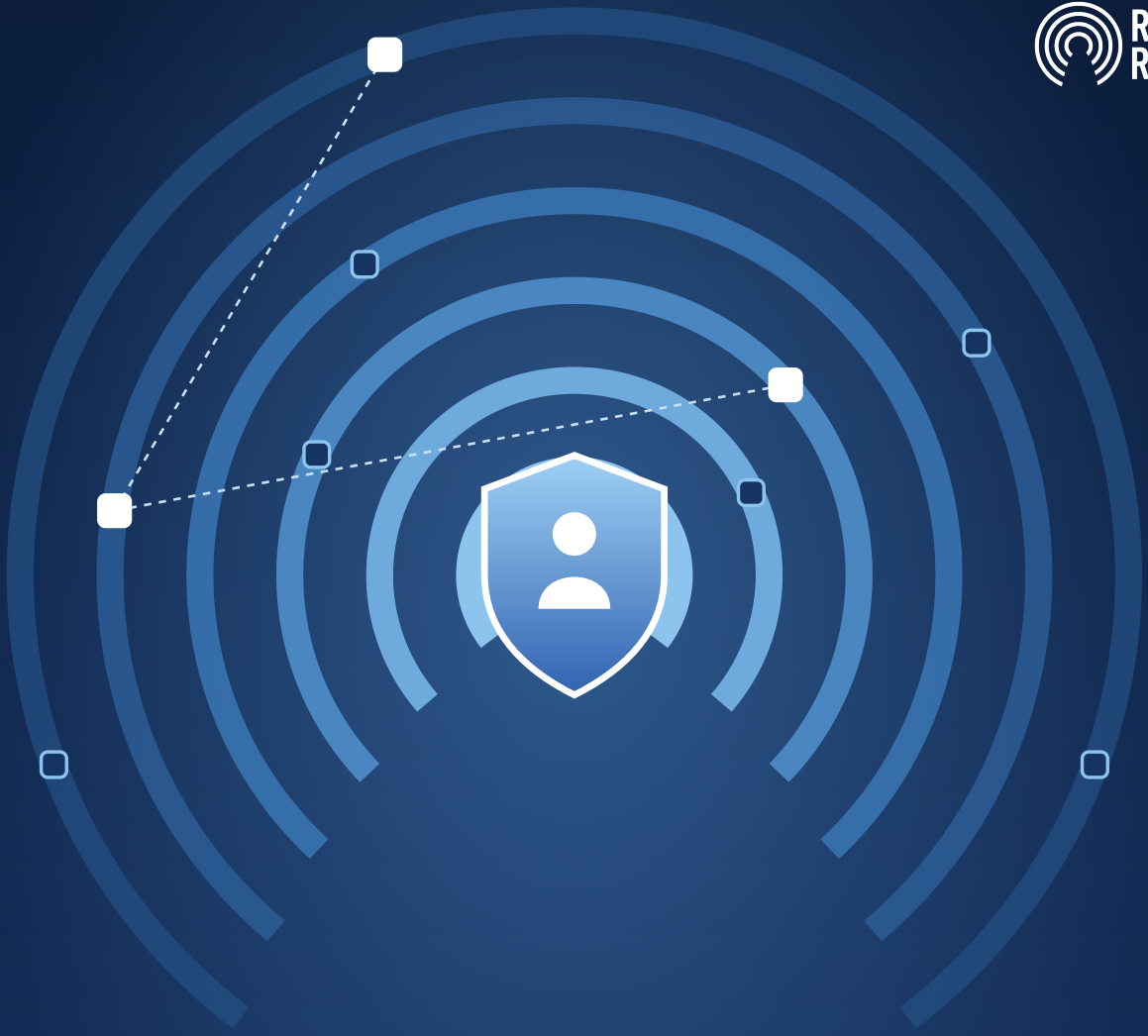
RIGHTS RADAR



Working paper

The Hague · 25 October 2026

From File to Registry

A documentation method and a unified registry for child recruitment victims in Yemen

Presented to the seminar “From Documenting Violations to International Accountability: Child Recruitment by the Houthi Group”

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Key figures

What the available figures on child recruitment in Yemen say, and what they do not: documented figures do not necessarily represent the full scale of the violation.

7,460

children recruited and used

Rights Radar statistics on cases attributed to the Houthis, September 2014 to the end of September 2026.

3,034

children whose recruitment the UN verified

Between April 2013 and December 2018; 1,940 were attributed to the Houthis and the rest to other parties.

861

children in just two years

Recruitment verified by the UN between January 2019 and December 2020.

64%



1,940 of 3,034

Share of UN-verified cases attributed to the Houthis (2013–2018); the rest to other parties.

15 | 18

Two thresholds, not one

The protection standard for those under eighteen, and the line for characterising the act as a war crime for those under fifteen.

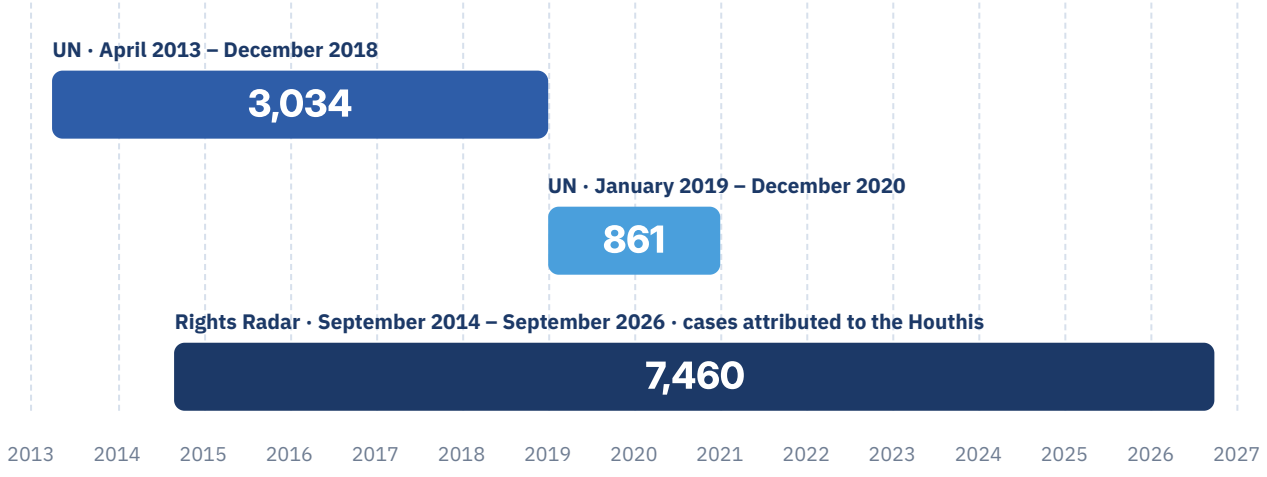
1,600+

prisoners in the May 2026 deal

The largest exchange since the war began; implementation stalled over disputes about the lists.

Why don't the figures match?

These figures do not contradict one another; they differ in period, scope and verification threshold. But there is no way to reconcile them, and the debate shifts from children to numbers.



Abstract

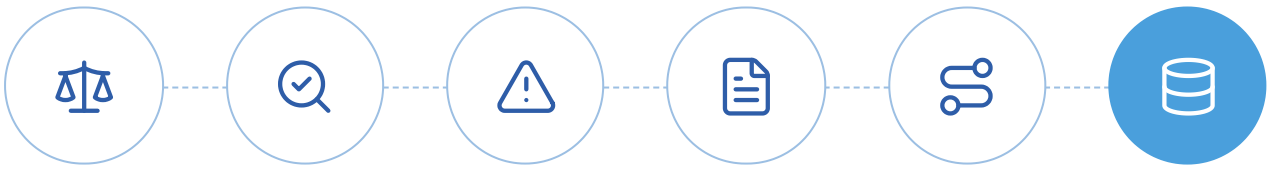
Executive summary

This paper examines the most sensitive link in efforts against child recruitment in Yemen: how human rights documentation moves from material that describes a violation to a legal file that can support accountability. It starts from the premise that the quality of documentation is measured not by the number of testimonies or published images, but by the soundness of its method, its respect for the child's dignity and best interests, its verifiability, and the preservation of evidence and its chain of custody. It sets out the legal framework that separates the protection standard for children under eighteen from the threshold at which the act becomes a war crime for children under fifteen, then the documentation method, the challenges of working in areas under Houthi control, the structure of a legal file, and the available pathways to accountability and their limits, including the limits of the International Criminal Court's jurisdiction. It concludes that a well-built file is not enough while files remain scattered, and proposes the Yemen Unified Victims Registry, whose first phase covers children associated with the conflict from all parties.

