

Undermining The Future

Attacks on Yemen's Schools

March 2015 - December 2019

August 2020

CEASEFIRE
centre for civilian rights



Mwatana for Human Rights



Mwatana for Human Rights

Mwatana is an independent Yemeni organization involved in defending human rights. Mwatana started in 2007, but the former regime of president Ali Abdullah Saleh declined to provide the organization with the permit even after re-submitting the request for several years. With the 2011 uprising that ended Saleh's regime, Mwatana was able to obtain the necessary permit on April 23, 2013. In 2018, the Baldwin Award recognized our work. Human Rights First announced awarding the 2018 Roger N. Baldwin Medal of Liberty to Mwatana. In the same year, the 10th International Hrant Dink Award was granted to Mwatana for informing the world about the status of human rights in Yemen and for struggling against rights violations in the country

CEASEFIRE 
centre for civilian rights

The Ceasefire Centre for Civilian Rights (ceasefire.org) is an international initiative to develop civilian-led monitoring of violations of international humanitarian law or human rights; to secure accountability and reparation for those violations; and to develop the practice of civilian rights.

This report production was funded by:

Fondation Pro Victimis

The Robert Bosch Stiftung

The German Federal Foreign Office, specifically ifa (Institut für Auslandsbeziehungen), Funding Programme zivik



Federal Foreign Office



Institut für
Auslandsbeziehungen

Undermining The Future

Attacks on Yemen's Schools

March 2015 - December 2019



Table of Contents

• Executive Summary	07
• Recommendations	11
• Background	17
• Methodology	21
• Schools and International Law	25
• Patterns of Violations	29
• Section 1: Airstrikes Destroying and Damaging Schools	31
• Section 2: Schools Damaged and Destroyed During Ground Fighting ..	37
• Section 3: Military Use and Occupation of Schools	43
• Section 4: Other Violations Impacting Schools	51
• Acknowledgements	57

A photo shows the effects of the airstrike the Saudi/UAE-led coalition on Ghadhran School, in Bani Hushaish district, Sana'a governorate, on October 23, 2015. Taken on February 09, 2017
Mwatana ©



Executive Summary

Al Wahdah School in Al Quraishyah district, Al Bayda Governorate, was destroyed as a result of a ground shelling by Ansar Allah armed group (Houthis) after stationing of forces loyal to the president Abd Rabou Mansoor Hadi.

Taken on June 19, 2016

Mwatana ©

For decades, access to education has remained a dream for millions of Yemenis. Across the country, Yemeni families have struggled to help their children achieve this dream, and to enjoy their basic right to an education. In tandem, new and escalating armed conflicts have prevented Yemenis from achieving their aspirations to an education. As the conflict nears its sixth year, the future of education in the country looks ever more tragic. Day by day, children fall prey to recruitment by the warring parties and are thrown into the frontlines of the war. Dozens of children are killed and maimed, and become fuel for a war that has devoured their future and that of Yemen.

Since the armed conflict began in 2014, when the Ansar Allah (Houthi) armed group took over Yemen's capital, Sana'a, by force, and since that conflict escalated in 2015 with the intervention of the Saudi/UAE-led coalition on behalf of the internationally-recognized government, schools and educational facilities have witnessed various forms of attack and abuse by the warring parties. The Ansar Allah (Houthi) armed group, forces and armed groups loyal to the internationally-recognized government of President Hadi including Islah-affiliated armed groups, the Saudi-UAE led coalition, and UAE-backed armed groups, including Southern Transitional Council forces, have all damaged, destroyed, used, occupied, or attacked schools.

Attacks on and impacting schools have caused different degrees of damage to school buildings. Airstrikes and shelling have caused significant damage. Attacks have also killed and wounded students and teachers and had a psychological impact on students. Many schools stopped functioning or became dangerous due to remaining ordnance, including missiles and explosive materials, in or near school grounds, or due to the fact that the facility is located near or in the midst of clashes, increasing the potential reoccurrence of another attack, and the fear associated with it. The warring parties have also repeatedly used and occupied schools for military purposes, gravely endangering schools by further exposing them to attacks by opposing parties. In addition, warring parties have, for example, planted landmines in or near schools and entered schools by force. In these school attacks, the warring parties appear to have repeatedly committed serious violations of international humanitarian law and grave human rights abuses. To date, accountability has been absent.

This report, produced by Mwatana for Human Rights (Mwatana), examines attacks on and impacting schools and education facilities between March 2015 and December 2019 by the warring parties in Yemen. The report does not cover many other attacks and abuses that have killed, wounded and otherwise harmed school-age children during the conflict, which have ranged from airstrikes that have killed or wounded dozens of young children, to recruitment and use of school-age children across Yemen.¹

1 For more information about patterns of violation and abuses in Yemen, including those impacting school-age children, see Mwatana for Human Rights 2018 annual report, *Withering Life: Human Rights Situation in Yemen 2018*, available at: <https://mwatana.org/en/withering-life/>.

The report is based off more than 600 interviews with witnesses, victims' families, parents and education workers conducted in 19 of Yemen's 22 governorates.

Between March 2015 and December 2019, Mwatana documented more than 380 incidents of attacks on and impacting schools and educational facilities in Yemen. The documented incidents can be put in four main categories of attack. First, Saudi/UAE-led coalition airstrikes impacting educational facilities—Mwatana documented 153 coalition airstrikes on or impacting schools between 2015 and 2019 in 16 Yemeni governorates. Second, attacks impacting schools during ground fighting—Mwatana documented 36 such attacks, with Ansar Allah responsible for 22, Hadi government forces responsible for 8, and Ansar Allah and Hadi government forces both responsible in the remaining 6. Third, military use and occupation of schools—Mwatana documented 171 instances of military use and occupation of schools, with Ansar Allah responsible for 131 of these incidents, forces loyal to President Hadi and affiliated Popular Resistance forces responsible for 30, UAE-backed Southern Transitional Council forces responsible for 8, and Ansar Al-Sharia responsible for one. In addition to these three primary patterns, Mwatana documented 20 incidents of other forms of abuse impacting schools, examples of which are included in the report's final section.

Based on the documented cases, Saada was the governorate most affected by school attacks, with 155 documented incidents, including 87 Saudi/UAE-led coalition airstrikes and 58 cases of occupation and military use of schools by Ansar Allah. Taiz governorate was also significantly affected, with 53 of the documented attacks occurring in Taiz.

The patterns and cases included in the report provide insight into the most distinctive patterns of attacks affecting schools and educational facilities during the years of war in Yemen. The facts and cases included are not exhaustive. The case studies provide a small window into the tragic effects these attacks have had on the education process, and the implications this holds for children in Yemen, and the country's future. Mwatana continues to document attacks on Yemen's schools.



Recommendations

Taiz Al-Kubra High School, the largest school in the city of Taiz, in the Al-Jamhuri neighborhood in the center of the city, was destroyed by the confrontations between the forces loyal to President Abd Rabbu Mansour Hadi and the Ansar Allah armed group (Houthis). Taken on May 23, 2016

To Saudi Arabia, the UAE and Other Saudi/UAE-led Coalition Members

1. Fully comply with the principles and provisions of international humanitarian law, including in the planning and implementation of airstrikes, in particular: taking special care to avoid damage to schools and educational facilities; doing everything feasible to verify that a target is a military objective, and, where there is doubt, presuming the person or object is civilian; ceasing indiscriminate and disproportionate attacks; and taking all feasible precautions to minimize the harm to civilians and civilian objects, including by issuing effective advance warnings.
2. Conduct credible, transparent and impartial investigations into all coalition attacks that are credibly alleged to have violated international humanitarian law, including those featured in this report, publicly declare the results of those investigations, and appropriately prosecute military personnel, including as a matter of command responsibility, suspected to be responsible for international crimes.
3. Publicly release information regarding the member states of the coalition that participated in attacks that resulted in civilian deaths or injuries, as well as information regarding the civilian casualties and the intended military targets of these attacks.
4. Provide necessary, adequate and transparent support to rebuild schools damaged and destroyed in coalition attacks and support efforts to ensure redress and condolence payments to civilian victims and their families, including providing redress and condolence payments to those impacted by coalition attacks, and ensuring such processes are transparent, with sufficient information publicly released for independent monitoring.
5. Accept and cooperate fully with investigations by international bodies, like the UN Human Rights Council Group of Eminent Experts, including granting unimpeded access to international investigators.
6. Ratify the Arms Trade Treaty without delay.
7. Ratify the Rome Statute of the International Criminal Court (ICC) without delay.

To the Internationally-Recognized Government of President Abd Rabbuh Mansour Hadi

1. Condition consent for the coalition's ongoing operations in Yemen on their implementation of the aforementioned actions and recommendations.

2. Support the establishment of a mechanism to rebuild schools damaged and destroyed during the armed conflict across Yemen, support efforts to ensure redress and condolence payments to civilians, including providing redress and condolence payments to those impacted by government attacks, and ensure such processes are transparent, with sufficient information publicly released for independent monitoring.
3. Cease use of schools for military purposes, cease placing military targets near schools, end practices that endanger students, teachers, and educational facilities, and commit to applying and implementing the Safe Schools Declaration.
4. Accept and cooperate fully with investigations by international bodies, like the UN Human Rights Council Group of Eminent Experts, including granting unimpeded access to international investigators.
5. Ratify the Arms Trade Treaty without delay.
6. Ratify the Rome Statute of the International Criminal Court (ICC) without delay.

