controlled facilities, and that many refugees and migrants were vulnerable to human trafficking.

Abuse of Migrants, Refugees, and Stateless Persons: According to the IOM, migrants in the country continued to face egregious forms of abuse at the hands of smugglers and traffickers, including sexual and gender-based violence, torture, abduction for ransom, forced labor, and physical violence. The IOM considered women and girls to be particularly vulnerable and more likely to be trafficked and exposed to sexual abuse. The OHCHR reported that UAE-supported Security Belt Forces (SBF) committed rape and other forms of serious sexual violence targeting foreign migrants and other vulnerable groups (see section 1.c, Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; and 1.g, Abuses in Internal Conflict.).

These risks were compounded by armed hostilities concentrated around Shabwah, Abyan, al-Bayda, al-Jawf, Ma'rib, and Sa'ada governorates, and by internal movement restrictions due to COVID-19. These factors resulted in more migrants becoming stranded or trapped for longer periods in areas without assistance and at risk of being injured or killed, according to the IOM. Multiple NGOs and media reported that criminal smuggling groups built a large number of "camps" near the Yemen-Saudi border city of

Haradh and in other parts of the country, where militants held migrants for extortion and ransom.

The UN Department of Economic Affairs reported there were 385,600 migrants, including women and children, as of mid-2019. The IOM estimated that more than 14,500 migrants were stranded in August because of the COVID-19 border closures in Aden, Ma'rib, Lahj, and Sa'ada governorates. Through the end of July, the IOM assisted in the return of 946 migrants from the country.

Authorities in both the north and south of the country often detained migrants. According to the IOM, migrants in detention who could afford to pay for their release were reportedly loaded on trucks and moved to other governorates where they were left in secluded areas, on the outskirts of towns, or forcibly transferred to the Sana'a Immigration, Passport, and Naturalization Authority facility. In the north, from April to June, Houthi authorities arrested and relocated 1,500 migrants to the south. The IOM estimated that approximately 5,000 migrants were living in Aden on the streets.

The IOM reported both the ROYG and Houthis detained migrants due to concerns the migrants could be recruited by the other party, and to scapegoat migrants for being carriers of COVID-19. UNHCR, the IOM, and other humanitarian organizations faced challenges accessing detention centers to monitor detained refugees and asylum seekers.

While the government generally deported migrants back to their country of origin, the Houthis frequently detained migrants for indefinite periods.

HRW and the IOM reported overcrowding in detention facilities, lack of access to medical care, and physical abuse, with detainees showing signs of sores and festering wounds.

According to local authorities, 390 migrants were relocated from detention centers in Houthi-controlled areas to al-Jawf, and from mid-April to mid-May, 486 were moved to Ta'iz. The Houthis reportedly left at least 20,000 migrants stranded along the border

with Saudi Arabia. As of June, approximately 7,000 migrants were reportedly still on the Saudi-Yemen border.

The IOM reported in September that an estimated 4,000 or more migrants in Ma'rib were stranded across the governorate, with many of them having lived there for more than six months, unable to continue their journey northwards due to movement restrictions along the main roads. In addition, more than 500 migrants were under risk of eviction in Ma'rib due to a lack of acceptance from the local community.

HRW reported that in April, Houthi forces forcibly expelled thousands of Ethiopian migrants from Sa'ada in the northern part of the country. The Houthi forces described the migrants as "coronavirus carriers," killing dozens and forcing them to the Saudi border. Saudi border guards reportedly fired on the migrants, killing dozens more, while hundreds of survivors escaped to a mountainous border area (see the *Country Reports on Human Rights Practices* for Saudi Arabia).

From January 1 through July 31, the IOM reported that 13,416 citizens returned to the country from Saudi Arabia and 366 from the Horn of Africa.

According to reports, the head of the militia that previously detained refugees at the Bureiqa migrant detention center was arrested and all refugees were released.

Access to Asylum: No law addresses the granting of refugee status or asylum, and there was no system for providing protection to asylum seekers. In past years the government provided automatic refugee status to Somalis who entered the country. The Houthis attempted to take over the refugee status determination process in areas under their control, leading many refugees to have lapsed documentation. Houthi armed groups arbitrarily detained migrants in poor conditions and failed to provide access to asylum and protection procedures in multiple facilities in Houthi-controlled territories. UNHCR was generally able to access populations to provide assistance and was working with the Houthis to come to a resolution on registration of refugees. UNHCR continued to conduct refugee status determinations in southern territory under ROYG control, in coordination with the government.