Keywords

child recruitment | human rights documentation | digital evidence | chain of custody | international accountability | Optional Protocol | Rome Statute | unified victims registry | Yemen

Paper roadmap



> **The quality of documentation is measured not by the number of testimonies or published images, but by the soundness of its method, its respect for the child's dignity and best interests, its verifiability, and the preservation of evidence and its chain of custody.**

Key messages

Six ideas the paper argues for

01

The child comes first

Documentation that harms a child has no value. The child's safety and informed consent, together with a guardian's consent where required, are a condition of legitimate documentation and of the evidence's worth, not a procedural constraint on it.

02

A human rights report is not a legal case file

A report does not become a case file on its own. A file needs an age established by the best available evidence with a stated level of confidence, precisely described roles, an intact chain of custody, and a link to the people who may be responsible.

03

Two thresholds, not one

The protection standard for children under eighteen must be kept distinct from the threshold at which the act becomes a war crime, which is under fifteen. Confusing the two weakens the legal argument of the file.

04

From file to registry

A well-built file will have little effect while files remain scattered. The paper therefore proposes the Yemen Unified Victims Registry, started by organisations from different backgrounds, whose first phase covers children associated with the conflict from all parties.

05

The State Memory horizon

The registry is designed as a first building block of the records a post-war state will need. From day one, copies are held in a data embassy in a neutral jurisdiction, beyond the reach of the parties to the conflict. Once a unified state exists, an independent national data and AI authority would receive it under rules written in advance, as a partner in protecting it rather than its owner.

06

Realistic pathways to accountability

The International Criminal Court has no jurisdiction over Yemen today. Accountability therefore needs a realistic, multi-track strategy that begins with preserving evidence.

INTRODUCTION

Documentation is not an end in itself

From information to a fact that can be attributed

Yemen does not lack reports so much as the means to turn information into facts that can be verified and legally attributed while protecting children and witnesses. A human rights report may draw attention to a violation, but it does not automatically become a judicial file. That requires a clear chronology, proof of age and of the nature of the act, and evidence linking the incident to possible perpetrators, while safeguarding victims' rights and fair-trial guarantees.

The importance of distinguishing between verified violations and the full scale of a violation is clear in recent data on Yemen. A Rights Radar statistical record covering September 2014 to the end of September 2026 puts the number of children recruited and used at 7,460[1]. The organisation stresses that access constraints mean the documented figures do not necessarily represent the full scale of violations attributed to the Houthis, and verified numbers should not be treated as a comprehensive count. The credibility of documentation rests on independence and consistency, not on selective results.

7,460 children recruited and used, according to Rights Radar statistics (September 2014 – September 2026), a figure that does not necessarily represent the full scale of the violation.

Because the seminar's title names one party, the paper states its position at the outset: it is written from the perspective of children's rights, not from that of any party to the conflict. Every child recruited in Yemen is a victim with the same rights, whoever recruited them, and it is the UN figures that show which parties recruited most.

Of the 3,034 children whose recruitment the UN verified between 2013 and 2018, 1,940 were attributed to the Houthis and the rest to other parties[2]. This is a condition of credible documentation, because a file that looks partisan is easy to challenge.

The paper asks: how can safe and reliable information on the recruitment and use of children be collected, and then turned into legal files that can be referred to the appropriate accountability pathways?

The paper takes an applied analytical approach based on international instruments, UN guidance and relevant case law. It does not rely on field data it collected itself, and it does not assume that every published allegation has been judicially established.

We build the argument on a three-layer model resting on one foundation, the protection of the child: documentation that harms a child has no value, however useful it might be to the file (Figure 1). The layers build on each other. A registry is only as trustworthy as its files, and accountability needs a registry to stand on.

1. **Layer one, a file that holds:** a file prepared for each child individually. It needs three things: an age established by the best available evidence, with the level of confidence stated[3], since age determines whether the act falls under the protection standard for children under eighteen or can be characterised as a war crime for children under fifteen; a precise description of the act and of the child's role; and an intact chain of custody showing that the evidence has not been altered since it was collected.

2. **Layer two, a registry that connects:** it links the files of different organisations without revealing the children's identities, by comparing encrypted fingerprints, never names, and no single body runs it alone. The aim is a figure that organisations from different backgrounds are willing to stand behind publicly, instead of scattered numbers that cannot be reconciled.

3. **Layer three, a pathway to accountability:** the bodies to which files and lists can be referred and which can act on them, such as UN mechanisms, national or foreign courts, and the negotiating table. The evidence file is opened to any of them only with the consent of those concerned and only for a competent body.

The paper's model: three layers on one foundation

Figure 1: a file that holds · a registry that connects · a pathway to accountability, resting on the protection of the child



▲ **The layers build on each other: each rests on the one below** ▲

1

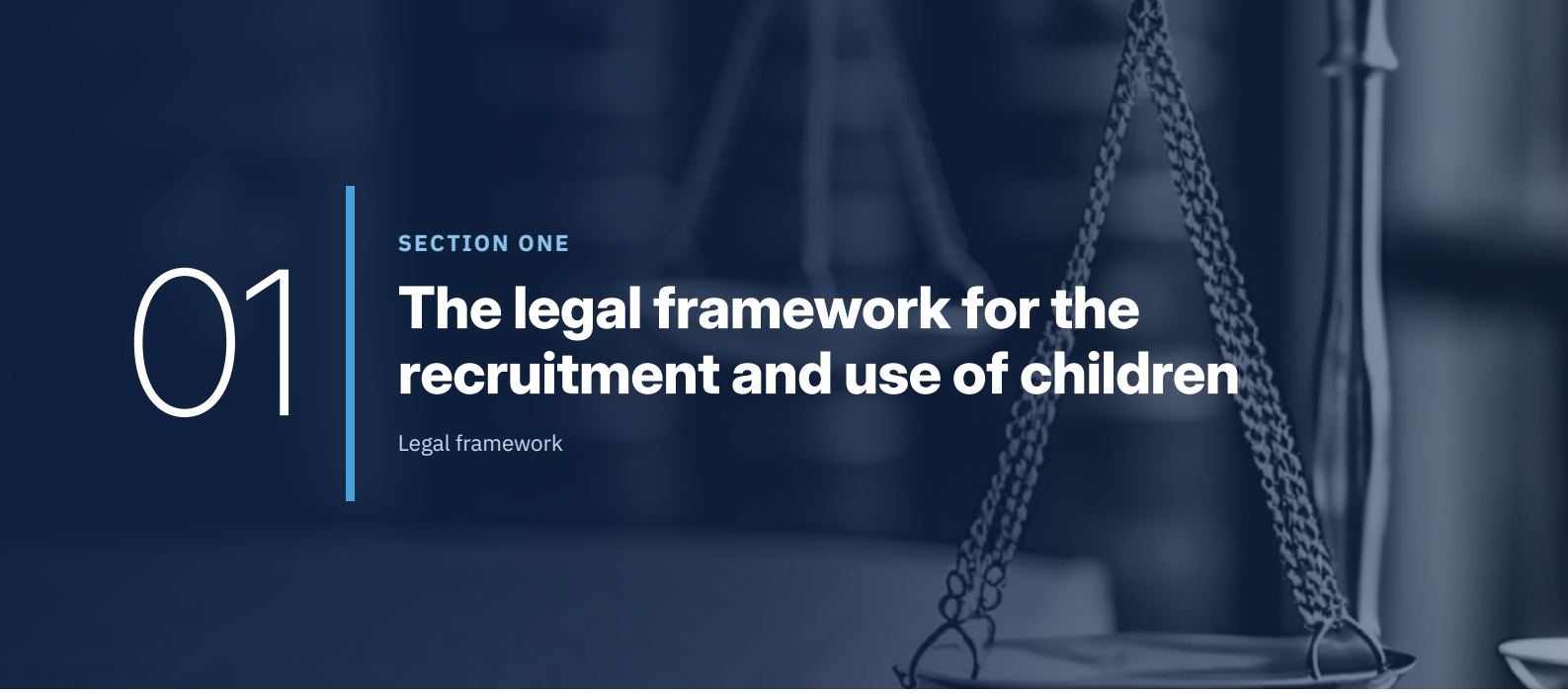
A file for each child: an established age, a precise description of the act and role, and an intact chain of custody.

2

Encrypted fingerprints, never names, and no single body runs it alone.

3

The evidence file is opened only with the consent of those concerned and only for a competent body.



SECTION ONE

01 The legal framework for the recruitment and use of children

Legal framework

Building a file starts from the legal question to be proved, before any testimony is collected; a documenter who does not know which rule was violated will not know what evidence to look for. We therefore present the legal framework only as far as a documenter needs it in daily work: what must be proved in each file, and where the two age thresholds that drive the legal characterisation lie, from the Convention on the Rights of the Child to the Rome Statute.

