

Transit in Hell

The horrific violations targeting African migrants during their journey across Yemeni territory

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A picture of migrants' places of residence - forced deportation - Shabwa - Ataq - March 9, 2020



Executive Summary

African migrants in Yemen have faced a spectrum of hardships, diverse challenges, risks, and numerous forms of violations since the outbreak of the armed conflict in late 2014. Their suffering has been exacerbated by the involvement of multiple warring parties and the intervention of regional and international actors, mainly the coalition led by Saudi Arabia and the United Arab Emirates (UAE), in the armed conflict. In addition, the geographic distribution of the Yemeni Republic among multiple conflict parties adopting a non-humanitarian policy towards African migrants has led to various violations against them, blatantly disregarding international humanitarian law and/or international human rights law.

This report aims to highlight the violations faced by African migrants in Yemen by shedding light on these abuses and conveying a true picture of the suffering experienced by this vulnerable group and those responsible for it. African migrants are one of the most fragile and marginalized segments of Yemeni society, lacking the means to express their suffering and exposure to various violations. This reality makes them a forgotten category, with their suffering often being invisible to many. In other words, this report represents an attempt to convey the voices of migrants, expose their tragedies, and uncover the violations committed against them by the conflicting parties. The report not only presents findings on these issues, but also discusses ways to alleviate their suffering and contribute to solving their problems and holding violators accountable through a series of recommendations.

The research and findings of the report are based on interviews conducted by Mwatana for Human Rights with African migrants who have been victims of violations, their family members, eyewitnesses, healthcare workers, and others. Mwatana's field research team conducted approximately 155 interviews concerning at least 112 incidents involving violations against African migrants committed in various Yemeni governorates. Moreover, at its headquarters in Sana'a, Mwatana organized focus group discussions from March 12 to 16, 2023, to identify migrants' migration routes and determine the patterns of violations they face in areas controlled by different conflict parties. Furthermore, the central research team conducted field visits to several governorates, including Saada, Aden, Shabwah, Abyan, and others, where they met with migrants, conducted numerous interviews, tracked various migration routes, and inspected arrival points and gathering centers.

This report is also informed by discussions held by Mwatana with humanitarian organizations, such as the International Organization for Migration (IOM), to understand

the challenges they encounter in providing assistance to migrants. In a particular section of this report, secondary sources, including data and statistics from international organizations, relevant reports, and agreements related to migration, were utilized to elucidate the broader perspective on migration in Yemen. Additionally, Mwatana sought the expertise of a legal specialist to frame and legally adapt the report's subject matter.

The report begins with a general background section that discusses the context of the armed conflict in Yemen and the conditions faced by migrants. Subsequently, the main body of the report consists of five chapters, with the first four specifically dedicated to examining the violations committed against African migrants by the parties involved in the armed conflict in Yemen. These four chapters respectively address violations by the Saudi/UAE-led coalition forces and Saudi border guards, the Ansar Allah (Houthi) armed group, the Southern Transitional Council (STC) forces, and, finally, the internationally recognized government forces. These four chapters also include attacks committed by smuggling and human trafficking gangs in areas controlled by the various parties to the conflict. The final, fifth chapter delves into the legal framework governing the violations against migrants within the context of international law.

The four chapters dealing with violations have been further subdivided into sections that address the migrants' arrival points and gathering areas within the territories controlled by each of the four conflicting parties. Other sections delve into the patterns of violations committed by these parties. They also provide specific examples of the violations suffered by African migrants in the areas under the control of the parties, whether perpetrated by the parties' own forces or by human trafficking and smuggling gangs operating within their areas of control.

The report concludes with several key findings:

- 1- Most African migrants in Yemen seek to reach Gulf countries, primarily Saudi Arabia, in search of a better quality of life and high-income job opportunities. Many of them are unaware of the armed conflict in Yemen and do not realize the extent of the risks they face during their journey. As a result, returning to their home countries after arriving in Yemen becomes extremely challenging.
- 2- African migrants take complex and unsafe routes, often relying on human trafficking and smuggling gangs that use inadequate and unsafe means of transportation. Along their journey, they encounter numerous difficulties and are subject to various direct violations, including killings, mutilations, arbitrary

detentions, enforced disappearances, torture, gender-based violations such as harassment and rape, exploitation, hunger, looting, extortion, and various forms of violence. In addition, they may be exposed to indirect violations, such as airstrikes and incidents involving landmines and explosive objects. The arrival points and gathering areas for migrants in various governorates are breeding grounds for these violations to occur.

- 3- Migrants in Yemen engage in various forms of work to cover their needs and secure the funds necessary to continue their journey to Gulf countries. However, they often face low wages and unfair working conditions, being exploited by both human trafficking networks and the host communities. Communication proves to be challenging for most migrants due to language barriers.
- 4- All conflict parties, without exception, adopt a single policy towards migrants and commit multiple violations against them. Mwatana for Human Rights documented 112 incidents involving violations perpetrated against African migrants by the parties to the conflict in Yemen as well as human trafficking and smuggling gangs operating along the migrant routes across land and sea from the Horn of Africa passing through Yemen, ultimately reaching the border region between Yemen and Saudi Arabia. These incidents include 32 incidents committed by the Ansar Allah (Houthi) armed group, 40 incidents committed by Saudi/UAE-led coalition forces including 36 incidents committed by Saudi border guards, 10 incidents by STC forces in their various formations, and 6 incidents by forces of the internationally recognized government. Human trafficking and smuggling gangs' gangs operating in areas controlled by different conflict parties bear responsibility for 24 incidents involving violations against migrants. It is important to note that the examples presented in the report are illustrative of the cases that Mwatana was able to access and document. These examples do not cover all the violations against migrants, as the actual extent of violations far surpasses what has been documented.

Recommendations

● To all Conflict Parties:

- Immediately cease all unlawful attacks on civilians in general and African migrants and asylum seekers in particular, and comply with the fundamental principles of international humanitarian law.
- Facilitate safe, rapid, and unhindered access for humanitarian supplies and relief workers to all Yemeni governorates, especially areas with a concentration of African migrants and asylum seekers.
- Respect international human rights law, including cultural, economic, and social rights, as well as the obligations under international agreements related to migration and migrants.
- Close illegal detention centers for migrants, especially those run by human trafficking and smuggling gangs. Release African migrants arbitrarily detained, investigate cases of torture and other forms of cruel, inhuman, or degrading treatment in detention centers, and provide a humane and sanitary detention environment for those facing criminal charges.
- Halt the recruitment and use of African migrants in the armed conflict in Yemen, especially children, and refrain from using migrants in forced labor and military activities. Release and return recruited migrants immediately.
- Take all necessary measures to end and prevent sexual violence and other forms of exploitation, such as forced labor, servitude, and all forms of slavery.
- Improve working conditions and impose oversight on employers to reduce the violation of migrants' rights, especially those pertaining to health insurance and fair wages.

● To the Ansar Allah (Houthi) Armed Group:

- Cease firing live ammunition and using explosive objects in all forms, and endangering the lives of civilians, including African migrants.
- Allow independent access for independent humanitarian aid to areas where

African migrants are in dire need, particularly in the governorates of Saada, Al-Jawf, Sana'a, Al-Bayda, and Dhamar.

- Stop the arbitrary detention of migrants, particularly children and women. Provide suitable and humane detention conditions for those facing criminal charges, and allow regular access for humanitarian agencies to detainees.
 - Close detention centers and gathering points established by human trafficking and smuggling gangs in areas under their control.
 - Immediately end arbitrary detention and forced deportation campaigns of migrants to areas outside their control.
 - Cease all human trafficking activities, particularly involving children and women, and combat all forms of exploitation, including forced labor, servitude, and sexual exploitation.
 - Provide the necessary facilities and support to international organizations, particularly the International Organization for Migration (IOM) in Yemen, to deliver humanitarian aid to migrants in the areas under their control.
 - Commit to ending the use of anti-personnel and anti-vehicles mines, and provide maps of mined areas to facilitate demining efforts and protect civilians, including migrants.
 - Immediately stop the recruitment and use of African migrants, particularly children, in armed hostilities and hard labor.
- **To Saudi Border Guards and the Saudi/UAE-led Coalition Forces:**
- Conduct reliable, impartial, and transparent investigations into international law violations against African migrants, particularly those committed by Saudi border guards, identify and hold accountable those responsible for shooting incidents at the Saudi/Yemeni border, and immediately revoke all “shoot-to-kill” orders targeting migrants.
 - Immediately cease indiscriminate and other unlawful attacks within Yemeni territory, causing harm to civilians and damage to civilian objects, including hospitals, markets, and the homes of migrants along the border with Yemen.

Adhere to the core principles of international humanitarian law, including those of distinction, proportionality, and precautions in attack.

- End practices of torture and abusive, inhumane treatment by Saudi border guards towards migrants during their arrest and detention.
 - Provide prompt and adequate remedies to migrant victims and their families in cases of deaths, injuries, and property damage resulting from unlawful attacks. Establish a centralized and easily accessible mechanism for the provision of reparations to victims, including African migrants affected by the excessive use of force.
 - Improve detention conditions for African migrants in line with international standards related to detention facilities, and enable regular access to these facilities by human rights agencies and organizations.
 - Provide prompt and adequate remedies to migrant victims and their families for deaths, injuries and property damage resulting from violations committed.
- **To the Internationally Recognized Government:**
- Refrain from using excessive force, including live ammunition, when dealing with African migrants crossing areas under your control. Adhere to international human rights laws when dealing with African migrants and their families, especially children and women.
 - Immediately stop arbitrary detentions of African migrants and end forced deportation campaigns against them.
 - Conduct transparent investigations into violations against African migrants, hold perpetrators accountable, and provide adequate reparations to victims.
 - Ensure access for humanitarian aid to African migrants and asylum seekers, and collaborate with international agencies to mobilize sufficient resources to meet their basic needs and provide dedicated shelter facilities.
 - Prevent human trafficking and smuggling gangs' activities in areas under their control, bring offenders who commit assaults against African migrants to court, and close detention and gathering places run by human trafficking and smuggling gangs.

- Coordinate with the Ethiopian and Somali governments and facilitate the International Organization for Migration (IOM) in its tasks related to the voluntary repatriation program for African migrants, especially injured individuals, children, and women.
 - Enforce national and international legislation related to combating migrant smuggling and human trafficking and criminalize attacks on migrants, particularly those committed by organized gangs.
- **To the UAE-Backed Southern Transitional Council (STC):**
- Cease live ammunition fire and the use of violence in all its forms when dealing with African migrants.
 - End arbitrary detention of African migrants in areas under their control, particularly in the governorates of Lahj and Hadhramaut.
 - Prevent practices and assaults committed by their forces against African migrants, including sexual assaults, financial extortion, as well as inhumane and degrading treatment.
 - Close detention centers for migrants, especially those operated by human trafficking and smuggling gangs, release arbitrarily detained African migrants, and investigate cases of torture and other forms of cruel and inhumane treatment in detention centers.
 - Prevent smuggling activities conducted by human trafficking and smuggling gangs in Ras Al-Ara and other coastal arrival areas. Close the facilities set up by these gangs for the arbitrary detention of African migrants, and initiate transparent investigations into the actions of these smuggling gangs concerning African migrants, with a specific focus on sexual violence, murder, mutilation, financial extortion, and forced labor.
 - Provide international and local organizations with the necessary facilities to meet the basic needs of African migrants and asylum seekers, and implement voluntary repatriation programs and other humanitarian services for migrants.

● **To United Nations Member States:**

- Support efforts to stop hostilities, achieve a lasting and comprehensive peace, and ensure accountability for violations and serious crimes, including those committed against African migrants in Yemen.
- Provide sufficient support and funding for international agencies working to provide essential needs for migrants in Yemen. Implement programs and activities that protect the rights of migrants, considering the increased needs due to the rising numbers of migrants in Yemen.
- Establish an independent international criminally-focused mechanism to investigate human rights violations in Yemen, including those affecting African migrants.
- Support independent civil society organizations in enhancing their capacity to monitor and document violations and abuses in Yemen, including those targeting African migrants.
- Make extensive efforts to secure the necessary resources and means to rescue African migrants from drowning at sea.

● **To the United Nations Human Rights Council:**

- Establish an international mechanism to independently investigate and report on alleged serious violations and related crimes committed in Yemen, with the aim of ensuring full accountability for perpetrators and achieving justice for civilian victims, including African migrants.

● **To the United Nations Security Council:**

- Utilize available Council powers, including imposing sanctions on individuals or entities responsible for attacks on civilians, including African migrants, as necessary, under existing authorities, to ensure the unhindered provision of humanitarian aid and support the political process as the only viable path to ending the armed conflict in Yemen.

- Emphasize the human rights dimensions of the conflict in Yemen and ensure that there is no impunity for the most serious crimes.
 - Urge the United Nations Secretary-General to include in the annual report on Children and Armed Conflict on an equal footing a comprehensive list of perpetrators, including those responsible for violations against African migrant victims.
 - Push for the ratification of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant conventions related to migrants and workers' rights by coalition countries, with Saudi Arabia at the forefront.
 - Refer the human rights situation in Yemen to the International Criminal Court, ensuring comprehensive criminal accountability and justice for victims, including African migrants.
- **To Civil Society Organizations:**
- Establish an independent civil society investigation and reporting mechanism that joins the forces of independent local and international civil society organizations to uncover violations and abuses in Yemen, including those affecting African migrants.
 - Raise awareness among the host community about the conditions of migrants and their need for assistance, as well as proper and humane ways to interact with the migrant community.
 - Organize advocacy campaigns against forced deportation operations occasionally conducted in most Yemeni governorates by various conflict parties.
 - Assist international migration organizations in registering migrants, identifying their needs, and their main gathering points and transit routes, to facilitate the provision of necessary services to them.



Introduction

Climate conditions, ongoing conflicts, and the prevailing instability in African countries over the years have driven large numbers of people to migrate, believing that leaving their homelands is the only way to escape the hardships they face in their countries of origin. These migrants respond to their human nature that urges them to persist, seek, and not give up. Therefore, they embark on a quest for a better quality of life. They assume that whatever challenges lie ahead will be less severe than the conditions they have endured in their home countries. Lacking an understanding of what awaits them, they often believe that their suffering will end once they cross the route from their home countries to their first destination, which they may perceive as an easier transit point or the ultimate destination itself. What awaits them after that is another life that preserves their dignity and in which they find the security and well-being they desire. However, this does not happen, and instead they often face a series of tribulations and various forms of suffering that are unimaginable.

Given Yemen's geographical location, situated between African countries and the Arab Gulf states, with Saudi Arabia being a prominent destination due to its financial prosperity and high-income employment opportunities, there are opportunities to achieve the aspirations of migrants for a decent life and the well-being for which they underwent the trouble of migrating. Yemen has become a desirable transit point for many African migrants. The number of irregular migrants crossing the coastal shores of the African Horn towards Yemen (a transit country) and Saudi Arabia (a destination country) exceeds the number of migrants coming from Africa to Europe.¹

Despite the significant number of migrants, which necessitates effective intervention and concrete steps to alleviate their suffering and mitigate the risks they face at various levels, the international community's response to the regional migration issue towards Yemen remains remarkably lackluster.

Located in the southwestern part of the Middle East, south of Saudi Arabia, Yemen is among the poorest countries with the lowest human development index.² This places migrant on an extended journey full of hardship, beginning when they arrive on the shores of Yemen. There, they face various violations at the hands of Yemen's warring parties and human trafficking and smuggling gangs. The country that has been in turmoil for more than nine years and where they have just arrived is no better off than the countries they left in search of survival.

1 Peter Tinti, "Migrant smuggling: Paths from the horn of Africa to Yemen and Saudi Arabia," ISS Institute for Security Studies, November 2017, available at: <https://issafrica.s3.amazonaws.com/site/uploads/aitwr-7.pdf>.

2 The Human Development Index (HDI): access to knowledge and a decent standard of living. Since 1990, Yemen has consistently shown a low HDI value. In 2017, it ranked 178th out of 189 countries and territories. The HDI can be consulted at: http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/YEM.pdf.



Methodology

Mwatana for Human Rights prepared this report to shed light on the suffering of African migrants in Yemen amid the armed conflict, highlighting the abuses they endure in areas controlled by various parties to the conflict, as well as those inflicted by human trafficking and smuggling gangs. The report aims to provide an accurate depiction of the difficulties, challenges, and risks faced by this group, in addition to addressing various aspects related to the issue of African migrants in Yemen, such as migration routes, humanitarian aid, and the efforts made by humanitarian organizations to alleviate the migrants' suffering and more.

Mwatana is an independent Yemeni organization that advocates for human rights by documenting civilian harm, providing legal support to victims, and engaging in advocacy and legal actions. Mwatana has extensively documented civilian harm committed by all conflicting parties in Yemen, which has resulted in the publication of reports on violations and attacks by the Ansar Allah (Houthi) armed group, the Saudi/UAE-led coalition, Saudi border guard units, the internationally recognized Yemeni government, the UAE-backed STC, and others.

The findings in this report are based on interviews and additional research conducted by Mwatana's field and central research teams. Mwatana has a network of field researchers in various Yemeni governorates. They investigate and document violations of international humanitarian law and international human rights law. These researchers have been trained to conduct interviews with vulnerable groups, such as victims of torture, sexual violence, gender-based violence, women, children, and African migrants.

Mwatana's researchers employ rigorous and evidence-based investigative methods to verify alleged incidents. The researchers gather testimonies directly from survivors, victims' family members, and witnesses, as well as supporting documents related to victims or witness statements.

All the incidents documented by Mwatana's field researchers are reviewed and examined by the central research team at Mwatana's headquarters. In addition to the field researchers, Mwatana's central research team conducts regular field visits to various governorates to continue investigating specific cases. Mwatana selects cases for investigation based on the presence of civilian harm, regardless of the party responsible for the violation.

For the purpose of this report, Mwatana conducted over 155 interviews with primary and reliable sources, including African migrant victims, survivors, witnesses, and medical and humanitarian workers, through investigative field research. This included in-depth investigations and direct examination of sites where the violations occurred.

Mwatana also examined documents, photos, videos, and other forms of material evidence and engaged forensic medicine experts, when possible, to access the bodies of victims and determine cause of death. Such material evidence was examined against information collected from witness statements and supporting documents.

Mwatana's researchers conducted the interviews in Arabic and, in some cases, Ethiopian translators were used during interviews with Ethiopian survivors and witnesses. Interviewees were informed of the purpose of the interview and asked for their consent to disclose their identities in this report. Pseudonyms were used instead of real names for those who chose not to reveal their identities or when Mwatana had concerns about the safety of the victims. No financial or other incentives were provided to interviewees to speak about the violations they experienced.

During the preparation of this report, Mwatana's field researchers conducted intensive additional field research and gathered information about reception points for African migrants along the southern coast of Yemen and the routes taken by African migrants heading towards northern Yemen, until reaching departure points on the border strip with Saudi Arabia.

In late May 2022, three of Mwatana's central researchers successfully conducted a field visit to a departure point for African migrants on the border strip with Saudi Arabia. They visited Al-Raqu Market in the Monabbih district, Saada governorate.

On October 20, 2022, Mwatana held a meeting at the IOM office to discuss the conditions of African migrants in Yemen and the humanitarian efforts made by the international organization to mitigate the impact of the armed conflict on them. The outputs of this meeting provided insights into the topics covered in the report.

As part of its efforts to gather the necessary data for the report, Mwatana conducted a training workshop for the field research and study team from various governorates at its headquarters in Sana'a from March 12 to 16, 2023. During the workshop, multiple focus group sessions were held to discuss the various violations suffered by migrants from conflicting parties, as well as from human trafficking and smuggling gangs. The

field research team was divided into four focal groups based on the regions controlled by each of the conflicting parties. The team reviewed violations, created illustrative maps of migrant routes, identified the perpetrators of violations, and categorized them into practices of the host community, violations committed by conflicting parties, and violations committed by human trafficking and smuggling gangs. The team finished with findings and conclusions that were utilized in the preparation of this report.

In late May 2023, three researchers of Mwatana's central team conducted a nine-day field visit to six Yemeni governorates. During this visit, they executed a field trip to the area of Al-Busateen, Ras Amran, and Bir Ahmed in Aden governorate. They also carried out a field visit to the coastal area of Khor Umaira, near the coast of Ras Al-Arah, Lahj governorate. The purpose of these visits was to inspect coastal arrival points and meet African migrants upon their arrival on the Yemeni shores, with the aim of collecting detailed information about the hardships and risks they face at sea. Additionally, the central team conducted field visits to several coastal areas that receive African migrants along the coastal line leading to Shabwah governorate. During these visits, the team examined coastal arrival points in the Ahor area of Abyan governorate, as well as on the coasts of Shabwah governorate, starting from the Ayn Ba Mabad area, Keidah near the Balhaf port, and Bir Ali. They were able to trace the route of African migrants' journey on land, starting from the Ras Al-Arah area, on the coastal area of Lahj governorate, and passing through Al-Bayda governorate in central Yemen, ultimately reaching the capital, Sana'a, via Dhamar governorate

In order to accurately pinpoint some areas, the central team compared descriptions of areas where African migrants experienced violations and information of transit routes provided by the field researchers with specific landmarks that are visible in satellite images.

The central researchers of Mwatana encountered various security risks during their visit because the coastal arrival areas were controlled by human trafficking and smuggling gangs. On Wednesday, May 31, 2023, as the central team of Mwatana arrived at the western entrance of Aden city, which leads to Abyan governorate, they were detained and questioned for two hours at a security checkpoint located along the Abyan coast in the Khor Maksar district. This checkpoint was manned by Security Belt Forces affiliated with the UAE-backed STC. Soldiers at the checkpoint verbally harassed the team members and breached their privacy by inspecting their mobile phones. These unwarranted actions were carried out with the intent of extorting money and obstructing

the team's research activities.

The collected information was analyzed, verified, and checked for credibility by the Research and Studies Unit at Mwatana's main office in Sana'a. Furthermore, Mwatana entrusted the review and legal analysis process to an international expert with support from the organization Justice Rapid Response (JRR).

In addition to the field research, which serves as the primary source for this report, Mwatana for Human Rights carried out desk-based research of secondary sources. It also reviewed materials published by international organizations and relevant entities related to migrants. Mwatana further analyzed statistics released by the IOM's Displacement Tracking Matrix during the period covered by the report to deepen and expand the overall understanding of the migration phenomenon in Yemen.

It is important to note that the models and cases presented in this report represent only a fraction of what Mwatana for Human Rights has documented regarding violations against African migrants. These examples have been provided to illustrate the actual extent of the abuses and violations experienced by African migrants in Yemen.

This report was prepared by Mwatana for Human Rights during the period from January 2022 to December 2023.



A picture showing the sleeping places of migrants in Shabwa Governorate - Ataq City, May 25, 2022



Background:

**Armed Conflict in Yemen and
the Situation of Migrants**

Firstly: Armed Conflict in Yemen

Yemen, like several countries in the Middle East and North Africa, witnessed at the beginning of 2011, as part of the Arab Spring uprisings, a popular uprising that began with protests against unemployment, economic conditions, corruption, and proposed constitutional amendments. They called for political reform and culminated in demands for the departure of then-President Ali Abdullah Saleh from power and a change in the political regime. During that uprising, Yemen experienced sporadic waves of violence, leading to the intervention of the Gulf Cooperation Council as a mediator between the regime and the opposition. This mediation resulted in the signing of the Power Transfer Agreement in Riyadh on November 23, 2011. Under this agreement, power was transferred to Vice President Abd-Rabbu Mansour Hadi through non-competitive elections, in which he was the sole candidate.

During the transitional period, Yemen saw political momentum at various levels, including the convening of the Comprehensive National Dialogue Conference, the drafting of a new constitution, and the restructuring of the army. Many fundamental issues were raised for discussion. However, this momentum coincided with a deteriorating security situation, including a rise in political assassinations. Additionally, some areas, such as the northern governorates of Saada and Amran, witnessed armed clashes between government forces and armed elements affiliated with the Ansar Allah (Houthi) group. Nevertheless, the armed conflict in Yemen began in late 2014 when the Ansar Allah (Houthi) armed group forcefully seized control of the capital, Sana'a, on September 21, 2014. This event led to an escalation in the fighting between the group and forces of the internationally recognized government, which was later backed by a military intervention by the Coalition for Supporting Legitimacy, led by Saudi Arabia and the UAE. This military operation, known as Operation Decisive Storm, was announced in Washington DC, USA, on March 26, 2015.

Since then, and at least up until the writing of this report, Yemen has been witnessing an armed conflict involving numerous parties. The conflict evolved from a two-party conflict, at the beginning, to a three-party one with the launch of Operation Decisive Storm. The number of conflicting parties in the Yemeni arena increased due to divisions among the primary parties and the emergence of armed formations supported by the Saudi/UAE-led coalition or other forces. This has further complicated the conflict, prolonged it, and led to numerous violations and crimes against both civilian citizens and migrants alike.

Secondly: Yemen and Migration

Migration from African countries to Yemen began towards the end of the last century because of armed conflicts and internal instability in neighboring African countries, such as Somalia, Eritrea, and Ethiopia. For instance, the migration of Somali refugees to Yemen started in the 1980s and continued following the outbreak of the civil war in Somalia. Many fled widespread violence, fear of persecution, as well as the consequences of drought and limited livelihood opportunities.³

It can be said that migration from African countries to Yemen is an ongoing activity and a widespread phenomenon with multiple causes. The flow and numbers of migrants fluctuate over time, largely influenced by climatic, environmental, and political factors. Awareness of the risks of migration does not seem to play a significant role in this fluctuation. This explains, to a large extent, the continuation of this activity during the armed conflict in Yemen. African migrants began packing their belongings to escape the harsh living conditions in both Ethiopia and Somalia to Yemen, which is experiencing poor living conditions and many risks lie ahead that are hard to endure. They hoped to reach a more prosperous life in the wealthy Gulf countries, even if it meant facing the many dangers, or even dying without reaching their destination. A small percentage of these migrants intend to come to Yemen to seek asylum provided by the United Nations High Commissioner for Refugees (UNHCR) in Yemen through its local partners.

The number of migrants from African countries coming to Yemen has consistently increased over the past four years, according to the statistics of the Displacement Tracking Matrix (DTM) of the IOM. In 2020, the number of incoming migrants reached 37,535. However, in 2021 and 2022, the numbers were 27,693 and 73,233, respectively. This relative decrease in the number of incoming migrants in 2020 and 2021 can be attributed to the restrictions imposed on movement during the COVID-19 pandemic. Once these restrictions were eased, migration activities resumed at a high pace. Between January and July 2023 alone, the DTM reported the arrival of 77,000 African migrants in Yemen.⁴ This number is staggering compared to the flow of refugees and migrants in other regions of the world, placing a significant responsibility on

3 The UN Refugee Agency, Somali refugees return home from Yemen in latest UNHCR-facilitated departure, available at: <https://www.unhcr.org/ar/5db878be4>.

4 Protection Context for Migrants passing Through Yemena Baseline available at: https://eastandhornofafrica.iom.int/sites/g/files/tmzbd1701/files/documents/EN_Meraki_%2520Yemen_%2520Migration%2520Report.pdf.

the international community to pay close attention to this migration and the organized crimes committed against African migrants by Yemen's conflicting parties and smuggling gangs.



Pictures of African migrants standing in front of the car carrying them, which broke down on the desert road linking the governorates of Ma'rib and Al-Jawf. April 2, 2021

While irregular migration is not without its risks and hardships, these risks increase exponentially, and their catastrophic impact on migrants intensifies, when the destination or transit routes are unstable due to environmental conditions or armed conflicts, as is the case in Yemen. Prior to the outbreak of the armed conflict in Yemen, migration routes were less arduous and shorter. The first coastal arrival point along the Red Sea coast was located in the city of Mukha in Taiz governorate, southwest of Yemen. It extended northwards towards the city of Haradh in Hajjah governorate, adjacent to the Yemeni-Saudi border, covering a distance of approximately 370 kilometers. The journey took one to five days.



Figure No. (1): Migration routes of African migrants in Yemen prior to the armed conflict.

These routes became more complex and diversified following the outbreak of the armed conflict. The journey of migrants now takes several days, and sometimes even months, due to the multitude of arrival points, their constant changes, and varying crossing routes. Migrants awaiting their fate at these crossing points face an unknown future and are subjected to various violations.

As a result of the gravity of the violations perpetrated against migrants and the risks they endure, the inclination to return to their home countries has grown among migrants. This desire for return manifests itself through either voluntary humanitarian repatriation programs organized by the IOM or by migrants enduring the hardships of returning to their homelands with the assistance of smugglers.

In 2021, 650 migrants embarked on a perilous journey from Yemen to the Djiboutian shores after being stranded. The number of returnees returning to Djibouti's shores via smugglers increased to 1,745 migrants in 2022.⁵ Simultaneously, international agencies have recorded a rise each year in the number of African migrants stranded within Yemen.

Thirdly: The Journey of African Migrants from their Home Countries to Yemen

Migrants from Ethiopia endure a month-long journey overland from their home country to reach the coasts of Djibouti and Somalia, according to numerous migrants interviewed by Mwatana. They navigate through a wide network of smugglers to reach the Ethiopian borders. Afterward, they are received by other members of smuggling gangs who take charge of transporting them, either by foot or in trucks, to reach the coasts of Djibouti or Somalia. Many African migrants are unaware of the armed conflict in Yemen, according to some migrants interviewed by Mwatana.

The maritime journey for African migrants and asylum seekers from the coasts of the Djibouti regions of Hiyow, Obock, and Khor Angar, as well as the coastal city of Bossaso in Somalia, takes approximately one to two days, depending on changing weather conditions. During this perilous journey, they cross the Gulf of Aden in overcrowded and

5 IOM, Regional Migrant Response Plan for the Horn of Africa and Yemen Mid-Year Update | 2023 available at: <https://eastandhornofafrica.iom.int/sites/g/files/tmzbd1701/files/documents/2023-09/q2-report-v2.pdf>

dilapidated boats, resembling mere rafts amidst turbulent storms, heavy rains, and tidal waves in some circumstances.

According to quarterly reports provided by the IOM's DTM in Yemen, most migrants are of Ethiopian nationality, constituting more than 90% of migrants arriving in Yemen from the Horn of Africa. In contrast, Somali migrants make up 10%. Men make up more than 75%, with limited educational backgrounds or lacking formal qualifications. Women represent 15% of incoming flows, including pregnant women. Girls constitute about 3%, and the remaining percentage consists of unaccompanied boys, some of whom are not accompanied by their parents. The port of Bossaso in Somalia serves as the main departure point for migration to Yemen.⁶

According to information gathered by Mwatana, African migrants are crammed onto small, dilapidated fishing boats with approximately 150 to 200 migrants on board. These boats are at times navigated by three or four members of smuggling gangs. These smugglers control the sea journey's route and steer the boats. Despite the large number of African migrants crossing the sea towards Yemen, maritime rescue operations in the Gulf of Aden are almost non-existent compared to other maritime migration routes where humanitarian organizations operate ships and rescue boats, such as TOPAZ RESPONDER vessel. Organizations such as MOAS (Migrant Offshore Aid Station), SOS MEDITERRANEE in partnership with the International Federation of Red Cross and Red Crescent Societies, and the German Sea-Eye 4, as well as ships like Marie Galante, Dignity I, Open Arms, and boats owned by ResQship, among others, dedicate their efforts to rescuing migrants. These teams typically consist of medical personnel, sailors, and other essential members required for rescue operations. They patrol the Mediterranean Sea and other maritime routes migrants use, seeking to locate and rescue them, provide necessary services, and transport them to safety. This coordinated effort with European governments and others significantly increases the chances of survival for migrants, alleviates their suffering, and rescues them from the perils of the sea, such as storms, weather changes, and the unseaworthy boats they are transported in. The situation along this maritime route is extremely tragic and unimaginable because not a single maritime rescue operation was recorded in the waters of the Gulf of Aden during the reporting period, unlike rescue operations on other maritime routes that are conducted

6 IOM, Regional Migrant Response Plan for the Horn of Africa and Yemen Mid-Year Update | 2023 available at: <https://eastandhornofafrica.iom.int/sites/g/files/tmzbd1701/files/documents/2023-09/q2-report-v2.pdf>

almost daily. Many migrants lose their lives by drowning at sea due to their boats sinking in open waters or being thrown overboard by smugglers to avoid drowning due to overcrowding and rough sea conditions. Some migrants throw themselves overboard due to the abuses and suffering they endure, including because of overcrowding, lack of provisions, illness, and brutal treatment by human trafficking and smuggling gangs. These migrants, like others around the world, share the desire to escape the horrors of war and hunger in their homelands and seek a better life that preserves their dignity. They do not deserve the hardships they endure simply because they sought a better life.



A picture of a drowned migrant - Drowning - Lahj - Al-Mudaraba and Ras Al-Ara - June 10, 2021

Numerous migrants have drowned in the Gulf of Aden without anyone knowing about them until the waves washed up some bodies on the Yemeni coast, or when fishermen discover them weeks after they drowned at sea. Mwatana for Human Rights documented in June 2021 in the Al- Madhareba and Ras Al-Arah areas of Lahj governorate, southern Yemen, the capsizing of a migrant boat due to its excessive load. In this incident, approximately 208 African migrants, comprising 42 women and 23 children, including nine girls, drowned, with only four men surviving. The incident resulted from the callousness of smuggling gangs toward the lives of migrants and their complete disregard for safety measures. When the four survivors reached the coast of Ras Al-Ara, the smuggling gangs transported them to an undisclosed location to cover up the incident. They also searched for the bodies, transported them, and buried them

secretly on the outskirts of the coast.⁷

The IOM confirmed, in early March 2021, the drowning of at least 20 African migrants after smugglers threw dozens of them into the sea during their journey from Djibouti to Yemen. This incident marked the third of this kind in the Gulf of Aden within six months.⁸

According to information obtained by Mwatana, migrants are being disembarked from boats off the Yemeni coast, just a few nautical miles from the shore, at times when there is increased security vigilance by the Yemeni Coast Guard. Smuggling gang leaders instruct them to swim towards the shore, further increasing the likelihood of migrants drowning in close proximity to the Yemeni coasts.



