Submission to the Working Group on Enforced or Involuntary Disappearances

to inform its 2026 Thematic Report on Enforced Disappearances and Memorialization,

to be presented to the Human Rights Council in September 2026 and to the General Assembly in October 2026,

highlighting Yemen's experience as an example of the systematic and protracted nature of enforced disappearance and its links to the rights to truth, remembrance, and justice.

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For more information, please visit the following website: https://www.mwatana.org/about.

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Executive Summary

Mwatana for Human Rights submits this contribution to the Working Group on Enforced or Involuntary Disappearances to shed light on the systematic and protracted nature of the crime of enforced disappearance in Yemen, perpetrated by multiple parties since the outbreak of the armed conflict in 2014, within a context marked by impunity and the persistent denial of victims' fate. The submission demonstrates that enforced disappearance constitutes a continuing violation that deprives families of their right to know the truth and inflicts profound and long-term psychological, social, and economic harm.

The submission also underscores the deficiencies of Yemen's legal and institutional framework in criminalizing this crime and protecting victims and their families, as well as the absence of recognition of the right to remembrance and the preservation of memory. As a result, memorialization practices remain confined to informal initiatives led by civil society organizations and families. The submission concludes by emphasizing the necessity of integrating the right to remembrance into the Working Group's responses and transitional justice pathways, as a core component of the right to truth, reparation, guarantees of non-repetition, and the building of sustainable peace.

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Since the outbreak of the armed conflict in Yemen in late 2014, the country has witnessed a severe deterioration in human rights conditions, manifested in particular in the widespread and systematic use of enforced disappearance by various parties to the conflict. Hundreds of individuals remain forcibly disappeared, held in undisclosed or unknown locations, amid the absence of any official information regarding their fate or whereabouts, accompanied by persistent denial and prolonged suffering for their families.

Enforced disappearance in Yemen is not limited to the context of the current armed conflict; rather, it is a historically protracted crime committed by successive authorities over decades, in contexts of political conflict, coups, internal wars, and periods of authoritarian rule. Throughout these phases, the practice has been characterized by continuous official denial of the occurrence of the crime or of the victims' fate, and by the absence of any serious legal or institutional handling of disappearance cases. This long-standing legacy of impunity and truth suppression has entrenched enforced disappearance as a recurring tool of repression and created an environment that enabled the expansion of the crime during the current conflict, giving it a more systematic and widespread character. Accordingly, what has occurred since 2014 represents a continuation of an established pattern of violations rather than a rupture from it.

This pattern of violations cannot be understood in isolation from the volatile political and security context that intensified following the 2011 protests and the subsequent fragile transitional period, followed by the widespread collapse of state institutions after the Ansar Allah (Houthi) group seized control of the capital, Sana'a, in September 2014, and the ensuing multi-party armed conflict with direct and indirect regional and international interventions. Throughout the years of conflict, various de facto authorities have used enforced disappearance as a tool of security control and silencing opponents, through unlawful arrest and detention in secret facilities beyond any judicial oversight.

Despite some limited humanitarian efforts, including the 2018 Stockholm Agreement and subsequent detainee exchange operations, the issue of the forcibly disappeared has remained outside any comprehensive legal or institutional response and has not been explicitly recognized within confidence-building measures or peace processes. Memorialization practices in Yemen have likewise remained confined to informal initiatives led by victims' families and civil society organizations, in the absence of official recognition and legal protection.

This submission seeks to highlight patterns of enforced disappearance in Yemen and their continuing impacts, and to underscore the importance of integrating the right to remembrance as a fundamental element of the responses of the Working Group on Enforced or Involuntary Disappearances and concerned States. Such integration would enhance the dignity of victims,

support their families, and contribute to laying the foundations for justice and redress, ensuring non-repetition in the context of a protracted conflict.

In this regard, Mwatana for Human Rights has played a pivotal role in monitoring and defending human rights in Yemen since its establishment in 2007, through a comprehensive approach that combines systematic field documentation, legal support to victims, and advocacy and accountability efforts, with a particular focus on violations arising from the armed conflict, foremost among them arbitrary detention and enforced disappearance. Its work is grounded in extensive field presence and rigorous methodologies based on consistent victim testimonies and the verification of information from multiple sources.

