



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy



MAJAL FORUM
Political - Social - Consultancy

War Prisoners in Yemen

**between prison hell, and
international exchange deals failure**



MAJAL FORUM

Political - Social - Consultancy

War Prisoners in Yemen

between prison hell, and
international exchange deals failure

This paper is presented by Majal Forum

February 2022

introduction:

Behind bars and between dark walls, thousands of Yemeni prisoners are waiting, waiting for a glimmer of hope to bring them out of oblivion and bring them back to life, a tragic reality for the prisoners, and sad human stories, told by the details of the inhuman treatment, torture and detention in places unworthy of human dignity. Each one of them has a painful story that it is difficult for someone who carries in his heart an atom of humanity to transcend or remain silent about it.

The majority of prisoners are aware that the coalition and its followers are the last who can care about their situation or seek to end their suffering and break their families. Instead, it strives to get rid of them and liquidate them inside their prisons, through what it does from time to time, targeting the places of detention of prisoners, led by those who fought in its ranks before to be subjected to families.

As for the United Nations, which is supposed to be concerned with getting them out of what they are in, and responsible for moving the prisoners' file and urging the various parties to the conflict to fully and unconditionally release all prisoners and detainees; The reality has proven that it stands in the side of the alliance and revolves in its orbit.

Therefore, the only hope left for these prisoners is mainly related to any move by the authorities in Sana'a, as the Yemeni party has been demanding the release of all prisoners, considering that this file is purely humanitarian and may not be linked to political and military files.

It seems that the year 2022 AD will be more tragic for the prisoners than the previous years of the war in Yemen, in light of the collapse of the negotiations sponsored by the United Nations. The only exchange deal that took place under the auspices of the United Nations took two years to complete, and there are no signs of new negotiations to implement exchange deals for the release of all prisoners and detainees.

In this paper, the Majal Forum sheds light on the prisoners' file and their suffering, the obstacles that prevent the conclusion of exchange deals, the path of negotiations sponsored by the United Nations and the International Committee of the

Red Cross, and developments in this humanitarian file at the local and international levels. To come up with recommendations that help overcome the existing problems, thus contributing to the release of thousands of prisoners who have lost hope in any international efforts to rid them of their prolonged tragedy and have become in a circle of oblivion.

International legal protection for prisoners:

International law defines a prisoner of war or prisoner of war, whether combatant or non-combatant, as someone who has been detained by forces hostile to them during or immediately after an armed conflict. International humanitarian law prohibits torture and other forms of ill-treatment at all times. It requires that detainees be treated by the provisions and principles of international humanitarian law and different international standards.

The Geneva Conventions provide a wide range of protections for prisoners of war about inhuman and degrading treatment. The Conventions clarify their rights and set out detailed rules governing their treatment and possible release.

Article 13 of the Geneva Convention states that prisoners of war must be treated humanely at all times. It is prohibited for the Detaining Power to commit any unlawful act or omission that causes the death of a prisoner in its custody. This is considered a grave breach of this Convention^[1].

Specific rules are guaranteeing the protection of prisoners of war, which were first described in detail in the Geneva Convention of 1929, and then were revised in the text of the Third Geneva Convention of 1949, following the lessons learned from World War II, and in the text of the Additional Protocol I of 1977 AD^[2].

Humanitarian law guarantees protection to all persons who fall into the hands of the enemy during armed conflict, whether they are combatants who are considered prisoners of war or civilians. Safety is secured for them on this basis, as defined by the Geneva Conventions, that all persons who fall into the hands of the opponent are covered by humanitarian law.

International treaties require that a prisoner of war receive humane treatment from his arrest until his release or return to his homeland. International treaties

prohibit the torture of prisoners of war and stipulate that only his name, date of birth, guards, and military identification number are required from a prisoner of war.

As for the tribal perspective, all Yemeni tribal customs and ancestors consider killing and torturing prisoners a black fault against the perpetrator. These customs impose respect for the captive's blood and honor.

