

HUMAN RIGHTS COUNCIL / WORKING GROUP on the Universal Periodic Review of the Yemen – Fourth Cycle

01 May 2024

Palais des Nations, Geneva

The Yemen's report was presented by **His Excellency Mr. Ahmed Omar Mohamed Arman, Minister of Legal Affairs and Human Rights of Yemen.**

Yemen received 252 recommendations announcing that, of these, it welcomed 201. It accepted 182 recommendations during the review session and welcomed an additional 19 recommendations during the adoption of the outcomes of the review, at the forty-first session of the Human Rights Council in June 2019.

Since 2014, Yemen has been suffering from a catastrophic crisis still unfolding as a result of the Houthi terrorist militias' control of Sana'a, the capital by force and by weapons, their control of state entities, their looting of the weapons of the security and army apparatus and the state resources. This is the 10th year of rebellion and coup and many severe crimes and violations of human rights and international human rights law have been unfolding. Thousands of people were killed extra-judicially, attacks on hospitals, schools, markets, residential areas, facilities, and entities, destruction of our infrastructure, restrictions on the freedom of opinion expression, peaceful assembly, the trade unions activities, all media outlets have been shut down. Many journalists were harassed, liquidated, killed, put in jail, or subjected to fake trials and some of them were even subjected to enforced disappearance, torture, killing, or inhuman treatment. Children were also sent to military camps dedicated to children and school students. Women were also subjected to arrest, trials, terrorism, displacement, recurrent attacks, and looting of their humanitarian assistance.

He informed the Council that in order to counter the impact of the humanitarian crisis on the Yemenis and to achieve a sustainable and comprehensive peace they have accepted as a legitimate government in April 2022 to endorse the proposal of the UN envoy which is to have a humanitarian cease fire and to reopen the airport of Sana'a and to impose exceptions on the port when it comes to the measures implemented on the other ports in Yemen. However, the Houthi militias did not observe the agreement although the government has been exempting this port from these measures.

The Houthi militias are permanently continuing their military violations on many fronts.

Recommendations

National Human Rights Institutions

- Continue efforts, policies, and programmes for sustainable development, combating poverty, and ensuring access of rural dwellers to education, health, and drinking water
- Hold independent effective investigations into all human rights violations and those of international humanitarian law allowing the national commission to work independently and

effectively in the country and protecting prosecutors and witnesses bringing perpetrators to justice according to international standards on fair trials.

- Ratifying the convention on combating discrimination in the field of education and the convention on promotion and protection of diversity of cultural expression
- Uphold the rule of law
- Ratify the Rome statute and fully align the national legislation with the obligations under the statute
- Make efforts on the respect the standards of international and humanitarian law, providing land, maritime, and air routes for humanitarian and commercial flights
- Ratify the protocol to prevent, suppress, and punish trafficking in persons, especially women, and children, supplementing the UN Convention against transnational organized crime
- Ratify the International Convention for the protection of all persons from enforced disappearance and the protocol to the Convention against torture
- Investigate allegations of violations of IHL and human rights law by all parties to the conflict impartially, transparently and with impunity
- Ratification of the optional protocol of the convention on CEDAW, and the optional protocol to the convention against the torture
- Accelerate the adoption of the draft law establishing an independent national human rights institution in line with Paris principles.

Sudan, Switzerland, Togo, Türkiye, Ukraine, Uruguay, Austria, Azerbaijan, Burkina Faso, Burundi, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominica Republic, Republic of Equatorial Guinea, Germany, Honduras, Iceland, Indonesia, Ireland, Jordan, Kuwait, Latvia, Lebanon, Liechtenstein, Luxembourg, Malta, Nepal, Paraguay, Portugal, Russian Federation, Spain

The Government has adopted and established a **human rights institution**. It is part of the Constitution.

Once the Parliament will resume its regular activity in the coming future, this will have a positive impact in terms of ratifying many international protocols and instruments in the future.

Rights of the Child

- Immediately end recruitment of children to the armed forces and prosecute those responsible for violations and abuses
- Make primary education free and mandatory for all eligible children without gender discrimination
- Criminalize child marriage and all forms of female genital mutilation without exception prosecuting those who do not respect the law
- Ensuring the human rights of children, stopping and preventing recruitment and use of children in armed conflict
- Pursue policies to reduce gender disparities in education and continue efforts to ensure education and protection of out-of-school children.

Belgium, the UK, Switzerland, Togo, Argentina, Austria, Canada, Colombia, Czechia, Djibouti, Ecuador, Estonia, France, Gambia, Germany, Israel, Italy, Kyrgyzstan, Malaysia, Malta, Norway, Oman, Panama, the Republic of Korea, Saudi Arabia

Ministry of **Education's** programs targeting dropout students. Education to refugee students. The Government also cooperated with our partners in order to have curricula for girls in rural areas.

Right of children with regards to **children justice**: set up a juvenile justice program in August 2022 and reinforce education programs among them.

A number of decisions on preventing **child recruitment** in our armed forces, particularly those under 18 and also to hold perpetrators accountable.

Arbitrary detentions, disappearances and forced displacements

- Immediately end arbitrary detentions, disappearances, and forced displacements which in particular affect migrants as well as torture and ill-treatment, and free those arbitrarily detained as well as clarify the fate of disappeared persons
- End arbitrary arrests and detentions, enforce disappearances, and release unjustly detained prisoners of conscience
- Adopt measures to ensure the end of practices of arbitrary arrests and detention as well as of enforced disappearance, torture, and other ill-treatment
- Ratify the international convention for the protection of all persons against enforced disappearances
- Respect the rights and dignity of detainees, prisoners, and those deprived of their liberty in compliance with international law.

