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Written statement* submitted by Americans for Democracy & Human Rights in Bahrain Inc, a non-governmental organization in special consultative status

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

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



Human Rights, Free Expression, and the War in Yemen

Introduction

Americans for Democracy & Human Rights in Bahrain (ADHRB) would like to take this opportunity, during the 40th session of the United Nations (UN) Human Rights Council (HRC), to raise concerns over the ongoing conflict in Yemen, and the role of the Saudi- and Emirati-led coalition, including Bahrain, in perpetrating human rights abuses.

Background on the Yemen Conflict

Since the conflict began in March 2014, and particularly since the entrance of the Arab coalition led by Saudi Arabia and the United Arab Emirates (UAE) a year later, the conflict in Yemen has claimed the lives of over 10,000 people, including thousands of children. It has also led to the world's largest humanitarian catastrophe, with widespread concerns about food insecurity, famine, access to medicine, access to potable water, and the spread of diseases like cholera. The ongoing nature of the conflict and the scale of the human rights violations are due to a number of factors, including the targeted destruction of medical facilities, attacks on journalists, reports of torture and sexual abuse in prisons, an air and sea blockade of Houthi-held territory that restricts the flow of food, fuel, and medicine, and a breakdown of the Yemeni state causing the fracturing of Yemen into different spheres of influence.

Houthi activities

Houthi forces control much of northern Yemen and the western coast, including the capital Sana'a, and the port city of Hudaydah. They have been implicated in serious human rights violations, including by the Group of Eminent Experts (GEE), whose report on the conflict – mandated by the UN HRC under resolution 36/31 in late 2017 and released in August 2018 – highlights indiscriminate attacks on civilians, arrests of journalists, check point restrictions on food and fuel, arbitrary arrests, and torture.¹

According to the GEE, officials in Houthi-controlled territory have targeted and arbitrarily arrested journalists and dissidents. Journalists critical of the Houthis have noted they “cannot operate safely in areas under their control.”² The Houthis have raided media outlets, blocked websites, censored television channels, and banned newspapers from publication. Security force personnel have also targeted members of civil society who have been critical of the Houthis. Those imprisoned in detention centers, including in Habrah and Al-Thawra prisons in Sana'a, are at risk of torture and abuse by security forces.

Saudi activities

Saudi Arabia, one of the main leaders of the Arab Coalition in Yemen, entered the conflict with the aim of stopping the advances made by the Houthi forces and restoring the previous government. The most visible aspect of the Saudi-led coalition's actions in Yemen is its air strike campaign. The Yemen Data Project has catalogued 16,749 air raids by the Saudi-led coalition from March 2015 to March 2018, 31 percent of which have targeted non-military sites. During these three years, the coalition averaged 453 air raids a month and 15 a day. 423 air raids were recorded in March 2018. In August 2018 alone, 39 percent of the

¹ “Situation of human rights in Yemen, including violations and abuses since September 2014,” Report of the Group of Eminent Experts, 17 August 2018, <http://undocs.org/A/HRC/39/43>.

² Justin Shilad, “Journalists in Yemen under attack from all sides as rival forces crack down on critics,” Committee to Protect Journalists, 7 September 2018, <https://cpj.org/blog/2018/09/journalists-in-yemen-under-attack-from-all-sides-a.php>.

bombings destroyed non-military sites compared to 18 percent of bombings destroying military targets. In June 2018, Saudi Arabian-backed forces also began a targeted attack on the Houthi held port of Hudaydah, worsening the humanitarian crisis in the country.

The Saudi-led coalition has been responsible for attempting to cover up their human rights violations in Yemen. Two Yemeni human rights defenders, Radhya Al-Mutawakel and Abdulrasheed Al-Faqih, were detained in Yemen by Saudi-led coalition security forces. The individuals were President and Director of the Mwatana Organization for Human Rights, which seeks to document human rights violations in Yemen and provide support to victims of rights violations. On 14 June 2018, Al-Faqih was on his way to the airport to be treated abroad for medical care when he was stopped, detained, questioned, and had his passport confiscated. He was released later that day, but four days later, on 18 June 2018, Al-Faqih and Al-Mutawakel were both detained at Seiyun airport by military police at the orders of the Saudi-led coalition. The two were held *incommunicado* for their work as human rights defenders and released later that evening, but were threatened with further detention.

In September 2018, an airstrike by the Saudi-led coalition targeted a Yemeni radio station and killed three employees,³ further cementing their disregard for journalists and the media. At least six journalists had previously been killed in coalition airstrikes.