1.1 Convention on the Rights of the Child (1989): protection from the effects of conflict

Article 38 of the Convention on the Rights of the Child requires States to take all feasible measures to ensure that persons under fifteen do not take a direct part in hostilities and are not recruited into the armed forces, giving priority to the oldest when recruiting those between fifteen and eighteen. Article 39 requires measures for the physical and psychological recovery and social reintegration of children affected by armed conflict and other forms of abuse.

1.2 Optional Protocol (2000): the protection standard for children under eighteen

The Optional Protocol strengthens this protection. Articles 1 and 2 address direct participation and compulsory recruitment of persons under eighteen. Article 4 provides that non-State armed groups should not recruit or use in hostilities persons under eighteen, and obliges States to take all feasible measures to prevent this, including the legal measures needed to prohibit and criminalise such practices. Articles 6 and 7 cover implementation, cooperation and assistance.

Yemen acceded to the Protocol on 2 March 2007[4], and the Yemeni Government declared eighteen as the minimum age for voluntary recruitment into its armed forces, together with a ban on compulsory or voluntary recruitment of anyone under eighteen. Yemen's Child Rights Law No. 45 of 2002 sets eighteen as the minimum age for recruitment in Article 149[5]. State responsibility under the Protocol and individual criminal responsibility are separate questions, each with its own basis and conditions.

1.3 International humanitarian law

Additional Protocol II to the Geneva Conventions, Article 4(3)(c), prohibits recruiting children under fifteen into armed forces or groups or allowing them to take part in hostilities, and Yemen is a party to it. The prohibition is also a rule of customary international humanitarian law[6], which binds non-State armed groups directly, whatever treaties the State has ratified.

1.4 Rome Statute (1998)

The Rome Statute criminalises, in Article 8(2)(e)(vii) on non-international armed conflicts such as Yemen's, conscripting or enlisting children under fifteen into armed forces or groups or using them to participate actively in hostilities; Article 8(2)(b)(xxvi) is its counterpart for international conflicts. Article 28 governs the responsibility of commanders and superiors, and Article 29 provides that crimes within the Court's jurisdiction are not subject to any statute of limitations.

This criminalisation is settled in international case law. In 2004 the Special Court for Sierra Leone held that recruiting children under fifteen was already a crime under customary international law before the International Criminal Court was created[7], and the ICC has since convicted Thomas Lubanga (2012), Bosco Ntaganda (2019) and Dominic Ongwen (2021) of this crime.

Provisions the documenter refers to

Convention on the Rights of the Child 1989

Article 38: persons under fifteen · Article 39: recovery and reintegration

Optional Protocol 2000

Articles 1 and 2 · Article 4: non-State armed groups · Articles 6 and 7

Additional Protocol II 1977

Article 4(3)(c) · a customary rule that binds armed groups directly

Rome Statute 1998

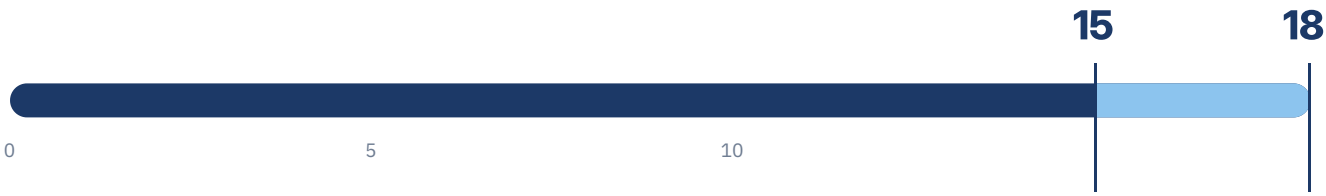
Article 8(2)(e)(vii) · Article 8(2)(b)(xxvi) · Article 28 · Article 29

1.5 Summary: the protection standard is not the crime threshold

Not every breach of the protection standard for children under eighteen automatically amounts to the war crime defined in the Rome Statute, because the age threshold for the crime of recruitment or use is under fifteen, and all other elements and jurisdiction must still be proved. This does not mean that children aged fifteen to eighteen are unprotected; violations against them rest on a different legal basis. Each file must therefore set out the act, its nexus to the conflict, the child's age on the day it occurred, and what the person concerned knew, under the applicable provision.

The surrounding facts may raise other characterisations, such as abduction, torture or sexual violence, if the elements of each crime are established. Describing the facts as grave is not enough to establish a crime against humanity; its specific elements and context must be verified. It is more accurate for the file to separate established facts from possible characterisations and the conditions of each.

Two thresholds on one scale: the child's age on the day of the act



Under fifteen: the act falls under the protection standard and can be characterised as a war crime once the other elements and jurisdiction are established.

Between 15 and 18: protected, and the violation rests on a different legal basis.

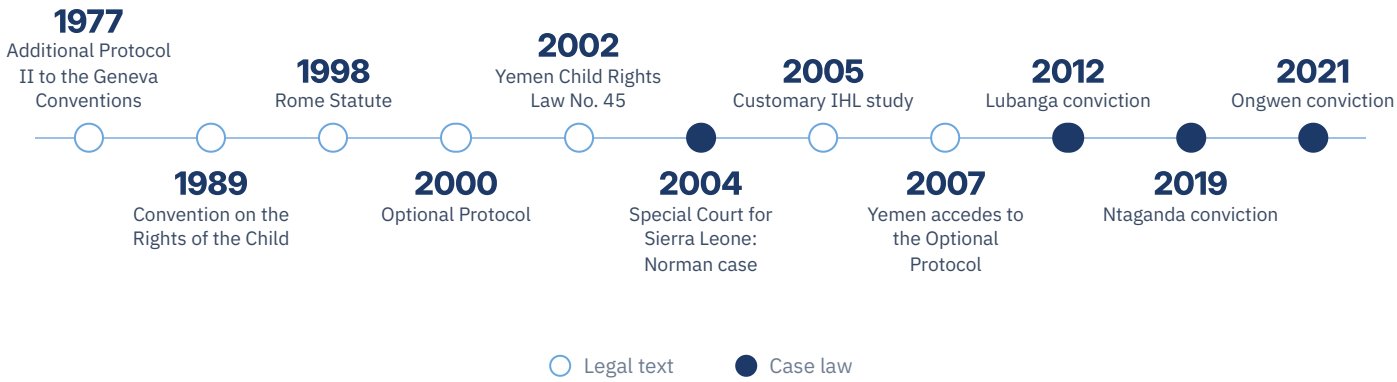
Crime threshold: under 15

Additional Protocol II · customary international humanitarian law · Rome Statute, Article 8(2)(e)(vii)

Protection standard: under 18

Optional Protocol 2000 · Yemen Child Rights Law (Article 149) · the Yemeni Government's commitment on accession

Timeline: legal texts and case law



SECTION TWO

02 Documentation method: collecting testimony and evidence

Documentation methodology



> The legal framework defines what must be proved; the method defines how to prove it without harming anyone. In our view, the quality of documentation depends more on the soundness of the process than on the volume of material. A single testimony collected through a sound procedure can serve accountability better than dozens that cannot be verified. This section follows the steps of the work, from defining the incident before collection to distinguishing between levels of proof, which together make up the file in the first layer of the model.

2.1 Define the incident to be proved before collecting material

An evidence plan should be prepared before the interview. It should cover the child's age at the time of the incident, how they were recruited or attached, who carried out the recruitment, where and when training or transfer took place, the role assigned to the child, the link to the conflict, the harm suffered, and who gave or knew of the orders. The aim is not to presume facts, but to frame questions that help verify them.

Ideological mobilisation or participation in a propaganda activity must be distinguished from recruitment or use in hostilities. The former may point to a wider context but does not by itself establish the violation. Use is not limited to carrying weapons; it may include dangerous support roles, depending on their nature and connection to military activity. The child's role must therefore be described precisely; a general label such as "recruited child" is not enough.

2.2 Verify age and facts through independent sources

Age is central, but the documents proving it may be lost or impossible to check. Where possible, birth certificates should be compared with school or health records and family accounts. The researcher records the source of each piece of information, the level of confidence in it and any contradictions. Where a conclusion cannot be reached, the limits of verification should be stated openly. False certainty helps no one.

Cross-verification requires comparing the child's account with independent sources: another direct witness, a contemporaneous record, a medical report, an original digital file, or a reliable UN source. Many websites do not make sources independent if they all draw on a single post. The origin of information must therefore be traced, direct testimony distinguished from hearsay, and the limits of each source documented in line with the Berkeley Protocol on Digital Open Source Investigations, issued by the UN Office of the High Commissioner for Human Rights and the University of California, Berkeley, in 2020.

1	2	3	4	5
Another direct witness	**Contemporaneous record**	**Medical report**	**Original digital file**	**Reliable UN source**

Independent sources against which the child's account is compared; many websites do not make sources independent if they all draw on a single post

Levels of confidence in age, as proposed by the paper

Confirmed

When established by an official document such as a birth certificate or civil registry entry.

