YEMEN

- **YEM-COLL-02**: 116 parliamentarians
- **YEM-02**: a parliamentarian (CONFIDENTIAL)
- **YEM-08**: Abdulkareem Jadban
Yemen

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 167th session
(virtual session, 30 January to 11 February 2022)

Yemeni members of parliament vote in Sana’a on 24 June 2000 to approve the
12 June border agreement signed with Saudi Arabia © Khaled Fazaa/AFP

YEM09 - Abd al-Hameed Saif al-Batra'
YEM-10 - Insaf Ali Mohamed Mayou
YEM-11 - Ja'abal Mohamed Salem Mohsin Ta’iman
YEM-12 - Abd al-Rahman Ibrahim Abdah Nashtan
YEM-13 - Abd al-Khalek Abd al-Hafed Ben Shihoun
YEM-14 - Abd al-Khalek Abd al-Mohammad al-Barkani
YEM-15 - Mohamed Qasem Mohamed al-Naqib
YEM-16 - Mohamed Maqbal Ali Hasan al-Hamiri
YEM-17 - Mafdal Ismail al-Abara
YEM-18 - Haza' Saad Mathar Yahya al-Masouri
YEM-19 - Amine Mohamed al-Salouli
YEM-20 - Abd al-Rahman Hasan Ali al-A'shbi
YEM-21 - Abd al-Aziz Ahmad Ali Mohamed Ja'bari
YEM-22 - Abd al-Wahab Mahmod Ali Ma’wadah
YEM-23 - Ali Hasin Naser Ahmad al-A’nsi
YEM-24 - Ali Mohamed Ahmad al-M‘ar'i
YEM-25 - Ali Masaad al-Lahbi
YEM-26 - Mohamed Rashad Mohamed Ali al-Alimi
YEM-27 - Mohamed Saif Abd al-Latif Hosam al-Shamiri
YEM-29 - Sakhr Ahmad Abas Ahmad al-Wajih
YEM-30 - Mohamed Naser Malhi al-Hazami al-Idrissi
YEM-31 - Najib Said Ghanem Saleh al-Dab‘i
YEM-32 - Ibrahim Ahmad al-Mazlham
YEM-33 - Ahmad Yahya Mohamed Ali al-Haj
YEM-34 - Bakil Naji Abd Allah al-Soufi
YEM-35 - Rabish Ali Wahban Ahsan al-Ali
YEM-36 - Zayd Ali al-Shami
YEM-37 - Sultan Hazam al-Atwani
YEM-38 - Sultan Said Abd Allah Yahya al-Barkani
YEM-39 - Samir Khayri Mohamed Ali Reda
YEM-40 - Sadeq Qasem Mohmad Qaed al-Ba'dani
YEM-41 - Saleh Abd Allah Ali Qasem al-Sanbani

YEM-67 - Mohsin Ali Omar Baserah
YEM-68 - Isaac al’Qa’hm
YEM-69 - Ali Hassan Ahmad Jilan
YEM-70 - Ibrahim Chouaib Mohamed al-Facheq
YEM-71 - Amine Ali Mohamed al-Akimi
YEM-72 - Hamid Abd-Allah Saghir Ahmad al-Jabarati
YEM-73 - Zakaria Said Mohamed al-Zekri
YEM-74 - Chawqi al-Raqib Chaman al-Qadi
YEM-75 - Saghir Hamoud Aziz al-Sifani
YEM-76 - Mohamed Naji Abd al-Aziz al-Shayef
YEM-77 - Hashem Abd Allah Hasin al-Ahmar
YEM-78 - Hussein al-Sawadi
YEM-79 - Yasser Ahmed Salem al-Awdahi
YEM-80 - Yahya Ali al-Raee
YEM-81 - Saleh Ismail Abu Adel
YEM-82 - Abd Al-Aziz al-Janid
YEM-83 - Amine Ahmed Makharesh
YEM-84 - Faysal al-Shawafi
YEM-85 - Muhsin al-Ansi
YEM-86 - Qasem Hussein al-Hadha’a
YEM-87 - Ahmad al-Aqaari
YEM-88 - Ali Abd Allah Abu Haliqa
YEM-89 - Mohamed Yahya al-Hawr
YEM-90 - Mansour al-Wasel
YEM-91 - Ahmad Mohammad al-Dhubaibi
YEM-92 - Abd Mohammad Beshr
YEM-93 - Khaled Mawjoud al-Saadi
YEM-94 - Khaled Mohammad Qasim al-Ansi
YEM-95 - Saleh Qaid al-Shari
YEM-96 - Ahmed Mohsen al-Nuwaita
YEM-97 - Mohammad al-Siwar
YEM-98 - Abd al-Wali al-Jabri
YEM-99 - Said Moubarak Douman
Alleged human rights violations

- Abduction
- Threats, acts of intimidation
- Arbitrary arrest and detention
- Failure to respect parliamentary immunity
- Impunity
- Abusive revocation or suspension of the parliamentary mandate

A. Summary of the case

This case concerns 116 members of the Yemeni Parliament, all elected during the 2003 parliamentary elections for a six-year term and who remain members of parliament in accordance with the Yemeni Constitution. Since 2014, they have allegedly been subjected to various human rights violations, including attempted murder, abduction, arbitrary detention and destruction of property.