However, despite all the rights and protection of prisoners stipulated in those charters and laws, none of them are applied on the ground in comparison to what Yemeni prisoners have been exposed to at the hands of the coalition forces and the parties loyal to it since 2015, which is difficult to enumerate the number of violations to which they are exposed. The prisoners, whether in secret prisons in areas subject to the so-called legitimacy, or in Saudi and Emirati jails, or even the bombing and targeting of prisoners by coalition aircraft in their places of detention in Sana'a and other governorates, for which there is no justification other than that the coalition seeks to get rid of them; For him to obstruct the exchange deals with the Sana'a authorities.

Statistics and numbers:

According to the United Nations, the prisoners are suffering tragic conditions over seven years of war, which has killed and injured thousands of Yemenis and led to one of the world's worst humanitarian crises in modern times.

In terms of numbers, according to the statements submitted by the two sides in the Sweden negotiations in 2018, under the auspices of the office of the United Nations envoy to Yemen, Martin Griffiths, and the International Committee of the Red Cross, the number of prisoners reached more than 15,000 prisoners, detainees, and abductees.

There is currently no accurate statistics on the number of prisoners, especially since others were captured after this date, in addition to the hidden prisoners in the prisons of the conflicting factions in the southern governorates and other secret prisons, and the citizens are kidnapped.

The prisoners became the mere presence of numbers at the negotiating table, and

the absence of their suffering and miserable conditions, which requires humanitarian and human rights organizations and the media to launch an international campaign to publicize their suffering, advocate for their causes, and return them to the forefront of the attention of the international community and humanitarian organizations.

Crimes and violations:

The issue of prisoners is one of the most critical issues that have been hidden. No radical solutions have been found so far and in light of the conflicting parties' disregard for international organizations such as the United Nations and the International Committee of the Red Cross, the suffering of prisoners, and the failure to take serious steps to address this humanitarian file and expedite exchanges.

Where the prisoners are exposed to crimes, torture, and violations of their rights guaranteed by international covenants and laws, and many of them were subjected to liquidation and execution operations on several fronts, including the western coast, where ten prisoners of the Yemeni army and the popular committees were executed, as well as in Al-Bayda governorate and other shows. Detention of prisoners of war by the Saudi-Emirati coalition aircraft.

On December 12, 2017, coalition warplanes launched seven raids on the building designated for prisoners of war affiliated with the other side in the Shu'ub District in the capital, Sana'a, which includes hundreds of them, which led to the death of more than 177 detainees, dead, wounded and missing.

The National Committee for Prisoners' Affairs considered this massacre a war crime in which the countries of aggression violated all international and humanitarian norms, values, and laws, stressing that this crime came after several visits made by the International Committee of the Red Cross and several international organizations working in human rights to the building designated for them. All are concerned that this building is intended for the detention of prisoners. That visits were available and allowed to all families of the detained prisoners, and they had contacts with their families and with the leaders of the aggression. Everyone was aware of the place of detention^[3].

On September 1, 2019, coalition aircraft targeted a prison for prisoners in the

«Community College» in the «Dhamar» governorate, which holds 170 prisoners. The International Committee of the Red Cross estimated that more than 100 people were killed in a raid launched by the Saudi-led military coalition on the Dhamar prison.

The head of the International Committee of the Red Cross delegation in Yemen, Franz Rauchenstein, confirmed that the targeted site was an empty building belonging to the college, and it has been used for some time as a detention center. They are protected by international law.

After visiting the site of the attack, Rauchenstein said: «The sight of the massive destruction and the sight of corpses scattered among the rubble is truly heart-breaking. The natural reaction to such a scene is anger mixed with sorrow, as the lives of those who do not take an active part in the fighting should not be taken over the world.» this way^[4].

Head of the National Committee for Prisoners Affairs, Abdul Qader Al-Murtada, explained that half of those who were in the targeted prisoner prison in Dhamar were about to exit in a prisoner exchange deal with local efforts and that these prisoners were fighting on the fronts of Shabwa, Taiz, Al-Dhalea, the border fronts, and other fronts, considering that the aggression deliberately targeting the prisoners' building in Dhamar; To thwart the efforts of local committees that were on the verge of completing an exchange deal^[5]. Meanwhile, the coalition leadership announced that it had «destroyed a military site for the Houthi militia in Dhamar», explaining that it was «stores for drones and air defense missiles», according to the Al Arabiya channel.

