



# General Assembly

Distr.: General  
8 November 2018  
English  
Original: Arabic

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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-second session**  
1 January–1 February 2019

**National report submitted in accordance with paragraph 15  
(a) of the annex to Human Rights Council resolution 5/1\***

**Yemen**

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## Introduction

1. The Government of Yemen attaches great importance to the protection and promotion of human rights and takes continuous action to develop and strengthen such rights. Accordingly, the Government hereby submits its third report in accordance with the general guidelines adopted for the universal periodic review of human rights. The report reflects the views of Yemen on previous recommendations and conclusions and its response to questions and issues that were inadequately addressed during the dialogue held in the Universal Periodic Review Working Group on 29 January 2014. The report on the dialogue is contained in document A/HRC/26/8, which was adopted on 19 June 2014 during the twenty-sixth session of the Human Rights Council.

2. This report provides information on the steps taken by the Yemeni Government to implement the recommendations of the universal periodic review. The Republic of Yemen received 191 recommendations, of which it accepted 166 and expressed reservations concerning 25. The Yemeni Government had in fact adopted the content and objectives of the recommendations when it endorsed the outcome of the comprehensive national dialogue conducted from 2013 until early 2014, which addressed all human rights norms and objectives, including United Nations norms to which the Republic of Yemen had not yet acceded.

3. The diverse State authorities (the Government, the Parliament, the judiciary and the specialized national committees) took steps to implement the recommendations emanating from the universal periodic review and from the outcome of the comprehensive national dialogue through the Committee established to draft the country's new constitution. The draft was finalized in September 2014 and a popular dialogue on the draft was to be conducted in October 2014 prior to the holding of a referendum in November of the same year.

4. As is well known, the military coup perpetrated by the Houthi militia in cooperation with the remnants of the previous Government on 21 September 2014 had a destructive impact on the efforts of the State and society to emerge from the transitional tunnel through which the country had been passing since the revolution of 11 February 2011. Those efforts were reflected in the demands and entitlements contained in the draft Constitution, which the coup sought to abort.

5. Notwithstanding the persistent challenges posed by the coup, which led to the armed conflict in the country, the Government of Yemen has continued to promote cooperation between State bodies and political and civil society with a view to guaranteeing respect for and protection of human rights and disseminating a human rights culture, in line with the obligations stemming from the revolution, the outcome of the national dialogue and the broad consensus on the draft Constitution, and in line with its international obligations and voluntary commitments, including the recommendations of the universal periodic review mechanism.

6. The present report provides information on the measures taken by the Government of the Republic of Yemen during the past four years to implement the recommendations, in conjunction with civil society organizations and with the assistance of the international community and the coalition that supports the legitimate authorities in Yemen. The report outlines the actions taken by the Government to improve the human rights situation and to address the challenges that affect its capacity to promote and protect human rights, particularly in light of the coup perpetrated by the Houthi militias and its impact on the various components of the State, Yemeni society and human rights.

7. The Government of the Republic of Yemen, in submitting its third report for the universal periodic review, wishes to draw attention to developments in Yemen at all levels, including in the area of human rights and humanitarian affairs.

## General background to developments in the Republic of Yemen

8. The proceedings of the National Dialogue Conference ended on 25 January. The Conference is recognized as a comprehensive national procedure for preparing a road map for the future of Yemen, producing remedies and solutions for all national issues, and establishing a modern civil and democratic State based on good governance and on the principles of freedom, justice, equality and respect for human rights. Its proceedings were launched on 16 March following the issuance of Presidential Decree No.11 of 2013 concerning the organization of a comprehensive national dialogue conference, marking the second phase of the transition. All segments of Yemeni society are involved, with 50 per cent of the participants coming from the south and the other 50 per cent from the north of the country. Women account for 30 per cent of the participants and young people for 20 per cent. Political parties are also represented, together with the Southern Movement, civil society, the Houthis, marginalized groups, persons with disabilities, internally displaced persons, expatriates and other social groups.

9. Very important results in terms of the aspirations of the Yemeni people have been achieved at all levels. They are reflected in the outcome of the national dialogue, which produced a draft Constitution the goal of which is to build a modern federal Yemeni State. The Yemeni people were looking forward to the holding of a referendum on the draft Constitution so that action to implement the outcome of the national dialogue and to build the institutions of the new federal State could begin.

10. On 21 September 2014, the Houthi militias seized the capital city of Sana'a by force of arms, assumed control over State institutions and impeded the political process aimed at implementing the outcome of the national dialogue in which they had been involved. The militias plundered the weapons of the army and security forces, took over all State assets and on 21 January 2015 placed the elected President Abd Rabbo Mansour Hadi, his Prime Minister and a number of ministers under house arrest. After President Abd Rabbo Mansour Hadi managed to escape from the militia and travel on 21 February 2015 to Aden, which he declared the temporary capital, the militia, backed by forces loyal to the former President, bombed the Al-Maashiq presidential palace in Aden. The leader of the Houthi militias then announced a general mobilization of troops to invade the southern and eastern governorates.

