

# Unofficial Translation

Agreement for the exchange prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest.

Preamble:

This is a humanitarian issue and it shall not be subject to any political scores or other matters and the perspective of parties shall be to reunite the bereaved families, as it is endorsed in Islam.

Recognizing the importance of urgently addressing the issue in accordance with the legal processes and provisions, particularly, the conventions, principles and norms of international humanitarian law, human rights and relevant laws of the Republic of Yemen and relevant United Nations resolutions,

This agreement was executed under the auspices and the supervision of the Office of the Special Envoy of the Secretary-General for Yemen, the sponsor and guarantor for this agreement. The International Committee of the Red Cross shall also oversee and facilitate the exchange process and the technical procedures related to this agreement.

The involvement of the International Committee of the Red Cross aims to ensure respect for fundamental humanitarian principles and procedures that facilitate the release, or transfer or repatriation of all persons who were deprived of their liberty during the events in Yemen. Therefore, the safety of the staff of the International Committee of the Red Cross shall be ensured during this process and all necessary facilities shall be provided to them so that the International Committee of the Red Cross can play its intermediary and neutral role to facilitate the implementation of the agreement.

To demonstrate goodwill and to promote the peace process, the Yemeni parties and the Arab Coalition Representative (hereinafter referred to as the "Parties") agreed to conduct a comprehensive and complete exchange of all prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest, in accordance with the following principles:

**First**, the parties agreed to release all prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest, held in relation to the events in Yemen, without any exceptions or conditions, for the purpose of resolving this fully and definitively.

**Second**, each party shall hand over all prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest, held in relation to the events in Yemen, by all Yemeni parties or the Arab Coalition, whether they are Yemeni or from the coalition countries, including (Faisal Rajab - Mohammed Qahtan - Mahmoud Subaihi - Nasser Mansour Hadi).

**Third**, no party shall have the right to refrain from extraditing any person who was arrested, detained, or captured for any reason in relation to the events, and all parties shall be obliged to comply with that.

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**Fourth**, all parties are obliged not to exclude any person who was imprisoned, arrested, detained, or captured for any reason in relation to the events.

**Fifth**, in the event that any prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest, or those arrested and detained in relation to the events in Yemen, were found not released after the exchange process, all parties are obliged to release them immediately and unconditionally.

## **Implementation Mechanism:**

- 1- Each Party shall hand over to the other Party the lists of their prisoners, detainees, kidnapped persons, or any person arrested in relation to the events, within one week from the date of signature of this agreement. All lists shall be exchanged through the Office of the Special Envoy of the Secretary-General for Yemen.
- 2- Each party shall be committed to submit a correct, accurate and up-to-date list of the data through the Office of the Special Envoy of the Secretary-General for Yemen and it shall include the quadruple full name, the title, the governorate, the directorate, place of arrest, and place of imprisonment, if any, to facilitate the search process.
- 3- Each party shall submit information about the lists submitted to them, through the Office of the Special Envoy of the Secretary-General for Yemen, within a period not exceeding one week from the date of receipt of the information.
- 4- Each Party shall submit written remarks, if any, on the lists submitted to them by the other party within one week from the date of receipt of the lists through the Office of the Special Envoy of the Secretary-General for Yemen.
- 5- The remarks mentioned in point number 4 shall be responded to within one week from the date of receipt of these remarks.
- 6- The final lists shall be signed by all parties and handed over to the Office of the Special Envoy of the Secretary-General for Yemen and the International Committee of the Red Cross, for the purpose of preparing and conducting the exchange process in coordination with the Office of the Special Envoy of the Secretary-General for Yemen.
- 7- The agreed upon shall be carried out after submitting information on the remarks within a period not exceeding ten days.
- 8- It was agreed to carry out the exchange process of all prisoners, detainees, missing persons, arbitrarily detained and forcibly disappeared persons, and those under house arrest, by both parties, at the same time in Al-Jawf governorate, to ensure a smooth functioning of the process.
- 9- A technical working group shall be established with the participation of the parties, the Office of the Special Envoy of the Secretary-General for Yemen, and the International Committee of the Red Cross to focus exclusively on the logistical and technical aspects of the exchange.

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10- A committee from the two parties shall be formed and it shall commence its task upon signing this agreement, to recover and exchange bodies from all fronts and areas and the two parties shall facilitate the work of the committee, secure it, and cooperate with it.

This Agreement was Executed in Two Copies, One Copy for Each Party

First Party Represented by

Sheikh. Hadi Ahmed Heij

President of Prisoners and Detainees

Foundation and Representative

of the Arab Coalition

Second Party Represented by

Mr. Abdelqader Hassan Al-Mortada

Chairman of the National Committee

Prisoners Affairs & Missing Persons

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