As part of its focus on the crime of enforced disappearance, Mwatana for Human Rights published its report entitled *"Suspended Fates: Enforced Disappearance Crimes Committed During the Armed Conflict in Yemen (2014–2025),"* which stands as one of the most comprehensive reports documenting this crime in the Yemeni context. The report is based on more than 2,068 interviews with victims' families, witnesses, and field sources, and it documented at least 1,592 cases of enforced disappearance involving 2,120 victims.

The documented data show that the Ansar Allah (Houthi) group bears responsibility for 756 cases affecting 897 victims, while forces affiliated with the internationally recognized government are responsible for 351 cases involving 449 victims. The report also documented the responsibility of the Saudi/UAE-led coalition for 65 cases affecting 91 victims, and the Southern Transitional Council (STC) forces for 387 cases involving 630 victims, in addition to 15 cases involving 21 victims attributed to the Joint Forces, 5 cases involving 19 victims attributed to Eritrean forces, and 13 cases involving 13 victims attributed to terrorist groups.

These findings confirm that enforced disappearance in Yemen does not constitute individual or isolated incidents, but rather a widespread and systematic pattern perpetrated by multiple parties to varying degrees, amid the collapse of the justice system and the persistence of impunity. The report further demonstrates that this crime is of a continuous nature, due to the denial of detention and the concealment of victims' fate and whereabouts, resulting in the deprivation of families of their right to know the truth, the suspension of mourning processes, and the infliction of profound and protracted psychological, social, and economic harm.

Mwatana's documentation shows that the absence of official recognition of victims of enforced disappearance and their memory, alongside the lack of effective mechanisms for truth-seeking, accountability, and memorialization, not only exacerbates families' suffering but also undermines prospects for transitional justice and guarantees of non-repetition. This reality underscores the need for serious action by the international community and relevant UN mechanisms to push for

the disclosure of the fate of all forcibly disappeared persons, redress for victims and their families, accountability for those responsible, and the integration of enforced disappearance and its consequences into any future pathways for transitional justice and peacebuilding in Yemen.

This failure is closely linked to the weakness of the existing legal and institutional framework, as national legislation still lacks the explicit criminalization of enforced disappearance as a distinct crime and does not contain a definition consistent with international standards. Yemen has also yet to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. Although certain legal provisions criminalize some forms of unlawful detention, they do not reflect the complex and continuous nature of this crime, nor do they address its essential elements or recognize the rights to know the truth and to remembrance as components of reparation.

This situation results in the continued denial of the fate of forcibly disappeared persons and the deprivation of their families of information about their whereabouts, rendering enforced disappearance a continuing violation that extends beyond the moment of deprivation of liberty to encompass long-term suffering. This is further compounded by the absence of any legal or institutional recognition of the right to remembrance or the preservation of victims' memory, and the lack of national archiving policies or official programs to support families of the disappeared, leaving documentation and memory-preservation efforts confined to civil society initiatives and families, without protection or official recognition.

In Yemen, practices of memorializing victims of enforced disappearance remain absent from any official approach, whether in periods preceding the conflict or under the current practices of the parties to the conflict. There are no public programs, officially recognized memorial sites, or clear policies for acknowledging victims. This absence reflects a security- and politically driven approach that avoids assuming responsibility for the crime and turns remembrance into a contested practice, rather than recognizing it as a legitimate human right.

By contrast, civil society and victims' families play a central role in preserving memory through documenting stories and testimonies, and by using media and digital spaces to keep the issue of the forcibly disappeared visible. These efforts rely heavily on family participation, whose testimonies and lived experiences constitute the primary source of remembrance in the absence of any official framework.

Overall, memorialization practices in Yemen are characterized by their informal nature, led by civil society organizations and victims' families, amid the near-total absence of any official approach that recognizes victims' right to memory. This reality highlights the urgent need to develop a national framework that recognizes remembrance as a right of victims and their families, a

cornerstone of the right to truth and reparation, and an integral element of any serious process of societal recovery, transitional justice, and peacebuilding.