Probable

When established by informal documents such as school records or vaccination cards, or by consistent testimony linking the birth to an event of known date.

Estimated

When based on a single testimony, physical appearance or conflicting accounts.

2.3 Interviewing children and survivors: protection is part of the evidence

The child's safety and best interests take precedence over the wish to complete a file. Interviews should be conducted by a trained person, in a safe place, using open and non-leading questions, after explaining the purpose of the interview, the limits of confidentiality and how the information will be used, and after obtaining the appropriate consents. Involving a parent or guardian should not be assumed to be the best option if they are implicated, unsafe or under pressure.

Good practice includes keeping interviews to a minimum and not forcing the child to retell a painful experience. The date and language of the interview, those present, the key questions and any translation or summarising should be recorded, with psychosocial support available where needed. Names, images or location details that could reveal identity directly or indirectly must not be published.

2.4 Digital evidence and chain of custody

Photos, videos and digital messages may reveal training, gathering points or the roles assigned to children, but they may be old, cropped or reposted. The original file should be preserved wherever possible, with the link, the posting account and the time of capture recorded, metadata retained, any alteration documented and a digital fingerprint (hash) created. The Berkeley Protocol sets out practical procedures for checking the authenticity and context of digital material. Because platforms delete content and strip much of its metadata on upload, the original should be preserved as soon as it is found, before any analysis.

Chain of custody means a record of who collected the evidence, when, where and how, who received it afterwards, what was done to it, where it is stored and who has accessed it. A break in the chain does not necessarily make evidence inadmissible, but it weakens the ability to prove its integrity. Sensitive files should therefore be encrypted, identity data separated from the facts, permissions restricted, and every access and transfer logged.

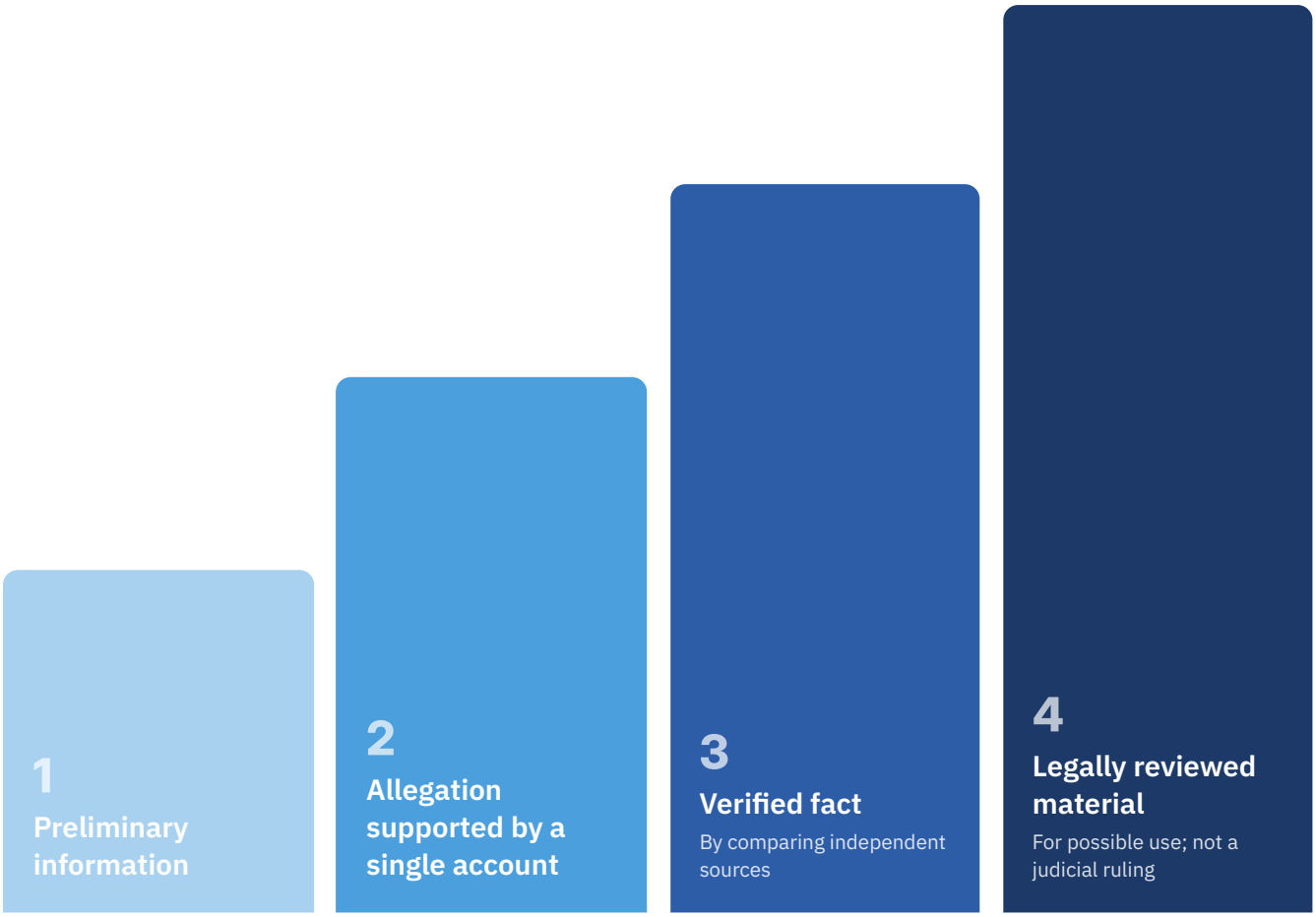
Chain of custody: eight questions every evidence record must answer

1	2	3	4
Who collected it? The documenter who obtained the evidence	**When?** Date and time of collection	**Where?** Place where it was obtained	**How?** Method of collection and preservation
5	**6**	**7**	**8**
Who received it? Everyone it passed to afterwards	**What was done?** Any examination or alteration	**Where is it stored?** Encrypted storage location	**Who accessed it?** Access and handling log

2.5 Distinguish between levels of proof

A distinction should be drawn between preliminary information, an allegation supported by a single account, a fact verified by comparing independent sources, and material that has been legally reviewed for possible use. Human rights verification is not a judicial ruling. Findings should therefore be described only as far as the evidence allows, with the method and its limits explained, and no final crime should be attributed to an individual on the basis of a single uncorroborated testimony.

Levels of proof: from preliminary information to legally reviewed material



The method at a glance

1 Define the incident before collecting material

2 Verify age and facts through independent sources

3 Interview the child and survivor with full protection

4 Preserve digital evidence and the chain of custody

5 Distinguish between levels of proof

> **A single testimony collected through a sound procedure can serve accountability better than dozens that cannot be verified.**

SECTION THREE

03 Challenges in areas under Houthi control and how to mitigate them

Field challenges and mitigation

This method is not applied in ideal conditions. In areas under Houthi control, where a large part of the population lives, a single question can put the documenter and the person answering at risk. The purpose of this section is not to excuse gaps in the evidence, but to show how standards can be maintained under pressure, because difficult conditions do not justify a looser method. We set out the main challenges and ways to reduce their impact, bearing in mind that the child's protection prevails whenever it conflicts with collecting information.

3.1 Access constraints and fear of reprisal

Monitoring teams face difficulty reaching some locations, restrictions on movement and communication, threats or detention, and fear that a child or family will be identified. UN reports on Yemen have noted that security constraints, threats and fear of reprisal have limited verification. A lack of data may therefore reflect access constraints rather than the absence of violations.

The response requires a risk assessment before every interview, secure communication channels, minimal identifying data, not publishing locations or dates that could expose a source, and a plan for contact after the interview. Collection must be stopped or suspended whenever the risks to the child or family become unacceptable. No file is worth exposing them to danger.

3.2 Missing documents and conflicting accounts

Family members' accounts of the date or place of recruitment or the child's role may differ because of trauma, the passage of time or fear. Discrepancies should not automatically be read as lies, nor ignored. Each account should be recorded, points of agreement and disagreement identified, and independent indicators sought to resolve material contradictions and separate them from marginal differences.

3.3 Disinformation and information pollution

Images may be old or out of context, and the same account may be reshared through accounts that appear independent. A file should therefore not rely solely on circulating clips, or on insignia and clothing as a single indicator. It should go back to the original source, examine the time and place, record contradictions and alternative explanations, and exclude material that cannot be adequately verified, however compelling it may be for the media.

3.4 Girls and less visible groups

Girls are often left out of documentation and demobilisation programmes because their roles are less visible: cooking, transport, surveillance and service in camps, alongside which they may face sexual violence or forced marriage. Documentation forms should therefore set out non-combat roles in detail, interviews with girls should be conducted by trained female documenters, and immediate referral to specialised support should be available. The same applies to children from marginalised groups, who usually fall out of the records.