Since the beginning of the political crisis in 2011 and the outbreak of war in Yemen in 2015, two different factions claim to represent the Yemeni Parliament: a Sana’a-based faction under the control of the Houthi militia and a faction based in Seiyun comprised of parliamentarians who fled Sana’a. This latter faction is aligned with the internationally recognized government of President Abd Rabbo Mansur Hadi and is recognized by the IPU as the legitimate parliamentary authority representing all parliamentarians elected in 2003.

The present case concerns 99 members of parliament who fled Sana’a and neighbouring governorates that are allegedly under the control of the Houthi militia, and

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1 For the purposes of this decision, the term “opposition” relates to members of parliament from political groups or parties whose decision-making power is limited.
19 members who remained in Sana’a and allegedly suffered attacks carried out by the coalition forces led by Saudi Arabia and the United Arab Emirates.

The complainants in the case concerning the 99 members of parliament allege that the violations were committed by the Houthi militia and took place in different governorates in Yemen, including Sana’a and other parts of Yemen under the control of the internationally recognized government. These complainants state that, due to the violations and security situation, the majority of members are now in exile. On the other hand, the complainants in the case of the 19 members of parliament who remained in Sana’a allege that the violations were committed by the coalition forces as part of their support for the Government of Yemen in regaining power in Sana’a and the northern parts of Yemen.

In 2019 and 2020, the parliamentary faction controlled by the Houthis in Sana’a provided substantial information on alleged violations committed by the coalition forces against the 19 members of parliament who reportedly continued to exercise their mandate in Sana’a. However, the Houthi-controlled parliamentary faction failed to convey information on the cases of parliamentarians who support the internationally recognized government and the human rights violations they have allegedly suffered since 2014, or the steps taken to help identify and hold to account those responsible.

The Houthi militia allegedly increased their harassment of Yemeni pro-government lawmakers following the latter’s participation in a parliamentary meeting held in Seiyun in April 2019, which was called by the internationally recognized President Abdrabbuh Mansur Hadi. On 2 March 2020, the Houthi militia arbitrarily sentenced to death 35 members of parliament for “having taken actions threatening the stability of the Republic of Yemen, its unity, and security of its territory”. The complainants also stated that, on 9 February 2021, the Houthi militia sentenced to death 11 more members of parliament. The parliamentarians were allegedly sentenced in absentia following the conclusion of trials marred with irregularities and which failed to comply with international norms and standards, as reported by the United Nations and other international organizations. The complainants added that, following the issuance of the death sentences against the lawmakers, the Houthi militia confiscated their property and financial assets, ransacked their homes and ordered their families to leave their houses.

The complainants also stated that, on 3 April 2021, the Houthi militia unlawfully approved the stripping of the membership of 44 members of the House of Representatives, therefore rendering their constituencies vacant with the aim of electing new members in violation of the Yemeni Constitution. On 10 July 2021, the number of members who were unlawfully stripped of their membership by the Houthis rose to 83 lawmakers.

During a hearing with the Committee on the Human Rights of Parliamentarians on 1 February 2022, the Yemeni parliamentary authorities stated that the Houthi militia continued harassing, intimidating, and violating the human rights of parliamentarians who support the internationally recognized government. In a letter received from the parliamentary authorities on 24 January 2022, the human rights violations allegedly committed by the Houthis have affected 99 members of the House of Representatives.

In a report published in November 2021, the United Nations Development Programme estimated that the conflict in Yemen will have claimed 377,000 lives by the end of 2021, both directly and indirectly as a consequence of the conflict.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. Concludes that the new collective complaint concerning the situation of Mr. Mohammad Yahya Al-Sharafi, Mr. Mohamed Naguib Ahmed Seif, Mr. Mohammed Mahdi Al-Kuwaiti, Mr. Ahmed Hadi Mohammed Al-Suraimi, Mr. Mohammed Al-Haj Al-Salih, Mr. Mohamed Ahmed Waraq, Mr. Mohsen Ali Al-Bahr, Mr. Ali Mohammed Ghaleb Al-Mkhlaifi, Mr. Ali Mohammed Al-Saar, Mr. Ali Abd Rabbo Al-Qadi, Mr. Ali Ahmed Muthanna Al-Warafi, Mr. Abdulwahab Muhammad Qaed Amer Al-Amiri, Mr. Abdullah Hammoud Al-Katab, Mr. Abdul Salam Ahmed Al-Dahabi,
Mr. Abdul Hamid Mohammed Farhan Al-Sharabi, Mr. Shuaib Hammoud Khaled Al-Suofi, Mr. Sadiq Ali Al-Dabab, Mr. Hamid Muhammad Ali Shaabin, Mr. Ahmed Mohamed Yahya Qaboua and Mr. Ahmed Abbas Ahmed Al-Barti, all members of the House of Representatives in Yemen, is admissible, considering that the complaint: (i) was submitted in due form by a qualified complainant under section I.1(b) of the Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices of the Committee on the Human Rights of Parliamentarians); (ii) concerns incumbent members of parliament at the time of the initial allegations; and (iii) concerns allegations of abusive revocation or suspension of the parliamentary mandate, failure to protect parliamentary immunity and other acts obstructing the exercise of the parliamentary mandate, which are allegations that fall under the Committee’s mandate; and decides to merge the examination of their situation with the present case, which brings the total number of parliamentarians in this case to 116;