Germany, Switzerland, Tanzania, Brazil, Colombia, Italy, Slovakia, Spain

The **judiciary of Yemen is the main pillar of justice and redress**. During the period under review, we have activated the role of all courts, tribunals and public prosecution offices and all the governorates. There was also a decision by the head of the presidential council to appoint the head of the judicial monitoring or audit court. It has appointed eight judges who happen to be women in the various courts and one woman judge in the Supreme Judicial Council. It has also appointed the graduate from the judicial institute and judicial posts in the various courts. It has also reformed the courts, the tribunals and public trust prosecution offices.

Death Penalty

- Abolish the death penalty
- To establish a formal moratorium on the death penalty.

China, Belgium, Austria, Chile, Czechia, Estonia, France, Iceland, Italy, Portugal, Slovenia, Spain

It reaffirmed that the country is committed to the **right to life** in general and despite that our law envisages the death penalty, our judiciary has limited the sentence in reality on the most grave crimes. Great importance to limiting the implementation of final definitive sentences by mitigating sentences. The law provides the right of appeal to death penalty sentences and death penalty sentences cannot be definitive without a first right to appeal and it is not implemented without being approved by the president of the country.

Rights to freedom of expression and religion or belief

- Respect and protect the rights to freedom of expression and religion or belief and cease arbitrary arrests and harassment aimed at preventing the free exercise of these rights
- Ensure full protection and realization of the right to freedom of expression as well as the right to peaceful assembly and association in accordance with international human rights standards
- Make efforts to adopt a law on online violence against women, prohibiting cyber crime including digital harassment, defamation, bullying, and blackmail
- Take all necessary actions to stop the persecution of religious and ethnic minority groups
- Protect human rights defenders and journalists against all forms of harassment, intimidation, and reprisals
- End the harassment and prosecution of activists and journalists and respect the right to freedom of expression and the practice of summoning activists and journalists to security military agencies for questioning and end the abuse of laws on criminal defamation and national security to suppress dissent.

Austria, Belgium, Czechia, Israel, Italy, Luxembourg, Norway, Republic of Korea

The government condemned repressive measures taken by the Houthis, particularly against Bahais and Jewish minorities. A need to protect the rights of religious minorities and allow them to enjoy their religious rights. Worked to address the challenges of marginalized groups. Established a syndicate for marginalized groups.

The government is currently working on investigating acts of arbitrary detention. It is cooperating with the Ministry of Interior so that there are no cases of arbitrary arrest or harassment, against activists, journalists or others.

Working to end any abuse, and violation towards activists, journalists or others. Regarding fighting and eradicating poverty, the government has been able in the previous time to reactivate the national strategy for development and fighting poverty.

Discrimination against elder persons and on the basis of age

- Facilitate immediate safe and unimpeded delivery of humanitarian aid to civilians in need, particularly women, children, and the elderly.

Slovenia, Brazil

A national strategy to protect elder persons as part of the commitment to international conventions; development of policies on old age. Global comprehensive development effort in partnership with international original partners. The strategy aims to improve the living standards of elder persons, build awareness about their conditions in society, and serve their issues, ensuring their dignified lives and providing care.

Women's Rights

- Ensure women's representation at all levels of the political process and take effective measures to protect women against gender-based and sexual violence
- Ensure the participation of Yemeni women in peace-building, reconstruction, and development
- End policies of all governing authorities that unjustly restrict women's movement, including at checkpoints
- Raise the minimum age for marriage to 18 to comply with the convention on the elimination of all forms of discrimination against women
- Ensuring that equality is ensured for everyone without exception, and continue promoting measures to ensure the representation of women in public and political life and the transitional process, as well as adopting measures to combat discriminatory attitudes against women and protect them from harmful practices such as forced and early marriage
- Continue to promote girls' access to school, reduce the gender gap in education as well as enhance the participation of women in political, economic, and social life
- Assess an advocacy for recognizing the institutionalized regime of systematic operation and discrimination against women and girls by the Taliban as a gender apartheid and advocate for the inclusion of gender apartheid as a crime against humanity in the draft articles on prevention and punishment of crimes against humanity
- End the male guardianship requirement for all women across the country
- Criminalize all forms of gender-based violence against women, including sexual harassment, domestic violence and marital rape.

Ukraine, the United Arab Emirates, the UK, Tanzania, Uruguay, Viet Nam, Afghanistan, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Bulgaria, Canada, Chile, Colombia, Czechia, Denmark, Ecuador, Republic of Equatorial Guinea, Estonia, France, Iceland, India, Ireland, Italy, Latvia, Lebanon, Luxembourg, Malawi, Malta, Panama, Paraguay, Saudi Arabia, Senegal, Slovenia

A woman has been appointed as a judge in the Supreme Judicial Council and eight other judges and other entities and in the public prosecutor office. The Government has **271 women working in the public prosecution and various governance.**

The **National Committee of Women** has coordinated with the government and has drafted a five-year strategy for 2023/2027 aiming at improving the social, economic and cultural conditions of women in society. Regarding FGM, the government has taken many measures, namely circular or a decision by the previous Minister of Health who **bans all forms of female genital mutilation in hospitals, clinics or others.**