To Ansar Allah

1. Fully comply with the principles and provisions of international humanitarian law, including in the planning and implementation of attacks, in particular: taking special care to avoid damage to schools and educational facilities; doing everything feasible to verify that a target is a military objective, and, where there is doubt, presuming the person or object is civilian; ceasing indiscriminate and disproportionate attacks; and taking all feasible precautions to minimize harm to civilians and civilian objects, including by issuing effective advance warnings.
2. Cease use of schools for military purposes, cease placing military targets near schools, and end practices that endanger students, teachers, and educational facilities, and publicly commit to abiding by the principles in the Safe Schools Declaration.
3. Support efforts to ensure accountability for perpetrators of alleged war crimes and efforts to ensure redress and condolence payments to civilians, including cooperating with investigations into alleged violations and providing redress and condolence payments to civilians impacted by Ansar Allah attacks.
4. Accept and cooperate fully with investigations by international bodies, like the UN Human Rights Council Group of Eminent Experts, including granting unimpeded access to international investigators.

To the UAE-Backed Southern Transitional Council

1. Fully comply with the principles and provisions of international humanitarian law, including in the planning and implementation of attacks, in particular: taking special care to avoid damage to schools and educational facilities; doing everything feasible to verify that a target is a military objective, and, where there is doubt, presuming the person or object is civilian; ceasing indiscriminate and disproportionate attacks; and taking all feasible precautions to minimize harm to civilians and civilian objects, including by issuing effective advance warnings.
2. Cease use of schools for military purposes, cease placing military targets near schools, end practices that endanger students, teachers, and educational facilities, and publicly commit to abiding by the principles in the Safe Schools Declaration.
3. Support efforts to ensure accountability for perpetrators of alleged war crimes and efforts to ensure redress and condolence payments to civilians, including cooperating with investigations into alleged violations and providing redress and condolence payments to civilians impacted by Southern Transitional Council attacks.

To the United States, United Kingdom, France, Canada and Other States Supplying Weapons to the Saudi/UAE-led Coalition

1. Immediately cease any sale or transfer of weapons to members of the Saudi/UAE-led coalition contingent upon full respect for international humanitarian and human rights law in coalition operations in Yemen, and comprehensive efforts toward effective accountability and redress for all alleged crimes and violations committed throughout the conflict.

To Iran

1. Immediately cease any sale or transfer of weapons to Ansar Allah.

To the United Nations Human Rights Council

1. Renew and strengthen the mandate of the Group of Eminent Experts to include collecting and preserving evidence and support the Group's efforts to continue investigating violations and abuses committed by all parties to the conflict in Yemen, including calling on the warring parties to adhere to the Group's recommendations.

To the United Nations Security Council

1. Clearly state that accountability for perpetrators of war crimes and redress to victims of serious violations of international humanitarian law and grave human rights abuses are a minimum part of any transitional process in Yemen.
2. Demand that warring parties cooperate fully with the UN Human Rights Council Group of Eminent Experts and support efforts to renew and strengthen the mandate of the Group of Eminent Experts.
3. Refer the situation in Yemen to the International Criminal Court (ICC).

To the United Nations Security-General

1. Prepare detailed reports on the violations committed by the warring parties, list them impartially in the annual List of Shame, and ensure that action plans agreed to for the purpose of potentially de-listing include measures such as investigating violations, providing redress to those affected, and guaranteeing nonrecurrence.
2. In line with UN-verified information on continuing violations against children by the Saudi/UAE-led coalition, re-list the Saudi/UAE-led coalition on the List of Shame.



Background

A photo shows the effects of the airstrike the Saudi/UAE-led coalition on Ghadhran School, in Bani Hushaish district, Sana'a governorate, on October 23, 2015. Taken on February 09, 2017
Mwatana ©

The story of Yemen's schools is that of an ambitious country undermined...

Since the mid-twentieth century, Yemenis have been struggling to bring schools into their hometowns and villages. Despite difficult financial conditions and long distances between villages, Yemeni families have pushed their sons and daughters to obtain an education, exhibiting an overwhelming desire to end the education gaps that have long clouded their reality.

In the 1970s, local Yemenis contributed significantly to building schools. So-called "cooperatives," helped by engaged expatriates and families making monetary and other contributions, better enabled most of Yemen's rural areas to access education services. According to the General Union of Cooperatives, the "cooperatives" have built 6400 classrooms, constructed 30,000 kilometers of roads, and implemented 2,000 water projects, with significant contributions from the local population.²

The availability of roads and drinking water are important factors in community decision-making regarding boys' and girls' education. Many children and students in rural areas travel long and arduous distances every day to reach their schools. During this time, they are exposed to the noon-time scorching sun, heavy seasonal rains, and a difficult geography.

In 2014, the World Bank reported that the Yemeni government had achieved tangible results in the National Education program, launched in the mid-1990s, raising the school enrollment rates for boys to 93.7 percent and for girls to 87.3 percent (compared to 1991 where only 85.8 percent of boys and 39.8 percent of girls completed primary school).

In early 2011, a massive popular uprising erupted during the regime of former Yemeni President Ali Abdullah Saleh (b.1942-d.2017), forcing him to hand over power to his vice president Abd Rabbuh Mansour Hadi in early 2012 under the terms of the Gulf Initiative. The transitional period, led by Hadi, was marred by insecurity and intermittent chaos that often turned violent. In the midst of this chaos, armed battles erupted in the north and south of Yemen, with different groups trying to gain more influence and power at the expense of the state. At the same time, the government was undertaking a national dialogue in an attempt to settle the court of play. Various parties engaged in the transitional process, many of whom were keen to push their interests and priorities through the state's organs.

While military forces quashed armed rebellions led by al-Qaeda members in Shabwa and Abyan, battles broke out between the Ansar Allah (Houthi) armed group on one side and opposing military and tribal forces on the other. Fighting extended to the capital, Sana'a. In August 2014, Ansar Allah used the Yemeni government's decision to increase the prices of oil derivatives as a pretext to stir up demonstrations inside the capital, while its fighters prepared to storm the capital from the north.

On September 21, 2014, Ansar Allah had taken control of Sana'a. A few days later, President Hadi and members of his government submitted their resignations

² Economy Now Magazine, The Achievement of the Cooperatives report (1973- 1981).

to the House of Representatives. Ansar Allah placed Hadi and his officials under house arrest in Hadi's home in Sana'a. Ansar Allah forces then headed for the south and west of the country, seeking to extend their control over the rest of the Yemeni governorates. President Hadi managed to escape from Ansar Allah to the southern governorate of Aden. On February 21, 2015, he retracted his resignation and declared Aden the temporary capital of the country.

On March 25, 2015, Ansar Allah forces were continuing their advance south, taking control over large parts of Yemeni territory. President Hadi fled to Saudi Arabia through Oman. In the early morning of March 26, he announced that a coalition led by Saudi Arabia would intervene on behalf of the Yemeni government. The conflict broadened and escalated. The war continues until today.

Since the conflict began, thousands of air and ground attacks have been carried out by the warring parties. Many of these attacks have damaged or destroyed civilian infrastructure, including educational facilities, and killed and injured many civilians, including school children. Hundreds of unlawful attacks, many likely war crimes, have been documented.

The Global Coalition to Protect Education from Attacks said in a May 10, 2018 report that more than 1500 schools and universities in Yemen had been damaged or destroyed due to the conflict, and others had been used for military purposes.³ On January 5, 2017, UNICEF stated that the conflict in Yemen had left more than two million children out of school and displaced 1.4 million children.⁴

As the conflict nears its sixth year, the future of education in the country has become ever more tragic and alarming. Day by day, children fall prey to recruitment by the warring parties and are thrown into the frontlines of the war. Dozens of children are killed and maimed daily, becoming fuel for a war that has devoured their future and that of Yemen. An analytical study conducted by Mwatana, based on field data, showed that the large number of school dropouts in the country is a direct result of the phenomenon of child recruitment in the ongoing conflict. Recruitment does not only cause children to drop-out, but may completely eliminate their desire to return to school.