On December 23, 2021 AD, coalition aircraft targeted the vicinity of the prisoners' prison in the Central Security Command building in the capital, Sana'a, with several raids, which led to the destruction of some prison facilities, which included three thousand prisoners of aggression. However, the prison's location is known in advance to the countries of charge and has been informed of it more Once through the Red Cross and UN bodies two years ago; the targeting came hours after the International Committee of the Red Cross visited the prison^[6].

Prisoners are subjected to various types of torture in secret prisons in the occupied southern governorates, where these prisons constitute one of the most

prominent closed black files and the essential tools of repression and intimidation practiced by the Saudi-Emirati occupation states against those opposed to their criminal practices and destructive policies, according to a report by the Southern Governorates Media Center.

The report indicated that the number of secret prisons in the southern governorates rose from 26 private prisons at the end of 2019 to 42 by the end of April 2021 AD. Human rights sources estimated that the number of detainees is more than (2,500).

The file of prisoners in the course of the negotiations:

The prisoners' file is one of the humanitarian files that should not be subject to any procrastination or political calculations. Instead, it requires efforts from all Yemeni and international parties to address it and release all prisoners, which was confirmed by the peace negotiations held in the Swedish capital Stockholm in December 2018 between the Yemeni parties under the auspices of International.

It was agreed to release all prisoners, detainees, missing persons, arbitrarily detained, forcibly disappeared, and those under house arrest in relation to the events of all parties without any exceptions or conditions; to resolve the issue entirely and definitively^[7].

Although the statements of the two parties included more than 15,000 prisoners, it is noted that since the signing of the agreement in December 2018, only one deal was concluded in which the two parties exchanged more than 1,000 prisoners during the year 2020, while the two signatories to the agreement exchanged accusations of disrupting it.

The meetings of the supervisory committee on the implementation of the prisoner exchange agreement continued. The first round of talks was held in the Jordanian capital, Amman, on January 16, 2019 AD, between the representative of the government and the Houthis, a month after Sweden's agreement for the first time to discuss the implementation of the prisoner exchange agreement^[8]. The committee agreed on chronic steps to continue making progress, and the two parties took the first step by completing the exchange of lists of prisoners and detainees

and testimonies on those lists.

The second round of talks to exchange prisoners was held in Amman in February 2019; To discuss the responses provided by each party to the observations of the other party, in the presence of representatives from the office of the UN envoy, «Martin Griffiths» and the International Committee of the Red Cross.

The head of the prisoners' committee, Abdul Qadir Al-Murtada, said: "The legitimacy has submitted a list of more than (9,000) names, and the group has submitted a list of (7,500) names, and there were more than (2000) repeated names, and also more than (1,400) names were released. In addition to fictitious names that were in the lists with incomplete data^[9].

A breakthrough occurred in the third round of Jordan talks held in February 2020 and lasted for six days. Where the "United Nations" announced the approval of representatives of the parties to the conflict in Yemen on a detailed plan to complete the first official large-scale exchange of prisoners and detainees since the beginning of the conflict, which is a first step towards fulfilling the parties' commitments to the phased release of all prisoners and detainees in connection with the dispute by the Stockholm Agreement^[10].

A joint statement from the office of the UN Special Envoy to Yemen, Martin Griffiths, and the International Committee of the Red Cross, regarding the outcomes of the third meeting of the Prisoner and Detainee Exchange Committee in the Jordanian capital, Amman, said: «The parties decided to immediately start exchanging lists to prepare for the next exchange process».

The agreement, based on the Sweden Agreement, included, in its first phase, the release of 1,420 prisoners from both sides, including Saudis and Sudanese, but this agreement was not implemented due to the dispute over the names.

Franz Rauchenstein, head of the ICRC delegation in Sana'a, commented: "Despite the ongoing clashes, we have seen that the parties have found common humanitarian ground allowing many detainees to return to their loved ones. This shows that only the parties can bring about positive and lasting change. This is very encouraging, and we hope it will pave the way for more releases shortly».

The fourth round of negotiations was held in Geneva in September 2020 to complete the third round of negotiations in Amman, where the UN envoy to Yemen

announced that representatives of the Yemeni government and Ansar Allah movement agreed to immediately release the first group of (1081) detainees and prisoners, according to the lists of names decided upon after the week-long consultations between the two sides in the Swiss city of Geneva.