Emirati activities

The UAE, the other prominent leader of the Arab Coalition in Yemen, also perpetrates systemic human rights abuses, including potential war crimes. Among the abuses, Emirati forces have forcibly disappeared and tortured detainees in UAE-run detention facilities in Yemen.

Human Rights Watch has documented abuses by UAE-led forces, including “excessive force during arrests, detaining family members of wanted suspects to pressure them to ‘voluntarily’ turn themselves in, arbitrarily detaining men and boys, detaining children with adults, and forcibly disappearing dozens.”⁴ Amnesty International has also investigated the cases of “51 individuals deprived of their liberty by UAE-backed Yemeni security forces and the UAE itself between March 2016 and May 2018 in the governorates of Aden, Lahj, Abyan, Shabwa, and Hadramawt.”⁵ Most of the cases Amnesty examined involved enforced disappearances, and a number of those targeted were activists and critics of the coalition.

According to findings by the Committee to Protect Journalists, “individuals reporting in Aden and other areas of the south that were once considered relatively safe are also being attacked and harassed by militias backed by the UAE coalition, such as the Security Belt and the Hadrami Elite Forces.”⁶ The militias are intending on using fear and threats to “pressure members of the media to not criticize the UAE or other countries supporting the Yemeni government, or report on issues that implicate the militias.”

The UAE also runs secret prisons in Yemen that have been the subject of reports detailing horrific abuses and the torture of detainees. Activists in Yemen who have criticized these abuses or attempted to draw attention to the ongoing violations have been threatened, harassed, detained, and disappeared.

³ “Saudi airstrike hits Yemeni radio station,” Committee to Protect Journalists, 17 September 2018, <https://cpj.org/2018/09/saudi-airstrike-hits-yemeni-radio-station.php>.

⁴ “United Arab Emirates: Events of 2017,” Human Rights Watch, 2018, <https://www.hrw.org/world-report/2018/country-chapters/united-arab-emirates>.

⁵ “‘God only knows if he’s still alive’ Enforced Disappearance and Detention Violations in Southern Yemen,” Amnesty International, 2018, <https://www.amnesty.org/download/Documents/MDE3186822018ENGLISH.PDF>.

⁶ Shilad, *ibid*.

Bahraini activities

Bahrain, one of the members of the Arab coalition, has had some involvement in the military campaign in Yemen. The Bahraini Government has made it a point to silence any criticism of the War in Yemen in the kingdom. In December 2018, Bahrain's Court of Cassation upheld a five-year prison sentence against human rights defender Nabeel Rajab in relation to tweets critical of involvement in Yemen.

Bahrain also has been involved in influencing documentation on abuses in Yemen. In response to concerns about human rights violation in Yemen the coalition established the Joint Incidents Assessment Team (JIAT), which has been empowered to assess and examine allegations of violations. Among the members of the JIAT include Bahraini judge Mansour al-Mansour, who has a reputation for imprisoning human rights activists.

Furthermore, Nasser bin Hamad, a son of Bahrain's king, leads Bahrain's ground forces in Yemen. Nasser has been directly implicated in torture allegations and has advocated for abuse of dissidents. After the 2011 pro-democracy protests, Nasser used his position as the head of Bahrain's National Olympic Committee to form a special commission to identify and punish over 150 members of the sporting community for participation in the protests.

Conclusion

The humanitarian crisis and ongoing conflict in Yemen has led to increased restrictions on free expression and other human rights violations, in which all parties involved have shared a responsibility. As members of the Human Rights Council, Saudi Arabia, the UAE, and Bahrain must demonstrate a stronger commitment to human rights, including in their involvement in Yemen.

The Houthis must:

- Allow journalists and media to safely operate in all areas without fear of harassment, detention, or death;
- Allow for an independent investigation into allegations of human rights abuses;
- Immediately halt all fighting to work towards a political settlement to end the conflict.

Members of the Arab Coalition must:

- Halt all airstrikes until an international, independent, and impartial commission can investigate all allegations of attacks on civilians;
 - Allow for an independent investigation into allegations of torture and abuses in coalition-held prisons in Yemen;
 - Amend broad laws that allow for the criminalization of free expression and criticism of the war in Yemen;
 - Release the whereabouts of all forcibly disappeared individuals;
 - Allow journalists and media to safely operate in all areas without fear of harassment, detention, or death;
 - Immediately halt all fighting to work towards a political settlement to end the conflict.
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