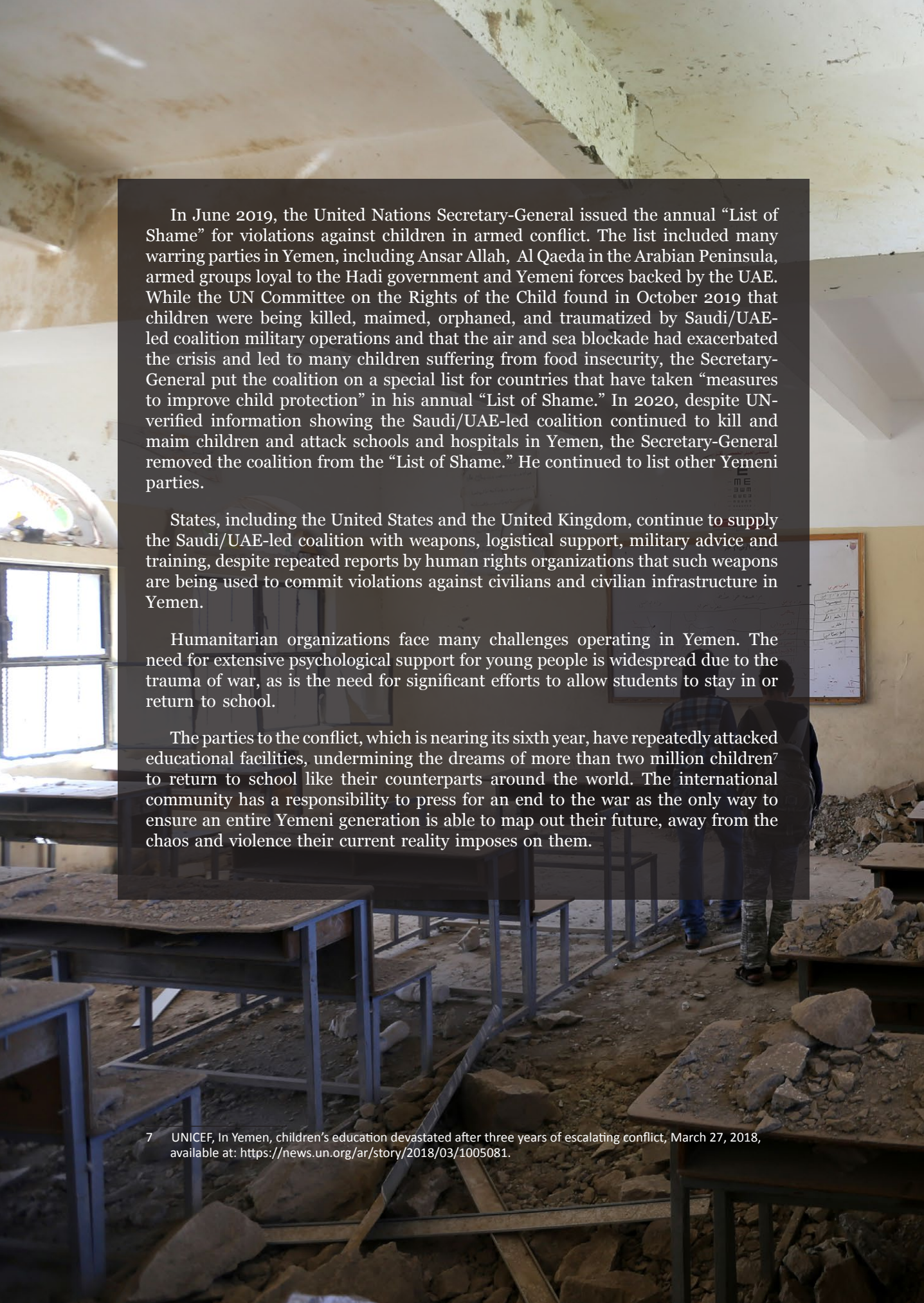
During 2018 alone, Mwatana documented at least 60 warring party attacks and other abuse impacting schools, including two airstrikes, 22 incidents of school occupation, and 36 other incidents, including incursions into schools.⁵ In one case, explosive materials were placed in a warehouse close to schools, which, when they exploded, caused great losses among children.⁶

3 The Global Coalition to Protect Education from Attack, Education Under Attack 2018, p. 35, available at: <http://eua2018.protectingeducation.org/#title>.

4 UNICEF, For one child in Yemen education is the solution to violence, January 5, 2017, available at: <https://www.unicef.org/stories/for-one-child-education-is-solution-yemen-violence>.

5 Mwatana for Human Rights 2018 annual report, Withering Life: Human Rights Situation in Yemen 2018, available at: <https://mwatana.org/en/withering-life/>.

6 Mwatana for Human Rights and Human Rights Watch, Yemen: Warehouse Blast Kills Schoolchildren, May 9, 2018, available at: <https://mwatana.org/en/warehouse-blast-kills-schoolchildren/>



In June 2019, the United Nations Secretary-General issued the annual “List of Shame” for violations against children in armed conflict. The list included many warring parties in Yemen, including Ansar Allah, Al Qaeda in the Arabian Peninsula, armed groups loyal to the Hadi government and Yemeni forces backed by the UAE. While the UN Committee on the Rights of the Child found in October 2019 that children were being killed, maimed, orphaned, and traumatized by Saudi/UAE-led coalition military operations and that the air and sea blockade had exacerbated the crisis and led to many children suffering from food insecurity, the Secretary-General put the coalition on a special list for countries that have taken “measures to improve child protection” in his annual “List of Shame.” In 2020, despite UN-verified information showing the Saudi/UAE-led coalition continued to kill and maim children and attack schools and hospitals in Yemen, the Secretary-General removed the coalition from the “List of Shame.” He continued to list other Yemeni parties.

States, including the United States and the United Kingdom, continue to supply the Saudi/UAE-led coalition with weapons, logistical support, military advice and training, despite repeated reports by human rights organizations that such weapons are being used to commit violations against civilians and civilian infrastructure in Yemen.

Humanitarian organizations face many challenges operating in Yemen. The need for extensive psychological support for young people is widespread due to the trauma of war, as is the need for significant efforts to allow students to stay in or return to school.

The parties to the conflict, which is nearing its sixth year, have repeatedly attacked educational facilities, undermining the dreams of more than two million children⁷ to return to school like their counterparts around the world. The international community has a responsibility to press for an end to the war as the only way to ensure an entire Yemeni generation is able to map out their future, away from the chaos and violence their current reality imposes on them.

⁷ UNICEF, In Yemen, children’s education devastated after three years of escalating conflict, March 27, 2018, available at: <https://news.un.org/ar/story/2018/03/1005081>.



Methodology

*A photo of two children on the ruins of Al-Thulaya School, in the Al-Jahmaliya district, Taiz governorate, which was damaged by the clashes between the forces loyal to President Abd Rabou Mansoor Hadi and the Ansar Allah armed group (Houthis).
Taken on December 27, 2017*

This report is based on investigative field research conducted by Mwatana for Human Rights on attacks and abuses against schools and educational facilities in Yemen between March 2015 and December 2019. The warring parties carried out a number of different patterns of violations and attacks in Yemen impacting schools, including airstrikes damaging or destroying schools, attacks impacting schools during ground fighting, and military use and occupation of schools, as well as a range of other violent actions in, or in the vicinity of, schools and educational facilities.

This report focuses on attacks on schools. The report does not cover many other attacks and abuses that have killed, wounded and otherwise harmed school-age children during the conflict, which have ranged from airstrikes that have killed and wounded dozens of young children, to recruitment and use of school-age children across Yemen.

The research for this report included more than 600 interviews conducted by 35 Mwatana male and female researchers in 19 of Yemen's 22 governorates. Interviews were conducted with witnesses, victims' families, parents and education workers. Mwatana researchers obtained informed written or verbal consent from the people whose testimonies are included in this report. The identity of some individuals was withheld in the interests of safety and confidentiality. Interviews were conducted voluntarily, and no financial or in-kind returns were provided by Mwatana to the interviewees.

For this report, Mwatana researchers visited schools and educational facilities that had been subjected to attack. During these visits, Mwatana collected testimonies, other information, and photographic evidence, which was analyzed and reviewed by the central team of the Research and Studies Unit. This report was also edited, revised and reviewed by IHL and IHRL specialists.

Between March 2015 to December 2019, Mwatana documented 153 airstrikes impacting educational facilities, 36 attacks impacting schools during ground fighting, 171 instances of military use and occupation of schools, and 20 incidents of other forms of abuse impacting schools.

The facts mentioned in this report are not exhaustive. Mwatana continues to document various violations against schools during the ongoing armed conflict.





Schools and International Law

Al-Irshad School, Dhabi Al-Abous in Haifan district, Taiz Governorate, was attacked by two airstrikes carried out by the Saudi/UAE-led coalition on July 24, 2016, preceded by damage to the other school buildings due to clashes between Ansar Allah armed group (Houthis) forces and the forces loyal to President Abd Rabou Mansoor Hadi in the first month of 2015. Taken on August 16, 2018
Mwatana ©

■ Applicable Legal Framework

International humanitarian law, also known as the law of armed conflict, applies to the non-international armed conflict in Yemen. The conflict began between the Ansar Allah armed group and the internationally-recognized government of President Hadi, and escalated when Saudi Arabia and the UAE led a military coalition in support of President Hadi's forces. Applicable law includes Common Article 3 of the Geneva Conventions of 1949 and Additional Protocol II of 1977, as well as customary international law. International human rights law continues to apply during the armed conflict in Yemen.

■ International Humanitarian Law

Warring parties are prohibited from directing attacks on civilian objects, including schools. In addition, special care must be taken to avoid damage to buildings designated for religious, artistic, scientific, educational or charitable purposes or to historical relics, provided they are not used for military purposes. An attacking party must do everything feasible to verify a target, including a school, is in fact a military objective before conducting an attack. In case of uncertainty about the status of an object, including a school, the attacking party must presume it is a civilian object. International humanitarian law obligates parties to the conflict to take all feasible precautions to avoid, and in all cases to minimize, civilian harm caused by attacks. Indiscriminate and disproportionate attacks on civilian objects, including schools, if carried out with criminal intent are war crimes.

Parties to an armed conflict must, to the extent feasible, avoid placing military objectives in or near densely populated areas, including locations where schools are likely to be located, remove civilian people and objects under their control from the vicinity of military objectives, and take all feasible precautions to protect civilian objects, including schools, under their control against the effects of attacks. Turning a school into a military objective, for example using it as a military barracks or armory, or placing military objectives on school grounds or nearby, could expose it to attacks.

Children are accorded special protection under international humanitarian law. Under Article 4 of Additional Protocol II, children shall be provided the "care and aid they require," including receiving an education. In 2017, Yemen became the 70th country to endorse the Safe Schools Declaration, which outlines a set of commitments to strengthen the protection of education from attack, restrict use of schools and universities for military purposes, and ensure the continuity of safe education during conflict.