Less visible roles that fall out of the records

- **Cooking**
- **Transport**
- **Surveillance**
- **Service in camps**

3.5 Reconciling protection and accountability

If a survivor does not wish to file a complaint or reveal their identity, their wishes must not be overridden or their safety put at risk for the sake of attributing responsibility. Instead, the options and the limits of confidentiality should be explained, the risks assessed, and the use of aggregated or de-identified information considered under the applicable rules. A child must never be treated merely as a source of evidence, but as a victim entitled to protection, rehabilitation and reintegration. Documentation itself may expose a child to stigma in their community or to re-recruitment if their identity becomes known.

> **Governing rule:** the child's protection prevails whenever it conflicts with collecting information; collection is stopped or suspended whenever the risks to the child or family become unacceptable.

Five challenges and how to mitigate them

Section three in a single table

	The challenge	The proposed response
1	**Access constraints and fear of reprisal** Difficult access, restrictions on movement and communication, threats or detention; a lack of data may reflect access constraints rather than the absence of violations.	**Risk assessment first** Secure communication channels, minimal identifying data, no publication of locations or dates that could expose a source, and a plan for contact after the interview.
2	**Missing documents and conflicting accounts** Family accounts that differ because of trauma, the passage of time or fear.	**Record every account** Identify points of agreement and disagreement, and seek independent indicators to resolve material contradictions.
3	**Disinformation and information pollution** Old or out-of-context images, and one account repeated through accounts that appear independent.	**Go back to the original source** Examine the time and place, and exclude what cannot be verified, however compelling it may be for the media.
4	**Girls and less visible groups** Less visible non-combat roles, and exposure to sexual violence or forced marriage.	**Forms that detail non-combat roles** Interviews with girls conducted by trained female documenters, with immediate referral to specialised support.
5	**Reconciling protection and accountability** A survivor who does not wish to complain or be identified, and the risk of stigma or re-recruitment.	**Respect the survivor's wishes** Explain the options and limits of confidentiality, use aggregated or de-identified information, and treat the child as a victim, not merely a source of evidence.

SECTION FOUR

04 How documentation becomes a legal file

From documentation to a legal file

This section brings the previous ones together: the legal framework defines what must be proved, the method defines how material is collected, and the challenges define what can actually be reached. What remains is organising the material, which is what turns it into a file. A human rights report recounts what happened, whereas a legal file answers the questions an investigator or judge will ask and supports each answer with evidence. We propose two tools for this: a matrix linking the elements of the crime to their evidence, and a practical structure for the file.

4.1 From narrative to a matrix of crime elements

The legal step begins by organising field material according to the elements that must be proved, not simply in the order of the interview. A testimony or image gains value when it proves a legal element, supports another fact, or leads to a further witness or document. A table should be prepared linking each element to the supporting and contradicting material and to what remains to be verified.

Table 1: Matrix of crime elements and legal review questions

Element to examine	Examples of relevant material	Legal review questions
Child's age at the time of the incident	Birth certificate, school or health record, contemporaneous documents, independent family testimony.	Is age established on the date of the act specifically? Are there unresolved contradictions?
Recruitment, attachment or use	The child's account, an independent witness, original images, messages or orders, transfer or training records.	What act took place, and who carried it out? Is there a difference between general mobilisation and recruitment or use?
Association with an armed group and the conflict context	Testimony, places and dates, uniforms or insignia with supporting indicators, reliable public material.	Does attribution to the group rest on more than one indicator? Has the nexus to the conflict been established?
Role assigned to the child	Witnesses, original footage, order records, contemporaneous descriptions of the task.	Does the role amount to active participation in hostilities under the characterisation being considered, or another activity?
Responsibility of individuals or commanders	Orders, communications, testimony on the chain of command, a repeated pattern, evidence of knowledge or failure to prevent.	Does the evidence link the person to the act? Have knowledge, orders or contribution been established under the applicable provision?

When examining command responsibility, political or military status, or the fact that a violation occurred in a person's area of influence, is not enough. The legal link itself must be proved, such as ordering, contributing or aiding, or the conditions of command responsibility under Article 28 of the Rome Statute, including effective control, knowledge and failure to take necessary and reasonable measures, under the applicable law. The researcher's task is to gather evidence that allows the competent body to test these elements, not to deliver a guilty verdict.

4.2 A proposed structure for the legal file

1. **A short referral page** setting out the subject of the file, the period, the location, the type of violation and the body to which referral is proposed, with the level of confidentiality and risks stated.

2. **A neutral executive summary** that separates verified facts from preliminary information and possible legal conclusions, and explains the verification method and its limits.

3. **A chronology of events**, with each incident numbered and linked to the relevant sources, documents and witnesses.

4. **A separate file for each child or incident**, using a code instead of a name, including age data and its source, how the child was recruited or used, the role, the harm, and supporting and contradicting evidence.

5. **An evidence index and chain-of-custody log**, with preserved originals, digital fingerprints for digital material where possible, and an access and handling log.

6. **A matrix of legal elements** and possible individual responsibilities, showing what has been established and what remains unresolved, without asserting guilt.

7. **A protection plan for witnesses and survivors**, a risk assessment, options for anonymity, and referral to support and reintegration.

8. **A legal and security review before referral**, documenting the legal basis for jurisdiction and the conditions for sharing data with the receiving body.

SECTION FIVE

05 International and national pathways to accountability

Accountability pathways

> Once a file is complete, the question is where it should go, which is the subject of the third layer of the model. We try to be realistic here, because promising a pathway that is not available harms families and undermines their trust in documentation itself. The available pathways are several, but they are not equally useful.

The referral body depends on the goal: protecting the child, stopping a pattern of recruitment, or establishing individual responsibility. The type of file, the standard of proof and the level of confidentiality should therefore match the receiving body, and it should be agreed in advance what may be published, what must be protected, and whether a redacted version is enough without revealing a witness's identity.

5.1 The monitoring and reporting mechanism on grave violations against children

The Security Council established the monitoring and reporting mechanism (MRM) in Resolution 1612 (2005) to gather accurate and reliable information on grave violations against children in conflict, including recruitment and use. Its information feeds the Secretary-General's reports and supports Council action, action plans, and the release and reintegration of children. Organisations should build secure referral channels to the relevant UN bodies.

The mechanism is not a criminal court and does not issue convictions. UN documentation identifies patterns and the parties to which violations are attributed and supports follow-up, protection and action plans; the Security Council Working Group on Children and Armed Conflict reviews the reports and adopts conclusions and recommendations, without replacing individual judicial proof.

> **Promising a pathway that is not available harms families and undermines their trust in documentation itself.**

Both main parties have signed action plans with the UN to end the recruitment and use of children: the Government in 2014 and the Houthis in April 2022[8]. The Secretary-General's annual reports list in their annexes the parties that commit grave violations against children, and the Houthis remain listed for the recruitment and use of children[9]. This is where the quality of documentation has practical value: it is what measures each party's compliance with the plan it signed, and what any decision to keep or remove a party from the annexes rests on.

2014
Government of Yemen action plan

2022
Action plan signed with the Houthis (April)

The quality of documentation is what measures each party's compliance with the plan it signed.

5.2 The Committee on the Rights of the Child and UN human rights mechanisms

Documented information can be used to follow up Yemen's obligations under the Convention on the Rights of the Child and the Optional Protocol, including periodic reports and information submitted to the Committee on the Rights of the Child. Suitable material may also be referred to special procedures or other relevant UN mechanisms after checking their mandate and procedural requirements. These pathways strengthen recognition of the facts and expose gaps in prevention, protection, investigation and rehabilitation, but they are no substitute for criminal prosecution.

5.3 National courts and jurisdiction outside Yemen

National courts in Yemen or in other countries remain a pathway worth examining under each country's rules on jurisdiction. Some laws allow prosecution of international crimes committed abroad, including through universal jurisdiction, but this is not automatic; it may require the presence of the accused, a link to the State, or specific procedural approvals and conditions. The law of the target State must therefore be examined before treating it as an available pathway in a particular case.

Judicial files need a disciplined evidence log, certified translations where necessary, and verifiable information about witnesses, while protecting their safety and rights. Where proceedings cannot start immediately, well-organised documentation can preserve evidence until a suitable jurisdiction becomes available, taking into account limitation periods, admissibility and data protection.

The goal determines the referral body

Protecting the child	Stopping a pattern of recruitment	Establishing individual responsibility

Match the **type of file** · the **standard of proof** · the **level of confidentiality** to the receiving body, and agree in advance what may be published and what must be protected

5.4 The International Criminal Court and the limits of jurisdiction

The Rome Statute criminalises the recruitment and use of children under fifteen, as set out in the legal framework, but that characterisation does not settle the Court's jurisdiction. Under Articles 12 and 13, jurisdiction depends on the territory of a State Party, the nationality of an accused from a State Party, acceptance of jurisdiction under Article 12(3), or a referral by the Security Council, subject to the principle of complementarity and other conditions.