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 COVID-19 travel restrictions. Most of the country's airports had significant damage or were closed to commercial traffic, making air travel difficult for all, including refugees. In areas controlled by Houthis, unofficial checkpoints blocked and delayed the movement of individuals and goods.

Access to Basic Services: Refugees lacked access to basic services due to the continuing conflict. The United Nations estimated only approximately half of the country's public-health facilities remained functional during the year. Many were 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.

## 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 conflict interrupted a government-initiated new voter registration program. There have been no elections since the outbreak of conflict in 2014.

### **ELECTIONS AND POLITICAL PARTICIPATION**

Recent Elections: In 2014 the major political parties, acting within the National Dialogue Conference (NDC), endorsed an extension of President Hadi's term, in view of the conflict. In 2014, 13 parties signed a Peace and National Partnership Agreement that temporarily ended the violence associated with the Houthi movement into Sana'a and called for implementation of the NDC outcomes, including holding elections and establishing a new constitution.

In 2015 the Houthis declared the constitution null and void, 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 institutions did not receive international recognition as government bodies, and elections for parliament were not held.

In Sayoun in April 2019, the ROYG reconvened parliament for the first time since 2015. Parliament has not reconvened since that time, in part due to events in August 2019 when the STC forced the ROYG out of the temporary capital of Aden to Riyadh.

The November 2019 Riyadh Agreement was aimed at ending three months of hostilities in the country's south, producing a more inclusive cabinet, and bringing all military forces under the ROYG umbrella. In July the ROYG and the STC agreed to a mechanism for implementing the Riyadh Agreement, including the STC's reversal of its April 25 declaration of self-administration of governance in Aden. The newly formed government arrived in Aden on December 30.

The UN-led political process continued at year's end. UN Special Envoy Martin Griffiths continued his efforts to broker agreement between the ROYG and the Houthis on a joint declaration to establish a ceasefire, implement certain economic and humanitarian measures, and restart political negotiations.

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 given tribe, religious sect, class, or profession.

## 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. A burdensome criminal judicial process creates a separate legal system for the political elite. According to the constitution, approval of one-fifth of the members of parliament is

necessary 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 the procedure.

Corruption: Corruption was pervasive throughout the country, and observers reported petty corruption in nearly every government office. Job applicants were often expected to purchase their positions. Observers believed tax inspectors undervalued assessments and pocketed the difference. Many government officials and civil service employees received salaries for jobs they did not perform or multiple salaries for the same job. Corruption also regularly affected government procurement. Corruption and goods on the black market increased overall in parts of Houthi-controlled areas, particularly in institutions controlled from Sana'a.

Recent analyses by international and local observers, including Transparency International, agreed corruption was a serious problem in every branch and level of government, and especially in the security sector. International observers claimed government officials benefited from insider arrangements, embezzlement, and bribes. Political leaders and most government agencies took negligible action to combat corruption. In the view of informed local observers, the leading cause of the 2011 protests that eventually led to the internal conflict was the anger against decades-long pervasive corruption in the central government.

Some police stations reportedly maintained an internal affairs section to investigate security force abuses and corruption, and citizens have the right to file complaints with the Prosecutor's Office. The Ministry of Interior had a fax line for citizens to file claims of abuse for investigation. No information was available on the number of complaints the ministry received or investigated, or whether the mechanism still existed.

A government plan to collect biometric information on all government employees, including soldiers and other security force members, and to create a central registry designed to eliminate the alleged tens of thousands of fraudulent and duplicate names from the payroll, was suspended following the armed Houthi takeover in 2015. The government also suspended implementation of a payment system for soldiers and other

security force members via bank or post office accounts. Prior to the outbreak of conflict, that system bypassed paymasters who had previously paid soldiers in cash.

In June the ROYG Human Rights Ministry called on institutions, including universities and trade unions, to reject a new Houthi law calling for a 20 percent tax for the benefit of Hashemite families, particularly the Houthi dynasty, as purported descendants of the prophet Muhammad.

Prior to the outbreak of conflict, the independent Supreme National Authority for Combating Corruption (SNACC) received complaints and developed programs to raise awareness of corruption. It included a council of government, civil society, and private-sector representatives. A lack of capacity, particularly in terms of financial analysis, hampered the SNACC. The November 2019 Riyadh Agreement called for reactivating the SNACC and “strengthening it with honest and professional figures and...[re]activating its oversight role.” The ROYG prime minister formally announced the “reconstitution” of the SNACC in December 2019.