■ International Human Rights Law

International human rights law applies at all times, in both peace and war. Yemen has ratified key international rights treaties, including the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights.

States must ensure, to the maximum extent possible, the survival and development of children.⁸ Everyone has the right to an education,⁹ and states must make primary education compulsory, available and free to all, secondary education available and accessible to every child, and higher education accessible to all.¹⁰ States are obliged to take measures to encourage children to attend school regularly and to reduce drop-out rates.¹¹ States are obligated to take measures to protect economic, social and cultural rights to the maximum extent of their available resources and, where needed, with international cooperation and assistance.

It is increasingly recognized that non-state actors who exercise government-like functions and control over a territory are obliged to respect human rights norms when their conduct affects the human rights of individuals under their control.

■ Yemeni Law

The Yemeni constitution provides for the right to education for all citizens. The state is meant to ensure the right to education by establishing schools and cultural and educational institutions, and mandating basic education for all children. In addition, by law, the state commits to nurturing young people, protecting them from delinquency, and providing them with mental and physical education and appropriate conditions to develop their faculties in all fields.¹² The constitution states that houses of education, homes and places of worship are “inviolable, and they may not be monitored or searched except in cases specified by law.”¹³

■ UN Resolutions

In June 2015, the UN Security Council adopted a resolution that expressed its “deep concern that the military use of schools, in contravention of applicable international law, may render schools legitimate targets of attacks, thus endangering the safety of children.” The Council encouraged member states to take concrete measures to deter the military use of schools by armed forces and armed groups.¹⁴

8 Convention on the Rights of the Child, art. 6(2).

9 International Covenant on Economic, Social and Cultural Rights, art. 13; Convention on the Rights of the Child, art. 28.

10 International Covenant on Economic, Social and Cultural Rights, art. 13(2)(a) - (d); Convention on the Rights of the Child, art 28(1)(a) - (d).

11 Convention on the Rights of the Child, Article 28(e).

12 Constitution of the Republic of Yemen, Article 54.

13 Constitution of the Republic of Yemen, Article 52.

14 United Nations, Security Council Resolution 2225 (2015), paragraph 7.

The Security Council voted unanimously in 2011 to urge all parties to armed conflicts to refrain from actions that impede children's access to education, and requested the UN Secretary-General to monitor and report on the military use of schools to the Security Council.¹⁵

¹⁵ United Nations, Security Council Resolution 1998 (2011), paragraph 4.



Patterns of Violations

A photo of Al-Najdain School in Al-Athawer area in Haifan district, Taiz Governorate, showing the damage on the school administration building as a result of an air-strike by the Saudi/UAE-led coalition on October 4, 2016.

Taken on August 15, 2018

Mwarana ©

Section 1:

Airstrikes Destroying and Damaging Schools



A photo of Asmaa Bint Abi Bakr School in Al-Mansouriya district, Al Hudaydah Governorate, showing the aftermath of the air-strike by the Saudi/UAE-led coalition on August 24, 2015. Taken on April 28, 2016

Mwatana ©

Between March 26, 2015, when the Saudi/UAE-led coalition announced the start of its military operations in Yemen, and December 31, 2019, Mwatana documented at least 153 coalition airstrikes on or impacting schools and educational facilities in 16 governorates in Yemen, including Saada, Hajjah, the capital secretariat (Sana'a), Sana'a province, Abyan, Al-Bayda, Al Dhale'e ,Al-Hodeidah, Al-Jawf, Al-Mahwit, Amran, Dhamar, Lahj, Marib, Shabwah, and Taiz.

In 140 of these cases, Mwatana researchers and witnesses interviewed by Mwatana did not identify military targets near or in the school that was damaged or destroyed by an airstrike. These Saudi/UAE-led coalition bombings form part of a pattern of attacks on civilian objects which appear to be indiscriminate. In 13 of the documented airstrikes on or impacting schools, Mwatana researchers found the schools were being used by armed groups, or interviewees reported suspicions of military presence in or near the school. In some cases, fighters were using the school facility as a meeting place, for housing, or the kitchen for cooking. In other cases, interviewees reported suspicions that the school was being used as a warehouse by an armed group or of a military presence in or near the school at the time of the attack, for example checkpoints, military vehicles, gunmen, or military mobilizers. In many of these cases, it appears that the damage caused to civilians, including damage or destruction of the school, exceeded any concrete military advantage from attacking the military target identified or suspected.



Source: Mwatana for Human Rights

Case Studies

On, Friday, September 4, 2015, at around 10:00 am, Saudi/UAE-led coalition aircraft bombed Hussein Mujali Girls' School in Rahban area, Saada city.



Before the attack, Hussein Mujali Girls' School (later known as Amna Bint Wahb School) received at least 1,800 female students at the basic and secondary school levels. At least 37 female teachers worked at the school.

When the Saudi/UAE-led coalition attacked, the bomb fell on the northeastern side of the school, hitting the second floor and completely destroying four classrooms and partially destroying three other classrooms. The rest of the school's facilities were also slightly damaged. After the strike, the school closed for an entire school year.

The school has since been repaired and begun to receive female students on a regular basis. However, by 2019, the number of female students studying at the school had decreased to less than 1,500 students.



“There is a high demand from girls in Saada governorate for education, although there are not enough schools. The school used to receive more numbers of female students than its capacity.¹⁶” She added, “The school stopped working after the attack for an entire school year (2015/2016). The school resumed its work after it was provided tents by UNICEF, which we used as classrooms. However, fear has permanently become inside us. We are worried that the school will be targeted while classes are in session.¹⁷”

One of the women working in the school's administration, (30 years old)



The Saudi/UAE-led coalition attack appears to have been indiscriminate. During a site visit and inspection of the school, Mwatana did not observe any military presence in or near the school. No witnesses or people with whom Mwatana spoke indicated there was any military presence or use of the school at the time of the attack.

¹⁶ Mwatana's interview with one of the female workers in the school, February 2, 2017.

¹⁷ Mwatana's interview with one of the female workers in the school, February 2, 2017.

On Monday, May 25, 2015, at around 01:00 pm, Saudi/UAE-led coalition aircraft launched two bombs at Al-Nahda Elementary School in Al-Asha district, Amran governorate. The attack killed a civilian (40 years old) and a child (14 years old), injured five others, including a child and a woman near the school, and completely destroyed one of the school buildings. A hospital and neighboring homes were also badly damaged.



Before the attack, Al-Nahda Elementary Boys' School received at least 515 students at the basic level. The airstrike hit the school's newly added building, which included four classrooms, a library, a science laboratory, a textbook storage room, and an administration office. The attack resulted in the death of a 40-year-old civilian man and a 14-year-old child who were near the school. It also completely destroyed the school's new building. Three classrooms, two administrative offices and a hostel for three teachers in the old school building were also partially destroyed. The neighboring hospital and nearby homes were badly damaged.

After the attack, Al-Nahda School stopped working for two months. Then, school activities resumed in the old building and in tents erected in the schoolyard. At least 40 students dropped out of the school after the attack.



"I did not expect all of this to happen in our quiet and peaceful village. I did not expect that the school which provides educational services to most of the population of the area would be bombed. My biggest trauma was the death of my son. I felt after his death that I lost my life."¹⁸

The father (38 years old) of the 14-year-old boy that was killed



The closest military target Mwatana identified was an Ansar Allah checkpoint at least a kilometer south of the school, according to Mwatana researcher observations and witness interviews. The Saudi/UAE-led coalition attack appears to have been indiscriminate.

¹⁸ Mwatana's interview with the father of the child killed, March 2, 2017.

Around midnight, on Saturday, April 7, 2018, Saudi/UAE-led coalition aircraft bombed Imam Ali bin Abi Talib Basic School in Al-Qala (the Castle) area, Razih district, Saada governorate. The attack, conducted with one bomb, resulted in the partial destruction of the school.



Imam Ali bin Abi Talib School is one of the largest schools in the region with at least 18 classrooms. Approximately 700 students receive their education in the school. The coalition airstrike hit the school building, completely destroying three classrooms and causing varying degrees of damage to other classrooms.

A resident of the area (43 years old) said, “Why was this school bombed? It is a facility that benefits all the people of the village. There is no justification for this attack.” A person living next to the school (41 years old) said, “Indiscriminate attacks occurred too frequently in this area. Many of the residents of the area were displaced; some were displaced to a safe place, or a less dangerous place. No one was left unharmed by this war.”¹⁹

The Saudi/UAE-led coalition attack does not appear to have complied with the principle of distinction. Mwatana researchers and witnesses did not identify any military target in or near the school at the time of the attack.