× **Territory of a State Party**	× **Declaration accepting jurisdiction**	× **Security Council referral**	? **Nationality of the accused**
Yemen is not a State Party to the Rome Statute	Yemen has lodged no declaration under Article 12(3)	The Council has not referred the situation in Yemen to the Court	Possible if the accused is a national of a State Party

Yemen is not a State Party to the Rome Statute, has not lodged a declaration accepting the Court's jurisdiction under Article 12(3), and the Security Council has not referred the situation in Yemen to the Court. The Court therefore has no jurisdiction today over alleged crimes in Yemen unless one of these bases arises, or unless an accused is a national of a State Party.

Sending a file to the Court therefore does not mean it will open an investigation or that it has jurisdiction. A realistic strategy works on several tracks: referring suitable information to the MRM and human rights mechanisms, building files that meet the conditions of national courts and jurisdiction outside Yemen, and preserving evidence for any jurisdictional basis that may arise in future.

These pathways are available to varying degrees, but all of them need what a single file cannot provide, however good it is: figures that can be defended, reliable lists, and evidence preserved until jurisdiction becomes available. That is the subject of the next section.

SECTION SIX

06 From file to registry: the Yemen Unified Victims Registry

Toward a unified Yemeni victims' registry

The previous sections dealt with building a single file. In Yemen, though, the bigger problem is fragmentation. Each organisation documents with its own method and fields, so a child appears on one list and is missing from another, and no one can answer with confidence a simple question: how many children have been recruited in Yemen? The UN verified the recruitment of 3,034 children between April 2013 and December 2018, and of 861 children between January 2019 and December 2020[10], while Rights Radar documented 7,460 cases attributed to the Houthis between September 2014 and September 2026.

3,034
children whose recruitment the UN verified
April 2013 – December 2018

861
children whose recruitment the UN verified
January 2019 – December 2020

7,460
cases documented by Rights Radar and attributed to the Houthis
September 2014 – September 2026

The figures differ in: **period** **scope** **verification threshold**

These figures do not contradict one another; they differ in period, scope and verification threshold. But there is no way to reconcile them, and the debate shifts from children to numbers.

We therefore propose the Yemen Unified Victims Registry, whose first phase would cover children associated with the conflict from all parties; a registry limited to the victims of one party would be seen as a tool in the conflict. No single body would own the registry: it links data that each organisation continues to own. It would be governed by an architecture we call the rights-based data governance architecture, built on five pillars (Table 2).

The rights-based data governance architecture

Table 2: the five pillars of the rights-based data governance architecture

One standard	Turns the unified protocol proposed in the recommendations into shared fields and terms, with a stated confidence level for each case, and allows more than one violation to be recorded for the same child.
Link without exposing	Each organisation keeps its own data, and only encrypted fingerprints meet, showing that the child documented here is the same child documented there without revealing who the child is. Access is granted by purpose: open to a reparations programme, closed to any security agency, even an official one.
Human decision	Software suggests matches; a trained documenter decides and the decision is recorded. There is no facial recognition of children and no estimation of their age from photographs, because estimation errors are measured in years, and two years either side of fifteen is the difference between a war crime and something else.
Neutral custody	Encrypted copies are held by a trusted custodian in a State not subject to any party to the conflict, so if a documenter's device is seized in the field, the evidence survives. A reference point is the Register of Damage for Ukraine, which has operated from The Hague since 2024 and has received some 195,000 claims[11].
A pathway, not a moment	The registry follows the child through demobilisation, rehabilitation and return to school, because justice for that child is not limited to holding the recruiter accountable; it includes helping the child rebuild their life.

195K claims received by the Register of Damage for Ukraine, which has operated from The Hague since 2024: a model of neutral custody beyond the reach of the parties to a conflict.

> **A registry limited to the victims of one party would be seen as a tool in the conflict.**

The registry distinguishes between two layers: a broad recognition record, which aims to ensure that no one is forgotten and that those entitled to reparation are known, and a narrow evidence file that is opened only with explicit consent and only for a competent body. The legal file described in Section 4 is the content of this second layer; the registry does not replace the file, but brings scattered files together into a single memory that can be reviewed. It is not meant to compete with the MRM: it refers to it what it needs with the consent of those concerned, and adds what falls outside the MRM's mandate, namely following the child until reintegration. It could later be extended, one category at a time, to the other grave violations against children, to detained and missing persons, and to civilian victims.

A broad recognition record

Aims to ensure that no one is forgotten and that those entitled to reparation are known.

A narrow evidence file

Opened only with explicit consent and only for a competent body; its content is the legal file described in Section 4.

The registry's design takes account of real conditions in Yemen. Identity data is separated from incident data from the moment of collection, so a documenter in the field carries only a pseudonymous identifier, while identity data is stored encrypted elsewhere. The registry does not depend on a headquarters inside Yemen that could be raided, but on organisations each working in its own area and depositing copies beyond the reach of the parties to the conflict at the first secure connection. No system can promise absolute security, but the aim is that the seizure of one device should not expose the other children and witnesses, or cause the evidence to be lost.

A design that reflects real conditions in Yemen

The documenter in the field

carries only a pseudonymous identifier

YE-0417

▸

Identity data

separated from incident data from the moment of collection, and stored encrypted elsewhere

▸

Copies beyond the reach of the parties

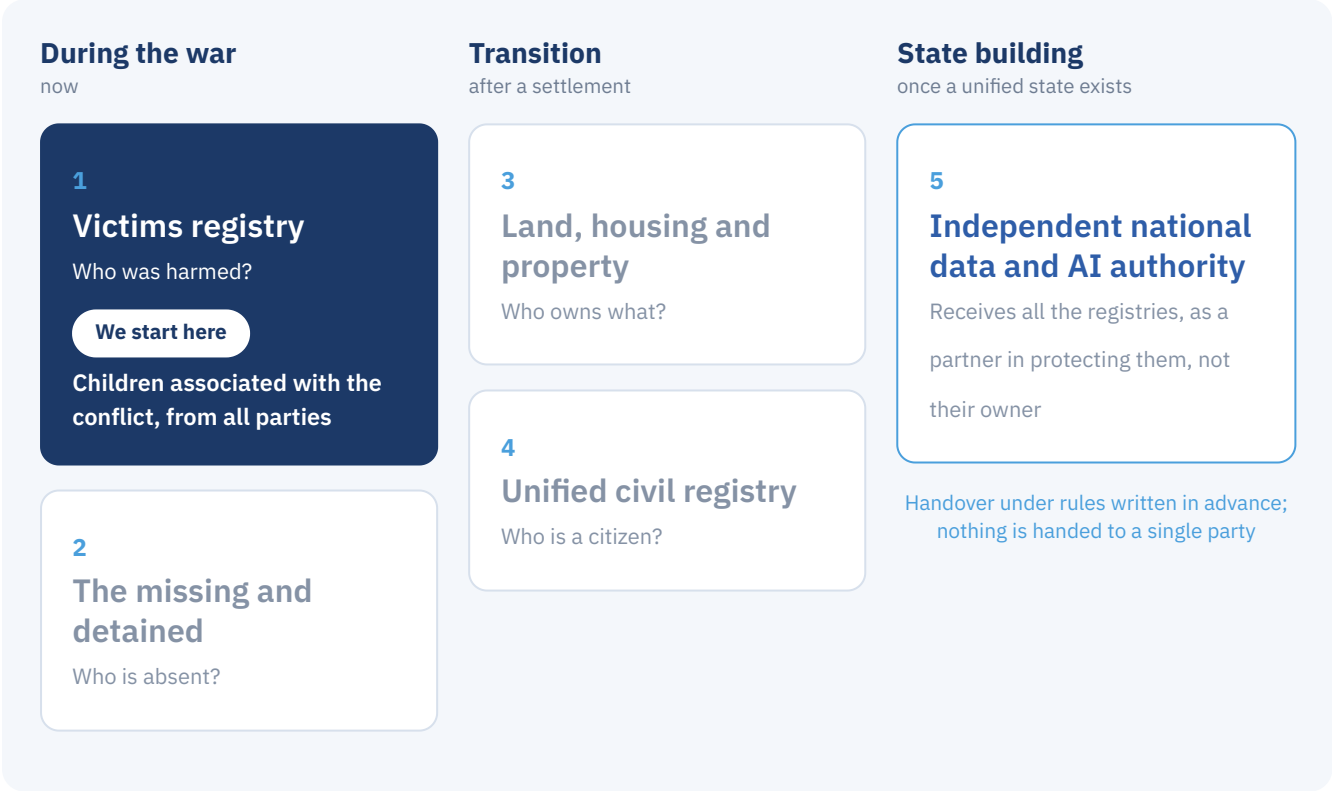
deposited by organisations at the first secure connection, with no headquarters inside Yemen that could be raided

The registry is also useful outside the courtroom. In May 2026 the parties agreed to release more than 1,600 prisoners in the largest exchange since the war began, but implementation stalled over disputes about the lists[12]. Lists are part of any agreement in Yemen, and whoever does not have a reliable list does not have a seat at the peace table.