Financial Disclosure: The law requires annual disclosure of financial assets by all ministers, deputy ministers, agency heads, members of parliament, and Shura Council members. Filers are to provide disclosures to the SNACC for verification. The information was not publicly available. The SNACC may also request disclosures from any other government employee and provides for penalties for false filing of information. The law does not require disclosure of assets of children or spouses. There was no information on whether officials complied with the law.

## Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

International human rights organizations stated their personnel were unable to obtain coalition permission to use UN flights into and out of Sana'a since 2017. Independent observers must take commercial flights to government-controlled areas in the south and then travel by land across dangerous front lines to other areas.

**The United Nations or Other International Bodies:** In October 2019 media reports stated Houthi rebels denied entry to OHCHR representative Ahmed Elobeid. When Elobeid landed in Sana'a, Houthi security officers boarded his plane, confiscated his travel permit, and ordered his plane to depart. Prior to this incident, the OHCHR had published a critical report detailing abuses by all parties in the civil war, including sexual violence against women in Houthi-run prisons. In June the United Nations appointed Abeer al-Khraisha as chief of mission to replace Elobeid.

**Government Human Rights Bodies:** The NCIHVHR was established in 2015 as an independent group responsible for investigating all alleged human rights abuses since 2011. The commission consists of a chair and eight members with legal, judicial, or human rights backgrounds. The NCIHVHR continued to investigate and report on human rights conditions during the year and conducted training with the United Nations.

## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

### 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.

The United Nations reported incidents of gender-based violence increased (see section 1.g, Abuses in Internal Conflict—Physical Abuse, Punishment, and Torture.). The Office of the Special Representative of the UN Secretary-General on Sexual Violence reported in June that women and children faced a high risk of sexual violence, and noted that female political leaders and activists have been systemically targeted by the Houthis

since 2017. The UN Group of Experts reported that in Houthi-controlled territory, women either were threatened with or experienced prostitution charges, physical harm, arbitrary and secret detention, and sexual violence if they spoke out against the Houthis. Women also were reported as having an increased vulnerability due to the conflict and subsequent displacements.

From December 2017 through December 2019, the Group of Experts reported the detention and arrest of 11 women, three of whom were repeatedly raped while in custody. The Zainabiyat, the female Houthi security force that worked as prison guards, was implicated in abetting the rape of these women, including during interrogation. The UN Panel of Eminent Experts also documented abuses committed by the Zainabiyat, including sexual assault, beatings, torture, arbitrary arrest and detention, and facilitating rape in secret detention centers.

The UN Group of Experts also noted the role of the SBF and 35th Armored Brigade personnel (over whom the ROYG exercised minimal control) in perpetrating rape and other forms of sexual violence against women and girls.

NGOs documenting human rights abuses reported multiple incidents of sexual violence. In December 2019 the brother and male cousin of a young girl were arrested for defending her after she was harassed by the bodyguard of a prominent STC official. In March an STC battalion attacked an IDP camp and reportedly raped female residents. Also in March a Houthi official sexually harassed an aid worker in an attempt to coerce her into preferential distribution of food to Houthi officials.

There were no reliable rape prosecution statistics, and the number of rape cases was unknown. Human rights NGOs stated their view that underreporting of sexual and gender-based violence cases was common. By law authorities can prosecute rape victims 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.

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. Victims 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 the UN Population Fund, the most recent data, from 2013, indicated 19 percent of women ages 15 to 49 have undergone FGM, with prevalence rates as high as 80 percent and 85 percent in al-Mahrah and Hadramout, respectively.

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

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

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 cannot marry without permission of their male guardians, do not have equal rights in inheritance, divorce, or child custody, and have little legal protection. They experienced discrimination in areas such as employment, credit, pay, owning or managing businesses, education, and housing (see section 7.d, Discrimination with Respect to Employment and Occupation). A 2015 estimated female literacy rate of 55 percent, compared with 85 percent for men, accentuated this discrimination.

A male relative's consent was often required before a woman could be admitted to a hospital, creating significant problems in a humanitarian context in which the men of the household were absent or dead.

Women also faced unequal treatment in courts, where the importance given a woman's testimony equals half that of a man's.

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, Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence). 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 (see section 7.d, Discrimination with Respect to Employment and Occupation).