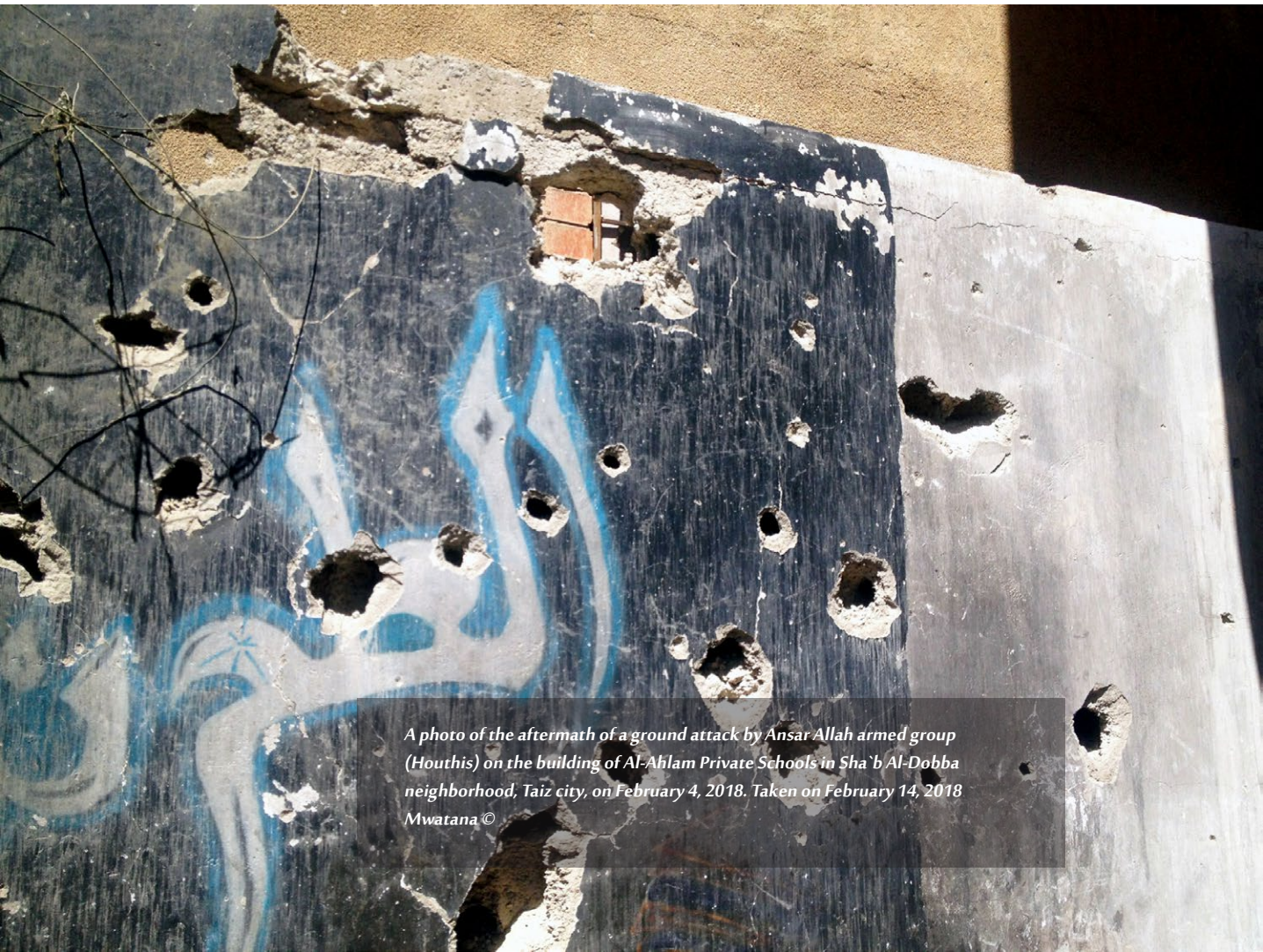
19 Mwatana's interview with a resident of the area, December 19, 2018.



A photo of Ammar Al-Shuraijah School in Al-Qubaitah district, Lahj Governorate, showing the effects of the the school destruction due to repeated air and ground attacks. Taken on April 05, 2019
Mwatana ©

Section 2:

Schools Damaged and Destroyed During Ground Fight



A photo of the aftermath of a ground attack by Ansar Allah armed group (Houthis) on the building of Al-Ahlam Private Schools in Sha'b Al-Dobba neighborhood, Taiz city, on February 4, 2018. Taken on February 14, 2018
Mwatana ©

During the armed conflict, which has ravaged Yemen for more than five years, the warring parties have launched unlawful attacks on schools and educational facilities during ground fighting in most areas where there has been sustained clashes. In addition to the immediate destruction and damage to schools and harm to civilian victims, attacks on schools during ground fighting have had longer-lasting impacts on the community, particularly on children.

Between March 2015 to December 2019, Mwatana documented 36 attacks on schools during ground fighting, including attacks using mortar shells and anti-aircraft missiles, as well as military confrontations including the use of live ammunition in or around schools and educational facilities. The Ansar Allah (Houthi) group was responsible for 22 of the documented attacks on schools during ground fighting, while the Popular Resistance forces, with its various factions, and the forces of the internationally-recognized government of President Hadi were responsible for 8 of the documented attacks. In 6 incidents, responsibility lay both with Ansar Allah forces and Hadi government forces.

Mwatana documented attacks on schools and educational facilities during ground fighting in 16 governorates in Yemen. The attacks were most concentrated in Abyan, Taiz and Lahj governorates.

In some instances, attacks killed and wounded students and teachers. Attacks also caused different degrees of damage to school buildings, and had a psychological impact on students. Many schools stopped functioning or became dangerous due to remaining ordnance, including missiles and explosive materials, in or near school grounds, or due to the fact that the facility is located near or in the midst of clashes, increasing the potential reoccurrence of another attack, and the fear associated with it.



Case Studies

On Tuesday, November 13, 2018, at around 15:15 pm, a projectile landed on the Martyr al-Muallem Basic School in Lauder, Abyan Governorate. The projectile exploded, damaging the classrooms, windows, and furniture of the school.

The Martyr al-Muallem School consisted of seven classrooms, in which approximately 535 students received their basic education, from the third to the ninth grade. The projectile penetrated the school's roof and caused severe damage in two classrooms, including to the furniture and windows of the school.

The headmaster, Fathi Muhammad (40 years old), who lived in a house near the school, said, "I went to the school the same night after the explosion, and I saw the projectile had ruined two classrooms. Chairs and tables were destroyed. The next day, fear prevented students to continue their study."²⁰

A witness said, "The projectile came from the eastern side, where the mountain range is that Ansar Allah (Houthi) forces were stationed on. The projectile made everyone terrified, especially young children."²¹ At the time of the attack, the area where the school was located was under the control of Hadi forces.

Witnesses and school officials reported that there were no military gatherings in or near the school and that the closest government forces' checkpoint was at the entrance to Lauder city, a kilometer from the school.

The school is located in a densely-populated residential neighborhood and near the local market. The school has not yet been repaired. The school headmaster told Mwatana, "The school became unsafe due to the projectile, and fear prevented students from attending school due to worry of another attack."²²

²⁰ Mwatana's interview with the school headmaster, February 22, 2019.

²¹ Mwatana's interview with a witness, February 23, 2019.

²² Mwatana's interview with the school headmaster, February 22, 2019.

On Wednesday, August 24, 2016, around 11:00 am, forces affiliated with Ansar Allah and former president Saleh launched a ground attack on Ammar Basic Secondary School in Al-Shurijah area, Al-Qubaitah district, Lahj governorate, firing three shells and destroying one of the school buildings and its furniture and burning the textbook storage room.

On Tuesday, February 20, 2018, at about 4:00 pm, Hadi forces, during their advance from the eastern side of Al-Shurijah area, shelled the school with a Katyusha projectile, destroying the textbook storage room and causing further cracks in one of the buildings.



Mwatana visited the school and interviewed witnesses who said the school was located in a strategic area, making it a frequent target for warring parties and ultimately leading the school to stop functioning. At the time of the 2016 attack, there were clashes between Hadi forces and Ansar Allah in the area. Ansar Allah forces were stationed to the west of the school, from where it appeared the shells were fired, according to witnesses. By the time of the 2018 attack, Ansar Allah controlled the area around the school, with Hadi forces launching attacks from the east. At the time of both attacks, Mwatana did not find that the school was occupied by an opposing party.

The school had 14 classrooms, a science laboratory, a store for its supplies, a textbook storage room and two administrative offices. The classrooms and annexes were divided into three buildings. One teacher said, "Approximately 800 male students and 100 female students used to study at the school. Attacks on the school continued until the study was completely stopped in July 2016. After that, the educational process was resumed by teaching students in tents, under trees, in caves and flood channels in Al-Malih area, Al-Qubaitah district, Lahj governorate."²³

These two ground attacks were not the only ones on the school. Mwatana documented five attacks impacting the school. On Sunday, March 22, 2015, at about

²³ Mwatana's interview with one of the school teachers, April 6, 2019.

8:00 pm, Ansar Allah began occupying the school and using part of it as a military barracks, gravely endangering it. This was followed by two Saudi/UAE-led coalition airstrikes on the school—the first on Thursday, November 26, 2015 at about 3:00 pm, and the second on Wednesday, July 27, 2016, at about 12:00 noon. Together, the two airstrikes destroyed 11 classrooms, the science laboratory and two administrative offices, as well as destroying school furniture and damaging the fence and outer gate. Witnesses reported Ansar Allah forces were in or near the school at the time of both strikes.

One of the teachers, (48 year old), said, “The classrooms were completely destroyed by land and air missiles. Now the children are learning in the valley where they are exposed to the hot summer and the cold winter, and the dangers of floods in the rain seasons.”²⁴

On Wednesday, January 30, 2019, around 10:40 am, Ansar Allah (Houthi) forces fired a shell that landed near an alternative school in Al-Qurafa village, Asselw district in Taiz governorate, killing a male student and injuring a female student, who were near the school.