A picture of a smuggling gang's boat - torture and sexual violence - Lahj – Al-mudaraba & Al-Ara - December 11, 2018

Fourthly: Areas for Receiving African Migrants in Yemen

African migrants arriving from Djibouti often land on the Yemeni coast south of the Bab-el-Mandeb Strait, at a reception point run by smuggling gangs in Ras al-Ara, Madharibah wa Al-Ara district, Lahj governorate. The distance between Bab-el-

7 Interviews conducted by Mwatana for Human Rights with fishermen witnesses in Ras Al-Ara, January 22, 2022.

8 UN News, "20 die after human traffickers force migrants into sea en route to Yemen," March 4, 2021, available at: <https://news.un.org/en/story/2021/03/1086392>.

Mandeb Strait and Ras al-Ara is approximately 56 kilometers. Migrants arriving from Somalia reach the coasts of the southern Yemeni governorates of Abyan, Shabwah, and Hadhramaut at several arrival points along the Yemeni coast, which stretches for about 200 kilometers. This coastal area extends from Ahwar district in Abyan governorate, passing through the coast of the Radhom district in Shabwah governorate, all the way to Maifa'a Broom district in Hadramout governorate.

The coastal areas in Abyan and Shabwah are particularly active arrival points, especially in the areas of Al-Lamhah, Al-Bandar, Hisn Bal'aid, Mawsa', Radda, Duhumah, Jabal Rayd, Hanad, Al-Alam, As-Sabhah, Maqatin, Arqah, Ayn Ba Mabad, Keidah, Bir Ali, Qena Local Port, and Jil'ah. Some, in smaller numbers, reach the coastal areas in Hadhramaut governorate, including Ambuh, Sharq bin Taleb, and As-Sufal. Along this perilous coastal line, there are bandits and human trafficking and smuggling gangs.⁹

There is no doubt that African migrants face an unknown and horrifying fate once they set foot on Yemeni soil, where they become easy prey in the hands of human trafficking gangs and smuggling gangs. These criminal entities engage in various forms of organized assaults and crimes against them, including murder, extortion by demanding ransoms from grieving families, sexual exploitation, forced labor, and other violations of personal dignity.



A picture of migrants' places of residence - forced deportation - Shabwa - Ataq - March 9, 2020

⁹ Mwatana's field and central research teams conducted field visits to the coasts where African migrants arrive in Lahj, Abyan, and Shabwah governorates at different times in 2022 and 2023.

Fifthly: African Migrants Gathering Points in Yemen

Gathering points for African migrants can be found in urban centers along their route in southern and southwestern Yemen, extending to governorates in central and northern Yemen, reaching as far as Saada governorate in the north, near the border with Saudi Arabia. Some of the most significant gathering points include the cities of Aden, Ataq, Rada, Al-Bayda, Sana'a, Mukalla, and Marib, which serves as a central gathering point in the middle of the route. Migrants also gather in Al-Hazm, Harf Sufyan, and Jawi in the north of Saada governorate, which serves as the final staging point before they cross into border areas. The journey of African migrants often concludes in the areas of Al-Raqu Market or Al-Thabit Market in Saada governorate. These bustling markets consist of houses and small warehouses, some of which are covered with iron and tents.

The areas of Al-Raqu Market and Al-Thabit Market are considered major gathering centers and the final points where African migrants are gathered in Yemen, preparing to cross the Yemeni borders into Saudi Arabian territory. They ultimately cross the borders with the aim of seeking a better life, while some of them engage in smuggling the narcotic plant "Qat" into Saudi territory. Entry into these border areas is restricted for these individuals without approval from the security authorities affiliated with the Ansar Allah (Houthi) armed group.¹⁰

Sixthly: Risks and Challenges Faced by African Migrants During their Journey in Yemen

Throughout the nine years of armed conflict in Yemen, African migrants share the risks of armed conflict and the dire living conditions experienced by millions of Yemenis in a country that is home to one of the world's worst humanitarian crises. Amid this humanitarian catastrophe that has befallen Yemen, more than 4.3 million people have been internally displaced, making it the fourth-largest number of internally displaced people globally due to conflicts.¹¹ With the continuous influx of irregular African migrants into Yemen, the humanitarian crisis in the country has worsened on a larger scale.

The lack of concern from both state and non-state conflicting parties for the

10 Mwatana's team carried out a field visit to the Al-Raqu Market area on the Yemeni-Saudi border on Tuesday, May 17, 2022, with the aim of monitoring the violations against African migrants and examining the humanitarian conditions there.

11 UNHCR, Yemen, available at: <https://www.unhcr.org/yemen.html>.

suffering of migrants and the plight of Yemenis themselves is evident. These parties, who have extensively violated international law by committing grave violations against civilians and civilian objects, including African migrants, have accumulated a shameful human rights record. Human rights organizations, including Mwatana, and the United Nations (UN) Group of Eminent International and Regional Experts on Yemen (GEE) have documented horrifying violations against African migrants by the parties to the conflict, including killing, mutilation, sexual abuse, arbitrary detention, torture, forced recruitment, financial extortion, deportation, and forced displacement. Additionally, the conflict parties have restricted their freedom of movement, using various justifications as excuses to deny individuals their right to life and to live with dignity.

Like Yemenis, the lives of tens of thousands of African migrants stranded in Yemen remain genuinely at risk due to the ongoing armed conflict and escalating hostilities. Thousands of them have been killed and injured due to airstrikes, ground attacks, armed clashes, live ammunition, and landmines.¹² They have also been deprived of access to essential services and goods necessary for their survival.



A picture of a victim - live bullets - Shabwa - Habban - July 24, 2018

In the first quarter of 2022, the IOM estimated that nearly 1,179 migrants, including women and children, were killed or injured due to airstrikes, ground attacks, and armed clashes in the governorates of Saada, Hajjah, and Al-Jawf.¹³

12 There are no annual figures provided by international or local organizations on the number of dead and wounded African migrants in Yemen, but Mwatana estimates their numbers to be in the thousands.

13 IOM, Quarterly report on migration January-March 2022, available at: https://yemen.iom.int/sites/g/files/tmzbd11176/files/documents/ar-iom-yemen_migration-overview-q1-2022.pdf

Thousands of African migrants continue to traverse vast distances, exceeding 1,000 kilometers, on foot or in vehicles of smuggling gangs under the scorching sun during the summer. They face extremely harsh conditions characterized by coastal and desert climates with high temperatures, rugged and perilous mountainous roads, and a lack of adequate provisions to assist them in reaching their intended destination, Saudi Arabia.

However, the suffering endured by migrants does not end there. Yemen, known as the “transit country,” is experiencing a prolonged and devastating conflict, significantly worsening the situation for migrants and asylum seekers within the country.

Irregular migrants spend extended and challenging periods stranded in Yemen before reaching their desired destinations. This can take up to a year, two years, or even several years in some cases. Their journey is marked by hardships and significant risks throughout their overland journey. Often, there are various reasons for the increasing length of their stay in Yemen. Some find themselves settling there temporarily due to a lack of funds resulting from financial extortion and theft. This forces them to seek job opportunities to acquire the necessary funds to continue their journey.

Others may face prolonged stays due to the escalation of armed hostilities and road closures, arbitrary arrests, forced recruitment, forced deportation back to their point of departure, or because they are traveling on foot along rugged mountainous roads spanning hundreds of kilometers. Additionally, they encounter difficulties related to cultural differences and the inability to communicate effectively, given their limited knowledge of the Arabic language.

One Ethiopian migrant (25 years old) who arrived in Sana’a in September 2020 told Mwatana,

“I arrived in Yemen illegally [through smuggling] by sea a year and four months ago.”¹⁴

He was forcibly deported by the Ansar Allah (Houthi) armed group to Aden, southern Yemen, where he may start a new journey towards Saudi Arabia.

In most cases, migrants are arbitrarily detained in inhumane conditions, even within Saudi Arabia, where detention centers are often overcrowded and ill-equipped. Those

14 An interview conducted by Mwatana for Human Rights with an African migrant in the city of Aden, March 13, 2021.

responsible for these violations have not allowed any discussion about the illegality of detaining migrants. As a result, migrants are isolated from the outside world for prolonged periods and subjected to abusive and undignified treatment. Additionally, during the COVID-19 pandemic in 2020, migrants faced discrimination and stigmatization from host communities due to a false narrative that wrongly accused them of carrying the new coronavirus.

Smuggling gangs continue to carry out illegal activities against African migrants on a regular basis, as a result of complete impunity. Migrants, being among the most vulnerable groups and lacking adequate protection, remain susceptible to various forms of abuse. Unfortunately, there has been a notable lack of action by the conflicting parties to hold these smuggling networks accountable in court and ensure redress for victims.

Despite these significant risks, human trafficking and smuggling activities continue to flourish. There has been an increase in the number of African migrants arriving in Yemen in 2023. This can be attributed to reduced hostilities following the signing of a ceasefire truce in early April 2022 and a relaxation of security measures by the conflicting parties. These criminal gangs operate along the migration route from southern Yemen to the Yemeni-Saudi border. The annual income of these human trafficking and smuggling gangs is estimated to be in the millions of dollars, significantly surpassing the income generated by smuggling networks on the African side, in Djibouti and Somalia.

Seventhly: Conflicting Parties' Policy Regarding the Flow of African Migrants

The conflicting parties within Yemen generally adopt a semi-unified policy regarding the flow of African migrants towards Saudi Arabia. The internationally recognized government's forces and the UAE-backed STC mostly allow African migrants to enter areas controlled by the Ansar Allah (Houthi) armed group in the northern regions. However, they sometimes obstruct their right to return voluntarily to their regions. In several instances, some migrants become stranded in different areas without the ability to move freely or stay in specific regions. The Ansar Allah (Houthi) armed group allows African migrants to pass through its controlled areas towards Saudi Arabia. Nevertheless, the group occasionally carries out organized campaigns of arrest and forced deportation of migrants for various reasons without respecting the principle of non-refoulement.

In such cases, the migrants are deported to the last location under the control of the Ansar Allah (Houthi) armed group in Taiz governorate. They are then compelled to walk in groups on foot to the Aireem area in Lahj governorate, which is under the control of the UAE-backed STC. From there, they continue their journey to Aden. A 20-year-old Ethiopian migrant who arrived in Yemen in January 2020 shared his experience with Mwatana:

“I arrived in Yemen illegally by boat through the Bosaso port in Somalia, crossing the Bab-el-Mandeb strait. I was dropped on the shores of Shabwah governorate along with 30 others. After we reached Yemen, we split up, and I continued on foot to Ataq city in Shabwah governorate. From there, I journeyed to Al Jawf governorate. I worked as a shepherd for a local resident for eight months. Later, I was stopped by elements affiliated with the Ansar Allah (Houthi) group and detained for one week in a prison in Al Jawf governorate, along with around 400 others. They demanded money from us to take us back to Aden. I was then transported with 80 others in two closed, medium-sized trucks (Dyna trucks). They dropped us at the Passport Authority building in Sana’a, where I remained detained for over two months. On March 6, 2021, the Ansar Allah (Houthi) group transported 80 Ethiopian migrants, including 20 women. I was one of them, and we were placed in two completely cap-over white trucks with ventilation holes, carrying around 35-40 people in each truck. The next morning, on March 7, 2021, we were dropped in a deserted, lifeless desert area to continue on foot for long distances until we reached the first main road, where there were checkpoints under the STC’s control. We realized that we had reached areas outside the control of the Ansar Allah (Houthi) group, and that we had been deported. We arrived separately in Aden, based on each one’s ability to walk. I spent my first night in Aden on the outskirts of the city on the streets. The next day, I encountered some Oromo migrants and inquired about places where migrants gather. They informed me that there were many Oromo and refugees in the Basteen area of Aden. So I walked to there. After a few days, I met some people I had crossed paths with on the journey. We had no supplies to help us survive on the way, and we relied on the kindness of passersby for food and drinks. I was the first to reach the city of Aden because I walked fast, fearing I might be detained again.”

He continued, “During my detention in the Passport Authority building, the Ansar Allah (Houthi) group contacted my family in Ethiopia to extort a sum of money amounting 500 Saudi riyals. They used various objects, including sticks, wires, and rifle butts, to coerce us into reaching out to our families for the demanded money.

Subsequently, they forcibly relocated us to areas beyond their jurisdiction, which were desolate and uninhabited.”¹⁵

The other conflict parties use the same approach and method when dealing with migrants. On March 9, 2020, security forces affiliated with the government in Shabwah governorate, southern Yemen, conducted a large-scale raid on the Ethiopian migrant community in the Al-Jalfouz neighborhood at the southern entrance of Ataq city. This operation involved a significant number of soldiers and military personnel. These forces compelled the migrants to board their vehicles, which consisted of eight medium-sized trucks, with approximately 70 African migrants in each vehicle. They were then transported through Ataq city to desolate areas on the borders of Nasab, Merkhah, and Bayhan districts. They were forced to disembark in these lifeless places. Before the raid, the migrant community at the gathering site numbered around 1,300 migrants. According to interviews conducted by a local with Ethiopian victims of the incident, the soldiers engaged, during the raid and deportation of the migrants, in looting and confiscating money, mobile phones, and other belongings possessed by many of the migrants. They also resorted to beating those who attempted to escape and frightened them by firing live ammunition at close range. Some of these migrants managed to return to Ataq after being deported, while hundreds of them settled in mountainous areas in the Saiyid region at a camp they constructed. The fate of some of them remains unknown.¹⁶

The above examples serve as evidence of the approach adopted by conflict parties towards migrants, which similarly involves intentionally causing harm to them and exacerbating their suffering by relocating them to places far from the migration routes they were following or their places of residence. Such conduct puts them at risk of certain death.

Eighthly: Migrants in Yemen: Between Escalating Hardships and Scarce Humanitarian Assistance

The worsening plight of African migrants in Yemen is accompanied with a scarcity of humanitarian aid, including the essential assistance required for their survival. Several factors contribute to this situation, such as the constantly changing migration routes

¹⁵ An interview conducted by Mwatana for Human Rights, March 13, 2021.

¹⁶ Interviews conducted by Mwatana for Human Rights with nine Ethiopian victims, March 17, 2020.

and the restrictions imposed on humanitarian organizations. Additionally, the lack of necessary funding compounds the issue.

The IOM and other humanitarian organizations have confirmed their efforts to provide migrants with various forms of assistance. Despite the importance of these forms of assistance, they fall short of meeting the minimum needs of the migrants. According to interviews conducted by Mwatana for Human Rights regarding assistance received by migrants in the governorate of Saada, one of the most significant regions on the Yemeni-Saudi border where migrants gather, no organizations or entities provided assistance to migrants from 2015 until 2018 in this governorate. In 2018, the IOM initiated its activities in the governorate by establishing five permanent and mobile medical centers. The Al-Khayam Center in Al-Mehather village, Sahar district, was the most prominent center, offering medical services to migrants along with basic provisions such as drinking water and biscuits. Medical examinations and necessary healthcare were also provided individually to each migrant in the region. Other medical centers also provided medical services to migrants detained in a correctional prison. Such centers operated two days per week and, in addition to medical services, the IOM provided food, water, and dignity-saving tools in areas where migrants gather along their routes in the governorate.

However, towards the end of 2020, the Ansar Allah (Houthi) armed group, which is in control of Saada governorate, put an end to the IOM's activities in the governorate. Since then, no organization has provided assistance and care to migrants in the governorate of Sadaa.¹⁷ According to a 52-year-old Ethiopian migrant,

“We migrants are treated as commodities to be bought and sold. We get detained on main roads, and citizens and passersby are prevented from providing any medical assistance. Those caught carrying migrants in their vehicles face detention and fines. We receive no help from any entity.”¹⁸

No new migrant shelters have been established in the governorate, and none of the existing centers have been provided with the necessary care and rehabilitation. Moreover, no entity, except for the checkpoints at the governorate's entry points, registers migrants' data. The assistance currently offered by the IOM to migrants is limited to medical services at the Al Salam Saudi Hospital in the center of Saada city,

17 Additional field visit conducted by Mwatana for Human Rights to Saada governorate, August 5-6, 2023.

18 An interview conducted by Mwatana for Human Rights in Saada governorate, August 4, 2023.

the Monabeh Rural Hospital, and the Republican Hospital. These services are provided to injured individuals in general and are not limited to migrants.¹⁹

One Ethiopian migrant, 52 years old, told Mwatana about his impressions of the assistance provided to migrants,

“I feel that there is racial discrimination against us due to our dark skin. We are not given any assistance, and we are treated as if we have no value. I witness this every day, and I feel it even from Yemeni society itself.”²⁰

In a similar context, a 44-year-old Ethiopian female migrant told Mwatana,

“During my journey to Yemen, I did not receive any assistance, neither in Saada governorate nor before reaching it, even during my sea and land crossing.”²¹

The situation is not much different in Shabwah governorate, which is one of the main places where migrants arrive and where there are numerous gathering sites for migrants. The IOM is the only organization currently aiding migrants after the organization Intersos ceased its activities in February 2023.

The IOM's activities are mainly concentrated in the coastal district of Radhom, which constitutes one of the key entry points for migrants. Similarly, to the situation in Saada governorate, there are no organizations or entities that register the data of migrants arriving since February 2023. Before that date, the Intersos organization was responsible for this registration.

The IOM registers the data of migrants who have received medical services in the healthcare centers or through the mobile teams of the organization. The types of services provided by the IOM are limited to medical services, which are offered to migrants along the route between Maifa'a district and Rudhum district. As part of these efforts, the organization supports the Bir Ali Health Center and the Azan Public Hospital.

Before the Intersos organization's activities ceased in the governorate, Intersos provided each arriving migrant with kits containing water, juices, biscuits, dates,

19 Additional field visit conducted by Mwatana for Human Rights to Saada governorate, August 5-6, 2023.

20 An interview conducted by Mwatana for Human Rights in Saada governorate, August 5, 2023.

21 An interview conducted by Mwatana for Human Rights in Saada governorate, August 5, 2023.

clothing, and hygiene products.²² One Ethiopian migrant, aged 30, said,

“We arrived in Shabwah five days ago on a boat carrying 225 migrants. We initially intended to reach the city of Ataq, but my friend’s health deteriorated. We were forced to stay in Ayn Ba Mabad until he recovers, but his condition has worsened. We received some assistance upon arrival, consisting of medicines and juices. Until today, we haven’t been able to go anywhere. My friend cannot walk, and we wished there was someone to help us transport him to the hospital. We’re waiting in Ayn Ba Mabad until our families in Ethiopia send us the necessary funds for transportation and my friend Kamal’s treatment. I came to Yemen two years ago, and Intersos used to provide us with bags containing food, medicines, and other supplies upon arrival. We benefited from them throughout the journey. Now, there’s no one to assist us, and we don’t have the required funds to pay smugglers to transport us to a hospital.”²³

The IOM reported that at least 42,123 migrants received some form of assistance in 2022. This assistance included emergency non-food items, food supplies, cash assistance/vouchers, and other forms of humanitarian aid. In the same year, the organization helped 4,087 migrants from the Horn of Africa return voluntarily to their countries of origin.²⁴

The increasing numbers of migrants and the dire humanitarian situation in Yemen make it of utmost importance to intensify efforts to provide humanitarian assistance to migrants. This is a high priority for saving many lives and is an issue that should not be ignored. The assistance needed by migrants is essential for their survival, and humanitarian organizations are almost the sole entities capable of providing assistance, given the restrictions and sanctions imposed by the parties to the conflict on the host community for providing any form of aid to migrants.

22 Additional field visit conducted by Mwatana for Human Rights to Shabwah governorate, August 5, 2023.

23 An interview conducted by Mwatana for Human Rights in Shabwah governorate, August 4, 2023.

24 IOM, Achievements 2022 available at: <https://yemen.iom.int/sites/g/files/tmzbd1176/files/documents/2023-03/%5BAR%5D%20IOM%20Yemen%20%20Achievements%202022.pdf>.

Chapter One:

**Violations Against African Migrants
by Saudi Border Guards and Saudi/
UAE-led Coalition Forces in Yemen**

“

The projectiles were launched towards the victims from the Saudi observation site atop the mountain that everyone here knows.

Al-Raqu Market – A rescuer and eyewitness
(49 years old, Ethiopian nationality)

”

■ Introduction

The responsibilities of the Saudi/UAE-led coalition forces towards African migrants in Yemen stem from the legal obligations of the states concerned under international law, which are based on the inherent dignity of all members of the human family and their equal and inalienable rights. The non-ratification by Saudi Arabia and the UAE of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant agreements on migration does not diminish their binding obligations under international human law and international human rights law, nor does it make their commission of various types of violations against migrants less grave. In addition to that the responsibilities of SBGs towards African migrants in Yemen stem from IHL and IHRL because it is part of the coalition forces, and they are involved in both law enforcement and military operations which are regulated by different legal regimes.

These forces are committing different abuses against migrants involving violations of international humanitarian law and international human rights law, some of which amount to organized crimes. This contradicts the UN Convention against Transnational Organized Crime and its related protocols, especially the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which put an obligation on states to provide the necessary protection and assistance to victims of human trafficking.

Migrants in Yemen are victims of human trafficking. States and their affiliated forces are required to take the necessary measures to protect their lives and protect their dignity. However, the practices of the Saudi/UAE-led coalition forces against African migrants are no less heinous than the practices of human trafficking and smuggling gangs. Migrants have become direct targets of aerial and ground attacks carried out by these forces and of live ammunition from Saudi border guards. In addition, Saudi Arabia detains migrants with deportation orders who entered the country illegally or who have ended their period of residence, in substandard detention centers known as deportation centers. These facilities fail to meet the minimum international standards regarding detention and detained migrants are subjected to various forms of inhumane and degrading treatment.

The violations committed by the coalition forces against migrants are concentrated in border areas, where large numbers of migrants are present. The border strip between

Yemen and Saudi Arabia is one of the most dangerous areas along the long and perilous journey of African migrants, as it is militarily a war zone and especially dangerous for infiltrators. The western parts of the border between the two countries have witnessed sporadic armed clashes since the beginning of the Saudi/UAE-led military intervention in March 2015. This is particularly the case along the mountainous chain located in Saada governorate, which is the stronghold of the Ansar Allah (Houthi) armed group. This mountainous region spans approximately 200 kilometers and includes 12 directorates in Saada governorate, with nine of them located along the border with Saudi Arabia, adjacent to the regions of Najran, Jizan, and Asir.

This border strip has been the most active conduit for smuggling African migrants and contraband into Saudi Arabia during the armed conflict. African migrants cross the border strip in search of opportunities to make a decent living in Saudi Arabia, particularly due to the high demand for unskilled labor in the country and other Gulf states.²⁵

Firstly: Border Crossings

African migrants head towards areas adjacent to the Yemeni-Saudi border, covering long distances on foot. Their emaciated bodies endure scorching sunlight while sleeping outdoors. Their journey continues towards border areas regardless of the varying weather conditions throughout the year, with the constant risk of death at any moment along the border.

African migrants are often stranded in Yemen. Some prefer to stay in the areas near the Yemeni-Saudi border, such as Al-Raqu and Al -Thabit markets, as well as in the plains, valleys, and mountains situated there. Al-Raqu Market is considered one of the primary arrival points for African migrants as they travel through Yemen. Located on the border between Yemen and Saudi Arabia, the market lies on the eastern bank of the torrents near the confluence of Wadi Jara'a, originating in Yemeni territory, and Wadi Al-Muftah (Dhamd), most of which runs through Saudi territory. To the west, the market faces Mount Muftah, on the top of which a Saudi border guards' military site called "Long Arm Checkpoint" is located.²⁶ It is approximately one kilometer away from the market.

25 IOM, Protection Context for a Baseline migrants passing through Yemen 2019, Available at: https://eastandhornofafrica.iom.int/sites/g/files/tmzbdl701/files/documents/EN_Meraki_%2520Yemen_%2520Migration%2520Report.pdf.

26 A televised news report by the "Al-Hadath" channel affiliated with Saudi Arabia, available on YouTube at: <https://www.youtube.com/watch?v=wWUfBoBFyl> (accessed on July 2, 2023).

The Al-Raqu area is within the jurisdiction of the Monabeh district in Saada governorate, representing the main destination for most African migrants.



A picture showing the continued influx of African migrants to the Al-Jalfouz neighborhood in Shabwa Governorate, Obour Street, District, September 12, 2022

Al-Raqu Market serves as an unofficial passage and a starting point for human trafficking into Saudi territories, as well as for the smuggling of contraband, particularly the stimulant plant “Qat,”²⁷ cigarettes, livestock, and other goods. Some migrants engage in smuggling by carrying these goods on their backs and crossing the borders on foot. They are referred to as “al-Ataleen” (the carriers). They also work as middlemen for smuggling other migrants.

The majority of those residing in Al-Raqu Market are of Tigrayan ethnicity, along with some Yemenis.²⁸ The estimated number of people living in the market is around 2,000 individuals, including their families.²⁹ Smuggling activities from Al-Raqu Market

27 Qat is a stimulating green plant grown in Yemen and some countries of the Horn of Africa. Most Yemenis are accustomed to chewing it in the afternoon.

28 An interview conducted by Mwatana for Human Rights in Ataq district, Shabwah governorate, June 1, 2023.

29 An interview conducted by Mwatana for Human Rights in Qatabir district, Saada governorate, May 15, 2023.

increased since July 2019, after African migrants fled from Al-Thabit Market due to armed clashes and artillery exchanges between Saudi border guard units and the Ansar Allah (Houthi) armed group. Al-Thabit Market is located about 20 kilometers west of Al-Raqu Market, separated by mountainous elevations, parts of which falling within the Beni Ayash region. However, the markets are under different administrative divisions, with Al-Thabit Market situated in the Qatabir district, while Al-Raqu Market is in the Monabeh district.³⁰ Opposite Al-Raqu Market, there is a dedicated cemetery for African migrants in an area known as “Al-Khels,” where migrants bury their dead.

In the past, the Al-Thabit Market was the most active smuggling passage located in Saada governorate. This area has remained free from airstrikes by the Saudi/UAE-led coalition since its military intervention in Yemen began on March 26, 2015. Despite the passage of vehicles smuggling people and contraband from Yemen into Saudi Arabia, most areas in Saada governorate, especially the border areas, have been subject to airstrikes. When fighting intensified in the areas near the Al-Thabit Market and reached Baqim Triangle in July 2019, smuggling activities in this region ceased for nearly three years. In July 2022, the Ansar Allah (Houthi) armed group allowed African migrants to access the Al-Thabit Market once again. Recently, smuggling activities have been on the rise in this Market, with African migrants crossing the border strip into Saudi Arabia from there.

Al-Thabit Market is situated near the border strip to the north of Saada governorate. It consists of several small adjacent shops, and a watercourse, known as “Wadi Mahwan,” passes through the middle of Al-Thabit Market. The market is primarily inhabited by African migrants, the majority of whom are Ethiopians and belong to the Amhara and Oromo ethnic groups.³¹ Moreover, there are several Yemenis working there. The estimated population in Al-Thabit Market is around 1,300 residents from the region and newcomers. The market is considered an older crossing point compared to Al-Raqu Market. Many individuals operating in smuggling networks are present there. They receive migrants, arrange accommodation for them, and facilitate the smuggling operations, such as defining the routes and times for migrants to cross the borders. They also use migrants in smuggling activities, such as carrying and trafficking illegal

30 Since the beginning of the armed conflict in Yemen, Mwatana’s field researchers have carried out field visits to the Al-Thabit Market and Al-Raqu Market areas several times for the purpose of documenting violations committed by Saudi border guards against African and Yemeni migrants.

31 An interview conducted by Mwatana for Human Rights in Ataq, Shabwah governorate, June 1, 2023.

goods, including the stimulant plant “Qat,” to Saudi territory.

Located near Al-Thabit Market in Saada governorate, to the west at a distance of more than one kilometer, there are military checkpoints of Saudi border guards. The checkpoints are located on a mountainous elevation, facing the confluence of a main watercourse known as “Kahla,” which passes through Yemeni territory, and another coming from the north, known as “Wadi Daf’a,” which passes through Saudi territory. Additionally, military patrols carry out strict security missions to detain migrants who intend to cross the border and enter Saudi territory.

Financial transactions in smuggling areas, whether in Al-Raqu or Al-Thabit markets, are conducted in Saudi currency. Mobile phone services are also available in the region through Saudi telecommunications networks.³²

The border strip between Yemen and Saudi Arabia spans approximately 1,200 kilometers, with most of this border area located in the Empty Quarter Desert, in the governorates of Al Mahrah, Hadhramaut, and Al Jawf. In reality, smuggling activities are almost impossible in these areas, because they are deserts with no inhabitants. Moreover, there is an electrified barbed-wire fence parallel to an asphalt road for the patrols of the Saudi border guards. Saudi surveillance towers are also deployed along the border line, often equipped with thermal imaging cameras.

According to satellite images, the length of the barbed-wire fence stretches over 600 kilometers across the desert from the eastern part of Oman to the beginning of the highlands in the Kitaf and Al Boqe'e districts of Saada governorate, in western Yemen.³³



A picture of displaced students studying under the shade of a tree in the desert, Al-Rayyan - Khub and Al-ashaaf - Al-Jawf, September 20, 2022

32 Interviews conducted by Mwatana for Human Rights in Saada governorate during the drafting period of this report.

33 For more details see CNN: “Exclusive: Saudi Arabia fortifies border defenses,” available at: <https://www.youtube.com/watch?v=Frm3xQcgsJ4> (accessed on January 2, 2023).

Secondly: Violations Against African Migrants by Saudi Border Guard Units and Coalition Forces in Yemen

Saudi border guard units (SBGU)³⁴ typically intercept the routes of African and Yemeni migrants by patrolling in security vehicles and using CCTV towers equipped with night vision surveillance devices and thermal cameras.

SBGU have consistently demonstrated a blatant disregard for the well-being and safety of migrants, engaging in severe violations, such as killings, torture, arbitrary detentions, and mistreatment. According to the cases documented by Mwatana, 95% of the documented violations in the Al-Raqu Market area were carried out by Saudi border guard personnel stationed at a surveillance point located on a hill approximately one kilometer to the west of the market. Out of the eight incidents documented in Al-Raqu Market by Mwatana for Human Rights, Saudi border guard forces are responsible for six of them.

During a visit by Mwatana's team to Al-Raqu Market in mid-May 2022, the team noted that live ammunition was constantly being fired in the area. Eyewitnesses reported that ammunition fired by Saudi border guard forces was causing almost daily casualties among migrants trying to enter Saudi territory.³⁵

Saudi border guard forces have killed and maimed African and Yemeni migrants. Mwatana documented at least 17 incidents involving ground attacks and live ammunition. These incidents resulted in the deaths of 64 African and Yemeni migrants, including 25 children and three women, and injured 145 African and Yemeni migrants, including 53 children and nine women. Mwatana also documented four incidents involving air attacks on African migrants by coalition forces, resulting in at least 92 dead and 164 injured Africans and Yemenis.

34 The Saudi border guard units are under the jurisdiction of the General Directorate of Border Guards, a crucial component of the Saudi military. Their main mission is to safeguard the nation's land and sea borders against unlawful breaches, which includes preventing unauthorized entry, human trafficking, and the illegal transportation of individuals, merchandise, and contraband. Unified National Platform, General Directorate of Border Guards Available at: <https://www.my.gov.sa/wps/portal/snp/agencies/agencyDetails/AC056>.

35 One of the survivors informed Mwatana that, during the night of Monday, May 9, 2022, he and several others attempted to cross the border and enter Saudi Arabia. However, they faced gunfire from Saudi border guards, preventing their entry. This attempt led to the injury of two migrants who were shot in the feet with live bullets.

Saudi border guards have used live fire against migrants, including sniping African migrants and firing numerous shells at gathering points of migrants along the border strip. An increase in violations against migrants was observed during the COVID-19 pandemic, as African migrants were caught between two armed entities: Saudi border guards and the Ansar Allah (Houthi) armed group. This occurred concurrently with strict restrictions on their movement, particularly in the Al-Raqu border area. The Ansar Allah (Houthi) armed group forcibly expelled migrants from their controlled areas into Saudi territory, where they were met with gunfire from Saudi border guard forces to push them back towards Yemeni territory. Many migrants fell victim to live ammunition and ground shelling during this period.³⁶

The measures taken by the SBGU to minimize harm to civilians remain unclear. This includes explaining the methods used for conducting assessments of discrimination or proportionality in the ground attacks they carry out. These units frequently carry out indiscriminate ground attacks on the Al-Raqu Market area and the adjacent border regions, with a complete absence of steps that the coalition is supposed to take for disciplining or holding accountable its armed forces' members reliably implicated in violations of international humanitarian law, and providing redress to civilian victims, including African migrants.