Practices of remembrance and memorialization of victims of enforced disappearance in Yemen face grave and interrelated challenges, foremost among them the absence of official recognition by parties to the conflict or de facto authorities of the occurrence of the crime of enforced disappearance and of the rights of its victims and their families, including the right to remembrance and the right to know the truth. This absence leads to the marginalization of victims' collective memory and leaves remembrance initiatives outside any legal or institutional framework that could provide them with protection or recognition, thereby negatively affecting the possibility of integrating such efforts into any serious transitional justice process.

The impact of this shortcoming is not limited to the symbolic dimension of memory; rather, it undermines one of the core pillars of transitional justice—the right to truth. Families and society are deprived of knowledge of the fate of the forcibly disappeared, mourning processes are suspended, and silence and denial are entrenched as substitutes for acknowledgment and accountability. In this context, practices of remembrance become acts of resistance to denial and attempts to preserve truth and memory in the absence of official mechanisms for truth-seeking or victim recognition.

At the same time, families of the forcibly disappeared, local communities, and civil society organizations engaged in remembrance practices—and even in documenting the crime of enforced disappearance—are exposed to multiple forms of threats and risks. These include direct and indirect harassment, intimidation, fear of reprisals, as well as social pressure and stigmatization. Such risks compel many families to avoid public participation in remembrance activities or to limit themselves to individual and invisible practices, which constrains the collective and public nature of these efforts and weakens their capacity to contribute to the construction of a shared public memory—an essential prerequisite for any comprehensive transitional justice process.

From a legal protection perspective, Yemen lacks any legislative measures or national policies specifically designed to protect remembrance initiatives or those involved in them, whether victims' families or human rights defenders. This legal vacuum renders these efforts fragile and vulnerable to interference, prohibition, or targeting, and undermines the possibility of developing sustainable and inclusive remembrance practices that could be integrated in the future into transitional justice mechanisms, such as truth commissions, reparations programs, and guarantees of non-repetition. In this context, individuals and organizations often rely on limited self-protection measures or informal solidarity networks, which do not provide adequate

protection in an environment characterized by insecurity and the multiplicity of de facto authorities.

Recommendations

The Working Group on Enforced or Involuntary Disappearances is urged to:

- Include the Yemeni context in its thematic report as an example of the systematic and protracted nature of the crime of enforced disappearance in situations of armed conflict, highlighting the ongoing impact of this crime on the right to know the truth, practices of remembrance, and the suffering of victims' families.
- Emphasize that remembrance and memorialization of victims of enforced disappearance form an integral part of States' obligations under international human rights law, particularly in conflict settings, and call for the official recognition of remembrance initiatives as a form of reparation and a guarantee of non-repetition.
- Call for the disclosure of the fate of all forcibly disappeared persons in Yemen, urge all parties to the conflict to fully cooperate with relevant United Nations mechanisms, including the Working Group, and enable victims' families to exercise their right to know the truth, including access to information related to detention and the whereabouts of detainees.
- Urge the relevant authorities and parties to the conflict to take effective measures to protect families of the forcibly disappeared and human rights defenders engaged in documentation and remembrance practices, ensure the monitoring and documentation of any acts of intimidation, threats, or reprisals linked to remembrance activities, and include such acts in the Working Group's relevant reports.
- Encourage the integration of remembrance and memory preservation into any future transitional justice pathways in Yemen, including record-keeping, archiving, and the documentation of testimonies, and ensure the meaningful participation of victims' families—particularly women—in the design and implementation of these processes.
- Continue and strengthen cooperation with Yemeni civil society organizations, and draw on their documentation and reports, including information related to remembrance practices and the challenges they face, when preparing thematic reports and engaging with the Human Rights Council and the General Assembly.

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For further information on reports and publications issued by Mwatana for Human Rights on enforced disappearance, please refer to:

- *Suspended Fates: Enforced Disappearance Crimes Committed During the Armed Conflict in Yemen (2014–2025)*
- *"Unknown Fate"* (film)
- *Crimes of Enforced Disappearance: A Research Paper Addressing Challenges and Proposing Solutions*
- *The Interactive Map of Human Rights Violations in Yemen*