Teachers and local residents from the area had worked to create a basic education school, from the first to the eighth grade, in a house in Al Qurafa village. They used this temporary school to provide students the education they were deprived of the previous year due to displacement and the inability to continue using their usual schools, which were located close to frontlines. About 180 male and female students were divided into two shifts at the school.

The father, (59 years old), of the boy who was killed, said, “The first session was over, so the students of the first group went home. At that time, I was walking near the school when I heard the whistle of the missile and then the sound of the explosion. I saw smoke rising from the vicinity of the school.” He added, with his eyes full of tears,

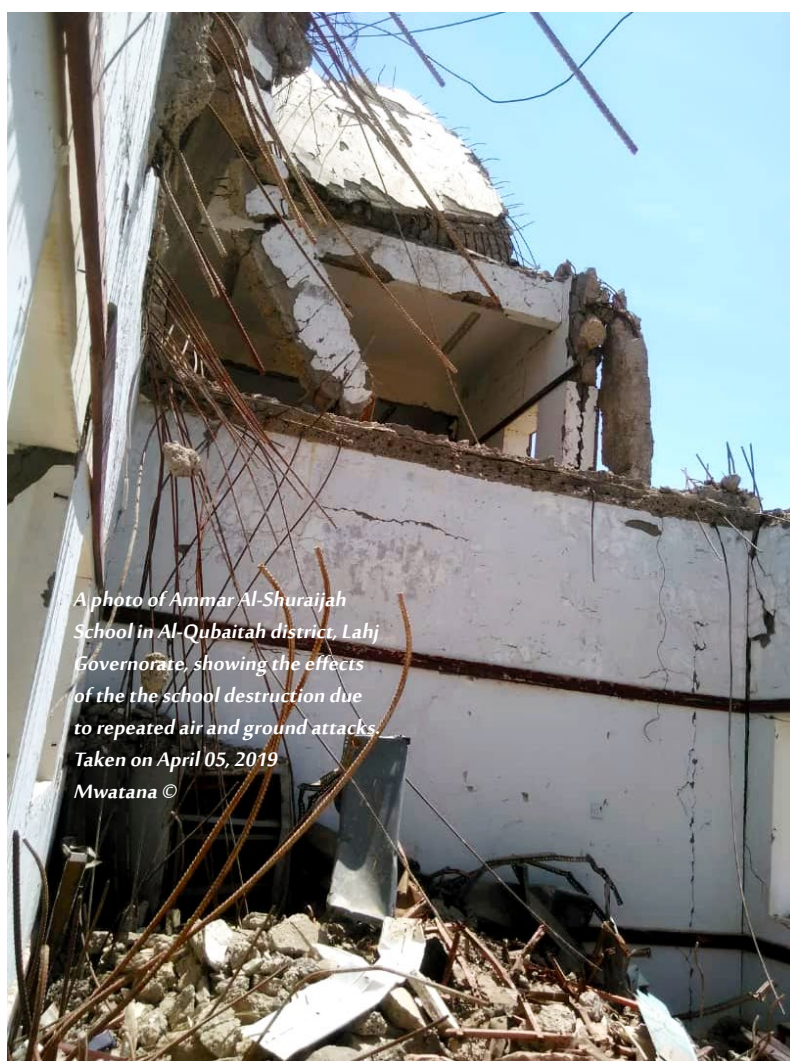
“I ran straight to see what happened. I saw my son in his school uniform covered with blood. He was badly injured in the head and chest. We tried to save him, but the nearest health center was 7 km away, so he was dead when we reached there.”²⁵

²⁴ Mwatana's interview with one of the school teachers, April 6, 2019.

²⁵ Mwatana's interview with the victim's father, April 7, 2019.

It appears the Ansar Allah attack was indiscriminate. The group had previously shelled civilian areas, which were under the control of Hadi forces, from their positions in the Dimnah area in Khadir district, 4 km north. Witnesses and local residents said there was no armed presence in or near the village at the time of the attack. A 43-year-old teacher said, "That day was a quiet day. We didn't hear any gunfire or any clashes. Suddenly, the shell fell."²⁶

The teacher added, "We got scared. So we changed the location of the school to a safe place, in which students sit on the ground."²⁷



*A photo of Ammar Al-Shurajjah School in Al-Qubaitah district, Lahj Governorate, showing the effects of the the school destruction due to repeated air and ground attacks. Taken on April 05, 2019
Mwatana ©*

²⁶ Mwatana's interview with one of the school teachers, April 7, 2019.

²⁷ Ibid.

Section 3:

Military Use and Occupation of Schools



A photo of Ammar Al-Shurajjah School in Al-Qubaitah district, Lahj Governorate, showing the effects of the the school destruction due to repeated air and ground attacks. Taken on April 05, 2019
Mwatana ©

Throughout the conflict, the warring parties have used schools as weapons stores, military barracks and sites to plan and carry out military operations, as well as used them in military build-up and mobilization efforts. Yemen's schools have been transformed into secret prisons, weapons and ammunition storage sites and centers for recruitment and training. The parties have used schools for security and military purposes, far from their original function. This gravely endangered schools, further exposing them to air and ground attacks, which in turn led to the total and partial destruction of many schools.

School dropouts have increased. Children fear for their lives, given military use and occupation of schools, and other attacks on schools. After their former schools were attacked or used by the warring parties, children, some already displaced to other regions or governorates, have had to travel long distances from their homes to alternative schools that temporarily substitute. In some areas witnessing ongoing or heavy clashes, the entire education process has been disrupted. In 2019, UNICEF indicated that two million children were out of school in Yemen, including nearly half a million children who dropped out since the conflict escalated in March 2015. In addition, 3.7 million children are at risk of dropping out of school.²⁸

From March 2015 to December 2019, Mwatana documented 171 incidents of military use and occupation of schools in 14 Yemeni governorates. The Ansar Allah (Houthi) group was responsible for the largest number of these incidents, including 131 cases, most in Saada Governorate and Al-Mahwit. Forces loyal to President Hadi and Popular Resistance forces, with their different factions, were responsible for 30 incidents, most in Taiz Governorate. In 9 cases, UAE-backed Southern Transitional Council Security Belt forces used or occupied schools, most in Abyan. In one case, Ansar Al-Shari'a used a school in Abyan.



28 UNICEF, <https://www.unicef.org/mena/press-releases/school-year-starts-yemen-2-million-children-are-out-school-and-another-37-million>.



Case Studies

At around 5:00 pm on Monday, February 5, 2018, the First Giants Brigade, part of the UAE-supported Joint Forces,²⁹ occupied Al-Thawrah Girls' and Boys' Basic School in Hays district, Hodeidah governorate, using it as a military barracks.

In September 2018, after occupying the school for eight months, the First Giants Brigade (Amaliqah), withdrew from the school. The forces were replaced by the Seventh Giants Brigade (Amaliqah), also part of the UAE-supported Joint Forces, who remained in the school at the time of writing.

According to witnesses, the Seventh Giants Brigade turned the school into a storage site for weapons and ammunition and a military barracks for its personnel. The schoolyard was also used as a parking lot for military armored and non-armored vehicles.

Since its occupation, Ansar Allah (Houthis) have repeatedly attacked the school. Witnesses told Mwatana that Ansar Allah fire live ammunition at the school on a daily basis, in addition to firing mortar shells which have occasionally landed near the school.

Al-Thawra Girls' and Boy's Basic School consists of six classrooms and an administration office. Approximately 450 to 500 male and female students used to study in the school before the school was occupied. In February 2018, after the First Giants Brigade occupied the school, the students moved to study in Assona Mosque. After clashes in the area intensified, the students moved again in November 2018, to study in another mosque, Assabah, approximately 190 meters to the west. After moving, student dropout rates increased. The number of male and female students decreased to about 120 - 150.

Mwatana interviewed three people about the school. One witness (45 years old), who requested anonymity, said, "The Seventh Giants Brigade uses the school as a military barracks. The education process in the school was disrupted due to their occupation, which also posed a threat to the village. The school windows were shattered and the walls deformed, as a result of being attacked with live bullets by the Houthis. The students moved to study at an old mosque in the area. Schools have become for military and mosques for students."³⁰

29 The Joint Forces are a group of UAE-supported forces, including some former Yemeni army brigades, fighting on the West Coast, including the Giants' Brigades, the Republican Guard forces led by Tariq Saleh, the Zaraniq Brigades, and others.

30 Mwatana's interview with a witness on August 17, 2019, and two interviews on November 27, 2019

On Sunday, March 20, 2016, Ansar Allah occupied Aisha Girls' School in Al-Motoon district, Al-Jawf Governorate. Ansar Allah turned the school into an office, a prison for perceived opponents and a detention center for criminal cases. In late 2018, Ansar Allah turned a part of the school into a Security Department for Al-Serhat area. They continue to occupy the school.

Aisha Basic School consists of two floors and 12 classrooms in addition to the school administration office and teachers' hostel. Ansar Allah turned three of the classrooms on the ground floor into detention sites.

In the 2015-2016 school year, Aisha School received 460 female students. In the 2016-2017 school year, the female students were transferred to Al Serhat Boy's School, located about 250 meters south from Aisha School, as an evening shift. Many female students dropped out of school. A guardian of three female students (29 years old)³¹ said, "Ansar Allah took control of Aisha Basic School and transferred the female students to Al Serhat Boy's School, but the situation is not safe because of the war, so we fear for them." Last year, 2019-2020, only 380 female students registered to study at Al Serhat Boy's School.