In addition to violations of the right to life, other violations involve the arbitrary and indefinite detention of African and Yemeni migrants within overcrowded Saudi detention and deportation centers, subjecting them to inhumane and abusive treatment. In 2021, Saudi authorities arrested over 2,400 migrants, the majority being Ethiopians and Yemenis, for crossing into Saudi territory without valid entry visas.³⁷ These individuals and others were detained in Saudi detention centers where they endured various forms of suffering due to the lack of clean water, sanitation facilities, hunger, malnutrition, and numerous other hardships.³⁸

The Saudi/UAE-led coalition airstrikes have resulted in the deaths and injury of dozens of African migrants within Yemeni territory. Mwatana documented an airstrike

36 Interviews conducted by Mwatana for Human Rights since the beginning of 2020.

37 Amnesty International, "Amnesty International report 2021/22: The state of the world's human rights," 2022, p. 151, available at: <https://www.amnesty.org/fr/wp-content/uploads/sites/8/2022/03/WEBPOL1048702022ARABIC.pdf>.

38 Human Rights Watch, "Yemen: Houthis kill, expel Ethiopian migrants," August 13, 2020, available at: <https://www.hrw.org/ar/news/2020/08/13/376063>.

on October 25, 2015, resulting in the deaths of five African migrants and injuries to two others as they were in a vehicle in the Al-Rakwa area, Majz district in Saada governorate. Mwatana also recorded an incident in which an airstrike launched by the Saudi/UAE-led coalition's fighter jets resulted in the deaths of two African migrants. This incident occurred on Tuesday, July 18, 2017, when the coalition jets dropped a bomb on a food warehouse in Al-Gholah village, Hamli area, Mawza district in Taiz governorate. The airstrike killed four civilians, including two migrants and a boy, and injured three others. According to eyewitnesses, the deceased migrants were over 40 years old, and they were on their way to an unknown destination as part of their migration journey within Yemen. The bodies of these two migrants remained under the rubble until August 19, 2019.³⁹

Thirdly: Examples of Violations Against African Migrants by Saudi Border Guards and Saudi/UAE-led Coalition Forces in Yemen

- **Between November 20-27 and on December 24, 2019, there was artillery shelling in the Al-Raqu Market area, Munabeh district, Saada governorate.**

Within a month and four days, Mwatana documented three incidents of ground shelling carried out by Saudi border guard forces in the Yemeni Al-Raqu area. According to the testimonies collected by Mwatana, these attacks resulted in the deaths of at least 35 African migrants, including two Yemenis and a boy, and the injury of at least 40 African migrants, including five Yemenis and four children.

Mwatana obtained the names of 52 of the deceased and injured migrants and Yemenis, while the rest of the victims were registered as unidentified.

On the morning of Wednesday, November 20, 2019, Saudi border guard forces launched three artillery shells towards the Yemeni Al-Raqu area. Two of them fell on an area containing several tents inhabited by African migrants in Wadi Meftah (Dhamd) north of the market.

³⁹ An interview conducted by Mwatana for Human Rights with an eyewitness in Mawza district, August 19, 2019.

According to eyewitnesses and survivors who researchers from Mwatana met, the shelling resulted in the deaths of 10 people and the injury of 17, including two Yemenis and a boy. Mwatana obtained the names of 11 injured persons.

According to the testimony of an eyewitness, African migrants had set up new tents in Wadi Meftah (Dhamd), north of the Yemeni Al-Raqu Market and approximately 200 meters away from the market. A 49-year-old Ethiopian man, who was a rescuer and an eyewitness, told Mwatana,

“At dawn, I heard a loud explosion, and a few minutes later, a second and third projectile fell on the outskirts of the valley where three new tents had been set up. The projectiles were launched towards the victims from the Saudi surveillance site on the mountain, which everyone here knows. I rushed there barefoot after hearing the sounds of screaming and wailing. I arrived at the scene in about five minutes and wished I hadn’t come. I witnessed a horrific scene I had never seen in my life, charred migrant bodies and people moaning. I helped transport some of the bodies, and after about half an hour, assistance arrived. I assisted in treating the injured and dressing the wounds of some of them.”⁴⁰

A week after the bloody ground shelling, on the early morning of Wednesday, November 27, 2019, Saudi border guard forces fired live ammunition from medium-sized weapons and artillery shells at the Yemeni Al-Raqu Market. According to the testimonies of eyewitnesses and survivors interviewed by Mwatana, the ground shelling resulted in the deaths of 10 African migrants and one Yemeni civilian and the injury of 22 African migrants.

From a medical source, Mwatana obtained the names of three deceased persons, including two migrants, and the names of 14 injured African migrants, including three children and a woman.

According to the testimonies collected by Mwatana, this ground shelling followed an exchange of gunfire between smuggling gangs and Saudi border guards stationed in surveillance checkpoints. A Yemeni witness and a rescuer, aged 52, told Mwatana, “On the morning of Wednesday, November 27, 2019, I was returning home, and suddenly

40 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqu Market, June 9, 2022.

I heard heavy gunfire and some artillery shelling. I even thought that there were military clashes between the Saudi and Yemeni sides on the border. Then I realized that the shelling was launched from the Saudi surveillance sites towards Al-Raqui Market. I rushed to the scene and witnessed many charred bodies and some migrants transporting the wounded and providing assistance.”

Another Ethiopian eyewitness and rescuer, aged 34, said,

“I reached the incident site and saw many charred bodies and body parts. I couldn’t recognize many of them even though I know all the victims. I have been in Yemen for nine years. This is not the first incident in the area during this depressing period for migrants and others living in the market. I tried my best to assist in transporting the wounded, but we couldn’t save many of them.”⁴¹

A 50-year-old Yemeni eyewitness stated,

“Last week, a massacre happened, and this week, another massacre, as if they are killing insects?! Life in Yemen is nothing but tragedies and disasters, all because of the war.”⁴²

About three weeks after the previous ground shelling, on the afternoon of Tuesday, December 24, 2019, the Yemeni Al-Raqui Market was subjected to ground shelling with five artillery shells fired by Saudi border guard forces. Three of these shells hit a pharmacy and other shops on the southwestern side of the market, while two shells fell in an open area in the middle of the border area’s Wadi Al-Meftah (Dhamd).

According to the testimonies collected by Mwatana, approximately 17 civilians were killed in the incident, including children, women, and African migrants. Mwatana obtained the names of six deceased persons, including a Somali female doctor, an Ethiopian migrant, and four Yemeni nationals. Additionally, 10 civilians were injured, including eight African migrants and two children, one of whom was an African migrant. Mwatana collected the names of all the injured.

41 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqui Market, November 6, 2022.

42 An interview conducted by Mwatana for Human Rights with an eyewitness in Monabeh district, December 6, 2019.

A 26-year-old Yemeni eyewitness said to Mwatana,

“I was in Al-Raqu Market, which was unusually crowded due to allowing foreigners to enter the market without inspection on that day. I heard the sound of five consecutive mortar shells, and then I witnessed the scattered body parts and charred bodies everywhere. I rushed to the scene and found no military target that was intentionally targeted. They targeted civilians and migrants deliberately. I don’t know why they would directly target and kill them in such a brutal manner.”⁴³

A 33-year-old Yemeni doctor, who was also an eyewitness, said,

“I reached the incident site and smelled the scent of burnt flesh. Smoke was rising from one of the burning cars. The fire was devouring slender bodies. From the appearance of the bodies, I could tell they were African migrants.”⁴⁴

According to the information collected by Mwatana for Human Rights, the casualties in the three incidents were transported to hospitals, including Saudi Al-Salam Hospital in the center of Saada governorate, Al-Talh Rural Hospital in Sahar district, and the Republican Hospital in Saada city. The injured were taken to the nearest health center for treatment in Jawi city, Saada governorate.

The UN GEE⁴⁵ investigated the three incidents documented by Mwatana, which occurred in Al-Raqu Market in Monabeh district of Saada governorate on November 20 and 27, and in December 2019. Through the analysis of satellite imagery, the UN GEE confirmed that at noon on December 24, 2019, at least two mortar shells fell on this market, which is understood to be an unofficial center and transit point for Yemenis, Ethiopians, and Somalis. It is also a key location for smuggling activities across the border into Saudi Arabia. The mortar shells resulted in the deaths of at least 17 civilians and the injury of at least 12 others.⁴⁶

43 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqu Market, Monabeh district, September 6, 2022.

44 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqu Market, Monabeh district, June 9, 2022.

45 The UN GEE on Yemen was established to investigate all alleged violations and abuses committed since September 2014, to collect and preserve information, and to identify those responsible for the violations, with the aim of ensuring full accountability for perpetrators and justice for victims.

46 UNHCH, Annual report of the United Nations High Commissioner for Human September 2020, Available at: <https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/GEE-Yemen/2020-09-09-report.pdf>.

Within the same context, the office of the UN Resident and Humanitarian Coordinator in Yemen reported that this was the third attack on the same market within a month. In the attack on November 20, at least 28 civilians were killed or injured. On November 27, at least 32 were killed or injured. This has raised the total number of reported civilian casualties in the Al-Raqu Market to 89 since November 20.⁴⁷

On the other hand, the Joint Incident Assessment Team (JIAT),⁴⁸ affiliated with the Saudi/UAE-led coalition, acknowledged only the third incident of December 24. The JIAT stated that the coalition ground forces were responding with indirect fire to armed infiltrators into Saudi Arabia who were firing at the coalition forces. This use of armed force was considered the only means available to address the threat. The JIAT also added that one of the mortar shells might have fallen in the market due to a technical malfunction or changes in weather conditions. However, witnesses interviewed by the UN GEE challenged this explanation, which is also inconsistent with the materials reviewed by the GEE.

Furthermore, the UN GEE received reports indicating that the second shelling occurred in response to smugglers firing AK-47 rifles into the air to divert the attention of SBGU to allow their colleagues to cross the border. The shelling is alleged to have come from one of the Saudi border guards' positions.⁴⁹

If these incidents concern law enforcement operations to protect the borders rather than military operations related to the armed conflict, they may raise important questions regarding the excessive use of force under international human rights law.

Saudi border guard forces carry out direct attacks on civilians. In the context of

47 UN, Third attack on Al Raqw market in Sa'ada in a month kills at least 17 civilians 25 December 2019, Available at <https://yemen.un.org/en/45125-third-attack-al-raqw-market-saada-month-kills-least-17-civilians>.

48 The JIAT is a body established in 2016 by the Saudi/UAE-led coalition in response to allegations of potential violations of international humanitarian law in Yemen. The JIAT is composed of 14 individuals seconded from coalition member states. The team's mandate includes investigating facts, gathering evidence, and preparing reports and recommendations on claims and incidents. However, during coalition operations in Yemen, the JIAT investigated only a limited number of attacks that had raised concerns about compliance with the laws of war. Furthermore, their reports provided insufficient details regarding the rules of engagement and targeting practices of coalition forces in relation to the incidents for which they were responsible.

49 The JIAT in Yemen proves that the Al-Raqu Market in Saada was not targeted - televised text on YouTube, available at: <https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://m.youtube.com/watch%3Fv%3D54c2w28CABw&ved=2ahUKewi1x4DpstmAAxU4KEQIHx-5AbsQtwJ6BAgeEAI&usg=AOvVaw0yKqMYGYvCbDpIOIE51o6P>.

the armed conflict, there are no military positions or any presence of the Ansar Allah (Houthi) armed group in the Al-Raqu Market area. The nearest Houthi checkpoint to the market is located approximately eight kilometers to the southwest.⁵⁰ Within the context of border protection, the operations involve excessive use of force, showing disregard for civilian lives and violating international human rights law. There are multiple alternative methods for protecting the border that do not necessitate such excessive loss of life and targeting of both market residents and migrants.

Wednesday, December 7, 2022, Ground Attack, Qataber District, Saada Governorate

Saudi border guard forces launched a projectile from one of their positions in the Saudi Dufa Mountain, located approximately three kilometers to the northwest of the market, targeting the Old Al-Thabit Market. This resulted in the severe injury of two Somali refugees and an Ethiopian migrant boy (17 years old).

One of the victims (27 years old, Somali) told Mwatana,

“I was washing my clothes in the market near my place when I heard the sound of gunfire. Such sounds are not uncommon in the market, but they weren’t directed towards me. I continued my work for about a quarter of an hour after hearing the gunfire, and then a projectile launched by the Saudi border guard forces fell near me. I was hit by multiple fragments in my lower abdomen, and my friend was injured by fragments in his neck. A young Ethiopian migrant boy child was also wounded. I panicked, and our wounds were bleeding. No one helped us immediately after the incident. About an hour or less later, someone came and transported us in his car to a private clinic near the market. There, we received initial medical care, and then we were transferred to the Republican Hospital in Saada. We had to pay all the money we had for treatment and transportation to the hospital.”⁵¹

Tuesday, November 15, 2022, Live Ammunition, Qataber District, Saada Governorate

⁵⁰ Additional field visit conducted by Mwatana for Human Rights to Saada governorate, August 13, 2023.

⁵¹ An interview conducted by Mwatana for Human Rights with a Somali victim in Qataber district, Saada governorate, March 25, 2023.

Saudi border guard forces, located in the village of Al-Ghamra, fired live bullets at Ethiopian migrants, resulting in the death of an Ethiopian migrant and the severe injury of two others, including a 17-year-old boy.

Three Ethiopian migrants, including a boy, attempted to cross the Yemeni-Saudi border to enter Saudi territory for work. When they reached an open area near the surveillance sites in the Al-Ghamra border area, Saudi border guard forces fired live bullets at an Ethiopian boy child (17 years old), causing a gunshot wound to his left thigh that prevented him from walking. Another Ethiopian migrant (25 years old) tried to carry him and head back towards Yemeni territories. However, Saudi border guard forces shot the migrant who was carrying the injured child from behind, resulting in his death and the fall of the wounded child he was carrying to the ground. The Saudi border guards also fired a bullet at the third migrant, injuring his right leg. The three victims remained at the scene, unable to continue their journey to Yemeni territory, and no one provided them with immediate assistance. After about half an hour, Yemeni migrants returning from Saudi territories passed by and provided them with assistance, leaving the deceased victim's body at the scene.

The victim child (17 years old, Ethiopian) told Mwatana,

“The Saudi border guards saw my friend carrying me on his back, heading back towards Yemeni territory. They fired at him from behind, and he fell to the ground, causing me to fall from his back, and my head hit a rock. I was crying heavily, not just from the pain but also from losing my friend, who sacrificed his life to save mine. We left my friend's body at the scene near a large rock, and we placed a mark on it. The Yemenis who assisted us said, ‘We will help the wounded and leave the deceased for those who come after us to bury.

On Wednesday, May 11, 2022, African and Yemeni migrants were killed and tortured in the area of Al-Raqu Market, Monabeh district, Saada governorate.

In Al-Raqu Market, Monabeh district, Saada governorate, a group of migrants consisting of about 50 people, including Africans and Yemenis, decided to cross the Yemeni border on foot towards Saudi territory. They agreed among themselves to split into two groups. At around 6:00 p.m., the first group, led by Emad Al-Zabidi (35 years old, Yemeni), who worked as a guide for smuggling migrants into Saudi territory, set out, navigating through

mountains and safe, somewhat distant roads, avoiding the watchtowers and posts of the SBGU. It was expected that Emad would contact his other friends to tell them about their safe arrival within half an hour after the first group's departure.

At approximately 6:30 p.m., the second group, comprising around 30 people, decided to attempt crossing the border into Saudi Arabia. However, their attempt failed as a Saudi border guard opened fire with live ammunition upon their entry. The shots were warning shots fired near them. The members of the second group returned to the Yemeni Al-Raqu Market.

Around 10:00 p.m., the second group decided to make another attempt to cross the border. However, the gunfire from the Saudi border guard continued. A witness and survivor (32 years old, Yemeni) said to Mwatana,

"I was among the members of the second group, waiting for a call from the first group, which included my brother and cousin, to inform us of their safety so we could join them. But we didn't receive any calls. After our failed crossing attempts, I was in Al-Raqu Market, watching the valley, but no one came from the first group. So, I decided to sleep there."⁵²

On the morning of the following day, Thursday, May 12, at around 7:00 a.m., two young men of Ethiopian and Somali nationality returned from Saudi territory to Al-Raqu Market. They informed Mahmoud Salem (31 years old, pseudonym, Yemeni) and those around him that they had found a pile of dead bodies inside Saudi territory and that everyone should help and accompany them to bring the bodies back to the market immediately. Mahmoud told Mwatana,

"I quickly rushed with other Yemeni young men shocked by this horrifying news. We didn't hesitate for a moment or consider the consequences of what we were doing. We reached the Saudi territory on foot within 10 to 15 minutes. I saw a pile of dead bodies, one on top of the other, and sorted out 11 Yemeni bodies from many African migrant bodies. We could distinguish them by their skin color and appearance. The scene was horrific and painfully indescribable."⁵³

52 An interview conducted by Mwatana for Human Rights with an eyewitness in Monabeh district, Saada governorate, May 15, 2022.

53 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqu Market, Saada governorate, May 17, 2022.

According to eyewitnesses interviewed by Mwatana, Saudi border guard forces attempted to stop the infiltrators and then fired live ammunition at those attempting to escape. This observation aligns with the eyewitness accounts of a gunshot wound on the right side of Emad Al-Zabidi's back and another gunshot that hit the right side of the head of one of the Yemeni victims.

Mahmoud added,

"I heard from the smugglers that there's a military man called 'Al-Azraq' who takes pleasure in killing and torturing migrants. He was responsible for the massacre, and on one occasion, he killed four migrants and asked the four survivors to carry their bodies on their backs to the Yemeni side. One of the survivors of this massacre was Ethiopian. I saw him with my own eyes, repeating three words and crying: 'electricity - water - torture.' He looked like a madman, wearing an undershirt, and nothing else."

According to eyewitnesses, Saudi border guard forces escorted the victims to an abandoned house known as "Ali Al-Tami's House" on the top of a hill called "Tabat Abu Ali," north of Al-Raqu Market, near the Shuwairah area in Al-Dayer governorate, which is part of the Jazan region of Saudi Arabia. This location is used by Saudi military units as a military site and detention center.

Kers Terad (21 years old, pseudonym, Ethiopian) told Mwatana,

"Some of the bodies were wet and stiff, and some were naked, while others had underwear on. We collected the bodies of Ethiopians and buried our friends in a single grave. I have been living in Al-Raqu Market since 2018, but I have never felt such intense fear. I fled from Ethiopia because of the war to send money to my mother and father. Instead of the money, they could receive news of my death at any moment."⁵⁴

On May 15, 2022, a team from the central office of Mwatana for Human Rights conducted a field visit to the city of Saada to examine the bodies in the public hospital and meet with the victims' families. They then went to the Al-Raqu border area on May 17, 2022, to interview eyewitnesses. Additionally, Mwatana sent two forensic doctors to examine and inspect the bodies in the mortuary of the Republican Hospital in Saada. Their 14-page report concluded that seven of the victims were of Yemeni nationality and had suffered "severe external violence using hard tools." The report also noted signs of

54 An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Raqu Market, Saada governorate, May 17, 2022.

vital injuries from electric shocks, repeatedly occurring, and all are typical signs seen in cases of deaths resulting from torture in detention centers and in situations where the victim cannot defend themselves, leading to cardiac arrest due to severe ambiguous inhibition caused by pain. The report further mentioned two cases of death due to torture in addition to gunshot wounds, one in the head and the other in the right side, and two cases of genital mutilation caused by tying the person with a constricting cord, in addition to undergoing electrical shocks.

The victims, including seven Yemeni migrants and an estimated 17 Ethiopian migrants according to witnesses, were subjected to beatings, electric shocks, and fatal torture. Mwatana obtained the names of six Yemeni victims, aged between 20-40 years.

Mwatana issued a press release on September 19, 2022, concerning the incident, in which they called for immediate steps to ensure credible investigations, criminal accountability, and reparations for the violations committed in this horrifying incident.⁵⁵

June 15, 2022, Arbitrary Detention, Jazan, Saudi Arabia

Saudi forces in Jazan governorate, Saudi Arabia, detained an Ethiopian migrant and held him in Haddah prison in Mecca for several months.

In mid-June 2020, Abel Gebre Hiywot, a 25-year-old Ethiopian national, arrived in Jazan governorate of Saudi Arabia through Yemen after a grueling journey facilitated by smugglers. This journey began at the port of Bosaso in Somalia and involved crossing various areas in Yemen before reaching Saudi Arabia in search of job opportunities. Upon his arrival, he was apprehended by Saudi soldiers and subsequently incarcerated in Haddah Prison in the city of Mecca with a large group of migrants from various nationalities.

Periodically, they were transferred to Shumaisi Prison, which was one of the worst detention centers that lacked proper blankets, sanitary facilities, and cleanliness. Comparatively, both Haddah Prison and Shumaisi Prison failed to meet the necessary standards expected in detention centers that are designed to ensure the safety and dignity of detainees.

⁵⁵ Mwatana for Human Rights, "A group of migrants' bodies found near an informal detention facility in Saudi Territory," September 26, 2022, available at: <https://www.mwatana.org/posts/migrants-bodies>.

Abel remained in detention for a full two years, even though the law requires the prompt resolution of detainee issues and the facilitation of their return to their home countries. Following a week-long hunger strike in which the detainees protested against prolonged detention and demanded their repatriation, Saudi forces relocated them to Shumaisi Prison. They remained there for two weeks before being deported to their respective home countries.

Abel told Mwatana,

“I was detained in Saudi Arabia for two years, being transferred between Haddah Prison and Shumaisi Prison in Mecca. I, along with a group of migrants whose repatriation was delayed, decided to go on a hunger strike until we were released from prison and repatriated, like the others. We went on hunger strike for a week, after which we were transferred to Shumaisi Prison in preparation for our deportation.”⁵⁶



A picture showing the extent of the difficulties and suffering endured by migrants in the city of Radaa - Al Bayda Governorate

56 An interview conducted by Mwatana for Human Rights with a victim in Ataq district, Shabwah governorate, June 1, 2023.



Chapter Two:

**Violations Against African
Migrants by the Ansar Allah
(Houthi) Armed Group and
Human Trafficking and
Smuggling Gangs in Houthi-
Controlled Areas in Yemen**

■ Introduction

As a party to the non-international armed conflict in Yemen, the Ansar Allah (Houthi) armed group is bound by international humanitarian law. Given that the Houthi armed group is a de facto authority in many Yemeni governorates and regions, it also has legal obligations under international human rights law and international agreements ratified by the Republic of Yemen. These agreements include the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the UN Convention against Transnational Organized Crime and its related protocols. As a de facto authority, the group bears the primary responsibility for violations and attacks against African migrants are subjected to multiple violations by the Houthi armed group and human trafficking and smugglings gangs throughout the areas under the control of the group. These egregious violations require accountability and justice for the victims.

African migrants endure the hardship of traveling from their home countries to reach a region in northwestern Yemen controlled by the Ansar Allah (Houthi) armed group. Upon their arrival, they are confronted with dire conditions worse than the harsh reality and extreme poverty they left behind in their home countries, which they left in search of a better life in their desired destination, Saudi Arabia. To achieve their goal, these migrants risk their lives on a long and arduous overland journey that extends for days and months under challenging and unpredictable climatic conditions, ranging from scorching heat to freezing cold. They also face the risk of running out of supplies and dying of thirst in the desert sands. Additionally, they must contend with the difficulties of traversing rugged roads in most of the mountainous governorates they navigate.

The Ansar Allah (Houthi) armed group has closed most major roads and entrances to governorates with security checkpoints. These checkpoints are scattered along the roads in most governorates under their control, with some of these roads being riddled with landmines planted in various locations. This forces these migrants to take alternative, mostly mountainous and rugged routes, further increasing the hardships and duration of their journey. Traveling in areas controlled by the group is a challenging and perilous journey.⁵⁷

Most African migrants lack identification documents, making it extremely difficult

57 Additional field visit conducted by Mwatana for Human Rights to Al-Bayda governorate, August 25-30, 2022.

and complicated to rent accommodation in areas under the control of the Ansar Allah (Houthi) group. There are no shelter camps or resting places, forcing them to sleep in the open, on the sides of roads, in alleys, mountains, and valleys. They do not even have blankets to protect themselves from the freezing cold in highland areas.⁵⁸ Additionally, due to their limited knowledge of the Arabic language, most migrants live in confusion and isolation, making it very difficult for them to connect with the surrounding community.

One of the most shocking and noteworthy realities in areas controlled by the Ansar Allah (Houthi) group is the inability of organizations concerned with the plight of migrants to meet their needs and provide essential services. This is due to the restrictions imposed by the group on the activities of such organizations. Nevertheless, these organizations make every effort to overcome some of these obstacles and provide humanitarian assistance. African migrants lack access to basic services, especially in terms of healthcare, particularly for breastfeeding women and children.

Several international organizations have expressed their concerns about these restrictions to Mwatana. They have been unable to establish camps to accommodate migrants and provide the necessary humanitarian aid. Even the IOM, which provides limited humanitarian and shelter aid in governorates under the control of the Ansar Allah (Houthi) group, falls short of meeting migrants' humanitarian needs due to the restrictions imposed by the group on the organization's activities. The IOM seeks to provide first aid, medication, food, clothing, and shelter supplies to migrants across various regions in Yemen. In Sana'a, Yemen's capital city, the IOM operates a clinic that offers services to victims of gender-based violence, including sexual harassment and rape. Additionally, they provide support to Monabeh Rural Hospital in Jawi city, Saada governorate, as the number of victims of live ammunition among migrants in the border areas continues to rise.⁵⁹ Furthermore, some African refugees registered by the UNHCR receive annual in-kind assistance. Women receive clothing items, and families obtain financial aid amounting to 100,000 Yemeni rials annually.⁶⁰

58 Additional field visit conducted by Mwatana for Human Rights to Al-Bayda governorate, August 25-30, 2022.

59 An interview conducted by Mwatana for Human Right's central team with the IOM in Sana'a, Amanat Al-Asimah, October 20, 2022.

60 Additional field visit conducted by Mwatana for Human Rights to Al-Bayda governorate, August 25-30, 2022.

Most of the African migrants' labor force is concentrated in areas controlled by the Ansar Allah (Houthi) group in Al-Bayda governorate, central Yemen. They can also be found in Saada governorate, Al-Dhale governorate, Amanat Al-Asimah, Al-Jawf governorate, and Amran governorate. Most African migrants work in qat farms in Rada District of Al-Bayda governorate and its surrounding areas, which include some districts of Al-Dhale governorate. Additionally, they work as cleaners at restaurants, hospitals, and service facilities, as well as in livestock herding and other occupations.

The suffering endured by migrant workers is multi-faceted, as they perform strenuous labor without employment contracts that protect their rights. They also do not receive fair wages for their labor, with the average monthly wage in areas controlled by the Houthi group being around \$50 USD. They are subjected to mistreatment by their employers. The numbers of migrant workers reach into the thousands, including children and women. They live in densely populated areas across various districts of Al-Bayda governorate. These areas offer employment prospects for migrants, enabling them to earn financial compensation to continue their journey towards Saudi Arabia.

Firstly: Routes of African Migrants and Their Gathering Points in Areas Controlled by the Ansar Allah (Houthi) Armed Group

African migrants take the desert route in Marib governorate, starting from the Al-Rawik desert area east of the city of Marib and heading to the areas controlled by the Ansar Allah (Houthi) armed group in Al-Hazm district of Al-Jawf governorate. This desert route is considered the main path African migrants use to enter areas under the group's control, covering approximately 150 kilometers.

Few migrants travel long distances on foot through the desert under the scorching sun, while the majority use medium and small transport trucks operated by smuggling gangs. They are crammed into these vehicles in large numbers without consideration for safety, or privacy for women. Each transport vehicle carries an estimated 50 to 60 migrants.⁶¹ Smuggling gangs sometimes alter transport routes through the desert based on security conditions and risks. Al-Jawf governorate serves as a major destination to

61 Additional field visit conducted by Mwatana for Human Rights to Al-Jawf governorate, May 11, 2022.

which a significant number of migrants from areas controlled by the internationally recognized government come.

Most African migrants in the areas controlled by the Houthi group in the governorates of Al-Bayda and Ad Dali in central Yemen cannot easily cross over to the border areas of Saada governorate in northern Yemen. This situation forces them to return to areas controlled by the internationally recognized government in Marib governorate. The migrants follow a route from Al-Bayda governorate to Wadi Mahliya (Mahliya Valley) in Marib governorate. This valley is about 100 kilometers away from the city of Marib. Along the way, they pass through Rahbah and Al-Jawbah districts, which border the city of Marib to the west. This route has been closed due to escalating combat activities in Marib governorate that began in early 2020.



Figure No. (2) Migration route of African migrants from Afar Junction in Al-Bayda governorate to the city of Marib.

When roads are closed due to hostilities, migrants take alternative routes in Al-Bayda governorate through Nayman district to reach Bayhan district in Shabwah governorate. From there, they head to Hareeb district in Marib governorate to eventually reach Marib city. However, the expansion of hostilities to these areas in 2021 also resulted in their closure.⁶²

62 Additional field visit conducted by Mwatana for Human Rights to Al-Bayda governorate, August 29, 2022.

During the period of escalating hostilities in Marib governorate from 2020 to 2023, many African migrants faced multiple risks, some of which led to life-threatening situations while crossing roads leading to the governorate.⁶³

African migrants use the desert road in Marib governorate to travel to Al-Jawf governorate, which is under the control of the Ansar Allah (Houthi) group. They arrive at Al-Hazm Directorate, a major gathering point. Smuggling gangs assemble migrants at a gathering point in the Al-Jar area, located 12 kilometers east of Al-Hazm city, the governorate's center. This is done in coordination with the local authority affiliated with the Ansar Allah (Houthi) group. Migrants typically stay there for about one to two days, receiving some food and drink.⁶⁴



Figure No. (3) Migrant gathering center in the Al-Jar area, Al-Jawf governorate.

After, migrants embark on a new perilous overland journey, heading east towards mountainous highlands covering a distance of approximately 300 kilometers until they reach the area of Al-Raqu Market in Saada governorate, northern Yemen. The route stretches through the districts of Hazm and Al-Moton, passing through the last border

63 Additional field visit conducted by Mwatana for Human Rights to Al-Jawf governorate, May 11, 2022.

64 Additional field visit conducted by Mwatana for Human Rights regarding the routes of migrants to Al-Jawf governorate, February 4, 2023.

of Al-Jawf governorate in the Al-Batinah area of Al-Mutmah district. From there, they ascend mountainous highlands, reaching the borders of the center of Harf Sufyan district in Amran governorate, covering around 90 kilometers.



Figure No. (4) Route of migrants from Al-Mutmah district in Al-Jawf governorate to Harf Sufyan district in Amran governorate.

Harf Sufyan is located centrally, surrounded by four governorates: Al-Jawf to the east, Saada to the north, Amran to the south, and Hajjah to the west. It represents the northernmost district of Amran governorate and serves as a gathering point for African migrants coming from various directions.



Figure No. (5) Location and coordinates of Harf Sufyan district in Amran governorate.

A small number of migrants also come to the Harf Sufyan area from the southern regions, traveling from Sanaa governorate⁶⁵ on a road that runs from Bani Al-Harith District in Amanat Al-Asimah Sana'a to Dharawan area, the entrance to Amran governorate. They then head towards Dhaifan Al-A'la, Dhaifan Al-Asfal, Alah, and Raida. From there, migrants proceed to Dhaiban. Migrants use this alternate asphalt-paved route and then cross a dirt road that passes through Al-Rakyah and Shawabah areas until they reach the center of Harf Sufyan district. The distance from Sana'a to Harf Sufyan is approximately 120 kilometers.

After migrants pass through Harf Sufyan, they are stopped for several days in courtyards⁶⁶ belonging to smuggling gangs, near an inspection point called "Al-Amshiya," the last area in Amran governorate near Al-Aqlah area of Al-Safra district, Saada governorate. Al-Aqlah area is about 50 kilometers south of Saada city. Migrants then continue north towards the center of Saada governorate, transported in medium-

65 On June 3, 2023, along the road extending from the city of Dhamar to the city of Sanaa, Mwatana's central team saw numbers of migrants moving on foot in groups.

66 The courtyards are not intended for residence. Instead, migrants are let in there for a while during the counting and inspection process, and then they are transferred following the procedures of the security authorities.

sized covered cargo vehicles. Their journey becomes a daily and continuous endeavor.⁶⁷ It typically spans from Saada city to the furthest point in the Al-Raqu area, requiring about five to six hours to cover the distance.

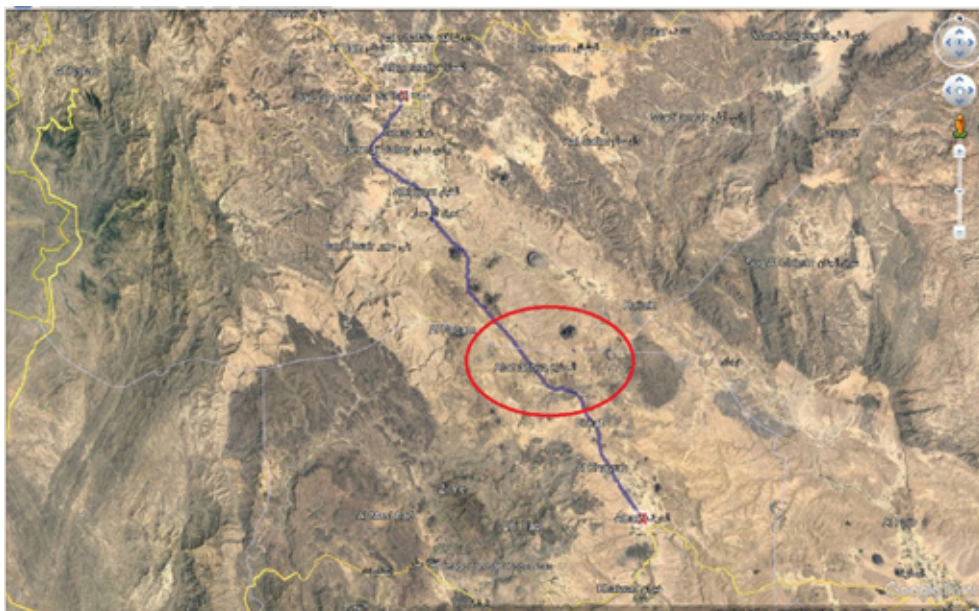


Figure No. (6) The borders of Harf Sufyan district with Saada governorate, showing the location of Al-Amshiya area.