2. Thanks the Yemeni parliamentary authorities for the information provided in their letter of 24 January 2022;

3. Remains deeply alarmed that 46 members of parliament have been arbitrarily sentenced to death by the Houthi-controlled self-styled court in Sana’a in what appears to be a “fatwa”, meaning a call for their explicit killing by anyone who is in a position to do so, including members of the public; and is deeply concerned, also, about the unlawful and unconstitutional stripping of the membership of 83 members of the House of Representatives;

4. Underlines once again that these arbitrary measures constitute a direct and imminent danger to the lives of the parliamentarians subject to them; and urges, once more, those responsible to refrain from threatening the physical integrity of the members of parliament and from using collective punitive measures against members of their families who remained in Sana’a, including the arbitrary eviction of women and children from their homes;

5. Stresses that the human rights of members of the Yemeni House of Representatives and those of the people of Yemen should be upheld at all times; and therefore calls on all parties to the conflict in Yemen to ensure accountability for violations and abuses suffered by all parliamentarians and protect their fundamental human rights;

6. Is aware of the exceptional situation in which Yemen finds itself and the formidable challenges that exist to law and order; and suggests, in light of the geopolitical dimensions of the protracted conflict in Yemen and its devastating ramifications for the Yemeni people, that the Inter-Parliamentary Union, through its governing bodies, particularly the IPU Executive Committee, becomes more involved in bringing together all relevant stakeholders in and outside of Yemen, using parliamentary diplomacy to identify possible solutions to the human rights cases at hand and the conflict at large; and requests the Secretary General to raise this matter with the Executive Committee;

7. Requests the Secretary General also to convey this decision to the parliamentary authorities in Yemen, the complainants and any third party likely to be in a position to supply relevant information;

8. Decides to continue examining this case.
The Committee,

Referring to the case of Mr. Abdulkareem Jadban, a member of the House of Representatives of Yemen assassinated on 22 November 2013, and to the decision it adopted at its 143rd session (January 2014),

Recalling the following information provided by the complainant:

- On 22 November 2013, Mr. Abdulkareem Jadban, a member of the House of Representatives of Yemen and a Houthi representative of the National Dialogue Conference, was shot dead by two armed men on a motorcycle as he was leaving Al-Shawqani mosque in Sana’a;

- Members of the Houthi group have claimed that Mr. Jadban’s assassination was politically motivated because of his stance and affiliation;

- The Yemeni Government and Parliament, as well as most political parties, have condemned the assassination;

- On 25 November 2013, the House of Representatives decided to summon the Government and security agencies to appear before it on 28 November to present a comprehensive report on the circumstances and measures taken in connection with the assassination of Mr. Jadban;

- The Secretary General of the House of Representatives of Yemen reported in January 2014 that the President of the Republic of Yemen had established a panel of inquiry to investigate the circumstances of Mr. Jadban’s death and bring the perpetrators to justice, but that they had not yet been identified,

Considering that neither the complainant, nor the parliamentary authorities, have provided any new information on the case since 2014, despite repeated requests,

Taking into account that Yemen is a party to the International Covenant on Civil and Political Rights,

1. Deeply regrets that the parliamentary authorities have failed to respond to its requests for information, and invites them to resume dialogue as soon as possible;

2. Notes with deep concern that, following the announcement of the establishment of a panel of inquiry in early 2014, no information has been provided on the outcome of this inquiry, or on any measures taken to bring the perpetrators of Mr. Jadban’s assassination to justice; urges the parliamentary authorities to provide information on this situation as soon as possible;
3. Remains deeply concerned that Mr. Jadban’s assassination remains unpunished and urges the Yemeni authorities to do their utmost to shed light on this crime and to hold the culprits to account; urges the Parliament of Yemen to continue to exercise its oversight function until justice has been brought to bear in this case;

4. Recalls that impunity poses a serious threat not only to parliamentarians but also to all those they represent and that it is therefore the responsibility of the Yemeni authorities to fulfil their international obligations by conducting diligent and thorough investigations in order to shed full light on this crime;

5. Requests the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;

6. Decides to continue examining this case.