A joint statement by the Office of the Special Envoy of the Secretary-General of the United Nations for Yemen and the International Committee of the Red Cross on the fourth meeting of the Oversight Committee concerned with the implementation of the prisoner and prisoner exchange agreement: «The agreement builds on the release plan that the two parties reached during the Amman meeting in February 2020». The agreement included the release of (680) prisoners of the army and the popular committees and (400) prisoners of the other side (the Yemeni government), including 15 Saudis and 4 Sudanese.

Under their agreement in Stockholm in 2018, the two parties renewed their commitment to release all prisoners, detainees, missing persons, arbitrarily detained, forcibly disappeared, and persons under house arrest. They also agreed to hold a new meeting of the Supervisory Committee to implement the remainder of the outcomes of the Amman meeting that was held in February 2020, with a commitment to make all efforts to add new numbers to release all prisoners and detainees, including the four covered by UN Security Council resolutions by the Stockholm Agreement. By working with the supervisory committee^[11].

The first phase of the agreement was implemented on October 15 and 16, 2020, and 1,065 prisoners were released from both sides in the largest prisoner exchange deal between the parties to the conflict since the outbreak of the war.

The fifth round of negotiations to exchange prisoners, which was launched in the Jordanian capital “Amman” on January 24, 2021 AD and lasted for about a month under the auspices of the “United Nations” and the “International Committee of the Red Cross,” to implement the second part of the “Amman” agreement, and concluded without reaching an agreement. Hopes that more prisoners will be released and lose hope of returning to their families.

The UN envoy to Yemen, Martin Griffiths, announced the failure of the negotiations of the fifth meeting in Amman regarding the exchange of prisoners, detainees, missing persons, arbitrarily detained, forcibly disappeared and placed under

house arrest without reaching an agreement, as this round was scheduled to lead to the release of (301) prisoners from the two parties.

A statement issued by the Office of the UN Envoy stated that although the two parties did not agree on the release of more detainees during this round of talks, they announced their commitment to continue discussing the determinants of a future expanded process for the release of detainees.

Griffiths expressed his disappointment that this round of talks ended without reaching a historic result of the meeting held in Switzerland in September, which resulted in the release of 1,056 detainees. He urged the two parties to continue their discussions and consultations, implement what they agreed on and expand The scope of the arrangements to release more detainees shortly^[12].

With the collapse of this round of negotiations, the parties exchanged accusations of thwarting it and not reaching an agreement. Where the National Head of Prisoners Affairs, «Abdul Qader Al-Murtada,” confirmed that the negotiations on the prisoners» file in the Jordanian capital, Amman, ended without making any progress; Because of the intransigence of the forces of aggression and their mercenaries, he said in a tweet on Twitter: «We tried in every way to succeed and presented several fair proposals to overcome the differences, but to no avail»^[13]. Meanwhile, a member of the government delegation, «Majid Fadhel,” accused the Houthis of complicating the prisoners» file, deliberately sabotaging the talks, and demanding names that do not exist^[14].

Member of the Supreme Political Council, «Mohammed Ali al-Houthi» considered, in his tweet on «Tension,” the failure of the Amman 3 round as «a continuation of the aggression countries» tendency to thwart any international peace endeavors,” pointing out that «the prisoner exchange file is a purely humanitarian file, and not allowing any completion of any work.» I presented it as an expression of my practical rejection of the UN envoy.”

In April 2021, the authority in Sana’a also launched an initiative for a comprehensive exchange of prisoners in conjunction with the advent of the month of Ramadan. On the following day, the head of the government team concerned with prisoners and abductees, “Hadi Haig”, declared “the government’s complete readiness to carry out an exchange deal for prisoners and abductees all for all on the

occasion of the advent of the month of Ramadan.” However, this welcome was not followed by any practical measures due to Saudi Arabia obstructing the process of a full exchange of prisoners between the local parties to the conflict, as it wants to limit the agreement to Saudi prisoners^[15].