The migrants embark on another journey towards the northwest, passing through the district of Majz and parts of Baqem directorate in the north. They then head west towards the center of Qatabir district. The road from Saada city to the center of Qatabir directorate is approximately 70 kilometers. Along the way, there are gathering points in courtyards in Al-Ja'malah area, part of Majz directorate. There is also a gathering point near Qatabir directorate's government complex.⁶⁸

67 Additional field visit conducted by Mwatana for Human Rights involving interviews with migrants to Saada governorate, January 30, 2023.

68 Additional field visit conducted by Mwatana for Human Rights involving interviews with migrants to Saada governorate, January 30, 2023.



Figure No. (7) Route of migrants from the city of Saada to Qatabir district.

After Al-Thabit Market reopened in July 2022, several African and Yemeni migrants began traveling towards this market from Qatabir in northern Saada governorate. They head west via an unpaved road that passes through a valley called Wadi Hanba, approximately 20 kilometers away.



Figure No. (8) Route of migrants from the center of Qatabir directorate to Al-Thabit Market.

Other migrants pass through the Qatabir directorate to reach the city of Jawi, which serves as the last gathering point for African migrants. Here, there are warehouses belonging to smuggling gangs.⁶⁹ On the western side of the city, there is a rugged mountain road of approximately 30 kilometers, suitable only for four-wheel-drive vehicles. This road leads to the Beni Ayyash area in the adjacent district of Monabeh, where Al-Raqu Market is located. From there, migrants discreetly enter the Al-Ghayl area (known as Wadi Dhamd in the Saudi designation). Upon successfully crossing this valley, they reach the Al-Khels area, which is a shared region along the Yemeni-Saudi border. Here, the migrants reach their final destination after their long and arduous journey across Yemen.



Figure No. (9) Route of migrants from the center of Qatabir directorate to Al-Raqu Market.

69 Mwatana's central team visited the city of Jawi in May 2022, and inspected the hangars (warehouses) in which African migrants are gathered. They were established on the sides of the main road. This area is considered the last in which security forces affiliated with the Ansar Allah (Houthi) armed group are present.

Secondly: Violations Against African Migrants by the Ansar Allah (Houthi) Armed Group in Yemen

Upon reaching the areas under the control of the Ansar Allah (Houthi) armed group, African migrants face various abuses, including killing, arbitrary detention, mistreatment, torture, and forced deportation. The Ansar Allah (Houthi) group often issues orders for their arrest, pursuit, and imprisonment. During their detention, migrants are beaten and tortured to extort money earned from labor during their stay in Yemen, or by contacting their families in their destination countries to transfer certain amounts of money in exchange for their release.

An Ethiopian migrant (20 years old) told Mwatana,

“When I was detained by the Houthis in the Immigration and Passports Authority building in Sana’a, African migrants were beaten with sticks, wires, and rifle butts. They would also loot any money, phones, or other belongings we had. They would then force us to call our families to have them transfer money. They asked me to contact my family and request the transfer of 500 Saudi riyals for my release. Afterward, they continued to communicate with my family without my knowledge, and my family transferred the money to them. The demanded amounts were not fixed; they varied from one person to another. Those detained in Sana’a were asked for 500 Saudi riyals, while those detained in other governorates and transferred to Sana’a were asked for 170-190 thousand Yemeni riyals. Those who spoke Arabic were asked for 700-800 Saudi riyals, and those who didn’t were asked for 500 Saudi riyals. Those with a strong physical build were asked for larger sums.”⁷⁰

During the COVID-19 pandemic in 2020, a rise was observed in the systematic campaigns carried out by the Ansar Allah (Houthi) group to arrest and forcibly deport African migrants. This was the result of increased restrictions on the freedom of movement in the areas under their control. Consequently, more migrants found themselves cut off, rendering them more vulnerable to arrest, detention, and forced deportation. The Ansar Allah (Houthi) group has established various detention centers for migrants, including one in Sana’a within the Immigration and Passports Authority’s building in Al-Sabeen district. These centers are managed by the group without ensuring minimum conditions for proper detention, including healthcare. Furthermore,

70 An interview conducted by Mwatana for Human Rights with an Ethiopian migrant in Aden governorate, March 13, 2021.

they restrict access for legal organizations and institutions, preventing the provision of legal assistance.

The Ansar Allah (Houthi) armed group has also been using the Central Security Forces' camp in Saada city as another detention center for migrants since September 23, 2021. Inside this building, hundreds of detainees, including women and children, are held, many of them are migrants. The Houthi group often conducts arrest campaigns against migrants in Saada and detains them in this detention center. On Friday, January 21, 2022, around 2:40 a.m., Saudi/UAE-led coalition fighter jets dropped three bombs on the detention center. At that time, the center had around 1,500 detainees, including 600 migrants. The migrants' detention area was not affected, but the incident resulted in the killing of 82 individuals (Mwatana obtained the names of 64), and the injury of 162 (Mwatana acquired the names of 143). According to rescuers, 16 detainees were killed and 35 were injured due to live ammunition fired by prison guards at those attempting to escape.⁷¹

Following this incident, the Ansar Allah (Houthi) armed group converted the Emergency Forces' building in Saada city into a detention center for African migrants in September 2022. This happened despite the fact that the building had been reduced to rubble as a result of airstrikes by the Saudi/UAE-led coalition since 2015. The Ansar Allah group currently detains dozens of African migrants there, including women and children.⁷²

One of the migrants who was detained in a detention center in Sana'a run by the Ansar Allah group explained that, in addition to the terrible conditions in which migrants were held, they were also financially extorted and required to pay fees for their release. The migrant stated that this practice increased since early February 2021. He said,

“Some of them paid money and were already released, but most of us didn't have any money to pay. I stayed 15 months in the detention center in the Immigration and Passports building in Sana'a until the fire broke out.”

African migrants are subjected to financial extortion along their migration route in areas controlled by the Ansar Allah (Houthi) group. Smuggling activities are carried out

71 Mwatana for Human Rights, “Yemen: Latest round of Saudi-UAE-led attacks targets civilians,” April 18, 2022, available at: <https://www.mwatana.org/posts-en/latest-round>.

72 A field report by a field researcher from Mwatana for Human Rights in Saada governorate, September 12, 2022.

in an organized manner and in coordination with the armed group. Human trafficking and smuggling gangs need to pay fees to local authorities affiliated with the Houthis to operate freely. The group also allow these gangs to establish their own gathering points for migrants, which consist of warehouses and storage facilities. In this way, the group collects financial amounts known as “transport fees” at certain checkpoints. For example, at the “Al-Amshiya” checkpoint at the entrance of Saada governorate, human smuggling and trafficking gangs pay 200 Saudi riyals to local authorities for every migrant they want to transport within the governorate.⁷³

In the context of forced deportation campaigns conducted by the Ansar Allah (Houthi) group, migrants attempting to navigate routes not sanctioned by the group face arrests, especially those lacking the financial means to pay human trafficking and smuggling gangs. They are detained in detention centers in Saada governorate. Several African migrants spoke to Mwatana’s researchers about the suffering and mistreatment they faced in these detention centers. The group punishes migrants who do not have money by sending them back to the areas they came from.⁷⁴

The migrants are forcibly transported on medium-sized trucks in large numbers, with each truck carrying more than 35 to 40 individuals, from Saada governorate to Sana’a governorate. They are then detained in buildings managed by the Immigration, Passports, and Nationality Authority. Subsequently, they are systematically and forcibly transported to Lahj governorate in southern Yemen, covering a distance of approximately 325 kilometers.⁷⁵

73 Additional field visit conducted by Mwatana for Human Rights to Saada governorate during the interviews with migrants, January 30, 2023.

74 Additional field visit conducted by Mwatana for Human Rights to Saada governorate through interviews with migrants, January 30, 2023.

75 Additional field visit conducted by Mwatana for Human Rights to Amran governorate through interviews with migrants, November 16, 2022.



Figure No. (10) Route of migrants from Sana'a governorate to Airim, Lahj governorate.

A 31-year-old Ethiopian migrant told Mwatana,

“I was searched by the guards of one of the prisons run by the Ansar Allah (Houthi) group. I had hidden a sum of 100 Saudi riyals inside a zippered pocket in my trousers. One of the soldiers hit me on the back with a stick to force me to reveal where I had hidden the money. He was carrying a knife, and he used it to cut my trousers open and forcibly took the money.”⁷⁶

Large numbers of migrants, estimated to be in the hundreds, arrive weekly in the Airim area of Al-Qabbaytah district in Lahj governorate after being forcibly deported from areas under Houthi control. Most of them are adult males, with children making up approximately 10% of the total, and very few migrant women. Some of them require medical care, and those who go to Ghuwail Hospital in Airim are treated with limited resources.⁷⁷

76 An interview conducted by Mwatana for Human Rights with a migrant in Laj governorate, October 9, 2021.

77 Additional field research conducted by Mwatana for human rights through an interview with a doctor and eyewitnesses in Lahj governorate, October 9, 2021.

A 52-year-old Yemeni doctor told Mwatana,

“Cases arrive at the Ghuwail Hospital in the area of Aairim market with gunshot wounds, as well as cases with superficial wounds, including children, and we provide them with medical care and dress their wounds.”

Mwatana documented incidents of humanitarian aid being prevented from reaching African migrants despite the scarcity of medical and humanitarian assistance arriving in Yemen. The Ansar Allah (Houthi) group takes arbitrary measures that hinder migrants from accessing life-saving humanitarian assistance, including medical care, whether they are injured during their journey or suffer from health problems.⁷⁸

According to information gathered by Mwatana, the Ansar Allah (Houthi) group forcibly recruits African migrants and deploys them to the front lines of the conflict, exploiting their financial desperation. They promise to pay them, which often does not happen, or threaten them during their detention in Saada governorate. They are forced to choose between returning to their home countries or being forcibly recruited into the front lines of the armed conflict. This exposes them to significant risks, including death and living with permanent disabilities. They are tasked with digging trenches utilized by fighters as cover during confrontations, taking advantage of their physical strength compared to Yemenis.⁷⁹

Thirdly: Examples of Violations Against African Migrants by the Ansar Allah (Houthi) Armed Group in Yemen

Members of the Ansar Allah (Houthi) group threw two tear gas canisters inside an overcrowded detention center for African migrants, leading to the death and injury of dozens of detainees in the Immigration, Passports, and Nationality Authority’s building in Al-Sabeen district, Amanat Al-Asimah. This incident occurred on March 7, 2021, following a fight between a group

78 A field report by a field researcher from Mwatana for Human Rights in Lahj governorate, based on interviews with African migrants and eyewitnesses, submitted on October 27, 2021.

79 A field report by a field researcher from Mwatana for Human Rights in Saada governorate, based on interviews with African migrants and eyewitnesses, submitted on August 3, 2022.

of Houthi fighters who attempted to break the detainees' hunger strike protesting the mistreatment and arbitrary detention they had endured by the group. Inside the detention center, there were approximately 350 detainees. The tear gas canisters ignited a fire in the cell, resulting in the death of over 16 migrants and the injury of around 170 others, according to information obtained by Mwatana from a medical source.⁸⁰

Eyewitnesses told Mwatana that Houthi security elements sealed the door of a cell in the detention center and began firing projectiles into that cell through the windows. The survivors could not identify the type of projectiles, but they observed a thick plume of smoke and heard loud noises. The projectiles caused a fire to break out rapidly. One survivor described the situation, saying, "Riot police arrived, and one guard climbed a ladder, and I heard them saying, 'Ready.' They began launching projectiles from the upper windows of the cell, causing smoke and numerous explosions." He added, "We could not escape as the cell doors were locked, and we were tightly packed inside. I could hear the sound of explosions and my friends moaning, but I couldn't help anyone."⁸¹

After the tragic incident, the Ansar Allah (Houthi) group transported detainees on at least three buses, filled with detainees who were unharmed to an unknown location. Around 150 injured migrants were transferred to various government hospitals in Sana'a, including the Republican Hospital, the Military Hospital, and Al-Sabeen Hospital.

The Ansar Allah (Houthi) armed group forcibly recruited an Ethiopian female migrant named Mansla Abrha (17 years old) on Thursday, September 1, 2022. They sent her to a special women's training camp in the Al-Muwasalat suburb of Saada city, where she was trained in handling and firing weapons, in addition to training on how to manage prisons. The intention was to use her later for guarding a cell in a detention center for African migrants.

In late August 2022, Mansla arrived with several African migrants at the Al-Amshiya checkpoint on the southern entrance of Saada governorate. There, she was detained

80 Mwatana for Human Rights, "International investigations and credible accountability urgently needed," March 9, 2021, available at: <https://www.mwatana.org/posts-en/ansar-allah-death-migrants>.

81 An interview conducted by Mwatana for Human Rights with an Ethiopian survivor in Amanat Al-Asimah Sana'a, March 13, 2021.

by Houthi security forces for three days in a detention facility near the checkpoint. Mansla was subjected to sexual harassment by Houthi security members and fellow migrants. She described the detention conditions as extremely poor, with cramped cells for migrants and only one shared restroom for both genders.

The Houthi group took Mansla from the detention facility and transported her separately to a women's training camp in the suburbs of Saada city. The camp consisted of a building with a courtyard and high fences topped with barbed wire. The area of the courtyard was approximately 50 square meters. The camp had a wide building with a separate hall, measuring around 20 meters in length and 15 meters in width, dedicated to firearms training. Mansla received training alongside nine other women, two of whom were Somali, and the remaining seven were Yemeni. Their ages ranged beyond 20 years.

After 20 days, Mansla managed to escape from the training camp and traveled through a smuggler to the Al-Raqu border area, northwest of Saada city, with the aim of entering Saudi Arabia to seek employment opportunities.

On September 23, 2022, while attempting to cross the Yemeni-Saudi border, Mansla was shot in her left leg by Saudi border guard forces. She was then taken to Saudi Salam Hospital in Saada city, where she received medical care for three days.

Before Mansla made a full recovery, the Ansar Allah (Houthi) group detained her for approximately a month in one of the detention centers in Saada city under extremely poor and unsanitary conditions. Contagious diseases spread among the detainees, and she was subjected to sexual harassment once again. Mansla told Mwatana,

"I experienced all sorts of torment in prison while suffering from a gunshot wound. I had to pay for food. My mental state deteriorated due to the overcrowded cells and sexual harassment. I saw patients infected with the coronavirus with clear signs of illness, but they were neglected in the corners of the prison. I paid 1500 Saudi riyals for my release."⁸²

This complex incident illustrates a pattern of physical and psychological violence and extortion experienced by female migrants in Yemen. This group endures various forms of unrelenting violence throughout their migration journey, making them one of the most vulnerable groups exposed to multiple attacks, including gender-based

82 An interview conducted by Mwatana for Human Rights with a victim in Saada city, November 27, 2022.

violence. This form of violence is by parties to the conflict, smuggling gangs, and even within migrant communities and host societies.

Fourthly: Violations Against African Migrants by Human Trafficking and Smuggling Gangs in Areas under the Control of the Ansar Allah (Houthi) Armed Group

Violations experienced by African migrants extend beyond the actions of the Ansar Allah (Houthi) armed group. Human trafficking and smuggling gangs commit a range of abuses against migrants, subjecting them to physical and psychological violence, theft, and extortion. This included threatening them with death after arbitrary detention to extract ransom money.

One Ethiopian migrant (17 years old) stated to Mwatana,

“I arrived in Yemen on January 9, 2022, and had an agreement with the smugglers to transport me along with a group of migrants to Saada governorate. As a child, the smuggler agreed that I would pay 600 Saudi riyals upon reaching Saada. However, I couldn’t pay the amount due to a lack of money, so the smugglers placed me in a dark room, deprived me of food and drink for three days, and I would scream at night out of sheer fear.”

Another migrant (30 years old, Ethiopian) told Mwatana,

“I had about 3000 Saudi riyals, and it was all spent on food and drink during my 20-day detention. I hid 800 Saudi riyals in my boot for fear that members of the smuggling gang would steal it. However, due to the length of my detention, I had to pay it so they would release me. When they took it from me, they decided to release me. I could hardly believe it out of joy.”

Human trafficking and smuggling gangs transport African migrants without regard for any security and safety measures during the transportation process. In desert routes, the smugglers drive vehicles loaded with migrants at high speeds, fearing they may be targeted by conflict parties or Saudi/UAE-led coalition airstrikes. This puts the migrants crammed into these vehicles at risk of accidents, falling off, and death.

Despite the agreement made between the smuggling gang and the migrants, which requires payment of 350 Saudi riyals for each African migrant, including 150 Saudi riyals per person at the beginning of the transport process and the remaining amount upon arrival in Saada governorate, where around 200 migrants are being transferred, they are transported in large trucks along the desert road of Al-Jawf governorate.

According to Mustafa Ali, a 23-year-old Ethiopian national who spoke to Mwatana under an alias,

“In early April 2022, I arrived with approximately 200 African migrants in Al-Jawf governorate after a long and arduous journey. We met with the smuggling gang to transport us to Saada governorate. The representative of the gang agreed that we pay 350 Saudi riyals. We paid part of it, with the remaining to be paid when we arrived in Saada.” He added, “Everyone in the courtyard left after paying 150 Saudi riyals. Their number was about 200 male and female migrants. Only I, another female migrant, and three other people remained. I did not know where they were from. After we had lunch, a person following the gang leader escorted us to a dark room without ventilation located in an underground basement. We were detained for 48 hours without food or drink. Then we were released.”

Members of the smuggling gangs take the most heinous retaliatory measures against migrants who cannot afford the transportation costs from one governorate to another, including running over migrants with their vehicles used to transport them. Hassan Dirhem, a 25-year-old Ethiopian, told Mwatana,

“I couldn’t believe what happened. A 2015 model Land Cruiser pickup deliberately ran over my leg, driven by two civilians. I thought it was an accident, and that it was a malfunction. I was mistaken. It was intentional. The driver put his head out of the car’s front window and said to me, ‘This is in exchange for the trip fees,’ meaning the 350 Saudi riyals in fees that I had agreed upon with the gang to transport me to Saada. I asked, ‘What trip?’ He said, ‘The transportation fees from Al-Jawf governorate.’

This happens in coordination with the smuggling gang and security leaders affiliated with the Ansar Allah (Houthi) armed group. Smugglers are allowed to pass security checkpoints in exchange for a payment to the Houthi group of 100 Saudi riyals per person. Upon reaching Al-Jawf, migrants are placed in a gathering center in one of the

camps in the desert north of Al-Jar area in Al-Hazm district.⁸³

Some African migrants are used for the purpose of smuggling contraband into Saudi Arabia.⁸⁴ An Ethiopian migrant told Mwatana, "After we arrived on the coast, we traveled to the city of Ataq and then headed to Al-Raqu area in Saada governorate, where we stayed for three days before the smugglers then transport us across the border into Saudi Arabia after paying 1,500 Saudi riyals."⁸⁵

The Ansar Allah (Houthi) armed group bears responsibility for the abuses committed against African migrants by human traffickers and smugglers in the areas under their control because they appear to collude with them. These smuggling gangs establish centers for assembling and trafficking migrants in different areas under the control of the Ansar Allah group. This collusion is wrongly perceived as protection since the perpetrators of these abuses by human trafficking and smuggling gangs have never been brought to justice. Besides collusion, Houthis have failed to protect the human rights of persons under their authority from smugglers and traffickers, and bear responsibility for that failure.

Fifthly: Examples of Violations Against African Migrants by Human Trafficking and Smuggling Gangs in Areas under the Control of the Ansar Allah (Houthi) Armed Group

In mid-May 2022, a human trafficking and smuggling gang Al-Thabit abducted two African migrants in the border area of Al-Thabit Market, Qatabir district, Saada governorate: Marwan Omar (pseudonym, 22 years old, Somali male), and Si Sila (pseudonym, 23 years old, Ethiopian male). They were taken to an abandoned house in the southwest of the Al-Thabit Market and detained for 10 days on the pretext of not paying the smuggling fee from Aden city.

83 Additional field visit conducted by Mwatana for Human Rights to Al-Jawf governorate through interviews with migrants, February 4, 2023.

84 Additional field visit conducted by Mwatana for Human Rights to Saada through interviews with migrants in January 2023.

85 An interview conducted by Mwatana's central team with an Ethiopian migrant in Ataq district, Shabwah governorate, June 1, 2023.

The migrants were detained in an inappropriate livestock stable, living under inhumane conditions. After 10 days, they managed to escape from the place of detention and sought medical care due to their poor health condition. They suffered from severe malnutrition. A Somali doctor (44 years old) told Mwatana,

“The two migrants were severely malnourished and had lost a significant amount of bodily fluids. I provided them medical care for two consecutive days, and they slept deeply in the clinic. One of them was infected with schistosomiasis, likely from drinking contaminated water.”⁸⁶

April 1, 2022, Arbitrary Detention, Razih District, Saada Governorate

A human trafficking and smuggling gang in the Al-Nadhir Market, Al-Nadhir area, detained an adult Ethiopian man and woman for two days. After being released, they were detained again for three days under the scorching sun.

After a grueling journey, two Ethiopian migrants, one of whom was a woman, arrived in Saada governorate on a transport from a human trafficking and smuggling gang after agreeing to pay a transport fee of 350 Saudi riyals. They paid about half of the amount (150 Saudi riyals) in Al-Jawf governorate. Due to their inability to pay the remaining amount, the smuggling gang transferred them from the gathering center (a courtyard associated with the gang) to an underground dark room, where they stayed for two days. After they were released, the gang captured them again and tied them to a tree under the scorching sun for three days.

The victim, a 23-year-old Ethiopian migrant, told Mwatana,

“We arrived in Saada governorate through one of the smuggling gangs, and we were supposed to pay the remaining 150 Saudi riyals for our transport from Al-Jawf governorate. I was accompanied by an Ethiopian female migrant, and I learned that she had no money, so I decided to pay the amount for both of us. However, when I opened my wallet, I found nothing. I had been robbed while in the yard, even my cards were stolen. I asked her how much money she had, and she said, ‘I have only 50 Saudi riyals.’ At that point, I decided we wouldn’t pay, and I told her that they would eventually release us. After the migrants we were with left, they transferred us to a

86 An interview conducted by Mwatana for Human Rights with a Somali doctor, August 10, 2022.

dark room underground. I knew this because we descended several stairs, and we remained there for two days without food or drink.”⁸⁷

Human trafficking and smuggling gangs repeatedly commit numerous violations against African migrants, starting with transporting them in inappropriate means and conditions that disregard their safety and dignity. These violations extend to the treatment they endure during these journeys and culminate in physical and emotional assaults on their right to life and freedom of movement. The human traffickers smugglers intentionally harm them through torture, gender-based violence, and other serious violations.



A picture of a truck carrying dozens of African migrants Al Hazm Market - Al Hazm - Al-Jawf, August 25, 2022

87 An interview conducted by Mwatana for Human Rights with an Ethiopian migrant in Razih district, August 12, 2022.



A picture showing the continued influx of African migrants to the Al-Jalfouz neighborhood in Shabwa Governorate, Obour Street, District, September 12, 2022

A group of four men are walking from left to right across a paved road. They are dressed in casual, everyday clothing. The background features a large, dark, rocky hill that appears to be a quarry or a natural rock formation. The sky is clear and blue. The overall scene suggests a remote, arid location.

Chapter Three:

**Violations Against African
Migrants by STC Forces and Human
Trafficking and Smuggling Gangs
in STC-Controlled Areas in Yemen**

“

My father was forced to pay a ransom to secure my release, but I remained in detention for three months. Later, they caught me after a failed escape attempt, and since then, the torture, rape, and harassment have escalated.

Ras Al-Arah – Victim of sexual violence
(20 years old, Ethiopian woman)

”

■ Introduction

The Southern Transitional Council (STC) is a political entity that controls various military formations and has control over the cities of Aden, Lahj, and Al-Dhale, and parts of the governorates of Abyan, Shabwah, and Hadhramaut. The STC is an extension of several separatist political movements that emerged in southern Yemen before the outbreak of the armed conflict, and protested against the economic conditions and marginalization faced by southerners during the previous ruling periods of the Republic of Yemen. The current form of the STC, as both a political and military entity, was announced in May 2017, when STC forces declared their separation from Yemeni government forces. The tension between the STC and Yemen's government reached its peak in late January 2018, when STC forces took control of Aden city and the presidential palace. The STC receives support from the UAE.

In areas under the control of STC forces, human trafficking and smuggling gangs operate actively. STC forces and trafficking gangs and smuggling gangs commit various violations against African migrants. The policies adopted by STC forces and human trafficking and smuggling gangs toward migrants are not significantly different from those adopted by the Ansar Allah (Houthi) armed group and the Saudi/UAE-led coalition in other areas. Migrants face multiple violations, enduring dehumanizing treatment, where their lives are disregarded, and their suffering is intentionally inflicted. As a party to the armed conflict, STC forces, like the Ansar Allah (Houthi) armed group and State armed forces, are required to comply with international humanitarian law. Where the STC exercises control over a territory, it is also bound by international human rights law obligations, and other international laws. Their abuses of migrants blatantly violate these obligations, warranting accountability and prosecution.

Mwatana has documented at least 17 incidents involving violations against African migrants in areas under the control of the STC. human traffickers Smuggling gangs active in these areas bear responsibility for 11 of these incidents. The remaining incidents have been attributed to the Security Belt Forces, the Shabwah Elite Forces, or the Shabwah Defense Forces. Due to the multiple patterns of responsibility resulting from the STC's role as a controlling party in these regions, the STC forces bear responsibility for all the violations in their areas. Notably, STC-controlled areas serve as entry points and gathering points for large numbers of African migrants.

African migrants embark on journeys from the coasts of Djibouti, crossing the Red Sea and the Gulf of Aden in rickety boats lacking safety and rescue equipment

to mitigate the risks of drowning. As a result, they directly face potential death, the unknown, and sea storms until they reach the Yemeni coast south of the strategic Bab al-Mandab Strait. Djibouti is one of the countries in the Horn of Africa from which migrants and African asylum seekers travel into Yemen. African migrants arriving from Djibouti disembark on the coastal areas controlled by UAE-backed STC forces in Yemen. Part of the migration route of African migrants and asylum seekers is located within Yemen and passes through three governorates controlled by these forces, which are Lahj, Aden, and parts of Abyan governorate.

The maritime journey for African migrants and asylum seekers from the coasts of the Djibouti region, including Hayou, Obock, and Khor Angar, to the Yemeni coast in the Ras Al-Arah area is approximately 36 nautical miles.



Figure No. (11) The maritime route for migrants from the coasts of Djibouti to the coast of Ras Al-Ara in Lahj governorate, Yemen.

This is the closest point of arrival for migrants on the Yemeni coast, compared to the estimated distance between the port of Bosaso in Somalia and the coast of southeastern Yemen, which is estimated at about 100 nautical miles.

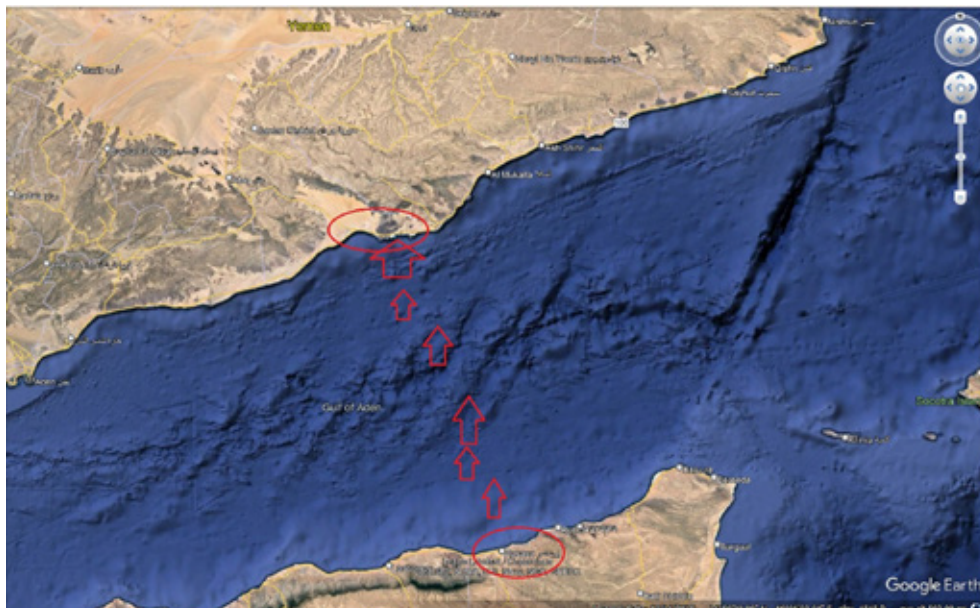


Figure No. (12) The maritime route for migrants from the port of Bosaso in Somalia to the coast of Shabwah governorate.

Despite the short distance between the coasts of Djibouti and Somalia, which serve as departure points for migrants, and the Yemeni coasts as arrival points, in comparison to other maritime migration routes around the world, the perilous sea journeys between these locations have resulted in horrifying incidents due to the drowning of a significant number of migrants at sea.

In June 2021, Mwatana for Human Rights documented, in the Al-Madharebah and Ras Al-Ara areas of Lahj governorate in southern Yemen, the capsizing of an overcrowded boat carrying migrants. According to the information collected by Mwatana's researchers, the incident led to the drowning of approximately 208 African migrants, including 42 women and 23 children, among them nine girls. This tragic incident occurred due to the recklessness of smuggling gangs, who showed no regard for the lives of migrants and failed to implement even minimum safety measures. Only four adult male migrants survived this incident.

African migrants and asylum seekers reach the coast of Ras Al-Ara in Al-Madharebah wa Al-Arah district of Lahj governorate. This area is an active arrival point, where human trafficking and smuggling gangs involving both Ethiopian and Yemeni nationals operate along the coastline. Some migrants encounter difficulties as soon as they reach this

area.⁸⁸ Mwatana observed a dense presence of African migrants and asylum seekers in this region, while few migrants arrive on the coasts of Abyan governorate, which is controlled by STC forces near the city of Zinjibar.

In Ras Al-Ara and other areas controlled by UAE-backed STC forces, there has been a notable influx of African migrants of Ethiopian (Oromo) nationality, who represent approximately 90% of the migrants, especially since the beginning of 2022 due to the crises and conflicts in their region and the truce in Yemen.⁸⁹

Upon arrival in the areas controlled by UAE-backed STC forces, African migrants embark on perilous overland journeys without shelter, often traveling on foot under the scorching sun during the day. Due to the vast distances, they traverse, many migrants' shoes are torn, forcing them to walk barefoot. This journey can last for days or even extend for months. Some arrive in poor health conditions, especially those with chronic illnesses. They also face mistreatment on the roads, worsening their mental well-being.⁹⁰ In the evenings, they sleep on the streets by the roadside. Many of them are stranded without access to food. In some cases, they are stopped at military checkpoints and forced to return to where they came from. Those who manage to continue their journey cover vast and arduous distances towards the northern governorates, either with the help of smugglers using their vehicles or by walking hundreds of kilometers.⁹¹

International organizations concerned with the situation of migrants provide humanitarian aid according to their capabilities in STC-controlled areas. For example, INTERSOS regularly provides humanitarian aid to migrants upon their arrival in the coastal area of Ras Al-Ara. Additionally, the IOM, the World Health Organization, and the Humanitarian Access Association provide health services to migrants in Al-Madharebah wa Al-Arah district of Lahj governorate. The IOM also offers health services to migrants in Tor Al-Baha and Al-Qubaitah districts, although this assistance occurs irregularly. These areas serve as overland arrival points for African migrants who have been

88 Mwatana's field team carried out several field visits to the coastal area of Ras Al-Ara in Lahj governorate. They used an Ethiopian interpreter when conducting interviews with African migrant victims and were briefed on detention places run by smuggling gangs.

89 A field report by a field researcher from Mwatana for Human Rights in Aden governorate based on interviews with African migrants and eyewitnesses, submitted on August 17, 2022.

90 A field report by a field researcher from Mwatana for Human Rights in Aden governorate based on interviews with African migrants and eyewitnesses, submitted on August 17, 2022

91 A field researcher's blog, Lahj Governorate, (Migration Dream – Unpublished).

forcibly deported from the governorates under the control of the Ansar Allah (Houthi) armed group.⁹²

The Ansar Allah (Houthi) armed group's forced deportation campaign of African migrants from areas under their control has compelled African migrants to consider voluntary return to their home country with the assistance of the IOM, after months or even years of living in harsh conditions and facing imminent dangers within Yemen. Many of them head towards Aden governorate, perhaps in search of a means to return to their home country, while some of them are recruited by smugglers and returned by boat from the shores of Yemen to countries of the Horn of Africa. Some of them seek to resume their migration towards Saudi Arabian territories.⁹³

In STC-controlled areas, African migrants and asylum seekers engage in various forms of labor during their journey, such as cleaning cars, working in restaurants, or domestic work. However, their working conditions are not better than those in other areas with migrant labor. They receive low wages and endure unfair working conditions. Their financial compensation is notably low, even compared to others working alongside them in the same location. Their daily wages range from \$4 USD to \$7 USD.⁹⁴ Typically, migrants do not settle in these areas along the migration route; instead, they continue their journey northward with the hope of reaching Saudi Arabia for better employment prospects.