> **Whoever does not have a reliable list does not have a seat at the peace table.**

Figure 2: the children's registry as a first block in a wider horizon; the rest is built towards with the same method

What this paper proposes is the shaded block alone; the rest is a horizon built towards with the same method



State Memory is a horizon, not an announced project. Thinking about the authority starts now, without asking authorities that are parties to the conflict to create it.

Looking further ahead, the paper sees this registry as a first building block of what it calls State Memory: the records a post-war state will need to prove rights and repair harm, from victims and the missing to land, property and civil registration. All of them would be built with the same method, with copies held in what is known as a data embassy, a trusted custodian in a neutral jurisdiction that holds copies on behalf of their owners without owning them and protects the evidence from destruction and seizure, until they are received by an independent national data and AI authority once a unified state exists and its institutions recover, under governance rules written in advance, as a partner in protecting this memory, not its sole owner (Figure 2). This is a horizon, not an announced project, and the paper does not ask authorities that are parties to the conflict to create such an authority today; what it proposes now is the first block alone.

Reference models

International experience in preserving data and ensuring the independence of institutions

Data embassy

2017
Estonia

Estonia and Luxembourg (2017): The world's first data embassy. Estonia keeps copies of state data and critical services in a data centre in Luxembourg, which under a bilateral agreement enjoys the same immunity as an embassy[13].

2021
Monaco

Monaco and Luxembourg (2021): Monaco followed the same approach, setting up an e-embassy in Luxembourg for its sensitive data after concluding that keeping it only on its own small territory was too risky; the agreement provides for the site's inviolability and immunity[14].

2005
Guatemala

Guatemala's National Police Historical Archive: The closest to Yemen's situation. Millions of pages of police records were found in an abandoned depot in 2005, and complete digital copies are held by the Swiss government and the University of Texas at Austin. When the interior minister threatened in 2019 to take control of the archive and restrict access to it, the value of the copies held abroad became clear[15].

ICA
Guiding principles

Guiding Principles for Safe Havens for Archives at Risk: They set rules for keeping threatened archives with a custodian abroad on behalf of their owners, without ownership passing to the custodian. This is what we mean by a data embassy[16].

Independent national authority

2005
Bosnia

Missing Persons Institute of Bosnia and Herzegovina (2005): Created by the International Commission on Missing Persons, it became a state-level institution in 2005 when the Council of Ministers joined as co-founder, bringing together work on the missing that had been split between the entities, with the Commission remaining a co-founder[17].

GDPR
Article 52

Independence of data protection authorities in the EU: The General Data Protection Regulation requires supervisory authorities to act with complete independence, free from external influence and taking instructions from no one. This is what we mean by calling the authority independent[18].

2024
Iraq

A lesson from Iraq: The mandate of the UN Investigative Team for ISIL crimes (UNITAD) ended on 17 September 2024, and the fate of its evidence became contested. Iraq asked for all of it, while the terms of reference restricted sharing to certain conditions, including witness consent and no sharing with States that apply the death penalty, so only part was transferred. Handover rules are best agreed early[19].

> **A data embassy holds copies on behalf of their owners without owning them, until someone entitled to receive them exists, under rules agreed in advance.**

SECTION SEVEN

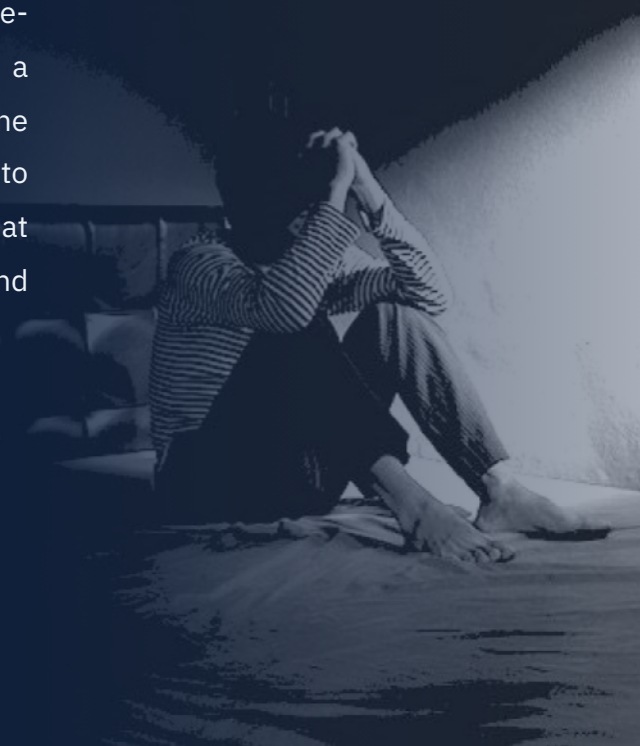
Conclusion

A chain that begins with protecting the child

Moving from documentation to accountability is a chain that begins with protecting the child and defining the incident, then verifying age, role and context, preserving evidence and its chain of custody, testing the legal elements and individual responsibility, and choosing a referral body with the appropriate mandate. Neglecting any link may damage the file or expose the child to new risks.

The Yemeni case shows that documented figures do not necessarily capture the full extent of violations against children because of access constraints, and that success is not measured by the number of pages, but by accurate, safe files that can be reviewed and referred, that help stop recruitment, protect survivors and prevent impunity, without sacrificing children's rights or overstating what the evidence shows.

The paper has tried to bring these links together in a three-layer model, a file that holds, a registry that connects and a pathway to accountability, all resting on the protection of the child. The next step we propose is for organisations' files to come together in the Yemen Unified Victims Registry, so that the truth is preserved without exposing those it concerns, and scattered numbers become lists that can be trusted.



08 Practical recommendations

Steps that can begin during the war

These recommendations try to translate the analysis into steps that can begin during the war, without waiting for a political settlement. They are addressed to six actors, because accountability does not rest with any single one: they begin with documentation organisations, where the file and the registry start, and then turn to those who can carry a file to the negotiating table, preserve it, or act on it.

1 To documentation organisations and human rights defenders

1. **Move towards the Yemen Unified Victims Registry:** three to five organisations from different backgrounds and regions should start a shared registry of children associated with the conflict from all parties, sharing the data structure before the data itself, with copies held by a neutral custodian.
2. Adopt a unified protocol for documenting the recruitment and use of children, with clear legal definitions, a child-appropriate interview form, verification and triangulation criteria, and a system for rating levels of confidence.
3. Establish a protected evidence log linking each incident to its original sources, recording the provenance of documents and the dates of collection and handling, with identity data kept separate from the incident file and strict access controls.
4. Train researchers in trauma-informed interviewing of children, data protection and digital security, verification of photos and videos, and the distinction between established facts and legal conclusions.
5. Build a legal matrix for each file that distinguishes the protection standard from the crime threshold, without assuming the jurisdiction of any court before it has been checked.
6. Set up secure referral channels to the UN monitoring and reporting mechanism, the Committee on the Rights of the Child and other appropriate human rights mechanisms, specifying what may be shared publicly and what must remain confidential.
7. Develop partnerships with lawyers specialising in international criminal law and extraterritorial jurisdiction to analyse prosecution options in specific countries, instead of a general call for the International Criminal Court.
8. Keep protection, rehabilitation and reintegration at the centre of the response, and ensure that collecting or publishing evidence does not retraumatise, stigmatise or expose a child to re-recruitment.
9. Publish methodical reports that explain their sources, the limits of their data and access constraints, present figures with their source and time period, and avoid generalising unverified facts or selecting violations attributed to one party over another.

2 To the Office of the Special Envoy of the Secretary-General for Yemen

1. Put the file of children associated with the conflict, and their lists, on the negotiating table as was done with detainees, and ensure that any agreement includes specific provisions for their release, handover to child protection actors and reintegration.
2. Ensure these children are not treated as bargaining chips in exchange deals, but as victims to be released unconditionally and without waiting for a comprehensive agreement, in line with the Paris Principles.

3 To all parties to the conflict

1. End the recruitment and use of children immediately, release unconditionally any children in their ranks, and implement, in a verifiable way, the action plans signed with the UN by the Government in 2014 and by the Houthis in 2022.
2. Give the UN unimpeded access for verification, and refrain from any reprisal against children, their families or those who document violations.