Al-Murtada said in press statements: «The government party received Saudi directives to prevent local exchanges since March 2021, and we were only able to carry out some individual operations». The interventions constitute a real obstacle to the file of prisoners and the rest of the outstanding files^[16].

Local mediations:

In contrast to the failure of the international community and the United Nations to make a breakthrough in the prisoners' file and complete the exchange deals, tribal mediations succeeded in implementing several exchange deals.

In this regard, the head of the National Committee for Prisoners' Affairs, “Abdul Qader Al-Murtada,” indicates in his speech to “Majal Forum” that only one deal that took place through the United Nations, which were carried out on October 15 and 16, 2020 AD, in which 1,060 prisoners were exchanged from both sides, among whom were 15 Saudis and 4 Sudanese. As for local deals, they have been in the hundreds since 2015 until now.

Al-Murtada revealed the local exchange deals, during which about (9,000) prisoners were exchanged from both sides. They occur either through direct communication with the other party or through mediators from tribal sheikhs or social figures.

He said: «The local efforts are continuous and do not stop, and we rely on them more than the international efforts, because their fruits in the past years have been better, and we are working continuously to encourage and support any local efforts to move forward in resolving this file».

About the developments in this file, Al-Murtada revealed in his speech to the forum that there is continuous communication with the other party through the office of the UN envoy, and the envoy's office is making efforts to reach a new agreement on a broad deal. We hope that these efforts will succeed.

He added, «Our vision is to reach a radical solution to this file, which is represented in humane dealing with this file and avoiding politicizing it and using it as a political blackmail card. If these matters were achieved, we would be able to reach a radical and comprehensive solution to this file». The UN position on the prisoners' file:

Many observers agree that the «United Nations» contributed to the complexity of the prisoners' file. It linked it to the political aspect during the Sweden talks and contributed to the failure of the negotiations on the exchange deals. At the same time, the international community did not put pressure on the obstructing party to release the prisoners and the regional and international interventions that contributed to the failure of the prisoner exchange negotiations.

It is customary for the United Nations to express its constant concern about the situation in Yemen, and the face of numerous cases and horrific crimes, it was satisfied with expressing its concern only. However, the prisoners' file and major grievances did not receive even a tiny share of its problem^[17].

In this context, Al-Murtada describes the role of the United Nations as “not living up to the required level, and it did not pressure the other party to fulfill its obligations, but rather followed the method of politeness to the other party during the negotiation period, and did not try to use any means of pressure on it despite the clarity of the image of obstruction on its part».

What confirms the shortcomings of the international stance towards the prisoners is that it did not even bother to condemn the violations and crimes of torture, lynching, and executions that prisoners are subjected to in the prisons of the coalition and its forces. Instead, it remained silent despite the documented crimes against prisoners from the army and the popular committees.

Difficulties Facing Exchange Negotiations:

There is no doubt that the prisoner exchange negotiations face many difficulties, including the lack of trust between the parties, the dispute over the names presented, as well as the forcibly disappeared, whose fate is still unknown, in addition to the differences and divisions between the so-called legitimate government and the

Southern Transitional Council, which refuses to release the prisoners, in In return for the unity of the decision and position of the Sanaa negotiating delegation in this humanitarian file.

The failure of the legitimate government to decide on the conflicting factions in its areas of control, and its failure to act as a united front in the issue of prisoners, played a significant role in complicating and thwarting the exchange negotiations. In general, field officials refuse to exchange prisoners from those with them in exchange for prisoners from other fronts, as they prefer to conduct a local exchange to release their men. This lack of unity of decision affects the ability of government negotiators to agree among themselves on the names they want to submit to the Houthis to release them and complicates the process of Coordination required to reach more significant exchanges^[18].

While observers believe that the only exchange deal that was implemented under the auspices of the United Nations took two years; Because of a flaw in the «Stockholm Agreement» that linked the issue of a prisoner exchange to peace negotiations; Which led to the politicization of the process, and it negatively affected the local mediation efforts that proved successful, and the exchange according to the principle of all for all represented a challenge for all parties to fulfill their obligations and it is tough to implement.