An image showing the extent of the difficulties and suffering endured by migrants in the city of Radaa - Al Bayda Governorate

92 A field report by a field researcher from Mwatana for Human Rights in Lahj governorate based on interviews with African migrants and eyewitnesses, submitted on October 27, 2021.

93 A field researcher's blog, Lahj Governorate, (Migration Dream – Unpublished).

94 A field report, Aden governorate, August 17, 2022, *ibid*.

Firstly: African Migrants' Points of Arrival in the Areas Controlled by STC Forces

African migrants arrive at several locations along the coast in the areas under the control of UAE-backed STC forces. The most significant of these locations is the Ras Al-Ara area, located in the southern part of the Bab-el-Mandeb Strait in Lahj governorate, southwest of Yemen. Other locations on the coast of Abyan governorate also serve as points of arrival. Additionally, there are overland arrival points in Lahj governorate, which have emerged as a result of the forced deportation of African migrants by the Ansar Allah (Houthi) armed group, with the aim of returning them to the closest possible location to where they came from.

African migrants and asylum seekers disembark in Ras Al-Ara at several locations along the coastline of Al-Bahiya and Ras Al-Ara, which is approximately five kilometers long. Among these locations are Al-Hajaf and Bir Esa. Within Ras Al-Ara, there is a very small residential community of Yemeni fishermen, consisting of a local fishing port where fish is sold, and the area is equipped with a harbor for small fishing boats.



Figure No. (13) Map of Ras Al-Ara coast in Lahj governorate.

Along the coast of Ras Al-Ara, human trafficking and smuggling gangs, headed by Ethiopian and Yemeni nationals, operate. These gangs receive African migrants and asylum seekers, assemble them, and take them to courtyards used as detention centers

and gathering points.⁹⁵

In addition to the coastal arrival points in Lahj governorate, there are coastal points of arrival in parts of Abyan governorate controlled by STC forces. African migrants and asylum seekers disembark at the coast of Mariab in the Wadi Hasan area, as well as at the coast of Lareeb, approximately 20 kilometers east of Zinjibar city. However, increasingly fewer African migrants and asylum seekers arrive at these coasts, as they come from the coasts of Somalia. According to information gathered by Mwatana, these coasts are nearly uninhabited, and migrants find little reception there, prompting them to travel east towards Shabwah governorate.⁹⁶

The Airim area in Al-Qabaita district of Lahj governorate is considered a land point of entry into STC-controlled areas, particularly for African migrants arriving from areas under the control of the Ansar Allah (Houthi) armed group. The Houthi group carries out systematic campaigns to chase and arrest African migrants in areas under their control for the purpose of forced deportation. The group transports them in large numbers in pickup trucks to return them to the last military checkpoint controlled by the Houthis, off the Al-Ethnain Market in Al-Qabaita district, Lahj governorate.

An increasing number of migrants has been recorded arriving in areas controlled by STC forces since the early months of 2020. Deportation campaigns continued until October 2021 but at a slower pace. These campaigns had intensified during the COVID-19 pandemic.⁹⁷ As of the time of publication of this report, forced deportation campaigns carried out by the Ansar Allah (Houthi) armed group continue from time to time at varying rates.

Mwatana documented a horrifying incident involving a hit-and-run by a vehicle that resulted in the death of a 30-year-old African migrant in Airim, Lahj governorate, southern Yemen. This incident occurred on the morning of Monday, May 23, 2022, after this migrant was forcibly deported along with a group of fellow migrants by the Ansar

95 On May 28, 2023, Mwatana's central team carried out a field visit to the Ras Al-Ara area in Lahj governorate. The team was unable to reach the area due to the security risks resulting from the prevalence of armed human trafficking and smuggling gangs. However, the team was able to reach the Khor Omaira area, where they met African migrants upon their arrival, interviewed them, and listened to their testimonies.

96 Additional field visit conducted by Mwatana for Human Rights to Abyan governorate through interviews with migrants and fishermen, May 8, 2022.

97 A blog by a researcher from Mwatana for Human Rights in Lahj governorate regarding Kharaz camp for African refugees. The researcher conducted interviews with migrants and eyewitnesses, submitted on November 9, 2022.

Allah (Houthi) armed group. The young man arrived exhausted and decided to sleep under a heavy transport truck parked behind a row of trucks, due to road closure. In the early morning, the road was reopened, and the trucks started moving. Unfortunately, the truck driver did not notice the presence of the African migrant sleeping under his truck. A Yemeni health worker, 53 years old, stated to Mwatana,

“Young men from the area brought a young African migrant to the health center around 7:00 a.m. on Monday. He was lifeless, having succumbed to a tire of a truck running over the left side of his head, chest, and one of his lower limbs. The tire of the truck ripped open his chest, revealing his chest bones and entrails in a gruesome and horrifying sight.” He continued, “An ambulance arrived and we instructed to transport the body to Aden governorate. However, we were surprised around 6:00 p.m. on that day when the ambulance returned to Airim health center with the body of this migrant. They informed us that the approval to receive the body at the Republican Hospital in Aden had not been granted, and they requested its return for burial at the place of his death.”

Secondly: African Migrants’ Gathering Points and Migration Routes in Areas Controlled by the STC in Yemen

The overland journey for those migrants who have escaped the clutches of human trafficking gangs in the coastal area of Ras Al-Ara begins either by the use of vehicles belonging to smuggling and human trafficking gangs or by foot. They traverse dusty and desert paths, heading northeast in Yemen. The city of Aden is recognized as the principal gathering point for African migrants, encompassing those who arrived at Ras Al-Ara and those who reached some of the coastal points in Abyan governorate, which are controlled by UAE-backed STC forces. Most African migrants travel towards their ultimate destination, Saudi Arabia, located to the north of Yemen.

The overland journey for African migrants from STC-controlled areas to Saudi Arabia is among the longest, covering a distance of more than 1,000 kilometers. It passes through several governorates, including Lahj, Aden, Abyan, Shabwah, Marib, Al-Jawf, and finally, the border governorate of Saada, where there are departure points to Saudi territories.

The African migrants begin their journey along the coastal line in Ras Al-Ara, Lahj governorate, until they reach a road intersection in Khor Omira, from where some African migrants head towards the Kharaz camp located in the north of Omira area in Lahj governorate. This camp is the largest one accommodating African refugees in Yemen.

The camp is located in a desert region, surrounded by the Kharaz mountains, approximately 20 kilometers north of Khor Omira along the coastal area between Aden and Bab-el-Mandab. This camp was established in 2000 and covers an area of approximately 2.5 square kilometers. Between 2000 and 2014, the camp hosted around 18,000 African refugees, with the vast majority being Somali and a smaller percentage Ethiopian. However, in 2015, the number of African refugees at Kharaz camp decreased as many chose to return to their home countries. Presently, the camp houses up to 5,000 African refugees, with the majority being Somali.⁹⁸

The UNHCR oversees the Kharaz refugee camp. Four humanitarian organizations, working under UNHCR supervision, offer humanitarian assistance to the refugees in the camp. These organizations include Adventist Development and Relief Agency (ADRA), which receives incoming African refugees and supervises their accommodation in the camp; International Rescue Committee (IRC), which provides medical and health services and manages the camp's hospital; INTERSOS, which provides legal protection, security support, and care for those with special needs and psychological disorders; and Humanitarian Assistance Organization, which provides food, water, electricity, and education for African refugees in this camp.

Most African migrants continue their journey eastward towards a road intersection known as "Al-Muthallath", located north of the Bir Ahmed area in Aden governorate at a distance of more than 100 kilometers from Ras Al-Ara. According to information collected by the field team of Mwatana, the journey from Ras Al-Ara to Aden might take up to three days on foot. Typically, African migrants visit Aden in search of areas where international and humanitarian organizations provide services, such as healthcare, water, and nutrition, or for cellular network coverage. In this regard, one African migrant interviewed by Mwatana mentioned that he arrived at a coastal area called Ras Al-Ara and walked long distances on foot to reach the city of Aden with the aim of applying for

98 A blog by a researcher from Mwatana for Human Rights in Lahj governorate regarding Kharaz camp for African refugees. The researcher conducted interviews with migrants and eyewitnesses, submitted on November 9, 2022.

asylum documents at the UNHCR office, but he was surprised to find that they were not registering new refugees.⁹⁹

The city of Aden is one of the largest cities where African migrants gather in Yemen. There are gathering centers in areas such as Al-Sheikh Osman, Khawr Maksar, Al-Mimdara, and Al-Bustan, as well as other locations where they seek shelter. They often visit a large gathering site (warehouse/hanger) affiliated with the IOM in the Al-Mansoura district on the 90th – Al-Inscha’at Road. This site has a healthcare facility, a pharmacy, and a shelter. At this site, migrants are sorted according to their health condition, and medical care is provided to the sick. Those in a critical health condition are transported by IOM ambulances to the Buraihi, Riyada, or Republican hospitals. Migrants are also given monthly cash assistance, roughly between \$150 USD to \$300 USD. After providing them with the necessary services, procedures are initiated for those who wish to voluntarily return to their home countries.¹⁰⁰

Some of the African migrants arriving from the Ras Al-Ara area head directly north, covering long distances on both sides of the highway. One of the priorities for Mwatana’s central team’s field visit¹⁰¹ to the southern governorates of Yemen was to verify the routes taken by migrants and the flow density. The team explored one of the most important smuggling routes for African migrants, which extends from Ras Al-Ara to Al-Bayda governorate in central Yemen. Unlike the “Tor Al-Baha” road connecting Lahj and Taiz governorates, this road features villages, markets, water sources, valleys, and relatively moderate weather as it passes through hills and mountainous highlands. African migrants receive care from local residents, and the available water along the valleys helps cool their bodies and alleviate the hardships of long journeys under the sun.

The journey begins on an asphalt road, either on foot or in vehicles used by human trafficking and smuggling gangs. Since recently, these gangs have been employing medium-sized transport buses. The journey starts from the coastal area of Ras Al-Ara,

99 An interview conducted by a field researcher from Mwatana for Human Rights in Aden governorate with an Ethiopian migrant, March 13, 2021.

100 Additional field visit conducted by Mwatana for Human Rights to Aden governorate through interviews with migrants, August 17, 2022.

101 On June 3, 2023, Mwatana’s central team traveled along the road that connects Lahj and Al-Bayda governorates in order to observe the intensity of the flow of migrants and the hardships they experience on this main migration route.

passing through the area of Bier Ahmed and heading towards Al-Wahat. From there, the route leads north to Al-Hawta, the capital of Lahj governorate. Continuing along the Wadi Tuban road to Al-Anad intersection, the journey then heads east towards Al-Habilain. From there, it ascends mountainous highlands to reach the Habil Jabr area in Al-Mallah district. Finally, the journey progresses into Yafi'a district, following the course of Wadi Bana for approximately 230 kilometers.



Figure No. (14) Migration route from Wadi Ras Al-Ara to Wadi Bana in Yafa' district, Lahj governorate.

Then the migrants head north, via a shortcut that begins at the Wadi Bana watercourse in Yafa' district, Lahj governorate, and leads to Juban in Al-Dhale governorate. This road is not paved and extends for about 80 km.

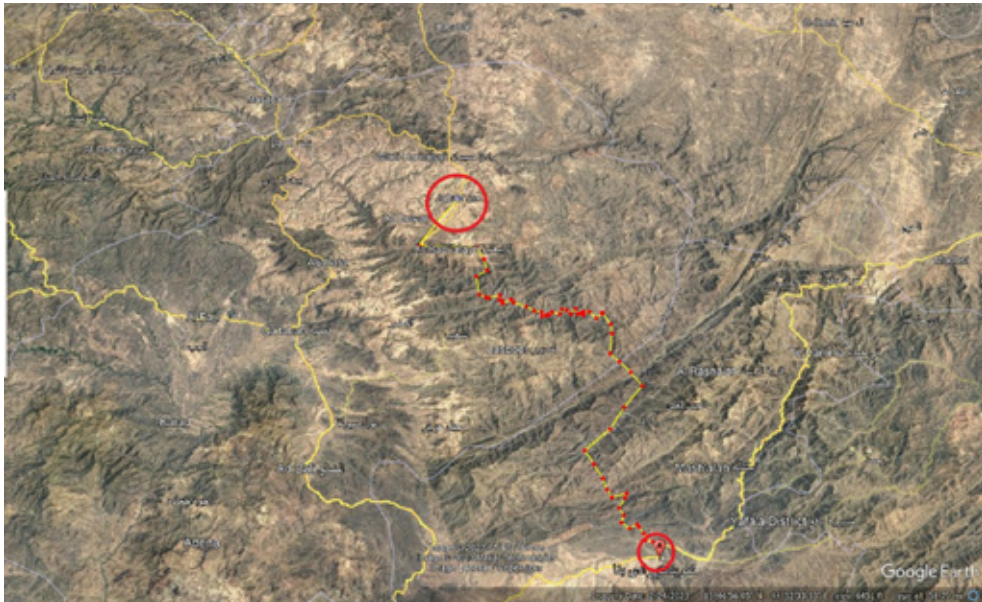


Figure No. (15) Migration route from Wadi Bana in Yafa' district, Lahj governorate, to the Juban area in Al-Dhale governorate.

From the Juban area, the migrants continue their journey north, traveling approximately 60 km until they reach the city of Radaa in Al-Bayda governorate. There, African migrants typically work hard on Qat farms and herding livestock, earning money that may help them continue their journey towards Saudi Arabia.



Figure No. (16) Migration route from Juban district in Al-Dhale governorate to Radaa district in Al-Bayda governorate.

Mwatana’s team observed that many African migrants choose this road as their migration route towards the provinces under the control of the Ansar Allah (Houthi) armed group. Some travel on foot or seek assistance from passing vehicles, including transport trucks. Medium-sized transport buses used by smuggling gangs carry migrants to the nearest points leading to northern provinces.

African migrants arriving at coastal access points in Abyan governorate typically follow two routes. A relatively small number of migrants return west to Aden via an asphalt road along the coast. Others head east to the Al-Tariah area, then to the city of Shuqra, and from there to Shabwah governorate through the districts of Abyan governorate, such as Lawdar, Mudiyah, and Al-Mahfad. They commonly travel in groups ranging from five to 10 migrants, mostly adult males, with a few groups including small numbers of children and women.¹⁰²

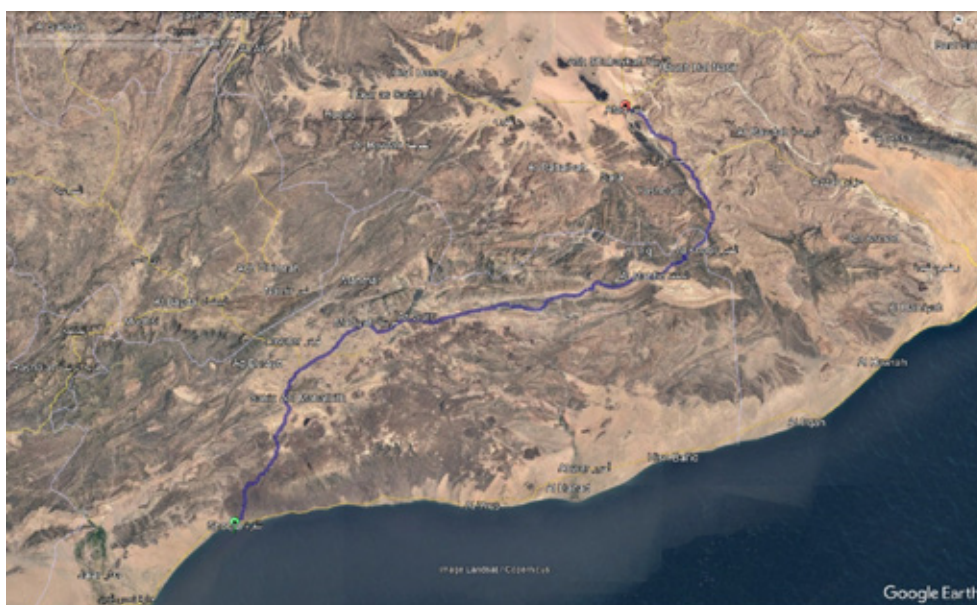


Figure No. (17) Migrant routes from Shuqra in Abyan governorate to the city of Ataq in Shabwa governorate.

102 Additional field visit conducted by Mwatana for Human Rights to Abyan governorate through interviews with migrants and fishermen, May 8, 2022.

Thirdly: Violations Against African Migrants by STC Forces in Yemen

African migrants face horrifying attacks perpetrated by UAE-backed STC forces when crossing the areas under their control. These attacks include live gunfire, sexual violence, arbitrary detention, financial extortion, beatings, and being run over by military vehicles. Migrant girls are subjected to sexual harassment by security forces during their journey and while stopping to rest in some remote rural areas or under the shade of trees.¹⁰³

Fourthly: Examples of Violations Against African Migrants by STC Forces in Yemen

July 24, 2018, Live Ammunition, Habban District, Shabwah Governorate

Around 3:00 a.m., a civilian vehicle (pickup truck/Toyota) carrying approximately 20 African migrants from Aden governorate arrived in the Nukbah area of Habban District, south of Ataq, the capital of Shabwah governorate. Upon noticing a checkpoint manned by the Shabwani Elite Forces affiliated with the UAE-backed STC, the driver of the vehicle veered onto a dirt side road. However, the forces indiscriminately opened fire on the civilian vehicle used by the smuggling gang, resulting in severe injuries to two African migrants (aged 20 and 22).

The injured were initially taken to Ataq Central Government Hospital, where they received only basic medical care. Due to a severe shortage of supplies and medical equipment at the hospital, the next day, the vehicle's driver rented a private car to transport the injured migrants to Ibn Sina Hospital in Mukalla city, Hadhramaut governorate, approximately 300 kilometers away.

Notably, smugglers operating in these areas, especially in Shabwah governorate, are often local residents, belonging to a tribe inhabiting the region.

103 Additional field visit conducted by Mwatana for Human Rights to Abyan governorate through interviews with migrants and fishermen on May 8, 2022

July 9, 2022, Live Ammunition, Rudum District, Shabwah Governorate

On July 9, 2022, at around 8:00 p.m., guards of the Belhaf facility, affiliated with the Shabwah Defense Forces, opened fire with live bullets at a 28-year-old Ethiopian migrant while he was crossing from a coastal area to a highway near the Belhaf facility. The migrant had separated from his fellow migrants after reaching the coastal area of Keidah, which is about four kilometers away from the Belhaf facility. He was shot in the right foot and was transferred to Bir Ali Hospital for necessary medical treatment.

A 37-year-old Yemeni medical assistant reported to Mwatana,

“On Saturday, July 9, 2022, an Ethiopian migrant arrived at Bir Ali Hospital with a gunshot wound in his right leg. He underwent surgery, received essential care, and remained in the hospital for about a week.” He further explained, “The migrant informed me that the other migrants he had initially arrived with at Keidah Port continued their journey in vehicles provided by smugglers, having paid for their transportation. However, he and a few others lacked the funds, so they decided to proceed on foot with the hope of finding food and water before continuing their journey. Unfortunately, he mentioned that he unintentionally strayed toward the Belhaf facility and was subsequently shot by soldiers.”¹⁰⁴

December 9, 2021, Arbitrary Detention and Torture, Dar Saad District, Aden Governorate

Forces of the STC in Al-Basateen detained a 41-year-old Somali female migrant for 11 days, subjecting her to various forms of torture during her detention.

Three armed individuals affiliated with Al-Basateen police of the STC arrested a 41-year-old Somali female migrant while she was sleeping at her home around 1:00 a.m. She was held in a detention center in the Al-Basateen area and was blindfolded during her interrogation. She was subjected to beatings and various forms of torture throughout her detention period and remained confined for 11 days. During this period, she experienced torture about eight times and was mistreated throughout her detention.

¹⁰⁴ An interview conducted by a field researcher from Mwatana for Human Rights with a medical assistant at Bir Ali hospital, Rudum district, April 6, 2023.

The victim stated,

“My daughters and I have been living here for four years, and I have not been able to enroll them in school because they refuse to admit them. I had to work day and night to provide for our needs. On the day of the incident, I was in Al-Mansoura district, and when I was there, I heard news of a lost boy child from the area. The police approached me and asked if I knew the child’s whereabouts. I told them that I hadn’t seen him and didn’t know where he was. They left to search for him elsewhere. At night, they came to my residence, knocked violently on the door, and then broke in. They took me with them.” She added, “They blindfolded me, and I repeatedly asked in Arabic where they were taking me. They said to Al-Basateen police station but didn’t inform me further. After I arrived at the police station, they interrogated me and accused me of kidnapping the child. They physically assaulted me on multiple occasions, and they gave me one meal every two days. After 11 days, I was summoned to the office of one of the police officers. The officer ordered my release, instructing me not to tell anyone about what happened during my detention.”¹⁰⁵

November 20, 2019, sexually assaulted, Dar Saad District, Aden Governorate

On Wednesday, November 20, 2019, armed individuals affiliated with the Al-Basateen police station, linked to the STC, sexually assaulted a Somali female refugee and took turns raping her. The chief of the police station threatened her, preventing her from filing a complaint about the incident.

Around 7:00 p.m., armed men affiliated with STC forces in Al-Basateen attacked the residence of a 45-year-old Somali female refugee, who was living alone. They beat her, gagged her to stifle her screams, stripped her of her clothes, and sexually assaulted her, taking turns. After the assault, the victim sought to report the incident to the police while still bleeding. However, upon arriving at the police station, she found the very soldiers who had assaulted her. The officer there handed her 1,000 Yemeni rials (less than \$1 USD) and threatened her. He warned her that if she spoke about the incident or filed a report, he would imprison her, subject her to further torture, and assault her again.

105 An interview conducted by Mwatana for Human Rights with a Somali female victim in Dar Saad district, Aden governorate, January 12, 2023.

The victim recounted to Mwatana, “I was lying on my worn-out mattress in my place of residence when two armed men in military attire barged in. I didn’t know what they wanted, and I panicked and began screaming. One of them closed my mouth with his hand and gagged me. They mercilessly beat me, then stripped me of my clothes and raped me.” She continued, “I got up while bleeding profusely, dressed, and went to the police station, but I found the very men who had attacked me there. I shouted at them, hoping the officer in charge would help me. I thought he would provide justice, but he took out 1,000 Yemeni rials from his pocket, gave it to me, and said, ‘Go away from here and don’t come back. If you open your mouth and talk about what happened, I will imprison you, torture you, and rape you again.’ I fled from there and went to the medical compound in Al-Basateen. I informed the doctor that my sister was bleeding and needed medicine. I couldn’t muster the courage to speak about what had happened to me. The doctor wrote down the prescription for me, and I collected it from the pharmacy. On my way back home, I noticed someone following me, watching my every move and listening to everything I said or did.”¹⁰⁶

Fifthly: Examples of Violations Against African Migrants by Human Trafficking and Smuggling Gangs in Areas Controlled by STC Forces in Yemen

The point of arrival for African migrants in the coastal area of Ras Al-Ara in Lahj governorate is a black hole that swallows those who reach it. It is one of the most dangerous areas for African migrants, according to information gathered by Mwatana. They face several forms of abuse in unofficial detention centers of human trafficking and smuggling gangs. This includes sexual violence, enslavement, arbitrary detention, torture by beating, burning, deprivation of food and drink for the purpose of financial extortion, unpaid forced labor, the use of live ammunition, and being run over by vehicles.

The forces of the UAE-backed STC bear responsibility for the abuses of African migrants in this region. They appear to collude with human trafficking and smuggling gangs. This collusion is seen as a form of protection since the human traffickers and

106 An interview conducted by a female researcher from Mwatana for Human Rights with a Somali female victim in Dar Saad district, Aden governorate, February 4, 2023.

smugglers of these abuses have never been held accountable for their actions.¹⁰⁷

December 11, 2018, Detention, Torture, and sexual violence, Ras Al-Ara wa Al-Mudharebah District, Lahj Governorate

In the coastal area of Ras Al-Ara in Lahj governorate, around 7:00 p.m., on Tuesday, December 11, 2018, approximately 60 migrants, including 20 women, arrived on a boat. They were received by two leaders of a human trafficking gang. Upon disembarking from the boat off the coast, they were transported to a courtyard owned by the gang on the beach. The courtyard was intended for the arbitrary detention of migrants for financial extortion. Members of the gang detained a group of migrants who had just arrived in the courtyard. The migrants were detained for about nine months.

The victim, Reem (pseudonym, a 20-year-old Ethiopian woman), had migrated from Ethiopia about nine months earlier with the intention of working in Saudi Arabia. She had agreed with a smuggler to be transported to Saudi Arabia in exchange for 20,000 Ethiopian birr, equivalent to \$360 USD. She was transported by boat, which belonged to smugglers, along with about 60 other migrants, including her husband. Among the migrants were 20 women. When the migrants arrived at the coast of Ras Al-Ara wa Al-Mudharebah district, Lahj governorate, at around 7:00 p.m., on Tuesday, December 11, 2018, they were received by a human trafficking gang in Ras Al-Ara. The human traffickers disembarked them from the boat and transported them to a courtyard belonging to the gang on the coast of Ras Al-Ara, where they were detained. In this courtyard, the migrants were extorted to pay another amount of money, equivalent to 200,000 Yemeni rials per person, in exchange for allowing them to continue their journey. The gang's leader tortured the victim, Reem, in the courtyard while on the phone with her father to extort him to pay the amount demanded by the gang. He used the same methods with the other detained migrants. In addition to physical torture, the gang leader sexually assaulted the victim, raping her multiple times and sexually harassing her countless times, during her approximately eight-month detention. The victim attempted to escape multiple times. In mid-July 2019, she managed to escape and was protected by a female resident of the area of Ras Al-Ara wa Al-Mudharebah district, Lahj governorate, and who also provided her shelter. The victim stated that,

¹⁰⁷ A phone call with a field researcher from Mwatana for Human Rights in Lahj governorate, January 20, 2022.

after witnessing all the suffering she went through, she wants to return to her home country, Ethiopia, and does not wish to migrate again.

February 5, 2023, Abduction and Torture, Al-Mudharebah was Al-Ara District, Lahj Governorate

Human trafficking and smuggling gangs in the Ras Al-Ara area abducted a 17-year-old Ethiopian girl and detained her for a week, subjecting her to various forms of torture and extorting her family for ransom money in exchange for her release.

A group of migrants reached the coast of Ras Al-Ara after a long journey from Ethiopia to Djibouti and then to Yemen, which took approximately two months. They arrived on a boat owned by smuggling gangs, carrying nearly 50 migrants, including 20 women. Upon their arrival on the Yemeni coast, a human trafficking and smuggling gang in Ras Al-Ara, Lahj governorate, detained them in one of their courtyards. This yard lacked basic facilities, including bathrooms, and did not meet minimum standards. They provided them with only one meal a day. During their detention, the migrants were extorted and tortured by this gang in various ways, including beatings with sticks and wires. Some of the migrants also suffered from gender-based violence, such as rape and sexual harassment.

One of the female victims (17 years old, Ethiopian) stated,

“When we reached Ras Al-Ara, we had very little food. They took us to a courtyard without a toilet. There was a large water container for drinking, and the water was very hot to drink. They served us only one meal a day, and never allowed us to leave the courtyard. We would relieve ourselves and take a shower behind some trees near the courtyard for only few minutes. During the first two days of detention, they physically abused all of us, and they beat different parts of my body for a week. They asked me to contact my family to transfer 500,000 Ethiopian birr to them. Three weeks later, when my family made the payment they demanded, they released me.”¹⁰⁸

108 An interview conducted by a female researcher from Mwatana for Human Rights with an Ethiopian victim in Dar Saad district, Aden governorate, May 25, 2023.

January 17, 2022, Sexual Violence, Rudum District, Shabwah Governorate

Members of a human trafficking and smuggling gang in the Al-Malbouja area of the Rudum District in Shabwa Governorate sexually assaulted a 26-year-old Ethiopian female migrant.

On Monday, January 17, 2022, at around 5:00 p.m., two individuals affiliated with a human trafficking and smuggling gang in the Al-Malbouja area of Rudum District in Shabwah governorate sexually assaulted an Ethiopian female migrant, aged 26. Members of the gang stopped a vehicle transporting migrants, which carried 20 migrants, including five women, along the highway to deliver the migrants to another smuggling gang to continue their transportation. When the second gang's members were delayed in arriving to collect the migrants, three smugglers took the five migrant women and separated them from the men. They then selected one of them and forcibly took her into an isolated room near the highway. While one of them monitored the road and guarded the room, the other two took turns sexually assaulting her.

One of the employees of the IOM (Yemeni nationality, 29 years old) informed Mwatana, saying:

“On Monday, January 17, 2022, at around 5:00 p.m., we received a call informing us of an emergency situation. When we arrived at the scene, we found 20 Ethiopian migrants, including five women, sitting by the side of the public road that connects Shabwah and Hadhramaut. We found a young woman in her twenties lying under a tree with the other women around her. She didn’t speak English, and one of the other migrants helped us with translation and communication with her. She informed us that two of the smugglers had taken her into an isolated room and, at gunpoint, forced her to undress and then sexually assaulted her in turns. She also stated that her friends tried to protect her, but they couldn’t do anything.”¹⁰⁹

An eyewitness (Yemeni nationality, 44 years old) said,

“We heard that the smugglers had sexually assaulted an Ethiopian migrant. Employees of the International Organization for Migration came to the area. On the day of the incident, I saw a migrant woman lying on the ground, crying bitterly, and

¹⁰⁹ An interview conducted by a field researcher from Mwatana for Human Rights with an IOM employee in Al-Malbouja, Shabwah governorate, April 4, 2023.

some other migrants were crying as well.”¹¹⁰

This incident serves as an example of the type of gender-based abuses committed against female migrants, constituting crimes under Yemeni domestic law. Such incidents are numerous, and women rarely travel through areas without facing some form of such violence. Women are one of the most vulnerable groups, susceptible to exploitation and various forms of abuse. This increases their need for protection compared to other groups. It is worth mentioning that such abuses are carried out not only by conflict parties and smuggling gangs but also by other migrants or members of the host community.

January 2023, Abduction, torture and Sexual Violence, Al-Mudharebah wa Al-Ara District, Lahj Governorate

In early 2023, human trafficking and smuggling gangs in the Ras Al-Ara area of Lahij governorate abducted and sexually exploited a 20-year-old Ethiopian female migrant in one of their warehouses. They took turns sexually assaulting her for five months, subjected her to torture, and extorted money from her family.

In early 2023, Sammar Omar (pseudonym, 20-year-old Ethiopian female) left her home in Ethiopia and traveled to the port of Bosaso in Somalia and from there to Yemen. Her goal was to reach Saudi Arabia in search of a better life and good job opportunities. After a sea journey that lasted for 20 hours, Sammar arrived on the coast of Ras Al-Ara in Al-Madharebah wa Al-Ara District of Lahj governorate. There, she was abducted by a human trafficking and smuggling gang and held in one of their warehouses, where she was forced to cook meals for them. After a short time in the gang’s detention center, she was raped for the first time. Ethiopian and Yemeni smugglers took turns sexually assaulting her for five months. During that period, the smugglers extorted her family for money and threatened to kill her if the ransom was not paid. The gang members would sometimes torture her close to the phone so her father could hear her suffering.

Sammar told Mwatana,

“My father sent the money to the gang, and they released me. At dawn, one of the gang members took me in a HiLux car and drove me to a highway in Lahj and left me

¹¹⁰ An interview conducted by a field researcher from Mwatana for Human Rights with an eyewitness in Al-Malbouja, Shabwah governorate, April 5, 2023.

there. At that moment, I didn't know what I was feeling. I wasn't happy, I wasn't okay, but I was free for the first time in nearly half a year.”¹¹¹

Sammar then headed on foot to Aden, a journey that took her four days, during which she relied on the kindness of strangers to find her way. After four days of exhaustion and hardship, she arrived in the Al-Basateen area and sought assistance at a medical center to examine her condition. It was during this examination that she discovered she was pregnant, with uncertainty about the identity of the father.