On Wednesday, April 29, 2020, Mwatana visited Aisha School and observed the presence of a number of Ansar Allah members. Some were wearing Central Security Forces military uniforms and some were in civilian clothes. A Central Security military pickup car was also observed.

One of the school teachers (36 years old) said, "We spoke with Al-Motoon Education Office to carry out their tasks in communicating and asking the leaders of Ansar Allah to leave the school as it is a building for education and for girl students in the region."³² He added, "We hope the school will be evacuated of any military presence soon, as phenomenon of female students dropping out has started."³³

31 Mwatana's interview with a witness, March 15, 2017.

32 Mwatana's interview with a witness, March 22, 2017.

33 Ibid.

On Wednesday, December 18, 2019, Ansar Allah occupied the Ali bin Abi Talib School in the Al-Hashwah District, Saada Governorate, turning it into a storage site for looted humanitarian aid, in addition to an office for the group's Area Chief (Moshrif) and a prison.



According to witnesses who spoke with Mwatana, Ansar Allah have been using Ali bin Abi Talib Mixed Primary School since March 2015. Over the past few years, Ansar Allah stationed forces in the school intermittently. The group began to consistently occupy the school in December 2019. At this stage, people in the area prevented their children from going to school for fear that the school would be bombed in an airstrike.

Ali bin Abi Talib Elementary School consists of six classrooms, four on the ground floor and two on the first floor. About 130 male and female students were studying at the school before heading to study under a group of Sidr trees in the local area after Ansar Allah occupied the school building. A number of students stopped attending classes after the move. Witnesses told Mwatana that the number of students had decreased to about 90 students.

Witnesses said that Ansar Allah had turned two classrooms on the first floor into a prison for their perceived opponents in the region, as well as those arrested on criminal accusations. Ansar Allah also used two ground floor classrooms as a storage site for relief materials looted from some international organizations operating in the area,.

One witness (44 years old)³⁴ said, "Because of the presence of the Houthis in the school and turning it into warehouses and a prison, as well as an office for [the area chief], we sent our children to the valley for study under the trees. However, as a result of the severe cold in the valley, especially in the morning, the study was stopped in fear for students."

Muhammad (48 years old) - a pseudonym – said, "The people of the region went to [the Ansar Allah area chief] and asked him to evacuate the school, but he threatened them and held them responsible for any attack on the school. So, they preferred their children not to go school, which is full of Houthi members, and stay at home for their safety."³⁵

34 Mwatana's interview with a witness, January 21, 2020.

35 Mwatana's interview with a witness, January 21, 2020.

On Thursday evening, October 18, 2018, in Al-Kedam village in Al-Ma'afer district of Taiz governorate, three Toyota pick-up military vehicles belonging to the 17th Infantry Brigade, loyal to President Hadi, transferred weapons and ammunition to Ammar bin Yasser Basic School, turning it into a weapons warehouse after hostilities escalated with forces of the 35th Armored Brigade (Abu Abbas Brigades)³⁶ in Al-Bireen and Najd Qassim in Al-Ma'afer district.



Since early 2016, popular resistance forces and forces loyal to president Hadi occupied Ammar bin Yasser Basic School, using all of its classrooms and turning it into a military barracks. During this period, lasting a school year, no students were able to attend the school, disrupting the education process for 900 students.

In mid-2017, the forces partially vacated the school building, which consists of 12 classrooms and three administrative offices. They remained in five classrooms. The school administration was able to resume teaching and receive some students in the classrooms that were now unoccupied. There is no nearby alternative school.

After hostilities escalated with the Abu Abbas Brigades in October 2018, education was again disrupted at the school, this time for a semester. The 17th Infantry Brigade, loyal to President Hadi, transferred more weapons and ammunition to the school, and occupied all of the classrooms. Later, these forces partially evacuated, remaining in 5 classroom. By 2019, around 160 students had dropped out or transferred to another school, a considerable distance away.



“Turning the school into a warehouse for weapons is a crime, depriving 900 students in the area from their right to education and endangering the residents of the village.”³⁷



A man (44 years old)

³⁶ The Abu Abbas Brigades is a group of Salafi fighters backed by the United Arab Emirates, part of the “Popular Resistance” forces in Taiz. On January 13, 2019, it was announced that the brigade merged with the 35th Armored Brigade, but it remains a separate group. The brigades control the southwestern parts of Taiz Governorate.

³⁷ An interview conducted by Mwatana on January 4, 2019.

He added, “Currently, everyone is afraid to walk near the school or to be around it to avoid any dangers that might occur to them, such as detention, armed clashes, or explosion of the ammunition stored in the school.”³⁸

On Friday, January 4, 2019, Mwatana visited Ammar bin Yasser School and observed the presence of a number of 17th Infantry Brigade forces, loyal to President Hadi, beside two military pickup vehicles near the school's gate. The forces, and stored weapons, remained in the school at the time of writing.

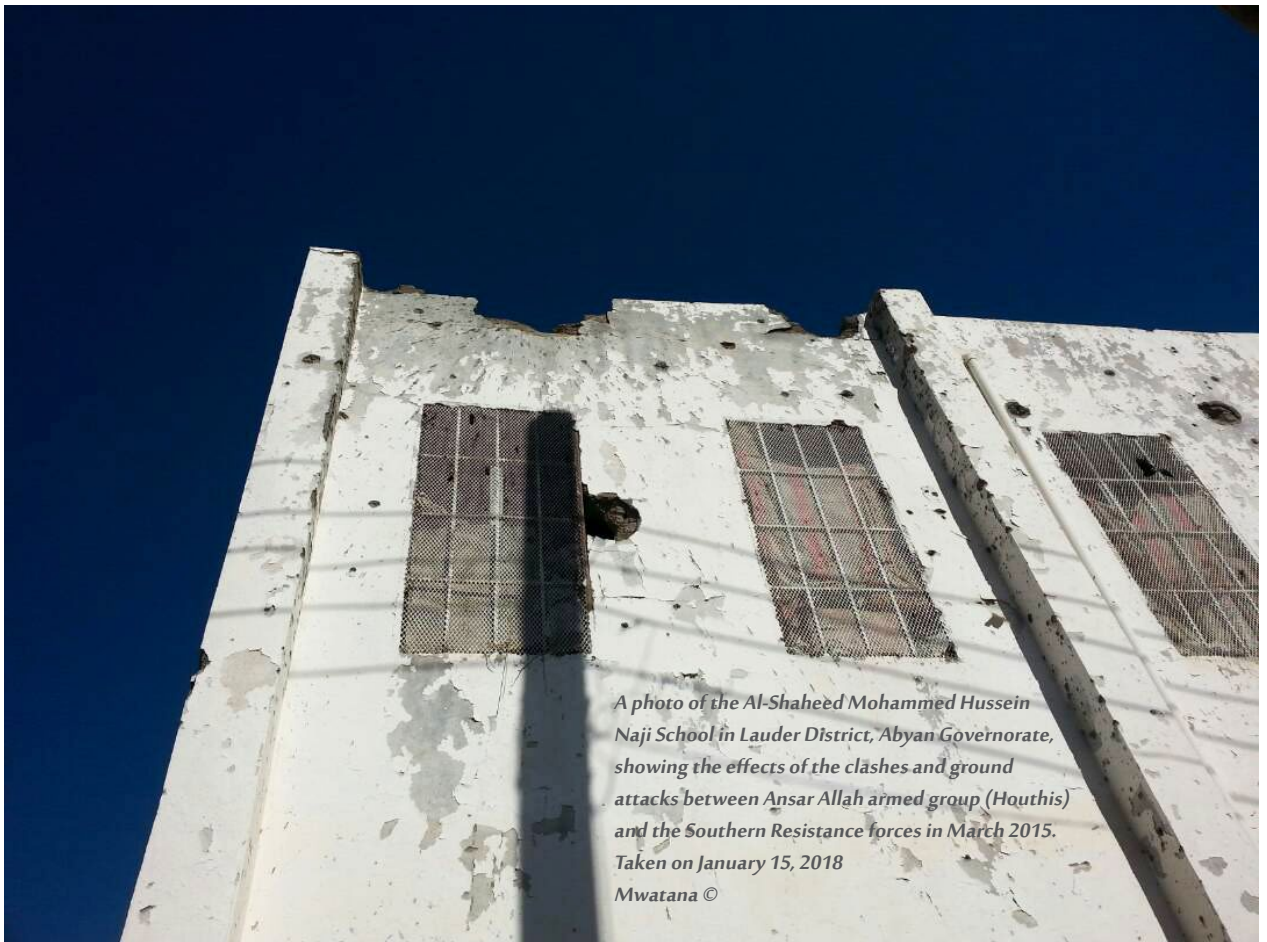


A photo of the Science Laboratory at the Al-Shaheed Saifan School in Al-Mahfad District, Abyan Governorate, after its contents were looted and destroyed by Security Belt members during their occupation of the school, as of October 31, 2017.