In this context, Abdul Qader Al-Murtada sees in his interview with Majal Forum that one of the most critical difficulties facing the National Committee for Prisoners' Affairs in this file is "the diversity of parties and their disparity with respect to the other party, the disappearance of thousands of our prisoners, the refusal to disclose their fate, and the weak international performance In this file, the failure to use the means of pressure to implement what was agreed upon, and the immoral and inhumane treatment by the other party with our prisoners of field liquidations, torture and repeated violations of their rights.

He added, «We agreed in Sweden 2018 on a comprehensive and complete exchange, but unfortunately there was no possibility to implement it on the ground, because there were obstacles that encountered that, and we had to go back to the phased implementation.»

Conclusions:

Through research, scrutiny, and analysis, the most prominent reasons, factors, and problems that led to the prisoners' file stumbling and reaching a dead-end can be summarized as follows:

1- The United Nations, the coalition countries, and the so-called legitimacy linked the prisoners' file to the political and military files during the Yemeni peace negotiations in Sweden and the subsequent talks, even though this file is purely humanitarian and may not be linked to other files, which led to its failure.

The insistence on adopting the principle of «all for all» resulted in many problems, technical difficulties, and disputes over the prisoner lists on both sides. Consequently, the prisoner exchange deals were partially carried out either by official consensus or by tribal efforts were halted.

2- The inability of the legitimacy delegation to prepare a comprehensive list containing all the names of prisoners on the side of Sana'a when asked to do so during the negotiations, as a result of their leaving Yemen since 2015 and their absence from the Yemeni scene and what is happening on the fronts, and their indifference to the fate of the prisoners, wounded and missing persons in the ranks of their forces Supported by the coalition and other details that prompted the delegation coming from Riyadh to invent fake names and impossible conditions in front of the Sana'a delegation, which had prepared an accurate list of the names of the prisoners, and handed them over as soon as he was asked to do so; Which angered the other party and prompted him to procrastinate.

3- After the delegations of the two parties handed over lists of prisoners' names to the United Nations, the names included in those lists became binding on both parties, which prompted some parties to reject any exchange deal outside the official frameworks. Thus the mediation efforts led by social and tribal authorities and local organizations faltered from time to time and succeeded in Concluding exchange deals for tens and hundreds of prisoners.

4- Saudi Arabia exerted a lot of pressure on its affiliated party, forcing it to fabricate problems and to put forward impossible conditions that would ensure that no progress would be made in resolving the prisoners' file. So that Riyadh could conclude under-the-table exchange deals to release Saudi prisoners.

Recommendations:

- 1- All parties must abide by what has been agreed upon, deal seriously with the prisoners' file as a purely humanitarian file, and not politicize this file and separate it from any peace negotiations.
- 2- Linking the issue of prisoners and detainees to any political agenda or negotiations is a violation of international law, and keeping prisoners in prisons will not change the nature of the confrontations in the field.
- 3- The United Nations and the international community should pressure all parties to implement exchange deals to release all prisoners and detainees unconditionally; Because they live in difficult humanitarian conditions, and the need to refrain from using this file in the media to achieve gains at the expense of thousands of prisoners.
- 4- The need for the International Committee of the Red Cross to redouble its efforts in communicating with all parties and mediators; To facilitate the prisoner exchange process, and work to enhance confidence between the parties involved in the negotiations, it is unreasonable for negotiations to continue for months and years to complete a single exchange deal.
- 5- The "United Nations" and the "International Committee of the Red Cross" should work seriously to address the problems related to the file of prisoners and detainees facing the implementation of "all for all" by benefiting from the experiences of previous negotiations, foremost of which is verifying the names and putting in place appropriate treatments for the names in dispute.
- 6- The need for civil society organizations to move to play their role with regard to the prisoners' file, clarify their suffering, and demand their release.
- 7- To create a public opinion in support of the prisoners' issue, the media and local and international human rights organizations must launch a global campaign to shed light on the suffering of the prisoners and return this file to the focus of attention and work to establish a prisoner support fund to help them and work to rehabilitate them.
- 8- All parties to the conflict must work to improve the conditions of prisoners and detainees and enable them to communicate with their families as one of their rights guaranteed by international laws. Failure to achieve success in this aspect

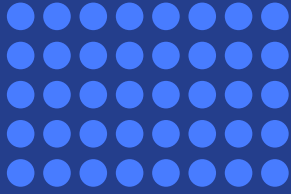
represents a catastrophic failure of the United Nations Organization and the International Committee of the Red Cross.