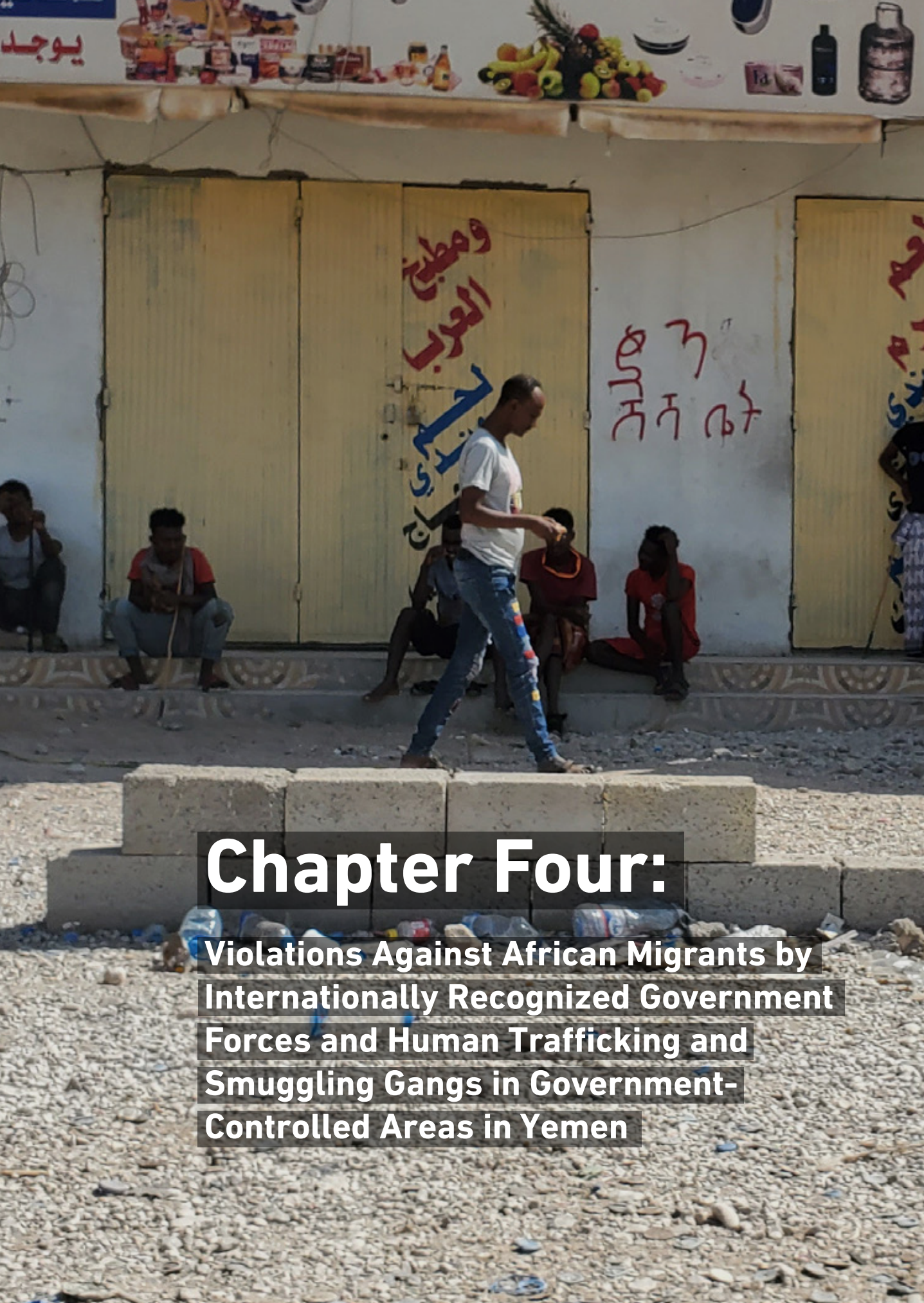
Sammar added,

“I don't think about returning to Ethiopia, and I can't go to Saudi Arabia. I prefer to stay in Aden, and all I dream of is getting a room to preserve what's left of my dignity, and in it, I can take care of myself and my baby without being a burden on anyone.”¹¹²

In May 2023, Sammar applied for asylum at the office of the UNHCR in Aden. She obtained refugee documents on May 9, 2023. As of the time of writing this report, she is still residing with an Ethiopian family that has hosted her and is suffering from what she went through during her quest for a better life on a journey that left her with nothing.

111 An interview conducted by Mwatana for Human Rights with a victim in Aden city, June 1, 2023.

112 An interview conducted by Mwatana for Human Rights with a victim in Aden city, June 1, 2023.



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Chapter Four:

Violations Against African Migrants by Internationally Recognized Government Forces and Human Trafficking and Smuggling Gangs in Government-Controlled Areas in Yemen

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The boat capsized, and I was one of those who could swim. Most of the migrants drowned, and the waves threw their bodies ashore.

Shabwah – African survivor of a drowning incident (30 years old, Somali nationality)

”

Introduction

The forces of Yemen's internationally recognized government are a coalition of military formations include Yemen's State armed forces, armed groups under the control of the Yemeni government operating under the umbrella of a series of successive governments that emerged following the assumption of power by former President Abd-Rabbu Mansour Hadi on February 21, 2012. These forces primarily receive support from Saudi Arabia and include formations loyal to the Islah Party, former Vice President Ali Mohsen al-Ahmar, and other entities. The forces operating under the umbrella of Yemen's internationally recognized government are bound by international humanitarian law and international human rights law. They are also required to enforce international treaties and instruments, especially those related to migration and combating transnational organized crime. Moreover, as the legitimate representative of Yemen, the internationally recognized government is obliged to enforce all international agreements ratified by the Republic of Yemen. As a result, swift accountability and justice for victims is required where these forces commit abuses against migrants in violation of their obligations under international law. The same applies to abuses committed by other actors in areas under their control. While the primary responsibility of these forces is to uphold security, safeguard the lives of civilians, and protect their dignity and freedoms, including those of African migrants, these forces have, unfortunately, engaged in and continue to commit numerous violations. These violations notably encompass forced deportations, arbitrary arrests, and other forms of mistreatment affecting migrants at arrival and assembly points within areas under the control of these forces. Additionally, these violations occur along migrants' transit routes within Yemeni territories, which fall under the control of these forces.

African migrants set sail from the shores of the Bosaso Port in the northeastern part of Somalia through the Gulf of Aden to the coasts of Yemen, specifically spanning three southeastern Yemeni governorates: Abyan, Shabwah, and Hadhramaut. The coasts of these governorates serve as the primary gateways for receiving African migrants and asylum seekers. These coasts face the opposite direction to those of the Horn of Africa and are separated by the Gulf of Aden, with an estimated distance of over 100 nautical miles.

Migrants embark on locally crafted boats, powered by marine engines. However, these vessels lack essential safety and rescue equipment, such as life jackets, especially for men, women, and children who may not be proficient swimmers. The

maritime transportation process is facilitated using boats of various sizes and designs. According to information gathered by Mwatana, each boat typically has a hull length of around 16 to 18 meters, with a width of about three to five meters. They go by various names, including Zahima, Launch, and others. These boats are manufactured in the Al-Shihr area of Hadhramaut governorate, while some are produced in Somalia. They are often overloaded with roughly 150 to 250 migrant passengers on board. These boats are frequently operated by smuggling gang members of Somali origin or individuals associated with Yemeni smuggling networks.¹¹³

The sea journey for migration boats concludes in Yemen's territorial waters, mainly in the southeastern part of Yemen, which is under the control of internationally recognized government forces. When these African migrants reach the Yemeni coast, they land at various points along the shoreline, extending for approximately 180 kilometers. This starts from the coastal area of Ahor district in Abyan governorate, passing through the coasts of Rudum district in Shabwah governorate, and up to the coasts of Maifa'a district in Hadhramaut governorate

After African migrants land on Yemeni soil, returning to their home countries, if they wish to do so, becomes nearly impossible due to various reasons. These reasons are attributed to the ongoing armed conflict and deteriorating living conditions in Yemen. Notably, some migrants, a significant number of those Mwatana met, remain unaware of the armed conflict that has persisted in Yemen for more than nine years. Consequently, they are oblivious to the challenges and risks they might face, which can lead to insurmountable obstacles and leave them in a state of helplessness, unable to reach their intended destinations or return to their home countries. Furthermore, they are susceptible to the gravest violations during their stay in Yemen.

The destination of migrants from Ethiopian nationalities, primarily Oromo and Tigray, is often towards the north to cross the Yemeni borders with Saudi Arabia. Some migrants of Somali origin head east to the city of Mukalla in Hadhramaut governorate to obtain asylum documents provided by the Yemeni Immigration and Passport Offices, in coordination with the UNHCR. The estimated number of officially registered Somali refugees in the Immigration and Passport Office in Hadhramaut is approximately 7,000

113 A field report by a field researcher from Mwatana for Human Rights in Shabwah governorate based on interviews with African migrants and eyewitnesses, submitted on June 20, 2022.

refugees.¹¹⁴ Others may travel west towards Aden governorate or north towards the capital, Sana'a, which is under the control of the Ansar Allah (Houthi) armed group, where there is a sizable Somali community.

The armed conflict in Yemen has created a state of chaos and insecurity across the country. Human trafficking and smuggling gangs have taken advantage of this unstable situation to revitalize their illegal activities. At times, they pay money to different conflict parties, primarily the Ansar Allah (Houthi) armed group and the STC, to shield them from legal accountability and prosecution or to facilitate their activities. Some victims Mwatana met reported that the smuggling operations of these gangs are coordinated with various conflict parties, including the Ansar Allah (Houthi) group and the STC.

In areas under the control of government forces, human trafficking and smuggling gangs operate along the coastal strip.¹¹⁵ These gangs predominantly consist of members from tribes located along the route of African migrant travel. Such tribes do not permit other tribes or individuals from different smuggling gangs to engage in smuggling activities within their territories, particularly in Shabwah governorate.

Similar to arrival points in areas controlled by other actors, international organizations provide humanitarian aid to African migrants and asylum seekers in government-controlled areas, including the IOM, the UNHCR, and INTERSOS. INTERSOS, in collaboration with the IOM, provides migrants with portable kits containing personal items, hygiene tools, and clothes, while the IOM delivers medical and shelter assistance, including medical services in arrival areas along the coast in Shabwah governorate. In these areas, a medical team is present to provide medical services and necessary first aid to migrants upon their arrival. Such services are also provided on the road that connects Rudum district (an arrival point) and Ataq city, the capital of Shabwah governorate.¹¹⁶ Additionally, the IOM offers food aid to migrants traveling on roads in Marib governorate.¹¹⁷

114 A field report by a field researcher from Mwatana for Human Rights in Hadramaut governorate based on interviews with African migrants and eyewitnesses, submitted on May 16, 2022.

115 During 2022, Mwatana's team carried out multiple field visits to the coastal areas in Lahj and Abyan governorates, where African migrants arrive.

116 A field report by a field researcher from Mwatana for Human Rights in Shabwa governorate based on interviews with African migrants and eyewitnesses, submitted on October 31, 2021.

117 A field report by a field researcher from Mwatana for Human Rights in Marib governorate based on interviews with African migrants and eyewitnesses, submitted on November 3, 2021.

Many irregular migrants and African asylum seekers work in government-controlled areas to earn money they need to continue their overland journey towards Saudi Arabia. They engage in various unskilled activities, such as portering, agriculture, herding, cleaning, and other employment in commercial establishments, restaurants, and other workplaces.¹¹⁸

Irregular migrant laborers earn meager wages for their physical work. They receive daily or monthly wages, depending on the nature of the work. The average daily wage is equivalent to approximately \$3 USD, while the monthly wage is around \$30-50 USD. Employers take advantage of the migrants' undocumented and illegal status, subjecting them to inhumane treatment. Official work contracts are rarely issued, depriving migrants of fair wages. They work long hours and days without breaks and endure harsh living conditions, often residing in unhealthy and potentially hazardous areas near conflict zones.

Firstly: African Migrants' Points of Arrival and Gathering in Areas Under Internationally Recognized Government Control in Yemen

The coastal areas controlled by government forces, particularly in the governorates of Abyan, Shabwah, and Hadhramaut, serve as major coastal arrival points for African migrants and asylum seekers. From these areas, primary migration routes branch off for the internal journey to reach their desired destinations. Migrants arrive at these points almost weekly, in varying numbers, including women and unaccompanied children.

Rundown boats operated by smuggling gangs set sail towards the Yemeni mainland, reaching the coasts of Abyan governorate, including locations such as Al-Bander, Hisn Bal'aid, Mawsa, Radda, Duhumah, Jabal Rayd, Hannad, Al-Alam, As-Sabhah, Maqatin, and towards the coasts of Shabwah governorate. These are considered active points of entry along the southern Yemeni coastal strip, including Arqah, Keidah, Ayn Ba Mabad, Jil'ah, the local port of Bir Ali, and the local port of Qena.¹¹⁹ Some migrants also reach

118 Two field reports from Marib and Shabwa governorates, submitted on October 31 and November 3, 2021, *ibid.*

119 Recently, a tourist resort was built in the local port of Qena, preventing migrants from arriving on this coastal area.

the coastal areas of Hadhramaut governorate, specifically the coast of Ambuh, Sharq Bin Taleb, and the coast of As-Sufal.

Along the southern Yemeni coastal strip, there are so-called brokers working on behalf of human trafficking and smuggling gangs. They typically await the arrival of African migrants and asylum seekers to assemble them at major gathering points located in the Rudum district of Shabwah governorate, Ayn Ba Mabad. Subsequently, migrants are confined in large courtyards fenced by cement bricks, and each courtyard has a guard room affiliated with smuggling gangs. These gathering points are situated about one kilometer away from the shore. The purpose of this confinement is to determine the smuggling sums.¹²⁰ More recently, smuggling gangs have started receiving migrants directly on the shore, placing them on smuggling vehicles to begin the next leg of their journey, where they will be handed over to other smugglers, and so on.

After the African migrants of Ethiopian and Somali nationalities arrive at the coasts of the governorates controlled by internationally recognized government forces in southern Yemen,¹²¹ the point of convergence is often in Shabwah governorate for those arriving from the coasts of Hadhramaut and Abyan, as well as for those traveling overland from Lahj and Aden governorates. From here, they commence their overland journey, traversing the deserts of Marib and Al-Jawf governorates towards Saada governorate, which is under the control of the Ansar Allah (Houthi) armed group in northern Yemen. They are frequently seen by passersby on asphalt roads and in the deserts, either walking under the scorching sun or crammed into overcrowded vehicles. In some cases, they embark on this journey without supplies or provisions to ease the hardships of travel.

Migrants of Ethiopian nationality prefer not to migrate towards Oman due to the absence of an Ethiopian embassy in Oman to advocate for detained Ethiopians and facilitate their return to their home countries upon arrest. In Oman, Ethiopian migrants are usually detained for long periods of time. There are limited and infrequent migration journeys for Somali migrants heading towards Oman, typically costing around 3,000

120 A field report by a field researcher from Mwatana for Human Rights in Shabwah governorate based on interviews with migrants and eyewitnesses, submitted on May 24, 2022.

121 The forces of the internationally recognized government took control of Shabwa governorate from August 2019 until August 2022, while the governorate remained under the control of UAE-backed armed forces from the beginning of the armed conflict in Yemen until the moment of publishing this report.

Saudi riyals, according to information collected by Mwatana.¹²² Migrants aiming to reach Oman take the route through Abyan, Shabwah, Hadhramaut, and Al-Mahra governorates. These migration journeys towards Oman began approximately three years ago because they are considered safer compared to the journey to Saudi Arabia.

The northern journey of African migrants, Ethiopians in particular, begins as they travel northeast from the coasts of Shabwah governorate to the city of Ataq.¹²³ On June 1, 2023, Mwatana's central team traveled along this route that connects Ayn Ba Mabad to the city of Ataq, the capital of Shabwah governorate, covering a distance of approximately 200 kilometers. This journey allowed the team to track the path of African migrants and observe the volume of the flow. This route is one of the most crucial ones taken by African migrants to reach their desired destination. Most migrants start this journey by walking on foot for a distance of about 20 kilometers to cross security checkpoints. Subsequently, smuggling networks transport them to the city of Ataq. Some continue on foot to the city of Ataq, passing through the districts of Maifa'a and Habban, and then to the Al-Sa'eed district in Shabwah governorate. Here, there is a camp in Rafdh of Al-Sa'eed district, serving as the first gathering point after proceeding inland into Shabwah governorate. Those who do not have funds cover the entire distance on foot alongside an asphalt road, which passes through various terrains (desert, mountainous, and valleys),¹²⁴ while others travel in overcrowded smuggling vehicles until they reach the outskirts of the city of Ataq, the capital of Shabwah governorate.

Other migrants arrive at the outskirts of the city of Ataq through the western gateway of Shabwah governorate, specifically from Al-Khabar in Habban district. They come from Abyan governorate, mainly from the coasts of Shuqrah district, where a few migrants disembark via the sea. Shuqrah is located approximately 235 kilometers from Al-Nuqabah in Shabwah governorate. African migrants coming from Ayn Ba Mabad and those from the coasts of Shuqrah district in Abyan governorate meet at the crossroads of Al-Nuqabah. Al-Nuqabah is a central gathering point for African migrants.

122 An interview conducted by Mwatana's central team with an Ethiopian migrant in Dar Saad, Aden governorate, May 28, 2023.

123 According to information obtained by Mwatana, many Ethiopian migrants of the Tigray ethnicity prefer this route, and many of them do not prefer to stay in Yemeni cities and villages to rest and arrange to go to the next destination until arriving in Saudi Arabia. However, some prefer to stay in Yemen to work so that they have sufficient funds to continue their journey towards Saudi Arabia.

124 A field report by a field researcher from Mwatana for Human Rights in Shabwah governorate based on interviews with African migrants and eyewitnesses, submitted on May 24, 2022.



Figure No. (18) The location of Al-Nuqabah crossroads on the Shuqrah coast in Abyan governorate.

African migrants follow the main asphalt road until they reach the city of Ataq on the outskirts of Shabwah governorate, particularly in the Al-Jalfaor neighborhood.¹²⁵ This area serves as the second gathering point for African migrants and asylum seekers in Shabwah governorate, located on Al-Abor Street at the southern entrance of Ataq, the capital of the governorate. Here, migrants gather, especially those of Ethiopian nationality, as this neighborhood is distant from the city center and government security forces' watchful eyes, some of whom attempt to extort and steal money and belongings from migrants.

In 2019-2020, the neighborhood served as a place of residence for around 3,000 migrants, the majority of whom were Ethiopians, before government forces conducted a forced deportation campaign for these migrants. Until the beginning of 2022, migrant numbers in the neighborhood were very low compared to before. After this date, there was a significant increase in their numbers due to the growing influx of migrants into

125 On June 1, 2023, Mwatana's central team carried out a field visit to Al-Jalfaor neighborhood, south of the city of Ataq, Shabwa governorate, for the purpose of examining the conditions of migrants and recording observations. The team observed the large numbers of African migrants in courtyards belonging to smuggling networks, in addition to the remarkable presence of many Ethiopian migrants staying in apartments and small homes, most of whom are of the Ethiopian Tigray ethnicity.

Yemen during the ceasefire period.¹²⁶

At times, Most migrants usually avoid entering the city of Ataq and take rugged dirt roads through valleys to avoid military and security checkpoints. They pass through areas such as Al-Sa'eed, Sadr Baras, the villages of Khalifa, Khamer, and eventually reach the Khalif Mas area, the third gathering point for migrants, located east of the city of Ataq, approximately five km away.¹²⁷ This route is currently the most active one for reaching Marib governorate. A new smuggling journey for African migrants starts through the desert to the Al-Rawik desert area in Al-Wadi district of Marib governorate. Migrants cross the desert northward via an indistinct sand road until they reach the city of Al-Hazm in Al-Jawf governorate, approximately 150 kilometers away.

Until recently, African migrants used an alternative route from Shabwah governorate to Marib governorate, heading north and then veering west after passing through the city of Ataq toward an asphalt road leading to the districts of Markha, Osailan, and Bayhan in Shabwah governorate. Then, they entered Marib governorate through Harib district and Al-Jawbah district, moving eastward until they reached the city of Marib. It is an asphalt highway of about 230 kilometers that was closed after an escalation of military operations in these areas in late 2021.

Marib governorate serves as a transit station where African migrants gather to catch their breath before continuing their journey to Al-Jawf governorate, and from there to Harf Sufyan in Amran governorate, which is under the control of the Ansar Allah (Houthi) armed group. After that, they move to Saada governorate, which is adjacent to the Yemeni-Saudi border.

Migrants, mainly Ethiopians, gather in the city of Marib and its surroundings, forming a high-density presence along the roads and wherever resting spots are available. They gather at several points in the city of Marib, including Al-Mujamma, Al-Madina, Huson Al Jalal, Al-Wadi district, As-Samda Market, and Bin Ma'ili station. The most important departure points in the governorate are located in the Al-Mujamma area and Huson Al Jalal, where a regular station and means of transport are available to take them from

126 A field report by a field researcher from Mwatana for Human Rights in Shabwa governorate based on interviews with African migrants and eyewitnesses, submitted on August 15, 2022.

127 A field report, Shabwah governorate, May 24, 2022, *ibid*.

inside the city of Marib.¹²⁸

The IOM established a camp to accommodate migrants in the Al-Rumsa area of Al-Wadi district on the outskirts of Marib city. This was done during the COVID-19 pandemic in 2020. The camp covers an estimated area of 500x300 square meters. According to information collected by Mwatana, the camp houses around 500 individuals, including men, women, and children, who are African migrants of Ethiopian (Oromo) nationality.¹²⁹

The IOM provides some services to migrants inside the camp. This includes healthcare through mobile clinics that visit on a weekly basis and provide medical prescriptions to patients. Additionally, the organization has provided electricity and water supply to the camp's residents. This camp functions as a temporary waiting station (transit) for various African migrants, particularly Oromos, upon their arrival in Marib. They are accommodated in the camp for varying durations before they depart towards Saudi Arabian territories.

One Ethiopian migrant (30 years old) who resides in the camp and volunteers with the IOM to create awareness about the plight of migrants told Mwatana:

“The camp lacks flood protection measures, and it has been exposed to heavy rains that submerged the shelter materials, including mattresses and blankets. They are in need of more care and attention to meet their needs.”¹³⁰

Previously, some African migrants used to travel to Marib governorate through areas under the control of the Ansar Allah (Houthi) armed group's forces in Al-Bayda governorate, particularly from the cities of Al-Bayda and Radaa, where they used to work in Qat plantations. These migrants used to converge at Affar crossroads, situated in the middle of the road connecting the cities of Radaa and Al-Bayda. They then headed northeast on a secondary asphalt road that passes through the town of Qaniya and reaches Wadi Mahliya in Mahliya district, which is approximately 100 kilometers away from the city of Marib. From there, they continued their journey on rough dirt roads,

128 A field report by a field researcher from Mwatana for Human Rights in Marib governorate based on interviews with African migrants and eyewitnesses, submitted on November 3, 2021.

129 A field report by a field researcher from Mwatana for Human Rights in Marib governorate concerning Al-Rumsa camp, based on interviews with African migrants and eyewitnesses, submitted on November 3, 2021

130 field report by a field researcher from Mwatana for Human Rights in Marib governorate concerning Al-Rumsa camp, based on interviews with African migrants and eyewitnesses, submitted on November 3, 2021

spanning around 25 kilometers, until they reached an asphalt road at the end of the Rahba district. They then continued their journey to the center of Al-Jawbah district, approximately 30 kilometers from the city of Marib. However, this route has been closed due to ongoing military operations.



Figure No. (19) Migrants' route from Afar crossroads to Mahliya district in Marib governorate.

According to information collected by Mwatana, government forces allow migrants to leave the territories under their control in Shabwah and Marib governorates to Al-Jawf governorate, areas controlled by the Ansar Allah (Houthi) armed group, and block their return to those areas.

Secondly: Violations Against African Migrants by Internationally Recognized Government Forces in Yemen

African migrants are subjected to various attacks and violations committed by internationally recognized government forces. Mwatana documented nine incidents, including three incidents for which human trafficking and smuggling gangs in their controlled areas are responsible. Government forces are responsible for the other seven incidents, one of which involved live ammunition leading to the injury of two African migrants in Shabwah governorate. The violations include harassment, extortion,

and exploitation at checkpoints, forced deportation, live ammunition incidents, and detention, among others.

In late 2021, the Immigration and Passports Authority in Al-Mukalla sent a letter to the leadership of the Second Military Region and the security forces in the coastal region of Hadhramaut, both under the control of government forces, stating not to accept any guarantees from the heads of the Somali Refugee Committee. Since that letter, Somali migrants have been suffering, especially at military checkpoints in Shirq Ben Taleb, where migrant families find themselves sleeping on the ground and exposed to the elements for days, sometimes up to two weeks, without being allowed to pass. Despite addressing military checkpoints through the registration office on the first day of migrant arrivals, only those who pay between \$50 USD to \$100 USD are allowed through. Many Somali refugees describe the conditions that new migrants face in this manner. Some are forced to travel to Aden in passing vehicles after the doors of Hadhramaut are closed to them.¹³¹

Among the incidents documented by Mwatana, two involve forced deportation of migrants in Shabwah governorate. The first incident of forced deportation was carried out by internationally recognized government forces in April 2019 from Keidah area camp in Rudum district, where migrants were deported to the districts of Maifa'a and Ataq. The second incident occurred in March 2020 when migrants were deported from the city center of Ataq to the deserts of Markha Al-Sufla and Jardan districts.¹³²

Thirdly: Examples of Violations Against African Migrants by Internationally Recognized Government Forces in Yemen

Thursday, March 31, 2022, Live Ammunition, Ataq City, Shabwah Governorate

Around 3:00 a.m., Nabil Ali (20 years old, Ethiopian migrant) and his friend Salman Jamal (18 years old, Ethiopian migrant) were sleeping near a hotel on Sittin Street in the southern part of Ataq city in Shabwah governorate. They were approached by a soldier

131 A field report, Hadhramaut governorate, May 16, 2022, *ibid*.

132 A field report, Shabwah governorate, October 31, 2021, *ibid*.

in military attire belonging to government forces, accompanied by two civilians. These individuals robbed them of their personal belongings and money. When Nabil resisted, they fired live ammunition from a Kalashnikov rifle, injuring Nabil in his left hand and Salman with a direct gunshot wound to his right thigh.

Nabil told Mwatana,

“My friend Salman and I were sleeping on the sidewalk near the ‘Al-Asema’ hotel, which has a big restaurant that provided us with food daily. Around midnight, we woke up to the screams of a soldier pointing his gun at us, demanding our money.”

He added,

“Two men came with the soldier and took all the money and mobile phones we had. When I tried to grab one of the men and take back the mobile phone, the soldier fired live ammunition at us. Then they fled, and a bus driver parked near the hotel helped transport us to the hospital.”¹³³

Both victims were taken to Ataq Public Hospital for treatment. A 28-year-old medical assistant at the hospital’s emergency department provided the necessary medical care to the injured. The medical assistant stated to Mwatana that a Toyota bus driver arrived at the hospital with two Ethiopians who had gunshot injuries. He admitted them to the emergency department and provided them with necessary medical aid, and they are still under medical care.¹³⁴

“We received treatment and medical care in the hospital free of charge because we no longer have anything after we were robbed. We don’t know what we will do when we leave the hospital and where we will go.”

Thursday, January 14, 2021, Military Vehicle Hit-and-Run Incident, Ataq City, Shabwah Governorate

Around 8:00 p.m., a military vehicle belonging to the Special Security Forces of then

133 An interview conducted by Mwatana for Human Rights with a survivor in Ataq city, Shabwah governorate, April 5, 2022.

134 An interview conducted by Mwatana for Human Rights with a medical assistant in Ataq city, Shabwah governorate, April 6, 2022.

President Hadi's government ran over the victim, Zein Rashad, a 20-year-old Ethiopian national. He had arrived in Shabwah governorate more than eight months earlier and resided in Ataq city, Shabwah governorate.

According to the victim's account, the incident occurred on Al-Nasb Street, across from the new Ataq hospital. The victim was walking along the street when the military vehicle hit him due to excessive speed. This resulted in injuries, including a large section of his spleen being severed and removed due to the impact, as well as body contusions and a bruise on his right leg.¹³⁵

Fourthly: Violations Against African Migrants by Human Trafficking and Smuggling Gangs in Areas Under the Control of Internationally Recognized Government Forces in Yemen

Human trafficking and smuggling gangs commit numerous violations and atrocities against African migrants along their sea and land journey. According to accounts from African migrants to Mwatana, the sea journeys, organized by Somali smuggling gangs, are unsafe and often lead to tragic drowning accidents before reaching the Yemeni coasts.

These smuggling gangs squeeze around 150 to 200 African migrants onto fishing boats, with approximately 90% of them being Ethiopians. The journey is led by three to four armed smugglers who subject the migrants to harassment, exploitation, theft, physical abuse, and other risks. Additionally, the migrants face the danger of drowning due to various circumstances, including throwing themselves into the open sea to escape the dire conditions on these boats or being thrown overboard by the smugglers. Moreover, there's a risk of death from the sinking of these rundown boats. The journey at sea lasts between 18 and 24 hours.

Smugglers avoid going ashore in broad daylight on the coast of Yemen. They may wait approximately 12 nautical miles out at sea until nightfall. At times, Yemeni coast guard patrols open fire when they see them, causing the boat to flee. During the flight,

¹³⁵ An interview conducted by Mwatana for Human Rights with the victim in Ataq city, Shabwah governorate, January 19, 2021.

the boat may capsize, resulting in some migrants to fall into the sea.¹³⁶

A 30-year-old Somali survivor of a drowning incident told Mwatana that he left the Somali coast on a journey of about 20 hours aboard a large smuggling boat carrying around 150 Somali and Ethiopian migrants, the majority being Ethiopian, in 2014. He added, “I almost died before reaching the Yemeni coast. We could see the coastline with our own eyes. However, we encountered strong winds and rough waves that caused chaos on the boat. The boat capsized, and I was among those who could swim. Most of the migrants drowned, and the waves washed their bodies ashore.”¹³⁷

The boats usually cannot withstand heavy loads and harsh sea conditions, especially in bad weather. To ensure the boat remains afloat safely, the cargo must be suitable and secure. However, smuggling networks disregard such risks that endanger migrants' lives.

Mona Abdullah, a 24-year-old Somali migrant, told Mwatana that she paid \$150 USD to smuggling gangs to cross from the Somali coast to the Yemeni coast. She sailed aboard the boat with over 200 migrants, including men, women, and children, the majority being Ethiopian, while around 30 migrants were Somali. She described the dire conditions on the boat, stating, “We were urinating on ourselves, and the boat had a strong stench. The man next to you wouldn't stop sexually harassing you, but without causing a commotion. I kept silent and endured, fearing the smugglers would throw me into the sea. I arrived feeling exhausted, barely able to walk.”¹³⁸

Upon arrival on Yemeni shores, financial agreements are made between African migrants and smuggling gangs. In some cases, migrants find themselves detained immediately in exchange for a ransom. African migrants and asylum seekers are received by elements of human trafficking and smuggling gangs, often composed of individuals from African nationalities (Ethiopian and Somali), referred to as “brokers” or “facilitators.” The majority of African migrants are gathered in Rudum district of Shabwah governorate. They are held in large courtyards with cement blocks and

136 A field report by a field researcher from Mwatana for Human Rights in Hadhramaut governorate based on interviews with African migrants and eyewitnesses on May 16, 2022.

137 An interview conducted by Mwatana for Human Rights with a survivor in Mukalla city, Hadhramaut governorate, May 10, 2022.

138 An interview conducted by Mwatana for Human Rights with a survivor in Mukalla city, Hadhramaut governorate, May 12, 2022.

guards in Ayn Ba Mabad. These courtyards are owned by Yemeni human trafficking and smuggling gangs.¹³⁹

The smuggling costs from the coastal entry points to outside the borders of Shabwah governorate range from 300 to 400 Saudi riyals. The money is handed over to the smugglers, either in cash or through money transfer from Ethiopia or Somalia, once the required number of migrants for each smuggling trip is complete. They are often transported in civilian vehicles. At times, the migrant may receive provisions for food and drink.¹⁴⁰

Abdelnour Abdelqader Muhammed (32 years old), a Somali national, told Mwatana,

“Around two months ago, in March 2022, I received a phone call that armed men from the smuggling networks on the Yemeni side had abducted seven Somali migrants in Ataq city. They demanded \$30 USD from each migrant. I traveled from Aden to Bir Ali area and contacted a friend from the Shabwah tribes to mediate with the abductors. After about an hour, my friend called and informed me that the kidnappers agreed to release the abducted migrants in exchange for the money. I headed to Ataq to free the seven migrants. The leader of the kidnappers used a mobile calculator to convert \$210 USD into Yemeni riyals at the current exchange rate. I didn’t have the exact amount in USD, so I paid them the amount in Yemeni riyals and they handed over the seven migrants to me. The migrants told me about their journey and how they had been subjected to beatings and torture during their captivity.”¹⁴¹

In Rudum district, which is one of the areas from where migrants reach Shabwah governorate, smugglers engage in various violations against migrants. These smugglers take advantage of their authority, possession of weapons, cars, and the sheer numbers to abuse migrants.¹⁴² When migrants stay with these smuggling gangs or receive services from them, the gangs demand a sum of money for each migrant as a condition for their release, or they resort to sexual assault against females and forced labor for those who cannot afford the money. A migrant, male or female, may continue working

139 A field report by a field researcher from Mwatana for Human Rights in Shabwah governorate based on interviews with African migrants and eyewitnesses, submitted on May 24, 2022.

140 A field report, Shabwah governorate, May 24, 2022, *ibid.*

141 A field report by a field researcher from Mwatana for Human Rights in Hadhramaut governorate based on interviews with African migrants and eyewitnesses, submitted on May 16, 2022.

142 A field report, Shabwah governorate, May 24, 2022, *ibid.*

for a smuggling gang in Ataq as a laborer or for the enjoyment of the gang members for more than two months before they are set free.¹⁴³ Along the migration route, smugglers engage in sexual harassment and various other forms of gender-based violence against female migrants. This usually happens multiple times during smuggling operations.

A Somali national, Muhammed Abdo (27 years old), said,

“I arrived in Shabwah governorate around a year and three months ago, in February 2021, accompanied by my sister and our friends. The smugglers, numbering two, raped my sister. This happened in Rudum district one day after our arrival on the coast. It occurred because we didn’t agree to the smuggling price they had set for us to transport us in the gang’s cars. The incident took place at night after they lured my sister to a place near where we gathered to distribute food aid. They took turns raping her. We currently reside in Ataq after settling here.”¹⁴⁴

Smuggling networks move through desert roads that are under the control of government forces. They use medium-sized vehicles, which exceed their available load capacity every time. This leads to fatal accidents or results in migrants falling to the ground due to excessive speed, reflecting a blatant disregard for the lives of migrants. These vehicles carry a varying number of migrants, typically ranging from 20 to 30, who are transported across rugged desert routes, particularly from Marib governorate to Al-Jawf governorate.¹⁴⁵

According to the Yemen’s domestic law, internationally recognized government forces are responsible for failing to apprehend and prosecute the perpetrators of attacks against African migrants on the territories under their control, including those carried out by smuggling and human trafficking gangs within the geographical areas in which they operate.