4 To the United Nations and human rights mechanisms

1. The Country Task Force on Monitoring and Reporting should open secure channels to receive information verified by civil society organisations, and publish data disaggregated by party, age, sex and governorate where protection considerations allow.
2. The Human Rights Council should consider establishing an independent international mechanism to collect and preserve evidence of violations in Yemen, after it did not renew the mandate of the Group of Eminent Experts in October 2021, along the lines of the existing mechanisms for Syria and Myanmar.

5 To donor states and international partners

1. Support the preservation of evidence with a neutral custodian on the data embassy model, until there is someone entitled to receive it, and fund the unified standard and the shared registry on a multi-year basis, beyond single project cycles.
2. Fund reintegration and psychosocial support programmes for children, and programmes that protect documenters themselves and their digital security.

6 To states that exercise universal jurisdiction

1. War crimes units should open channels to receive documented evidence from Yemeni organisations and consider structural investigations into child recruitment in Yemen, preserving evidence until suspects come within their jurisdiction.

Final word

A child who has been recruited does not only need us to tell their story again. They need documentation that protects them, evidence that withstands scrutiny, and a legal pathway that does not sell them false promises. We are not asking the international community for new numbers. We are asking for reliable information to become steps towards protection and accountability. Documentation that does not protect the person it concerns may endanger them; documentation that is not legally reviewed may stop at the level of a report; but professional, safe documentation preserves the truth, prepares the ground for accountability when a pathway opens, and restores the child to their rightful place:

**“A victim who deserves protection and rehabilitation,
not a number in a report or a tool in a conflict”**

Dr Yousef A. M. Qasem

Secretary-General, Rights Radar for Human Rights

Notes

Footnotes in order of appearance

1 Rights Radar for Human Rights, statistics on the recruitment and use of children, September 2014 to September 2026.

2 Report of the Secretary-General on children and armed conflict in Yemen, S/2019/453.

3 The paper proposes three levels of confidence in age: “confirmed” when established by an official document such as a birth certificate or civil registry entry; “probable” when established by informal documents such as school records or vaccination cards, or by consistent testimony linking the birth to an event of known date; and “estimated” when based on a single testimony, physical appearance or conflicting accounts. The level is recorded in the file alongside the age.

4 UNDP Programme on Governance in the Arab Region, ratifications database; and Yemen’s declaration upon accession.

5 Child Rights Law No. 45 of 2002, Article 149; see also U.S. Department of Labor, Findings on the Worst Forms of Child Labor: Yemen, 2022.

6 ICRC, Customary International Humanitarian Law study, 2005, Rules 136 and 137.

7 Special Court for Sierra Leone, Appeals Chamber, Prosecutor v. Sam Hinga Norman, decision of 31 May 2004.

8 Office of the SRSG for Children and Armed Conflict: action plan with the Government of Yemen, 2014; action plan signed with the Houthis, April 2022.

9 Annual reports of the Secretary-General on children and armed conflict, Annex I.

10 S/2019/453; and Office of the SRSG for Children and Armed Conflict, statement on Yemen, September 2021.

11 Council of Europe, Register of Damage for Ukraine, 30 September 2026.

12 Al-Monitor, May 2026; South24, July 2026.

13 Government of Estonia, “Estonia to establish the world’s first data embassy in Luxembourg”, 2017.

14 Government of Monaco, launch of Monaco’s e-Embassy in Luxembourg, 16 July 2021.

15 National Security Archive, “Imminent Threat to Guatemala’s Historical Archive of the National Police”, 30 May 2019.

16 International Council on Archives (ICA), Guiding Principles for Safe Havens for Archives at Risk.

17 ICMP, “Missing Persons Institute Launched on International Day of the Disappeared”, 30 August 2005.

18 Regulation (EU) 2016/679 (GDPR), Article 52.

19 JusticeInfo.net, “Navigating the accountability maze in post-UNITAD Iraq”.

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4. International Committee of the Red Cross, Customary International Humanitarian Law study, 2005, Rules 136 and 137.
5. Rome Statute of the International Criminal Court, 1998, Articles 8, 12, 13, 28 and 29.
6. Special Court for Sierra Leone, Appeals Chamber, Prosecutor v. Sam Hinga Norman, decision of 31 May 2004.
7. International Criminal Court: cases of Thomas Lubanga (2012), Bosco Ntaganda (2019) and Dominic Ongwen (2021).
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12. The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, 2007.
13. Berkeley Protocol on Digital Open Source Investigations, OHCHR and Human Rights Center, University of California, Berkeley, 2020.
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15. Council of Europe, Register of Damage for Ukraine, 30 September 2026.
16. Al-Monitor, deal to release more than 1,600 prisoners, May 2026; South24, dispute over exchange lists, July 2026.
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19. National Security Archive, "Imminent Threat to Guatemala's Historical Archive of the National Police", 30 May 2019.
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21. International Commission on Missing Persons (ICMP), "Missing Persons Institute Launched on International Day of the Disappeared", 30 August 2005.
22. Regulation (EU) 2016/679 (General Data Protection Regulation), Article 52.
23. JusticeInfo.net, "Navigating the accountability maze in post-UNITAD Iraq".



Rights Radar for Human Rights

Monitoring · Documentation · Advocacy · Networking · Capacity building

Monitoring and documentation

Monitoring the human rights situation and documenting violations in line with international standards

Advocacy

Legal, material and moral support for victims of violations

Partnership

Cooperation with local, regional and international organisations

Our programmes

Monitoring

Rights Radar monitors the human rights situation and the violations committed against human rights in the Arab world, through qualified local monitors who work to international standards and use advanced techniques in this field, and through cooperation with local human rights organisations that work in the same field and share the same concerns.

Documentation

Rights Radar documents human rights violations committed by all parties, individual or collective, non-state or governmental, across the Arab countries, through its wide network of monitors and a range of methods, in order to obtain material evidence and documented proof of violations, for use when needed to bring perpetrators to justice and end impunity.

Advocacy

As part of its mission, Rights Radar provides advocacy and legal support, and where possible material and moral support, to victims of human rights violations in the Arab world, as resources allow, in cooperation with regional and international partner organisations whose programmes and goals complement its own.

Networking

Rights Radar pursues its aims through networking and cooperation with a wide network of local, regional and international human rights organisations, to exchange expertise, work together for the success of its programmes, and undertake joint action to defend human rights through broad collective campaigns.

Capacity building

As part of its efforts to defend human rights, Rights Radar trains and builds the capacity of Arab human rights activists who work with it on monitoring and documenting violations, as well as activists in other organisations that share the same goal of defending human rights. Capacity building is a core part of Rights Radar's programmes and central to improving the performance of those working in the field.

Our areas of work

Rights Radar believes that freedom of expression, media freedom, justice, and the rights of women, children, persons with disabilities and refugees are fundamental rights, and they form the main areas of its work and activities.

Freedom of expression

Rights Radar defends freedom of opinion and expression, promotes media freedom and public freedoms, and works to strengthen their capacity to play a vital role in advancing democracy and protecting the public interest. It starts from the belief that the essence of democracy cannot be fully realised unless freedom of opinion and expression is guaranteed as a fundamental right.

Women's rights

Rights Radar works to promote women's rights and their empowerment in every sphere of life, supporting their vital role through active participation in building society. It believes that a society cannot reach its full potential unless women enjoy rights and opportunities equal to those of men, including equal opportunities in education, health care and employment.

Children's rights

Rights Radar works to promote the fundamental rights of children and help them enjoy those rights in full, above all education, health care and protection. It seeks to strengthen children's rights so that they can help shape a bright future, a goal that cannot be achieved unless children's rights are built into social development programmes and public policy.

Rights of persons with disabilities

Rights Radar works to promote the rights of persons with disabilities, empower them in practice, and support their inclusion and participation in society. It holds that equal opportunity must include persons with disabilities, so that they can enjoy all the rights and opportunities available to other members of society, including equal opportunities in education, employment and health care.

Refugees' rights

Rights Radar works to promote the rights of refugees and supports every effort to provide them with material and moral assistance, so that they can enjoy their full rights smoothly in the communities that host them, without discrimination. It believes that refugees must have access to basic human rights such as education, health care and work.

The right to justice

Rights Radar seeks to promote the values of justice in society and fair trial procedures for victims and prisoners. It believes that life cannot be sound or safe unless it is governed by justice and the rule of law applies to the conduct of everyone in society, from top to bottom, so that the right to justice becomes a fundamental right for all and a protective fence around every other fundamental right, including freedom of opinion and expression, media freedom, and the rights of women, children, persons with disabilities and refugees.

RIGHTS RADAR

This paper is part of Rights Radar's work on children's rights and the right to justice: documentation that protects victims, and files that can be reviewed and referred.

RIGHTS RADAR

Working paper

From File to Registry

A documentation method and a unified registry for child recruitment victims in Yemen

The Hague · October 2026

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