- 9- To enhance transparency and credibility, all parties must allow the ICRC team to visit all prisons and see the conditions of detainees.
- 10- Large numbers of prisoners and detainees were not included in the lists of statements handed over in the Sweden negotiations 2018, which requires working on updating these statements to implement new deals that include the new prisoners.
- 11- To ensure the success of any upcoming negotiations, the Office of the UN Envoy and the International Committee of the Red Cross should hold separate meetings with the parties; To bridge the gap of differences and solve problems related to the names and others to ensure the success of the negotiations.
- 12- To ensure the release of the most significant number of prisoners, efforts should focus on releasing ordinary prisoners who have nothing to do with the conflict, who are a large proportion, and postponing the disputed negotiations over prominent personalities prisoners.
- 13- It is shameful for any female prisoners or abductees to remain, as this is inconsistent with the teaching of the Islamic religion, Yemeni tribal customs, and humanitarian principles. Any party with female prisoners should take the initiative to release them.
- 14- Local mediations have proven successful during the past periods, in return for the stalled negotiations sponsored by the United Nations, which requires encouraging and supporting local mediations, whether tribal or otherwise, and the Office of the United Nations Envoy should help local exchange deals and overcome difficulties in front of them; Being complementary to the efforts of the United Nations in this aspect.
- 15- Everyone - whether the negotiating parties or the United Nations and the International Committee of the Red Cross - must consider the suffering of the prisoners and their families.
- 16- The prisoners' file must be present throughout the year, and the interest in this file should not remain at specific times or as a result of field developments

List of references:

- 1- United Nations Office of the High Commissioner website <https://www.ohchr.org/AR>
- 2- International Committee of the Red Cross website <https://www.icrc.org/ar>
- 3- The website of the Yemeni News Agency (Saba) <https://www.saba.ye/ar/news481612.htm>
- 4- Yemen: Tragic scenes of destruction, and detainees are either dead or injured September 1, 2019 <https://www.icrc.org/ar>
- 5- (Debrief) Yemen..The Red Cross expresses its concern over the bombing of a prison in Dhamar <https://debrief.net/news-11063.html>
- 6- 26 September Net website - the aggression targets the prisoners' prison, which holds 3 thousand prisoners <https://www.26sep.net>
- 7- Office of the Special Envoy of the United Nations Secretary-General for Yemen <https://osesgy.unmissions.org/ar>
- 8- France 24 The two parties to the Yemeni conflict meet in Jordan to discuss ways to implement the prisoner exchange agreement <https://www.france24.com>
- 9- Will the second prisoner exchange meeting in Jordan lead to real solutions? Arab scene| <https://almashhadalaraby.com/news/67846>
- 10- Jordanian newspaper Al-Dustour, Yemeni parties agree from Amman to start prisoner exchange <https://www.addustour.com/articles>
- 11- RT Arabic September 27, 2020- A UN statement regarding the prisoner exchange agreement in Yemen <https://arabic.rt.com>
- 12- Office of the Special Envoy of the United Nations Secretary-General for Yemen <https://osesgy.unmissions.org/ar>
- 13- The page of Abdul Qader Al-Murtada, head of the National Committee for Prisoners' Affairs <https://twitter.com/abdulqadermortd>
- 14- Majed Fadail, member of the government delegation, February 22, 2021, <https://twitter.com/mfadail/status/1363613883823448068>
- 15- Debrief website «The Comprehensive Prisoner Exchange» between the Yemeni parties to the conflict... Are good intentions really present? <https://debrief.net/news-24404.html>
- 16- Same as the previous reference.

- 17- Al-Alam TV website: What is happening in the secret prisons of the American-Saudi aggression against the prisoners of Yemen? November 15 - 2020 AD <https://www.alalam.ir/news>
- 18- UN negotiations for the exchange of prisoners reach a dead end - Sanaa Center for Strategic Studies <https://sanaacenter.org/ar/publications-all/analysis-ar/14382>



MAJAL FORUM

Political - Social - Consultancy