In reality, members of human trafficking and smuggling networks belong to tribes located along the African migrants’ travel routes. They do not allow members of other tribes or gangs to enter their territories and transport African migrants from their areas. Smuggling is a source of income and enrichment without any legal accountability.

143 A field report, Hadhramaut governorate, May 16, 2022, *ibid.*

144 A field report, Shabwah governorate, May 24, 2022, *ibid.*

145 A field report, Marib governorate, November 3, 2021, *ibid.*

February 27, 2023, Live Ammunition, Marib City District, Marib Governorate

Human trafficking and smuggling gangs in the Al-Rawik area of Al-Wadi district, Marib city district in Marib governorate, opened fire with live ammunition on two adult Ethiopian migrants, one of whom was a woman (20 years old), resulting in their deaths.

On Monday, February 27, 2023, at approximately 3:00 p.m., in the Al-Rawik, Al-Wadi area, Marib city district, Marib governorate, human trafficking and smuggling gangs opened fire with live ammunition on two adult Ethiopian migrants, one of them being a woman, resulting in their deaths. The man died immediately, while the woman was wounded and later succumbed to her injuries. This incident occurred as a result of clashes between two smuggling gangs over the rights to transport African migrants. On the same day and at the same location, at 11:00 a.m., another similar incident of live ammunition was reported, where an Ethiopian migrant was killed.

This incident occurred during the operation of a human trafficking and smuggling gang, whose members belong to tribes from Al-Jawf governorate, to transport approximately 30 migrants from Marib city to Al-Jawf governorate. Upon reaching Al-Rawik in the Al-Wadi area, Marib city district, along the desert route, members of another smuggling gang intercepted their path and halted them. They wanted to transport the migrants in their own vehicles. The two gangs clashed, leading to an exchange of gunfire that claimed the life of an adult Ethiopian migrant and injured an Ethiopian woman, who later died from her injuries.

An eyewitness (Yemeni, 35 years old) told Mwatana,

“I passed by after the incident and found a group of Ethiopian migrants walking. I told them that I would give them a ride, but they refused, saying they didn’t want any trouble and didn’t want to die. However, I reassured them, and they got into my car, and I transported them to Al-Yatamah area. I also requested another car to assist me in their transportation.”¹⁴⁶

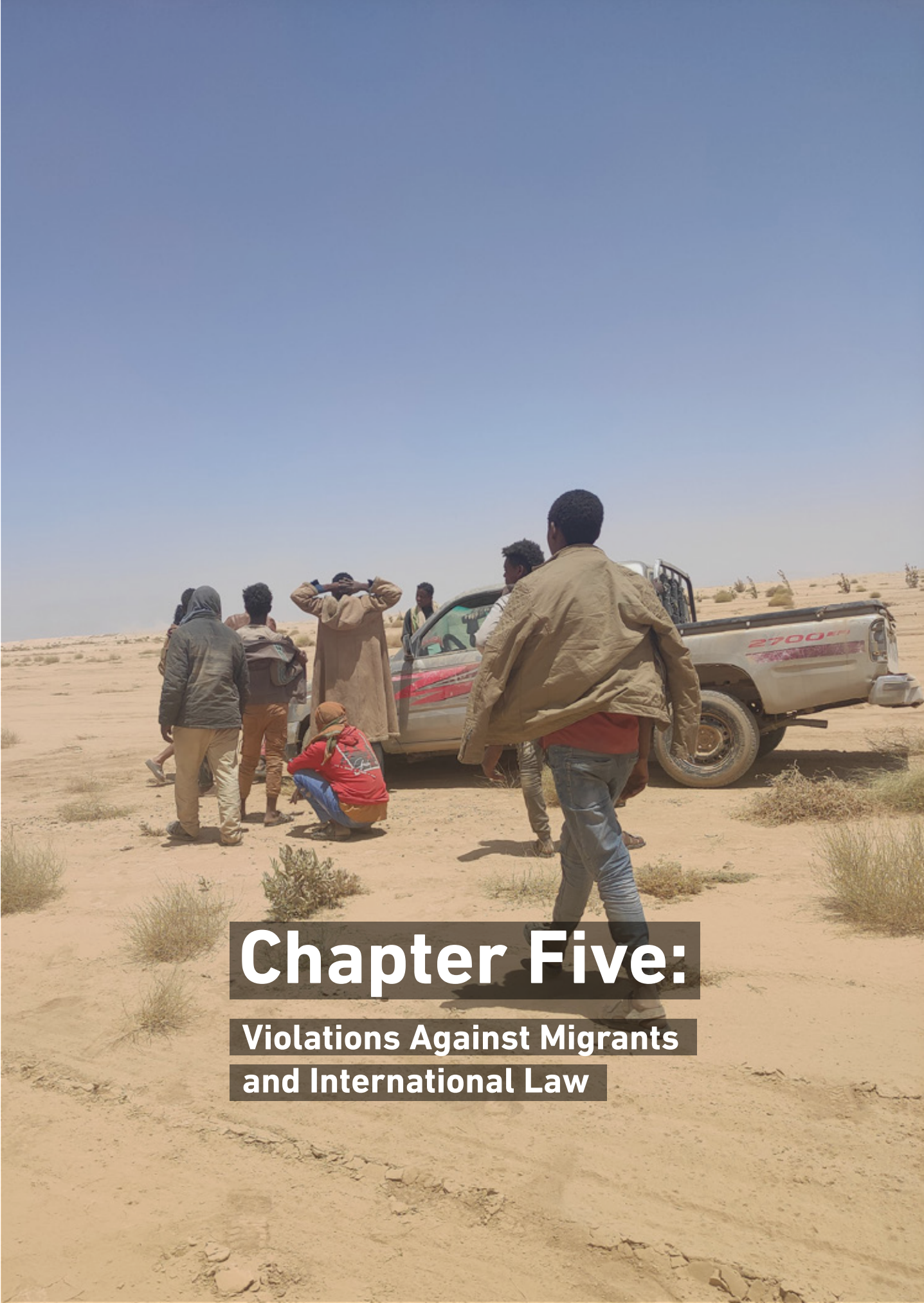
¹⁴⁶ An interview conducted by Mwatana for Human Rights with an eyewitness in Al-Wadi area, Marib governorate, April 2, 2023.



The picture shows a group of Ethiopian migrants, walking on the side of the road, who were deported from the northern governorates, to the northern outskirts of the Al-Qubaita District, Lahj Governorate, and continuing their return journey from that area south towards the coastal area of Ras Al-Ara, Lahj Governorate, on foot, passing through the Tur Al-Baha District, Lahj Governorate, and when they reach the Al-Ara coast, they are smuggled across the sea to their country. Al-Farsha area - Tur Al-Baha District - Lahj Governorate, April 6, 2021



The picture shows migrants walking next to the public highway in the Al-Ara area, Al-Ara and Al-Mudaraba District, Lahj Governorate, covering long distances on foot. Al-Saqiya area - Al-Mudaraba and Al-Ara District - Lahj Governorate June 22, 2021



Chapter Five:

Violations Against Migrants and International Law

If international law, particularly international human rights law, holds a promise of global protection that applies to everyone everywhere, the protection that migrants may seek exposes the weaknesses in this promise. Migrants' experiences in Yemen reveal significant gaps in the coverage that the international legal framework governing human rights should provide. Nowhere is this more evident than in the case of migrants who aspire to enter Yemen and pass through its territory. These migrants primarily come from countries such as Somalia and Ethiopia, which can be described as failed states with virtually non-existent legal authorities. These migrants aim to enter Yemen, a country currently divided among various warring parties. In most cases, they only seek temporary residence in Yemen, hoping to eventually enter Saudi Arabia, a state notorious for its failure to uphold the basic rights of its citizens, let alone the rights of foreign migrants. This is a journey that can be said to transcend the reach of any effective legal authority, and when faced with a recognized legal authority, it is one of the harshest forms of authority.

The legal framework governing migrants' experiences in Yemen is further complicated by the fact that the state of conflict and fragmentation make it difficult in many cases to identify the state actor that is officially responsible. Moreover, while non-state actors cannot be formally held accountable under international human rights treaties – despite the possibility of individual criminal responsibility – non-state actors that perform government-like functions and effectively control a territory are increasingly considered to be bound by international human rights obligations when their conduct affects the human rights of persons subject to their control.¹⁴⁷

Firstly: Classification of the Armed Conflict in Yemen and the Applicable Law

The conflict in Yemen involves a series of interconnected and overlapping non-international armed conflicts governed by international humanitarian law, including customary international humanitarian law, Article 3 common to the four Geneva

¹⁴⁷ Report of the United Nations High Commissioner for Human Rights, "Human rights situation in Yemen," UN Doc A/HRC/30/31, September 7, 2015, p. 7, available at: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_hrc_30_31.pdf.

Conventions, which Yemen ratified in 1970,¹⁴⁸ and Additional Protocol II to the Geneva Conventions, ratified in 1990.¹⁴⁹ In 1987, Yemen ratified the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity,¹⁵⁰ which includes the law applicable in the context of Yemen.

International humanitarian law is binding on both states and non-state armed groups involved in the conflict in Yemen. All parties to the conflict, including the forces of the internationally recognized Yemeni government, the Saudi/UAE-led coalition forces, which include the Saudi border guard units, the Ansar Allah (Houthi) armed group forces, the forces of the UAE-backed Southern Transitional Council, and other non-state actors, are obliged to adhere to the fundamental principles of international humanitarian law.

International human rights law continues to apply, alongside international humanitarian law, during situations of armed conflict. While non-state actors cannot be formally held accountable under international human rights treaties, non-state actors that perform government-like functions and effectively control a territory are increasingly considered to be bound by international human rights obligations when their conduct affects the human rights of persons subject to their control.¹⁵¹ In addition, members of non-state armed groups can incur individual criminal responsibility for crimes under international law.

Secondly: Protection Applied to Migrants in Armed Conflict Situations

Yemen is a party to all the Geneva Conventions of 1949, as well as Additional Protocol II of 1977, which apply to the conflict in Yemen. Under these instruments, migrants are

148 International Committee of the Red Cross, "Treaties, States Parties and comments: Yemen," available at: https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=YE.

149 International Committee of the Red Cross, "Treaties, States Parties and comments: Yemen," available at: https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=YE

150 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, November 11, 1970, available at: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-6&chapter=4&clang=_en.

151 Report of the United Nations High Commissioner for Human Rights, "Human Rights Situation in Yemen," UN Doc A/HRC/30/31, September 7, 2015, p. 7, available at: https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_hrc_30_31.pdf.

afforded protection as civilians based on their civilian status. Civilians are individuals who are not members of the armed forces of any of the parties to the conflict. This broad definition is sufficient to include migrants. As civilians, they enjoy general protection from the dangers arising from military operations and may not be targeted or subjected to indiscriminate attacks.

Furthermore, migrants receive certain forms of protection as civilians when they are under the control of one of the conflict parties. Parties to the conflict are required to treat all civilians without “adverse distinction” or discrimination based on “race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.” This prohibition against discrimination means that migrants should not be treated differently from local civilian populations. The Commentary to Additional Protocol II explains that the protection of the Protocol extends to “all residents of the country engaged in a conflict, irrespective of their nationality,” including migrants.

Thirdly: General Protection

In accordance with the principle of sovereignty, states have broad legal authority to regulate entry into their territory and the movement of people across their borders. However, source countries of migrants in Yemen are not able to regulate mass migration. The conflict and fragmentation in Yemen mean that the regulation of entry is not carried out through a recognized legal authority.

International human rights law provides some basic forms of protection that apply to all individuals, regardless of their citizenship status. The International Covenant on Civil and Political Rights (ICCPR), ratified by Yemen in 1987, defines basic rights for all individuals, such as the rights to life, liberty, and security of person. The ICCPR includes multiple rights, including the right not to be subjected to slavery or servitude, the right not to be tortured or treated or punished in a cruel, inhuman, or degrading way, the right not to be arbitrarily arrested or detained, and the right to marry and found a family. Article 2 ICCPR states that these rights should be guaranteed without discrimination of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status .

Fourthly: Human Trafficking and Smuggling gangs , and Enslavement

First, it is essential to define the crimes of human trafficking and smuggling in the context of the extensive human rights violations faced by migrants. This often involves entry into a world of chaos, violations, exploitation, and an environment involving continuous challenges. However, Yemen has not explicitly committed to international legal frameworks that obligate it to take action against such crimes.

Regarding Yemeni legislation defining acts of slavery, abduction, and extortion, along with their corresponding criminal sanctions, Yemeni law explicitly criminalizes enslavement and human trafficking. Article 248 of the 1994 Republican Decree Law on Crimes and Penalties in Yemen prescribes a maximum imprisonment term of five years for individuals who are found guilty of “purchasing, selling, gifting, or engaging in any form of trade involving a human being,” or those who “import or export a human being into or out of the country with the intent to engage in such activities.” In addition, Article 313 of the same law outlines the penalties for extortion. It stipulates that “anyone who, with the intent of inducing fear of harm to an individual or others concerned, carries out actions to obtain money or valuables shall be subject to a maximum imprisonment term of five years or a fine.”

The Protocol to Prevent, Suppress and Punish Trafficking in Persons defines trafficking in persons as “the recruitment, transportation, transfer, harboring or receipt of persons” through “threat or use of force or other forms of coercion [...] or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”¹⁵² Exploitation includes “exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery [...]”¹⁵³

While Yemen is not a party to the Protocol to Prevent Trafficking in Persons, it is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The CEDAW mandates that “States Parties shall take all appropriate

152 The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, available at: <https://www.ohchr.org/ar/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

153 Article 3, *ibid*.

measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”¹⁵⁴ Moreover, Yemen is a party to the Convention on the Rights of the Child (CRC), which places obligations on States Parties, including Yemen, “to take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”¹⁵⁵

Moreover, the Rome Statute of the International Criminal Court defines crimes against humanity to include the act of “enslavement” when committed “as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.”¹⁵⁶ Enslavement is defined as “the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children.”¹⁵⁷ However, Yemen is not a party to the International Criminal Court, so other applicable international humanitarian law provisions must be considered.

Fifthly: Movement

Customary international humanitarian law prohibits the displacement of migrants as civilians unless the security of the affected civilians or imperative military reasons so demand. Furthermore, under such circumstances, once the reasons for displacement cease to exist, migrants have the right to return voluntarily and safely to their homes or places of habitual residence, though this may be limited in cases of illegal presence.

Common Article 3 of the Geneva Conventions is understood to incorporate the principle of non-refoulement, prohibiting the transfer of individuals to places where there are substantial grounds to believe that they will face threats to their life or to their physical or mental integrity or other forms of serious harm. Treaty law and customary international law further prohibit arbitrary deprivation of liberty, which is particularly relevant to the experience of migrants in detention centers. Persons deprived of their

154 Article 6, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

155 Article 35, Convention on the Rights of the Child, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

156 Article 7(1)(c), Rome Statute of the International Criminal Court, available at: <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>.

157 Article 7(2)(c), Rome Statute of the International Criminal Court.

liberty must be given the opportunity to promptly challenge the legality of their detention.

Sixthly: Torture

Yemen has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Under the Convention, torture is defined as: “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

While torture typically involves the participation of a public official or someone acting in an official capacity, governments are also required to take action against non-state actors. The Committee Against Torture has clarified that state authorities, which are aware of or have reasonable grounds to suspect torture or ill-treatment by non-state actors and fail to take measures against those perpetrators, should be held responsible.

As for national laws defining acts of rape, abduction, and associated crimes and specifying the corresponding criminal sanctions, Yemeni law criminalizes these actions in Articles 269 and 249 of the 1994 Republican Decree Law on Crimes and Penalties. Article 249, for example, states, “Anyone who kidnaps a person shall be sentenced to a maximum of five years’ imprisonment. If the kidnapping involves a female, a minor, a mentally disabled individual, or if the kidnapping was done using force, threats, or deceit, the punishment shall be a maximum of seven years’ imprisonment. If the kidnapping is accompanied or followed by harm, assault, or torture, the punishment shall be a maximum of ten years’ imprisonment, without prejudice to the retribution, compensation, or blood money as applicable, depending on the circumstances, if the harm leads to such outcomes. If the kidnapping is accompanied or followed by murder, rape, or sodomy, the punishment shall be the death penalty.” Additionally, Article 269 states, “Anyone who assaults or rapes any person, male or female, shall be punished with imprisonment for a period not exceeding seven years.”

Seventhly: Violations Against Women

The CEDAW, which Yemen ratified in 1984, imposes specific duties regarding undocumented migrant woman workers. General Recommendation No. 26 on women migrant workers issued by the Committee on the Elimination of Discrimination against Women states that regardless of the migration status of undocumented migrant woman workers, States Parties are obligated to protect their basic human rights. Undocumented migrant woman workers must have access to legal remedies and justice in cases of life-threatening situations, cruel and degrading treatment, or when subjected to forced labor. They must not be deprived of meeting their basic needs, including during health emergencies, pregnancy, or if they suffer physical or sexual abuse by employers or others.¹⁵⁸

Eighthly: Human Trafficking, smuggling gangs and Accountability for Trafficking Gangs at the National Level

The collusion between each de facto authority and human trafficking and smuggling gangs, as well as between the internationally recognized Yemeni government and such gangs, encourages these gangs to commit further violations against African migrants. This collusion is evident in their failure to hold gang members criminally accountable for abusing human rights. The absence or inadequacy of national legislation to combat migrant smuggling in Yemen has contributed to the persistence of migrant smuggling and crimes against migrants in various Yemeni regions, particularly those committed by organized gangs, which are generally difficult to apprehend.

The lack of national law that criminalizes the activities of human trafficking and smuggling gangs may hinder the ability to investigate and prosecute perpetrators of such crimes. Additionally, securing migrant victims as witnesses is extremely challenging, meaning that legal proceedings are often difficult, and the chances of convictions are slim.

¹⁵⁸ Committee on the Elimination of Discrimination against Women, "General Recommendation No. 26 on Women Migrant Workers," UN Doc CEDAW/C/2009/WP.1/R, December 5, 2008, available at: https://www2.ohchr.org/english/bodies/cedaw/docs/gr_26_on_women_migrant_workers_en.pdf.



Conclusion

Based on the information and documented incidents presented in this report, it is clear that, over the past nine years of the armed conflict, the parties to the conflict, including Saudi border guards, have continued to commit serious violations of international humanitarian law and international human rights law against African migrants in Yemen. These violations not only demonstrate a significant disregard for the lives of African migrants by all parties to the conflict but also their intention to harm them and discriminate against them. The most important findings of the report can be summarized as follows:

- 1- The armed conflict in Yemen has exacerbated the suffering of African migrants, making their routes more challenging. The chaotic security situation concurrent with the armed conflict has provided a fertile environment for various violations and attacks against migrants.
- 2- Due to the armed conflict, African migrants have followed complex and alternative routes, which are considerably longer compared to the usual route they used before the conflict.
- 3- African migrants in Yemen seek to cross into Gulf countries in search of employment opportunities and improved living standards.
- 4- African migrants face various patterns of violations, including killings; mutilation through different means such as aerial and ground attacks, live ammunition, explosive devices, and mines of various types; arbitrary detention by parties to the conflict; detention by human trafficking and smuggling gangs; torture; gender-based violence; injuries caused by military vehicles; recruitment and use for military purposes; forced deportation and displacement; financial extortion; exploitation in hard labor; restrictions on freedom of movement; and others.
- 5- Violations against migrants are committed by both parties to the conflict and human trafficking and smuggling gangs. In addition to these violations, migrants face challenges stemming from various circumstances, such as insufficient resources, hunger, limited access to transportation, extended journeys on foot, and the difficulty returning to their home countries when stranded and seeking to return.
- 6- Many organizations face significant difficulties in providing necessary services and assistance to migrants. While the services they offer are essential, they do not meet the basic needs of migrants, and sea rescue operations for African migrants in the Gulf of Aden are nearly non-existent compared to other maritime migration routes.



Recommendations

To all Conflict Parties:

- Immediately cease all unlawful attacks on civilians in general and African migrants and asylum seekers in particular, and comply with the fundamental principles of international humanitarian law.
- Facilitate safe, rapid, and unhindered access for humanitarian supplies and relief workers to all Yemeni governorates, especially areas with a concentration of African migrants and asylum seekers.
- Respect international human rights law, including cultural, economic, and social rights, as well as the obligations under international agreements related to migration and migrants.
- Close illegal detention centers for migrants, especially those run by human trafficking and smuggling gangs. Release African migrants arbitrarily detained, investigate cases of torture and other forms of cruel, inhuman, or degrading treatment in detention centers, and provide a humane and sanitary detention environment for those facing criminal charges.
- Halt the recruitment and use of African migrants in the armed conflict in Yemen, especially children, and refrain from using migrants in forced labor and military activities. Release and return recruited migrants immediately.
- Take all necessary measures to end and prevent sexual violence and other forms of exploitation, such as forced labor, servitude, and all forms of slavery.
- Improve working conditions and impose oversight on employers to reduce the violation of migrants' rights, especially those pertaining to health insurance and fair wages.

To the Ansar Allah (Houthi) Armed Group:

- Cease firing live ammunition and using explosive objects in all forms, and endangering the lives of civilians, including African migrants.
- Allow independent access for independent humanitarian aid to areas where African migrants are in dire need, particularly in the governorates of Saada, AL-

Jawf, Sana'a, Al-Bayda, and Dhamar.

- Stop the arbitrary detention of migrants, particularly children and women. Provide suitable and humane detention conditions for those facing criminal charges, and allow regular access for humanitarian agencies to detainees.
- Close detention centers and gathering points established by human trafficking and smuggling gangs in areas under their control.
- Immediately end arbitrary detention and forced deportation campaigns of migrants to areas outside their control.
- Cease all human trafficking activities, particularly involving children and women, and combat all forms of exploitation, including forced labor, servitude, and sexual exploitation.
- Provide the necessary facilities and support to international organizations, particularly the International Organization for Migration (IOM) in Yemen, to deliver humanitarian aid to migrants in the areas under their control.
- Commit to ending the use of anti-personnel and anti-vehicles mines, and provide maps of mined areas to facilitate demining efforts and protect civilians, including migrants.
- Immediately stop the recruitment and use of African migrants, particularly children, in armed hostilities and hard labor.

To Saudi Border Guards and the Saudi/UAE-led Coalition Forces:

- Conduct reliable, impartial, and transparent investigations into international law violations against African migrants, particularly those committed by Saudi border guards, identify and hold accountable those responsible for shooting incidents at the Saudi/Yemeni border, and immediately revoke all “shoot-to-kill” orders targeting migrants.
- Immediately cease indiscriminate and other unlawful attacks within Yemeni territory, causing harm to civilians and damage to civilian objects, including

hospitals, markets, and the homes of migrants along the border with Yemen. Adhere to the core principles of international humanitarian law, including those of distinction, proportionality, and precautions in attack.

- End practices of torture and abusive, inhumane treatment by Saudi border guards towards migrants during their arrest and detention.
- Provide prompt and adequate remedies to migrant victims and their families in cases of deaths, injuries, and property damage resulting from unlawful attacks. Establish a centralized and easily accessible mechanism for the provision of reparations to victims, including African migrants affected by the excessive use of force.
- Improve detention conditions for African migrants in line with international standards related to detention facilities, and enable regular access to these facilities by human rights agencies and organizations.
- Provide prompt and adequate remedies to migrant victims and their families for deaths, injuries and property damage resulting from violations committed.

To the Internationally Recognized Government:

- Refrain from using excessive force, including live ammunition, when dealing with African migrants crossing areas under your control. Adhere to international human rights laws when dealing with African migrants and their families, especially children and women.
- Immediately stop arbitrary detentions of African migrants and end forced deportation campaigns against them.
- Conduct transparent investigations into violations against African migrants, hold perpetrators accountable, and provide adequate reparations to victims.
- Ensure access for humanitarian aid to African migrants and asylum seekers, and collaborate with international agencies to mobilize sufficient resources to meet their basic needs and provide dedicated shelter facilities.
- Prevent human trafficking and smuggling gangs' activities in areas under their control, bring offenders who commit assaults against African migrants to

court, and close detention and gathering places run by human trafficking and smuggling gangs.

- Coordinate with the Ethiopian and Somali governments and facilitate the International Organization for Migration (IOM) in its tasks related to the voluntary repatriation program for African migrants, especially injured individuals, children, and women.
- Enforce national and international legislation related to combating migrant smuggling and human trafficking and criminalize attacks on migrants, particularly those committed by organized gangs.

To the UAE-Backed Southern Transitional Council (STC):

- Cease live ammunition fire and the use of violence in all its forms when dealing with African migrants.
- End arbitrary detention of African migrants in areas under their control, particularly in the governorates of Lahj and Hadhramaut.
- Prevent practices and assaults committed by their forces against African migrants, including sexual assaults, financial extortion, as well as inhumane and degrading treatment.
- Close detention centers for migrants, especially those operated by human trafficking and smuggling gangs, release arbitrarily detained African migrants, and investigate cases of torture and other forms of cruel and inhumane treatment in detention centers.
- Prevent smuggling activities conducted by human trafficking and smuggling gangs in Ras Al-Ara and other coastal arrival areas. Close the facilities set up by these gangs for the arbitrary detention of African migrants, and initiate transparent investigations into the actions of these smuggling gangs concerning African migrants, with a specific focus on sexual violence, murder, mutilation, financial extortion, and forced labor.
- Provide international and local organizations with the necessary facilities to meet the basic needs of African migrants and asylum seekers, and implement

voluntary repatriation programs and other humanitarian services for migrants.

To United Nations Member States:

- Support efforts to stop hostilities, achieve a lasting and comprehensive peace, and ensure accountability for violations and serious crimes, including those committed against African migrants in Yemen.
- Provide sufficient support and funding for international agencies working to provide essential needs for migrants in Yemen. Implement programs and activities that protect the rights of migrants, considering the increased needs due to the rising numbers of migrants in Yemen.
- Establish an independent international criminally-focused mechanism to investigate human rights violations in Yemen, including those affecting African migrants.
- Support independent civil society organizations in enhancing their capacity to monitor and document violations and abuses in Yemen, including those targeting African migrants.
- Make extensive efforts to secure the necessary resources and means to rescue African migrants from drowning at sea.

To the United Nations Human Rights Council:

- Establish an international mechanism to independently investigate and report on alleged serious violations and related crimes committed in Yemen, with the aim of ensuring full accountability for perpetrators and achieving justice for civilian victims, including African migrants.

To the United Nations Security Council:

- Utilize available Council powers, including imposing sanctions on individuals or entities responsible for attacks on civilians, including African migrants, as necessary, under existing authorities, to ensure the unhindered provision of humanitarian aid and support the political process as the only viable path to

ending the armed conflict in Yemen.

- Emphasize the human rights dimensions of the conflict in Yemen and ensure that there is no impunity for the most serious crimes.
- Urge the United Nations Secretary-General to include in the annual report on Children and Armed Conflict on an equal footing a comprehensive list of perpetrators, including those responsible for violations against African migrant victims.
- Push for the ratification of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant conventions related to migrants and workers' rights by coalition countries, with Saudi Arabia at the forefront.
- Refer the human rights situation in Yemen to the International Criminal Court, ensuring comprehensive criminal accountability and justice for victims, including African migrants.

To Civil Society Organizations:

- Establish an independent civil society investigation and reporting mechanism that joins the forces of independent local and international civil society organizations to uncover violations and abuses in Yemen, including those affecting African migrants.
- Raise awareness among the host community about the conditions of migrants and their need for assistance, as well as proper and humane ways to interact with the migrant community.
- Organize advocacy campaigns against forced deportation operations occasionally conducted in most Yemeni governorates by various conflict parties.
- Assist international migration organizations in registering migrants, identifying their needs, and their main gathering points and transit routes, to facilitate the provision of necessary services to them.



An image showing the extent of the difficulties and suffering endured by migrants in the city of Radaa - Al Bayda Governorate



A picture of migrants' places of residence - forced deportation - Shabwa - Ataq - March 9, 2020

A group of people is walking away from the camera on a sandy path in a coastal dune area. The scene is dimly lit, suggesting dusk or dawn, with a dark, overcast sky. The foreground shows some sparse, dry vegetation. The overall mood is quiet and contemplative.

Annex 1:

Definitions

Country of Origin

In the context of migration, it means a country of nationality or of former habitual residence of a person or group of persons who have migrated abroad, irrespective of whether they migrate regularly or irregularly.¹⁵⁹

Country of Destination

In the migration context, a country that is the destination for a person or a group of persons, irrespective of whether they migrate regularly or irregularly.¹⁶⁰

Country of Transit

In the migration context, the country through which a person or a group of persons pass on any journey to the country of destination or from the country of destination to the country of origin or habitual residence.¹⁶¹

Migration

The act of moving from one's country of nationality or habitual residence to another country, so that the country of destination effectively becomes their new country of habitual residence.¹⁶²

Migrant

A person who moves into a country other than that of their nationality or habitual residence, so that the country of destination effectively becomes their new country of habitual residence.¹⁶³

159 International Organization for Migration, "Key migration terms," available at: <https://www.iom.int/key-migration-terms>.

160 International Organization for Migration, "Key migration terms," available at: <https://www.iom.int/key-migration-terms>.

161 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, available at: <https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.ohchr.org/Documents/Publications/FactSheet24rev.1en.pdf&ved=2ahUKEwjn3tKMnKKAxU-PUqQEHaXKC9QQFnoECDoQAQ&usg=AOvVaw2m6VR0Ko0a4G0jo2GR54rn>.

162 International Organization for Migration, "Key migration terms," available at: <https://www.iom.int/key-migration-terms>.

163 United Nations Department of Economic and Social Affairs, "Recommendations on international migration statistics."

Non-Refoulement Principle

According to the Convention relating to the Status of Refugees, “[n]o Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”¹⁶⁴

Deportation

The act, following a deportation, expulsion, or removal order by which a state physically removes a non-national from its territory to their country of origin or a third country after refusal of admission or termination of permission to remain.¹⁶⁵

Rescue at Sea

A situation in which a vessel provides assistance to a person or ship in distress at sea. The duty to rescue those in distress at sea is firmly established by both treaty and customary international law. The state responsible for the search and rescue region is primarily responsible for coordinating to ensure disembarkation to a place of safety, but it does not have an absolute duty to provide “a place of safety” itself. In allowing disembarkation, some states might place conditions on the disembarkation that must be met by the flag (home) state, a third state, or an international organization, such as resettlement, an interview, or return.¹⁶⁶

Host Community

A community, or individual family households, that temporarily host and share private and public resources with populations of refugees or internally displaced persons (IDP). Shelter is provided within defined temporary shelter sites, public buildings (camps or collective shelters) or in individual homes or residences. It is important when addressing the protection of refugees and IDPs to consider the needs of host communities, many of which are already vulnerable, and may become even more vulnerable as a result of

164 Article 33, Convention relating to the Status of Refugees, available at: <https://www.ohchr.org/ar/instruments-mechanisms/instruments/convention-relating-status-refugees>.

165 International Organization for Migration, “Key migration terms,” available at: <https://www.iom.int/key-migration-terms>.

166 International Labour Organization, “Media-friendly glossary on migration: Middle East edition,” January 20, 2017, available at: https://www.ilo.org/beirut/projects/fairway/WCMS_552778/lang--en--index.htm.

incomingIDPs.¹⁶⁷

Human Trafficking (Trafficking in Persons)

The recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.¹⁶⁸

Smuggling of Migrants

According to the Protocol against the Smuggling of Migrants by Land, Sea and Air, smuggling of migrants means “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the irregular entry of a person into a State Party of which the person is not a national or a permanent resident.”¹⁶⁹

Organized Criminal Group

A structured group of three or more persons that exists over a period of time, the members of which act in concert aiming at the commission of serious crimes in order to obtain a direct or indirect financial or other material benefit.¹⁷⁰

Saudi Border Guard Forces

Saudi border guard forces are responsible for safeguarding Saudi Arabia’s land and sea borders, ports, and seaports, as well as combating smuggling and breaches of the border security system from both inside and outside. They were established as an

167 Media-friendly glossary on migration: Middle East edition, *ibid*.

168 Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

169 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-against-smuggling-migrants-land-sea-and-air>.

170 United Nations Convention against Transnational Organized Crime, available at: https://www.unodc.org/documents/treaties/Legislative_Guide_2017/Legislative_Guide_E.pdf.

alternative to the Border Force Service according to a royal decree issued in 1993. In this report, “Saudi border guard forces” refers to the Saudi forces positioned along the Yemeni-Saudi border with the primary mission of securing and protecting the shared borders between the two countries.¹⁷¹

Saudi/UAE-led Coalition

A military coalition formed by 11 countries under the leadership of Saudi Arabia. It began conducting a military aerial campaign against the Ansar Allah (Houthi) armed group and the forces of the former Yemeni President Saleh at dawn on March 26, 2015, under the name “Operation Decisive Storm.” This action was in response to a request from the former Yemeni President, Abdrabbuh Mansur Hadi, when forces from the Ansar Allah (Houthi) group and Saleh-affiliated forces attempted to take control of the temporary capital, Aden. The coalition has undergone numerous changes since its formation, including the withdrawal of Qatar in 2017 and the continued expansion of the role of the UAE in contrast to the reduced roles of other countries.¹⁷²

Ansar Allah (Houthi) Armed Group

The most prominent non-state party involved in the current conflict in Yemen. It was initially established as a religious and political group in 1992 and made the northern Yemeni governorate of Saada its headquarters. It emerged as an armed group after engaging in six rounds of war with the Yemeni government between 2004 and 2010, known as the Saada Wars. The group took control of the capital, Sana’a, on September 21, 2014, following a series of smaller wars in Saada, Al-Jawf, and Amran, north of Sana’a. This led to the eruption of the armed conflict in Yemen on a wide scale. The group now represents the de facto authority in Yemen’s capital, Sana’a, and several other governorates in northwest Yemen. The group is accused of receiving military, technical, and political support from the Iranian government.¹⁷³

171 The Unified National Platform, General Directorate of Border Guards, available at: <https://www.my.gov.sa/wps/portal/snp/agencies/agencyDetails/AC056>.