## **CHILDREN**

Birth Registration: Citizenship derives from a child's parents. A child of a Yemeni father is a citizen. Yemeni women may confer citizenship on children born of a foreign-born father if the child is born in the country. If the child is not born in the country, 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, and there were no reports of authorities denying educational or health-care services and benefits to children based on lack of registration.

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. For school attendance statistics, see the 2020 *Humanitarian Situation Report* from UNICEF.

UNICEF and other agencies reported an estimated two million children have dropped out of school since 2015. The United Nations further estimated that only two-thirds of schools were functioning, even prior to COVID-19 restrictions.

The UN Group of Experts raised concern that some parties to the conflict deprived children of their right to education through the military use of schools, manipulation of education, and targeting of educators. The ROYG Special Security Forces reportedly used a school in Shabwah as a military barracks and detention facility, and the Houthis had allegedly used four schools for weapons storage, manufacturing, and training.

Approximately 160,000 teachers have not been paid regularly since 2016. As a result of the irregular payment of salaries, as well as attacks on schools, many teachers were forced to seek alternate sources of income for support.

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 family affair.

Child, Early, and Forced Marriage: Early and forced marriage was a significant, widespread problem. According to UNICEF, 32 percent of girls were married before age 18 and 9 percent of girls were married before age 15. The conflict has exacerbated the situation. 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.

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

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child*

Abduction at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

## **ANTI-SEMITISM**

Approximately 20 Jews remained in the country. According to media reports, most lived in a compound in Sana'a. The continuing conflict further weakened law enforcement. Targeted discrimination by the Houthi authorities put the Jewish community at risk. Many fled the country as a result.

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

Use of anti-Semitic language was increasingly prevalent throughout the year. The Houthi movement adopted anti-Semitic slogans, including "death to Israel, a curse on the Jews." Anti-Israel rhetoric often blurred into anti-Semitic propaganda. The Houthis propagated such materials and slogans throughout the year, including adding anti-Israel slogans and extremist rhetoric into the elementary education curriculum and books.

Members of the Jewish community are not eligible to serve in the military or national government. Authorities forbid them from carrying the ceremonial Yemeni dagger.

## **TRAFFICKING IN PERSONS**

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

## **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. Social stigma, official indifference, and the continuing conflict were obstacles to implementation.

Children with disabilities may attend public schools, although schools made no special accommodations for them.

Although the law mandates that new buildings have access for persons with disabilities, compliance was poor.

Amnesty International estimated that there are 4.5 million persons with disabilities, including among IDPs. Approximately 37 percent of persons with disabilities were aged 65 and above, according to Amnesty International. Information concerning patterns of abuse of persons with disabilities in educational and mental health institutions was not publicly available.

The Ministry of Social Affairs and Labor was responsible for protecting the rights of persons with disabilities. The ROYG could not collaborate with the World Bank to administer a social development fund. The ministry was also unable to oversee the Fund for the Care and Rehabilitation of the Disabled, which provided limited basic services and supported more than 60 NGOs assisting persons with disabilities.

## **MEMBERS OF NATIONAL/RACIAL/ETHNIC MINORITY GROUPS**

Although racial discrimination is illegal, some groups, such as the Muhamasheen or Akhdam community, and the Muwaladeen (Yemenis 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. Muhamasheen women were particularly vulnerable to rape and other abuse because of the general impunity for attackers due to the women's low-caste status. The UN Group of Experts reported the Muhamasheen continued to be targets of extreme sexual violence. There were reports of chattel slavery of the Muhamasheen (see section 7.b, Prohibition of Forced or Compulsory Labor). During the year the Houthis have reportedly recruited Muhamasheen fighters more actively to fight against the ROYG. In July, Houthis killed four Muhamasheen and injured another in Amran province after they refused to join Houthi fighters on the front lines.

## **ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY**

The penal code criminalizes consensual same-sex sexual conduct, with the death penalty as a sanction under the country's interpretation of Islamic law. There have been no known executions of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in more than a decade.

The government did not consider violence or discrimination against LGBTI persons "relevant" for official reporting.

Due to the illegality of and possibly severe punishment for consensual same-sex sexual conduct, few LGBTI persons were open regarding their sexual orientation or gender identity. Individuals known or suspected of being LGBTI faced discrimination.

There is one active LGBTI-related social media site.

### **HIV AND AIDS SOCIAL STIGMA**

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 on whether there were reports on incidents of discrimination.