Taken on November 23, 2018

Mwatana ©

38 Ibid.



A photo of the Al-Shaheed Mohammed Hussein Naji School in Lauder District, Abyan Governorate, showing the effects of the clashes and ground attacks between Ansar Allah armed group (Houthis) and the Southern Resistance forces in March 2015. Taken on January 15, 2018
Mwatana ©



A photo of tents used for studying in the yard of Asma Bint Abi Bakr School in Mansouriya district, Al Hudaydah Governorate, after the school building had been destroyed in an airstrike by the Saudi/UAE-led coalition on August 24, 2015. Taken on April 28, 2016
Mwatana ©

Section 4:

Other Violations Impacting Schools



A photo of total destruction of the Al-Awsha School, in Nessab district of Shabwah governorate, as a result of an airstrike by the Saudi/UAE-led coalition on July 27, 2015. Taken on February 02, 2017

Mwatana ©

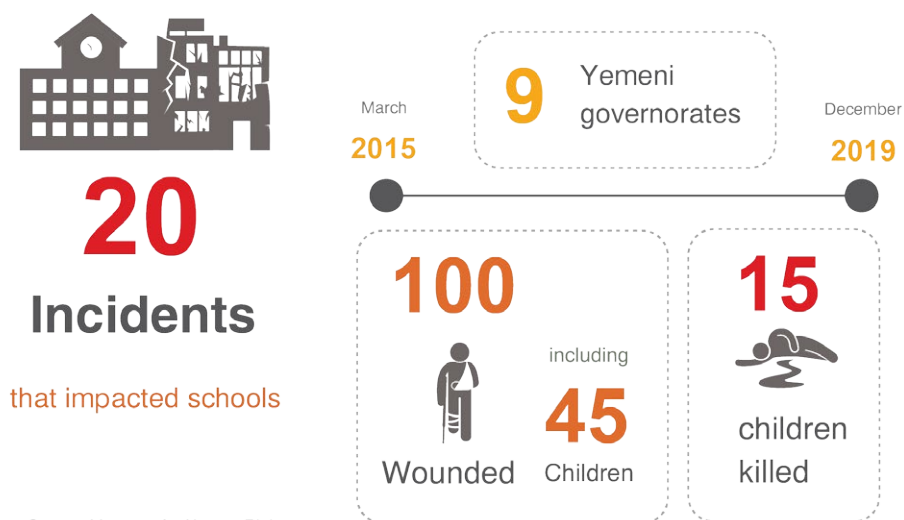
Schools across Yemen have witnessed various violations by the parties to the conflict. This section looks beyond the primary patterns of attacks impacting schools—e.g. airstrikes, attacks during ground fighting and military use and occupation—and includes examples of other actions by the warring parties, many apparently in breach of international law, impacting schools in Yemen.

A series of actions by the warring parties have deprived a wide range of students of their right to education, including through completely or partially destroying educational facilities or increasing fear among students and their parents, who refuse to return their children to schools that have been or may be impacted by attacks. Many documented attacks on schools have happened in remote areas where alternative places of education are slim to non-existent, thus preventing even the children who would regularly attend school from receiving their education.

Mwatana documented 20 incidents that impacted schools in 9 governorates. These incidents killed 15 children, and wounded 100 others, including 45 children, as well as causing a temporary or total disruption of the education process in some schools. Types of incidents include, by way of illustration: booby-trapping with explosives; planting landmines in the vicinity of schools; causing material and human damage to schools as a result of storing volatile materials or ammunition in or near them; looting and damaging school furniture; forcibly entering schools with weapons; and physically assaulting male and female teachers; as well as other attacks or actions in or near schools.

Ansar Allah has, for example, planted landmines near schools, and stored volatile materials near schools in areas under its control, amongst other actions impacting schools, while the armed forces loyal to the government including Islah affiliated armed groups, and the UAE-backed Southern Transitional Council have, for example, looted and damaged school furniture and forcibly entered schools with weapons.

Warring parties are obligated under international humanitarian law to minimize harm to civilians and civilian objects, including educational facilities, and not to direct attacks against them. Defending parties must also take all feasible precautions to protect civilian objects under their control, including schools, against the effects of attacks, and to the extent feasible, avoid locating military objectives in or near densely populated areas.



A photo shows the effects of the destruction in Sheikh Salem School in Zinjibar District, Abyan Governorate, as a result of an airstrike by the Saudi/UAE-led coalition on July 27, 2015.

Taken March 2, 2017

Mwatana ©

Case Studies

One night in March 2016, in Qaloua area, Tawahi district, Aden governorate, an official with the Political Security Agency, affiliated with the UAE-backed Southern Transitional Council, stormed Al-Rawda Basic School and forced the school administration to shelter IDPs in one of the school's six classroom buildings.

The school administration was forced to create an additional third study period of four hours as a result of the shortage of classrooms created so that students could complete the school year's requirements.

At the end of the first semester, the number of IDPs doubled. The administration was forced to search for an alternative school for a number of students in the seventh, eighth and ninth grades. Armed force was used to compel the school to take in the IDPs. Relevant authorities failed to coordinate with the school or give appropriate attention to the disruption of the educational process.

A woman (49 years old) said, "I saw a 26-passenger bus carrying families consisting of women, children and men, and in front of them was an armed man, who works as a leader in the Political Security Agency, who forced the gatekeeper to open the school gate threatening to use arms."

She added,

“

“Sheltering the IDPs led to doubling working hours from 8:00 am to 5:00 pm, increasing burdens on teachers. After the end of the first semester and the start of the second semester, the school became more like an IDP camp. The number of IDP households increased rapidly, and classrooms became kitchens and dorm rooms, which led chairs and tables to be damaged and used as firewood.”³⁹

”

39 An interview conducted by Mwatana on September 4, 2018.

On the morning of Sunday, April 7, 2019, at about 11:25 am, an explosion occurred inside an Ansar Allah-controlled warehouse containing large quantities of volatile material. The warehouse was located near four schools in the populated area of Sawan, in the capital Sana'a. The explosion led to 15 school children being killed, and more than 100 wounded, including at least 5 children who were in critical condition after the attack.



In Al-Ra'ee Public School, which had approximately 2000 students and was located about 250 meters west of the site of the explosion, Mwatana documented the death of 12 students. The explosion caused many of the girls to run in panic along the balconies outside their classrooms to the stairwell, where some fell and were trampled. When the stairwell became blocked, some girl, who were still on the top floor of the three-story building, died when they jumped or fell from the building.

In Al-Ahqaf Private School, located 45 meters east of the warehouse, the explosion ripped a school door off its frame, killing a 17-year-old student and wounding many students.

Staff at one of the hospitals near the explosion site said, "Three girls whose bodies were received at the hospital had been trampled to death, and most wounded children admitted to the hospital had been cut by broken glass."⁴⁰

A female teacher at al-Ahqaf school said, "Window were broken and doors collapsed." She added, "My students were very scared. They kept clinging to me and crying, and I could not do anything."⁴¹

Mwatana and Human Rights Watch determined, based on in-person interviews with witnesses, videos, and satellite imagery, that the contents of the warehouse had caught fire and exploded. The groups were unable to identify the warehouse contents, but available information shows that they were flammable and explosive, posing a foreseeable danger to civilians living and going to school in the area. ⁴²

40 An interview conducted by Mwatana on January 4, 2019.

41 An interview conducted by Mwatana on January 4, 2019.

42 For more information about the incident, see Mwatana and Human Rights Watch press release, Yemen: Warehouse Blast Kills Schoolchildren, available at: <https://mwatana.org/en/warehouse-blast-kills-schoolchildren/>.



A photo shows the effects of the destruction in Al-Thawra School in Al-Hawta district, Lahj governorate, as a result of several ground and air attacks, as the Houthi/Saleh forces stationed in it and turned it into a prison and site for planning and carrying out their hostile operations, as of March 27, 2015.
Taken on March 16, 2017
Mwatana ©



Acknowledgements

This report was prepared by Mwatana's Research and Studies team, under the supervision of the executive management and with the cooperation of the other units and managements – the Programs and Projects Unit, the Media, Communications and Advocacy Unit, Human Resources Management and Financial Management.

Mwatana highly appreciates and thanks Ceasefire Center for Civilians Rights and its partners for their support in achieving this report.

Mwatana would like to thank all those who have been interviewed and given their statements victims, victims' relatives, eyewitnesses, and workers in the education field. It also thanks the consultants who contributed the information and enriched the report during its preparation and review.



■ Cover: Taiz Al-Kubra High School, , the largest school in the city of Taiz, in the Al-Jamhuri neighborhood in the center of the city, was destroyed by the confrontations between the forces loyal to President Abd Rabbu Mansour Hadi and the Ansar Allah armed group (Houthis). Taken on May 23, 2016

Undermining The Future

Attacks on Yemen's Schools

March 2015 – December 2019

Yemen is witnessing an exacerbation of the humanitarian catastrophe as the conflict parties continue to commit grave violations against civilians and civilian objects for six years. In a country where children still struggling to access education, schools and educational facilities have not been spared from repeated attacks by the warring parties. However, the danger posed by attacks on schools goes beyond the immediate physical destruction and damage in spite of severity, leaving tragic effects on childhood and future.

This report documents the incidents of violations and attacks on schools and educational facilities in Yemen during the period between March 2015 and December 2019 by the parties to the conflict in 19 governorates in Yemen. It previews examples of attacks on schools under the following three main patterns: Aerial Attacks, Clashes and Ground Attacks, Occupation and Use of Schools for Military Purposes, and a set of other violations that affected the educational process. These violations, as a whole, have resulted in varying damages in schools where many of them have become restricted areas in addition to the consequent sustainable and long-term dangers, as the educational process has been disrupted, children have been deprived of safe spaces to get their education, and their futures have been undermined.

In this report, a set of recommendations are included, some of which are made to the parties to the conflict demanding them to pay special attention to spare schools from being damaged and to immediately stop using them for military purposes. Other recommendations are also made to the International Community, most notably pressing towards accountability and redress.