172 Mwatana for Human Rights, Violators, “The Saudi-Emirati-led coalition,” available at: <https://www.mwatana.org/violating-parties/the-coalition-led-by-saudi-arabia-and-the-uae>.

173 Mwatana for Human Rights, “Violators, Ansar Allah (Houthi) Group,” available at: <https://www.mwatana.org/violating-parties/ansar-allah-group-houthis>.

Internationally Recognized Government Forces

Military forces, as well as armed formations that identify themselves as “Popular Resistance” in several Yemeni provinces. They include forces loyal to the Islah Party and Brigadier Ali Mohsen Al-Ahmar. They operate under the umbrella of the internationally recognized Yemeni government, which consists of the successive governments formed following the assumption of power by former President Abdrabbuh Mansur Hadi, starting on February 21, 2012, in elections in which Hadi was the sole candidate. On April 7, 2022, internationally recognized Yemeni President Abdrabbuh Mansur Hadi transferred his powers to the Presidential Leadership Council, composed of eight members, presided over by Rashad Al-Alimi. Through his presidency of the Council, Al-Alimi gained authority over the military, the appointment of governors, and other positions. These forces receive military and political support from Saudi Arabia.¹⁷⁴

Southern Transitional Council Forces (STC)

These are several armed formations and Security Belt Forces, which are collectively known as the STC forces. They include security belts, support and reinforcement brigades, and other elite forces (Hadhrami Elite and Shabwani Elite), and the Shabwah Defense Forces. They control the city of Aden and the governorates of Lahj, Abyan, and Socotra, in addition to parts of Hadhramaut. They are controlled by the STC, which is a southern political and military body with a separatist tendency, declared on May 11, 2017, and presided over by the southern leader Aidarous Al-Zubaidi, a member of the Presidential Leadership Council formed in April 2022. These forces receive military, financial, and political support from the UAE.¹⁷⁵

International Organization for Migration (IOM)

An international intergovernmental organization in the field of migration established in 1951. It collaborates with a wide range of partners, including governments, international intergovernmental organizations, and non-governmental organizations, with the aim of promoting humane and orderly migration for the benefit of all. The IOM

174 Mwatana for Human Rights, “Violators, Internationally Recognized Yemeni Government,” available at: <https://www.mwatana.org/violating-parties/the-internationally-recognized-yemeni-government>.

175 Mwatana for Human Rights, Violators, “Southern Transitional Council,” available at: <https://www.mwatana.org/violating-parties/southern-transitional-council>.

has 175 member states and maintains offices in over 100 countries worldwide.¹⁷⁶

United Nations High Commissioner for Refugees (UNHCR)

An international agency established by the UN General Assembly in 1950. Its purpose is to assist millions of people who have lost their homes. UNHCR operates in 135 countries, providing life-saving aid, such as shelter, food, water, and medical care to people forced to flee due to conflicts and persecution.¹⁷⁷

Central Team

A group of researchers of Mwatana for Human Rights who review and verify the data and materials shared by the organization's field research team. This central team operates in the headquarter of Mwatana for Human Rights in Amanat Al-Asimah Sana'a.

Field Research Team

A group of researchers who collect the necessary data for Mwatana for Human Rights to prepare studies, reports, and other materials. They do this by conducting field visits and interviews with victims, their families, witnesses, and survivors of various violations of international humanitarian law and international human rights law in Yemen. The field research team comprises a large number of researchers working in different Yemeni governorates across the country. The team is well-trained and highly qualified to carry out data collection and verification tasks.

176 International Organization for Migration, <https://mena.iom.int/en>

177 United Nations High Commissioner for Refugees (UNHCR), <https://www.unhcr.org/en/about-unhcr>



African migrants of Ethiopian and Somali nationalities had their car break down on the desert road linking the Ma'rib and Al-Jawf governorates. The desert road between Ma'rib and Al-Jawf, April 2, 2021

A group of African migrants, including men and children, are gathered in a makeshift shelter. The shelter has walls made of corrugated metal and fabric. Some men are standing, while others are sitting on the floor. One man in the center is wearing a white t-shirt with the word "LIFE" printed on it. Another man in the background is wearing a red t-shirt with the "adidas ORIGINALS" logo. The overall atmosphere is somber and the living conditions appear basic and crowded.

Annex 2:

**Summary of Violations Against
African Migrants by Conflict
Parties and Human Trafficking and
Smuggling Gangs in Yemen**

First: Violations Against African migrants by Saudi/ UAE-led Coalition Forces and Saudi border guards in Yemen

- **January 8, 2017, Airstrike, Dhubab District, Taiz Governorate**

Coalition forces bombed a food store in Al-Jadeed village, resulting in the death of five civilians, including an Eritrean migrant, and the injury of another Eritrean migrant.

- **March 16, 2017 - Aerial bombardment - Bab Al-Mandab - Hodeidah**

The coalition forces led by Saudi Arabia and the UAE launched an air strike on a boat near the Bab al-Mandab Strait carrying migrants from the Ras al-Ara area in Lahj Governorate, killing 41 migrants, including women and children, wounding 37, including 4 children, and missing 10 others.

- **July 18, 2017 - Aerial bombardment - Mawza District - Taiz Governorate**

The coalition forces launched an air strike on the village of Al-Ghala in the Al-Hamli area, killing 4 civilians, including two immigrants of Ethiopian nationality, and seriously wounding three other Yemeni civilians.

- **November 20, 2019, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces launched a ground attack on the tents of African migrants in Al-Khels, Al-Raqu Market, causing injuries to 11 civilians, including two Yemenis and nine Ethiopian migrants, among them an adult woman.

- **November 27, 2019, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces carried out a ground attack on Al-Raqu Market, resulting in the death of 10 individuals. Mwatana obtained the names of three of the killed adults, including one Yemeni and 2 Ethiopians. The incident also resulted in injuries to 22 Ethiopian migrants, including three children.

- **December 24, 2019, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces launched a ground attack with mortar shells on the Al-Raqu Market area, leading to the death of 17 people. Mwatana obtained the names of seven of them, including a Somali female doctor, an adult Ethiopian male migrant, and a Yemeni boy. The incident also resulted in injuries to 12 individuals, including nine Ethiopian migrants, including a woman and a child.

- **April 5, 2020, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces launched a ground attack with mortar shells on Wadi Ghayl in Al-Raqu , injuring a 17-year-old Ethiopian male migrant and an adult Ethiopian male migrant.

- **June 22, 2020 - Ground bombardment - Munabbih District - Saada Governorate**

Saudi border guard forces fired mortar shells and live bullets into the Al-Raqwa area, seriously wounding 5 Ethiopian immigrants.

- **September 13, 2020, Airstrike, Mahliya District, Marib Governorate**

The coalition's forces targeted a gas station in Wadi Al-Naseeb, resulting in the death of five individuals, including a boy and three Ethiopian migrants, and the injury of an adult Yemeni man.

- **September 21, 2020 - Live bullets - Munabbih District - Saada Governorate**

Saudi border guard forces in the Al-Raqwa area fired live bullets at an Ethiopian immigrant child (16 years old - male), resulting in serious injuries.

- **September 24, 2020 - Live bullets - Munabbih District - Saada Governorate**

Saudi border guard forces fired live bullets at an Ethiopian immigrant child (16 years

old - male), causing him to be seriously injured.

- **September 26, 2020 - Ground bombardment - Munabbih District - Saada Governorate**

Saudi border guard forces fired a projectile into Wadi Al-Raqw, seriously wounding an Ethiopian immigrant child (17 years old - male).

- **February 7, 2021, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Shararah area opened live fire on three African migrants, two of them Ethiopian, and the third Somali, including two 17-year-old boys, causing them severe injuries.

- **February 16, 2021, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Raqu area opened live fire on two Ethiopian migrants, one of whom is a 15-year-old male, causing several injuries.

- **December 20, 2021, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Rahah area opened live fire on two Ethiopian migrants, one of whom is a 17-year-old male, severely injuring them.

- **December 30, 2021, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Khels area opened live fire on two Ethiopian migrants, one of whom is a 17-year-old male, severely injuring them.

- **January 6, 2022, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Raqu area opened live fire on a 17-year-old Ethiopian male migrant, severely injuring him.

- **January 6, 2022 - Live bullets - Munabbih District - Saada Governorate**

The Saudi border guards in the Shuwayrah area fired live bullets at an Ethiopian immigrant child (9 years old/male), which resulted in a fracture in his right leg.

- **March 7, 2022, Live Ammunition, Razeh District, Saada Governorate**

Saudi border guard forces in the Al-Da'er area opened live fire on a 16-year-old Somali male migrant, severely injuring him.

- **April 5, 2022, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Walad Ayash area opened live fire on a 15-year-old Ethiopian female migrant and a Yemeni woman, severely injuring them.

- **April 12, 2022, Ground Attack, Razeh District, Saada Governorate**

Saudi border guard forces in the Al-Da'er area launched a projectile on Al-Da'er village, resulting in injuries to an adult Yemeni male and a 12-year-old Ethiopian male migrant, who sustained various injuries.

- **May 11, 2022 - Detention, torture and killing in a place of detention - Munabbih District - Saada Governorate**

Saudi border guard forces detained a group of Ethiopians and Yemenis, placed them in a room used as a detention center, tortured them by beating them, and subjected them to electric shock, which led to their death, and they were thrown on the border road.

- **May 12, 2022 - Ground bombardment - Munabbih District - Saada Governorate**

The Saudi border guards in Jabal Muftah fired a projectile at the Shuwaira area, wounding three civilians, including a 17-year-old immigrant child of Ethiopian nationality, with various injuries.

- **May 12, 2022, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Raqu area fired a projectile at Al-Raqu Market, injuring a 16-year-old Ethiopian male migrant.

- **September 15, 2022, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Qahr area fired live bullets directly at two Ethiopian migrants, causing them severe injuries.

- **September 17, 2022 - Live Bullets - Razih District - Saada Governorate**

Saudi border guard forces in the Al-Dayer area in the village of Basbas fired live bullets, seriously wounding an Ethiopian immigrant child (16 years old - male).

- **September 23, 2022, Ground Attack, Razeh District, Saada Governorate**

Saudi border guard forces in the Besbas area fired artillery shells at African migrants, resulting in severe injuries to two Ethiopian migrants, including a 16-year-old boy.

- **September 23, 2022, live bullets - Munabbih District - Saada Governorate**

Saudi border guards at Control Site 2 fired live bullets into the Ould Ayyash area, seriously wounding an Ethiopian immigrant child (16 years old - female).

- **September 27, 2022, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces stationed at Muftah mountain fired a projectile into the Muftah area, injuring a 16-year-old Ethiopian boy.

- **November 14, 2022, Ground Attack, Qatabir District, Saada Governorate**

Saudi border guard forces launched a projectile at Ethiopian migrants in the Old Al-ThabitMarket, resulting in the death of two migrants, one of whom was a 17-year-old, and the injury of two others, including a 15-year-old boy, who sustained severe injuries.

- **November 15, 2022, Live Ammunition, Qatabir District, Saada Governorate**

Saudi border guard forces in Al-Ghamrah village opened live fire on Ethiopian migrants, resulting in the death of one and the injury of two others, one of them being a 17-year-old who sustained severe injuries.

- **November 7, 2022, Ground Attack, Qatabir District, Saada Governorate**

Saudi border guard forces launched a projectile at the Old Al-ThabitMarket, causing injuries to Somali refugees and a 17-year-old Ethiopian migrant, who sustained severe injuries.

- **December 12, 2022, Live Ammunition, Razah District, Saada Governorate**

Saudi border guard forces in the Al-Dakhil area opened live fire on Ethiopian migrants, severely injuring a 17-year-old Ethiopian male migrant.

- **December 18, 2022, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces in the Ras Al-Tabah Al-Hamra area fired a projectile at African migrants, injuring two Ethiopian migrants, one of whom was a 17-year-old who sustained severe injuries.

- **December 21, 2022, Live Ammunition, Monabeh District, Saada Governorate**

Saudi border guard forces in the Al-Khels site opened live fire on a 17-year-old Ethiopian male migrant, severely injuring him.

- **January 17, 2023, Ground Attack, Monabeh District, Saada Governorate**

Saudi border guard forces in the Wadi Al-Ghayl area fired a mortar shell, causing severe injuries to a 17-year-old Ethiopian male migrant.

- **- April 18, 2023 - Live Bullets - Munabbih District - Saada Governorate**

Saudi border guard forces in the Yemeni Al-Khalis region fired live bullets at an Ethiopian immigrant child (17 years old - male) and a Somali nationality (16 years old - male), which led to them being seriously injured.

- **- August 14, 2023 - Live Bullets - Munabbih District - Saada Governorate**

Saudi border guard forces fired live bullets in the Afra area, killing an Ethiopian immigrant child (16 years old - male) and wounding a Yemeni child (16 years old - male).

- **- August 23, 2023 - Ground bombardment - Razih District - Saada Governorate**

Saudi border guard forces fired a projectile at the village of Al-Daer, killing an Ethiopian immigrant child (17 years old - male) and seriously wounding a girl (17 years old - female).

- **September 12, 2023 - Live Bullets - Razih District - Saada Governorate**

Saudi border guard forces in a village in control site number one fired live bullets, seriously wounding an Ethiopian child (17 years old - male).

Second: Violations Against African Migrants by the Ansar Allah (Houthi) Armed Group and Human Trafficking and Smuggling Gangs in Houthi-Controlled Areas in Yemen.

- **July 29, 2019, Ground Attack, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group launched a ground attack with mortar shells on Al-ThabitMarket, resulting in the death of 14 civilians, including three children aged between 12-15, and the injury of 25 civilians, including 14 children aged between 13-17, and an adult Ethiopian male migrant.

- **November 3, 2019, Arbitrary Detention, Qatabir District, Saada Governorate**

A human trafficking and smuggling gang in the Hanbah area arbitrarily detained an adult Ethiopian male for 22 days.

- **February 9, 2020, Denial of Humanitarian Access, Sahar District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Al-Mahathir area prevented an international organization from providing medical services in seven districts of Saada governorate, claiming that migrants did not need fixed and mobile medical clinics. According to information obtained by Mwatana, these clinics used to provide healthcare to approximately 1,600 migrants daily.

- **October 13, 2020 - Ground bombardment - Madghal District - Ma'rib Governorate**

The Ansar Allah group (the Houthis) fired a missile at a popular market in the Al-Samra region, killing a civilian and wounding 7 others, including three African immigrants, with serious injuries.

- **February 9, 2021, Arbitrary Detention, Monabeh District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Al-Raqu area arrested a 17-year-old Somali boy and detained him in Al-Hadiqah Prison in Saada.

- **March 7, 2021, Burning of Migrants, As-Sabeen District, Amanat Al-Asimah Governorate (Sana'a)**

The Ansar Allah (Houthi) armed group in the area of Khawlan Street fired projectiles into a crowded migrant detention facility situated inside the Immigration and Passports Authority building in which approximately 350 migrant detainees were present. This caused a fire in the facility, resulting in the death of over 16 migrants and injuries to around 170 others, according to information obtained by Mwatana from a medical source.

- **April 2, 2021, Arbitrary Detention, As-Sabeen District, Amanat Al-Asimah Governorate (Sana'a)**

The Ansar Allah (Houthi) armed group in the Haddah area arrested around 120 migrants, including five women with children, during a protest and confiscated their money and belongings. They were then transferred to contact areas between elements of the Ansar Allah (Houthi) group and government forces and were left to continue their journey on foot to Aden.

- **April 10, 2021 - Arbitrary detention - Al-Jawf Governorate**

The Ansar Allah group, the Houthis, detained an Ethiopian immigrant for two days.

- **May 18, 2021, Arbitrary Detention, As-Safra District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Al-Mashariqah area arrested five African migrants, including four Ethiopians and one Somali, and detained them in a school used by the group as a detention facility for migrants.

- **August 2, 2021 - Arbitrary detention, torture and forced deportation - Munabbih District - Saada Governorate**

The Ansar Allah group, the Houthis, detained an Ethiopian immigrant child (16 years old - male) along with 300 others. They were placed in one of the detention centers in the governorate and then forcibly deported to the last areas controlled by the group.

- **October 3, 2021 - Arbitrary detention and torture - Munabbih District - Saada Governorate**

The Ansar Allah Houthi group detained an Ethiopian immigrant along with other immigrants, including 10-15 children. They were placed in a detention center and tortured in various ways for 5 days.

- **October 6, 2021 - Arbitrary detention - Minya District - Saada Governorate**

The Ansar Allah group "Houthis" detained three Ethiopian immigrants, including a

child (17 years old - male 9), and placed them in a detention center in the governorate for two days.

- **December 23, 2021 - Mines - Al Hazm District - Al-Jawf Governorate**

A landmine exploded in the Al-Labanat area, planted by the Ansar Allah group, the Houthis, on a woman of Somali nationality, causing her to be injured by shrapnel in the chest.

- **January 1, 2022, Hit-And-Run incident, Razez District, Saada Governorate**

A human trafficking and smuggling gang in the Bisbas area hit an adult Ethiopian male with a vehicle, resulting in minor injuries.

- **January 1, 2022 - Run over by a vehicle - Razih District - Saada Governorate**

A human smuggling and trafficking gang in the Besbas area ran over an adult Ethiopian man, leaving him with minor injuries.

- **January 5, 2022 - Arbitrary detention - Al Bayda District - Al Bayda Governorate**

The Ansar Allah group, the Houthis, detained a Somali immigrant (27 years old, male) and placed her in Radaa prison for 5 months.

- **January 15, 2022 - Arbitrary detention - Al-Sawadiyah District - Al-Bayda Governorate**

The Ansar Allah group, the Houthis, detained a Somali immigrant (23 years old, female) and placed her in criminal investigation for 4 months.

- **February 4, 2022, Arbitrary Detention and Torture, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Ghumrah As-Sufla village arrested two

Ethiopian migrants, one of them a 17-year-old, for ten days and subjected them to various forms of torture during their detention.

- **March 9, 2022, Live Ammunition, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Al-Thabitborder area opened live fire on Ethiopian migrants, one of them being a 16-year-old male, causing severe injuries.

- **March 21, 2022, Live Ammunition, Monabeh District, Saada Governorate**

A human trafficking and smuggling gang in the Walad Ayash area fired live ammunition at an adult Ethiopian male migrant, causing severe injuries.

- **April 1, 2022, Arbitrary Detention, Rازه District, Saada Governorate**

A human trafficking and smuggling gang in the Al-Nadheer Market, Nadheer area, arbitrarily detained an adult Ethiopian man and woman for two days, and after their release, they were detained again for three days under the scorching sun.

- **April 1, 2022 - Arbitrary detention - Al-Sabeen District - Amanat Al-Asimah, Sana'a**

The Ansar Allah group, the Houthis, on Haddah Street, detained 15 immigrants of Ethiopian nationality for 4 hours, then released them in exchange for sums of money.

- **May 9, 2022, Use of School, Adh-Dhaher District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Bani Saad area used a school as a detention facility for African migrants who worked as porters in the area.

- **May 15, 2022, Enforced Disappearance, Qatabir District, Saada Governorate**

A human trafficking and smuggling gang in Al-Thabitsub-district forcibly disappeared two male migrants, one Somali and the other Ethiopian, for 10 days, resulting in severe malnutrition.

- **July 1, 2022, Live Ammunition, Adh-Dhafer District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Ghaferah area opened live fire at an Ethiopian 17-year-old boy, severely injuring him.

- **September 1, 2022 - Recruitment - Saada District - Saada Governorate**

The Ansar Allah group "Houthis" in the transportation area recruited an Ethiopian immigrant child (17 years old - female).

- **September 20, 2022 - Explosive objects - Shadaa District - Saada Governorate**

Remnants of weapons exploded in the Al-Jabbana area left behind by the Ansar Allah group, the Houthis, seriously wounding an Ethiopian immigrant child (15 years old - male).

- **November 14, 2022 - Arbitrary Detention, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Al-ThabitMarket arbitrarily detained two Ethiopian migrants, including a 17-year-old boy child, for a month and a half and prevented them from working after their release.\

- **December 10, 2022 - Arbitrary Detention, Monabeh District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Um Samail Market in the Al-Raqu area arbitrarily detained a 17-year-old Ethiopian boy for four days, looting his money and belongings.

- **January 4, 2023, Hit-And-Run, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in the Hanbah area hit two Ethiopian migrants with a military vehicle, causing them severe injuries.

- **January 15, 2023, Enforced Disappearance, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Al Qatabir Market arbitrarily detained Ethiopian migrants, including a 16-year-old boy, and forcibly disappeared them for a month.

- **February 13, 2023, Arbitrary Detention, Qatabir District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Al-ThabitMarket arbitrarily detained a 17-year-old Ethiopian boy for five days, looting the money he had.

- **March 7, 2023, Recruitment and Sexual Harassment, Kitaf wa Al Boqe'e District, Saada Governorate**

The Ansar Allah (Houthi) armed group in Al-Aqeeq sub-district recruited a 16-year-old Ethiopian migrant girl and sexually harassed her during the recruitment period.

- **June 7, 2023 - Ground bombardment - Munabbih District - Saada Governorate**

The Ansar Allah group "Houthis" fired a projectile at the village of Al-Mahma, killing an Ethiopian immigrant child (17 years old - male).

- **August 9, 2023 - Ground bombardment - Munabbih District - Saada Governorate**

The Ansar Allah group "Houthis" fired a mortar shell at the village of Al-Khalis Al-Ala, seriously wounding an Ethiopian immigrant child (17 years old - male).

- **September 1, 2023 - Arbitrary detention - Harf Sufyan District - Amran Governorate**

The Ansar Allah group, the Houthis, in Al-Jumhuri neighborhood, detained 17 Ethiopian immigrants, including 15 children, and placed them in the prison of the rescue

forces for two days, and they were released in exchange for sums of money.

- **September 22, 2023 - Live bullets - Shadaa District - Saada Governorate**

The Ansar Allah group, the Houthis, fired direct live bullets at migrants in the Al-Mashaf area, resulting in the serious injury of an Ethiopian child (17 years old, female).

- **October 9, 2023 - Arbitrary detention, sexual violence - Saada District - Saada Governorate**

The Ansar Allah group, the Houthis, in Al-Salam neighborhood, detained an Ethiopian child (16 years old, female) in an unknown place for 19 days, and during the period of detention she was subjected to sexual harassment and violence.

Third: Violations Against African Migrants by STC Forces and Human Trafficking and Smuggling Gangs in STC-Controlled Areas in Yemen

- **July 24, 2018, Live Ammunition, Habban District, Shabwah Governorate**

The Shabwani Elite Forces in Al-Naqbah opened live fire at Ethiopian migrants, severely injuring them.

- **December 11, 2018, Sexual Violence, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coast of Ras Al-Arah detained a 20-year-old Ethiopian woman and sexually exploited her during her six-month captivity, subjecting her to physical and psychological torture and extorting money from her family.

- **March 2, 2019, Arbitrary Detention and Torture, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coast of Ras Al-Ara detained a 16-year-old Ethiopian boy, subjected him to continuous physical torture and starvation for five months, and extorted money from his family.

- **May 18, 2019, Live Ammunition, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A trafficking gang on the coast of Ras Al-Ara fired live ammunition directly at an adult Ethiopian male, causing him serious injuries.

- **July 29, 2019, Live Ammunition, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coast of Ras Al-Arah fired live ammunition at 11 Ethiopian migrants, including two boys and a woman, severely injuring them.

- **August 15, 2019, Live Ammunition, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coast of Ras Al-Arah fired live ammunition at an adult Ethiopian male and attempted to run him over with a civilian vehicle.

- **August 23, 2019, Live Ammunition, Ataq District, Shabwah Governorate**

The Shabwani Elite Forces fired live ammunition at an adult Ethiopian male, with a bullet penetrating the front of his skull and killing him two days after his injury.

- **August 28, 2019, Live Ammunition, Khanfer District, Abyan Governorate**

The Security Belt Forces fired live ammunition directly at a 14-year-old Ethiopian boy, causing him deep wounds.

- **August 31, 2019, Arbitrary Detention and Torture, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coast of Ras Al-Ara in Al-Madharebah wa Al-Arah district, Lahj governorate, detained a 16-year-old Ethiopian boy, physically and psychologically tortured him, and extorted money from his family.

- **September 27, 2019, Live Ammunition, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang in the Al-Hajaima area fired live ammunition at a 16-year-old boy and an adult Ethiopian male, causing them severe injuries.

- **September 30, 2019, Live Ammunition, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang in the Al-Heijah area tortured, extorted, and fired live ammunition at an adult Ethiopian migrant, causing him serious injuries.

- **October 16, 2019 - Detention and torture - Tur Al-Baha District - Lahj Governorate**

A human smuggling and trafficking gang in the Ras Al-Ara area detained 6 Ethiopian immigrants, including a child (17 years old - male), in special detention centers for immigrants in the region for the purpose of obtaining ransom. Then they tortured the child by hitting various parts of his body and then throwing him near someone. Area mosques.

- **November 20, 2019, Sexual Violence, Dar Saad District, Aden Governorate**

STC forces in the Al-Basateen area physically assaulted a 45-year-old Somali migrant woman, sexually assaulted her, threatened her, and prevented her from filing a complaint with the authorities.

- **October 9, 2020, Arbitrary Detention and Torture, Al-Madharebah wa Al-Ara District, Lahj Governorate**

A human trafficking gang on the coastal of Ras al-Ara abducted a boat carrying 170 Ethiopian migrants, including minors. They were divided into several groups, with one child and six adults taken to a detention center. The child, along with 46 migrants, including 12 girls and three boys, were subjected to extortion, starvation, beating, and torture, leaving the child with severe injuries that immobilized him. He was released

after five months, abandoned on a public road.

- **April 9, 2021, Abduction and Enforced Disappearance, Al-Madharebah wa Al-Ara District, Lahj Governorate**

Human trafficking and smuggling gangs in Ras Al-Ara abducted a 17-year-old Ethiopian boy, forcibly disappeared him for one month and five days. During his detention, he was subjected to physical torture and starvation, and his family was extorted.

- **April 3, 2021, Sexual Violence, Dar Saad District, Aden Governorate**

STC forces in the Al-Basateen Block 1 area sexually assaulted two Somali girls aged five and six. They detained their father for two days when he attempted to report the incident and prevented him from filing a complaint.

- **June 10, 2021, Drowning, Al-Madharebah wa Al-Ara District, Lahj Governorate**

Human trafficking and smuggling gangs off the coast of Ras Al-Ara transported 208 Ethiopian migrants, including 42 women and 23 children, on a rundown boat. Due to overloading, the boat capsized, resulting in the drowning of many, with only four male migrants surviving.

- **December 9, 2021, Sexual violence Dar Saad District, Aden Governorate**

STC forces in Al-Basateen detained sa 41-year-old Somali female migrant for 11 days and subjected her to various forms of torture during her detention.

- **February 11, 2022, Sexual Violence, Maifaa District, Shabwah Governorate**

Human trafficking and smuggling gangs in the Jabal Rayd area sexually assaulted a 23-year-old Ethiopian migrant woman.

- **July 9, 2022, Live Ammunition, Rudum District, Shabwah Governorate**

Shabwah Defense Forces in the Belhaf area fired live ammunition at an Ethiopian migrant, causing him severe injuries.

- **January 17, 2023, Sexual Violence, Rudum District, Shabwah Governorate**

Human trafficking and smuggling gangs in the Al-Malbouja area sexually assaulted a 26-year-old Ethiopian migrant woman.

- **February 5, 2023, Abduction and Torture, Al-Madharebah wa Al-Ara District, Lahj Governorate**

Human trafficking and smuggling gangs in Ras Al-Ara abducted a 17-year-old Ethiopian girl, detained her for a week, and subjecting her to various forms of torture. They also extorted money from her family in exchange for her release.

- **April 13, 2023, Live Ammunition, Radfan District, Lahj Governorate**

STC forces in the Al-Habilain area fired live ammunition directly at a 26-year-old Ethiopian woman, causing her deep wounds.

- **May 17, 2023, Live Ammunition, Radfan District, Lahj Governorate**

STC forces in the Al-Habilain area fired live ammunition directly at two adult Ethiopian men, killing one and injuring the other.

- **September 13, 2023 - Live Bullets - Radum District - Shabwa Governorate**

The Shabwa Defense Forces of the Southern Transitional Council in the Balhaf area fired live bullets at an Ethiopian immigrant, seriously wounding him.

- **January 2023, kidnapping, sexual violence and extortion - Al-Mudarabah and Al-Ara District - Lahj Governorate**

Smuggling gangs in the Ras Al-Ara area of Lahj Governorate, at the beginning

of 2023, kidnapped an Ethiopian immigrant (20 years old - female) in one of their hangars, sexually exploited her, took turns raping her for five months, tortured her, and blackmailed her family for the purpose of obtaining money.

Fourth: Violations Against African Migrants by Internationally Recognized Government Forces and Human Trafficking and Smuggling Gangs in Government-Controlled Areas in Yemen

- **June 11, 2018 - Arbitrary detention - Sayun District - Hadhramout Governorate**

Government forces detained 3 immigrants of Somali nationality and placed them in public prison for 10 months.

- **March 9, 2020, Forced Deportation, Ataq District, Shabwah Governorate**

Government forces in Al-Jalfaor neighborhood forcibly deported Ethiopian migrants from the area. According to an eyewitness, an estimated 1,500 migrants were deported during the COVID-19 pandemic.

- **January 14, 2021 - Run over by a vehicle - Ataq District - Shabwa Governorate**

On Monument Street, government forces ran over an Ethiopian immigrant with a military vehicle, causing him to be seriously injured.

- **March 31, 2022, Live Ammunition, Ataq District, Shabwah Governorate**

Government forces on Sixty Street in Ataq city fired live ammunition at two Ethiopian migrants, resulting in severe injuries.

- **June 2, 2022, Detention and Robbery, Rudun District, Shabwah Governorate**

Government forces in the Arqah area detained an Ethiopian migrant man for three hours, subjected him to torture, and robbed him of his possessions and money.

- **August 3, 2022, Explosive Devices, Saada District, Saada Governorate**

An explosive device, left by government forces, exploded in the Al-Malaheedh area, injuring a 16-year-old Ethiopian migrant man.

- **December 10, 2022, Live Bullets - Ma'rib City Directorate - Ma'rib Governorate**

Government forces at the Ben Maili station in the Al-Wadi area fired live bullets, killing two Yemenis and seriously wounding three others, including an Ethiopian immigrant.

- **February 27, 2023, Live Ammunition, Marib City District, Marib Governorate**

Human trafficking and smuggling gangs in the Al-Rawik, Al-Wadi area, fired live ammunition directly at an Ethiopian migrant man, resulting in his death.

- **February 27, 2023, Live Ammunition, Marib City District, Marib Governorate**

Human trafficking and smuggling gangs in the Al-Rawik, Al-Wadi area, fired live ammunition directly at two adult Ethiopian migrants, including a 20-year-old woman, resulting in their death.



An image showing the extent of the difficulties and suffering endured by migrants in the city of Radaa - Al Bayda Governorate

Acknowledgments

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Mwatana calls on all parties to the conflict in Yemen, the UN and US special envoys for Yemen, the European Union, UN bodies and agencies, all actors in the international community, local and international civil society organizations, the media, and male and female researchers to consider and incorporate the contents of this report and its recommendations in their approaches to the issue of migrants in Yemen, and in all noble efforts and endeavors to improve their conditions and reduce their cruel and prolonged suffering.



Cover photo: A picture of African migrants crossing in one of the western coastal areas after arriving by sea.

Transit in Hell

The horrific violations targeting African migrants during their journey across Yemeni territory

The report "Transit in Hell," prepared by Mwatana for Human Rights, documents the horrific violations targeting African migrants during their crossing of Yemeni territory, whether in their quest to reach the Gulf states, notably Saudi Arabia and Oman, or in their pursuit of permanent or temporary residence in Yemen by obtaining asylum cards issued by the United Nations High Commissioner for Refugees.

The report highlights from several angles how the armed conflict in Yemen has exacerbated the suffering of African migrants since its outbreak in 2014, including the change, branching and extension of transit routes, the inhumane approach to African migrants by the various parties to the conflict, and the increased activity of human trafficking and smuggling gangs, and strengthening policies of impunity.

The report deals with violations against African migrants by the main parties to the Yemeni conflict, which are the internationally recognized government, the Ansar Allah (Houthi) armed group, the Southern Transitional Council and its affiliated formations, the Saudi/UAE-led coalition including Saudi border guards, as well as violations by human trafficking and smuggling gangs in areas under the control of these conflict parties.

The report calls on the parties to the conflict in Yemen to immediately end the various violations against African migrants, conduct reliable and transparent investigations into violations of international laws committed against African migrants, and provide prompt and adequate remedies to the victims and their families. Moreover, the report calls on UN Member States to support efforts to cease the hostilities in Yemen and to establish an independent international criminally-focused investigative mechanism for Yemen by the UN Human Rights Council and/or UN General Assembly to ensure accountability for perpetrators and redress for victims, while also calling on the UN Security Council to refer the situation in Yemen to the International Criminal Court to ensure comprehensive accountability.