## **Section 7. Worker Rights**

Government enforcement of labor law was weak to nonexistent due to the continuing conflict. Labor laws were still in effect, but the Houthis controlled the ministries responsible for their implementation.

### **A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING**

The law provides for the right of salaried private-sector employees 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 the majority of the work force. The civil service code covers public servants. The law generally prohibits antiunion discrimination, 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.

The government did not enforce laws on freedom of association and the right to collective bargaining.

While not formally affiliated with the government, the GFYWTU was the only official federation and worked with the government to resolve labor disputes. In practical terms, a union's ability to strike depended on its political strength. Authorities often accused unions and associations of being linked to a political party.

## **B. PROHIBITION OF FORCED OR COMPULSORY LABOR**

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." This statute's narrow focus on transactions and movement means the law does not criminalize many forms of forced labor.

The ROYG did not effectively enforce the law due to the continuing conflict and lack of resources.

Although information was limited, in the past there were numerous reports of forced labor in both urban and rural areas. The *Asharq al-Awsat* newspaper reported in July 2019 that prominent Houthis held more than 1,800 Yemenis as slaves and servants who work 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 farms (khat is a flowering plant that contains stimulants); some women and children among this population may also have been exploited in domestic servitude.

See also 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**

The law prohibits child labor, but the government did not implement its regulations effectively. The Combating Child Labor Unit within the Ministry of Social Affairs and Labor was responsible for implementing and enforcing child labor laws and regulations.

The country's minimum employment age is 14 or not lower than the age of completion of compulsory education, which is generally age 15.

Children younger than 18 with formal contracts may work no longer than six hours a day, with a one-hour break after four consecutive hours, on weekdays between 7 a.m. and 7 p.m.

Child labor was common, including its worst forms. According to a 2013 International Labor Organization study, which had the most recent available data, more than 1.3 million children participated in the workforce.

In rural areas, family poverty and traditional practice led many children to work in subsistence farming. In urban areas, children worked in stores and workshops, sold goods, and begged on the streets. Children also worked in some industries and

construction. Continued weak economic conditions forced hundreds of children to seek work in the hazardous fishery, construction, and mining sectors. Children also reportedly worked in dangerous conditions in waste dumps. According to HRW, nearly one-third of all combatants in the country were younger than 18 years of age (see section 1.g, Abuses in Internal Conflict–Child Soldiers).

See also 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 <https://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. 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 and mandates the acceptance of persons with disabilities in universities, exempts them from paying tuition, and requires schools be accessible to persons with disabilities. The extent to which any authority implemented these laws was unclear.

Racial and employment discrimination against the Muhamasheen were problems. Persons with disabilities faced discrimination in hiring and limited access to the workplace (see section 6, Persons with Disabilities). Foreign workers may join unions but may not be elected to office. Women were almost absent from the formal labor market, with a labor force participation rate as low as 6 percent.

#### **E. ACCEPTABLE CONDITIONS OF WORK**

There was no established minimum wage in the private sector. The minimum civil service wage was more than the estimated poverty income level; however, civil servant salaries have not been paid consistently for several years, and most were too low to provide for a large family.

The law specifies a maximum 48-hour workweek with a maximum eight-hour workday, although many workshops and stores operated 10- to 12-hour shifts without penalty. The 35-hour workweek for government employees was nominally seven hours per day from Sunday through Thursday. The law requires overtime pay, paid holidays, and paid leave, and it prohibits excessive or compulsory overtime.

The law prescribes occupational safety and health standards. It states every employer must provide industry-appropriate safe and healthy conditions for workers. The law recognizes the right of workers to remove themselves from dangerous work situations, and workers may challenge dismissals based on such actions in court. The safety law does not apply to domestic servants, casual workers, or agricultural workers.

There were reports of migrant workers being mistreated in detention centers before being sent back to their country of origin due to the COVID-19 pandemic. Travel restrictions to prevent the spread of the coronavirus left many migrant workers stranded.

Government enforcement of labor law was weak to nonexistent; penalties, if enforced, were not commensurate with those for analogous violations such as civil rights. Working conditions generally were poor, and wage and overtime violations were common. Foreign migrant workers, youth, and female workers typically faced the most exploitative working conditions. Working conditions were poor in the informal sector, which included an estimated 89 percent of the workforce. There was no credible information available regarding work-related accidents or fatalities during the year.