11. President Abd Rabbo Mansour Hadi called for an intervention by Arab States, in accordance with the joint Arab defence agreement, in order to confront the Houthi militia, which had violated the country's constitutional legitimacy. On 26 March 2015, the request of President Abd Rabbo was approved and the formation of an Arab coalition of twelve States, led by Saudi Arabia, was announced to support the legitimate authorities. On 21 March 2015, with a view to countering the Houthi advance into different areas of the country, the Popular Resistance was established and the legitimate Government created the National Army. On 14 July 2015, the National Army and the Popular Resistance, with the support of the Arab coalition, liberated Aden and expelled the militias. The governorates of Lahij, Dhali', Shabwa, Abyan, Al-Jawf, Ma'rib and large parts of Hudaydah were subsequently recovered.

12. The coup created difficult humanitarian conditions, particularly in terms of rising prices for food and fuel, high poverty rates, declining social services, scarcity of resources, and numerous violations of human rights and international humanitarian law. It is therefore imperative for all international organizations and human rights mechanisms to undertake in-depth examinations of the crisis in Yemen, given the complexities of the situation, and to bear in mind that the deteriorating situation is due to the coup and the subsequent military confrontations when assessing and adopting positions on the situation.

13. The Yemeni Government is endeavouring to achieve a just and lasting peace in Yemen. This goal can only be achieved by terminating the coup and implementing international resolutions, particularly Security Council resolution 2216 (2015), which calls for the disarmament of militias, restoration of State institutions to the legitimate Government, and prosecution of the perpetrators of crimes against civilians, children, women and civilian facilities.

14. During the period covered by the review, three Special Envoys for Yemen were appointed, most recently the British Special Envoy Martin Griffiths. The Yemeni Government, following consultations with all stakeholders, responded to the calls for dialogue in connection with all rounds of negotiation (Geneva 1 in 2015; Geneva 2 in 2015; Kuwait in 2016; and Geneva in 2018). With a view to achieving the goals of restoring peace and stability, resuming the transition, and building a stable political system in order to meet the people's demands stemming from the revolution of 11 February 2011 and reflected in the outcome of the comprehensive national dialogue, the Government put up with the lack of seriousness and credibility and the fraudulent behaviour of the perpetrators of the coup, including their withdrawal from some rounds of dialogue and their boycotting of others, including the dialogue called for by the United Nations Envoy in September 2018, which was to be held in Geneva.

### **Description of the drafting methodology and the consultative process**

15. In accordance with the guidelines for the preparation of this report, the Ministry of Human Rights restructured the Technical Committee and took action on the reports and observations submitted by the ministries affiliated to the Technical Committee. Five Technical Committee meetings and three workshops were held. A matrix of recommendations and a request for implementation procedures were circulated to all governmental institutions and State ministries. Official letters were sent to all relevant entities requesting information concerning their implementation of each recommendation accepted by the Yemeni Government, notwithstanding the complex circumstances prevailing in the country.

16. Pursuant to a decision by the Minister of Human Rights, a special team of Ministry staff was tasked with drafting the report, gathering comprehensive information, and undertaking a number of field visits to gather information from governmental agencies and centres that compile official statistics and information. A workshop was held for the Technical Committee and the drafting team of the Ministry of Human Rights to analyse the information, data and statistics and to prepare a preliminary draft of the report. The draft report was reviewed and discussed during a wide-ranging national consultation process conducted by the Ministry of Human Rights. It organized a series of consultations of members of the Government and civil society organizations through workshops attended by governmental entities, civil society organizations, experts, academics, media experts, activists and local authorities from a number of governorates. Note was taken of their observations, which were then published.

### **The normative framework for human rights**

17. The Republic of Yemen is committed to respecting the provisions of the Charter of the United Nations and international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the two Optional Protocols thereto, and the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. It has also acceded to the Arab Charter on Human Rights (a regional Charter adopted by the League of Arab States).

18. The State undertakes to abide by the 1991 Constitution and the amendments thereto as a legal framework for governance, bearing in mind the State's commitment to implement the outcome of the 2013 comprehensive national dialogue and the social consensus achieved on the contents of the draft Constitution of 2014, which reflected the trends of the comprehensive national dialogue and the popular demands associated with the revolution of 11 February 2011.

19. During the period covered by this report (2014–2018), the coup perpetrated against the legitimate Government disrupted the legislature by restricting the freedom of members of the House of Representatives (the Parliament) in the areas occupied by the perpetrators of the coup, especially Sana'a, the capital city. Most members of the House of Representatives fled to the liberated governorates inside the country, and some were compelled to move to foreign capitals for fear of being assassinated by the Houthi militia.

20. Notwithstanding the Yemeni Government's commitment to continuous consultations with members of the House of Representatives in order to hear their views concerning diverse legislative issues, the impossibility of convening meetings of the House of Representatives impeded the State's efforts to align domestic legislation with international human rights standards, particularly those enshrined in treaties ratified by the Republic of Yemen.

### **Strengthening of the human rights institution-building process (recommendations Nos. 33, 35, 37, 36, 40, 109, 162, 163, 130 and 160)**

21. **Building the capacity of the Ministry of Human Rights** in terms of internal restructuring and development of the expertise of human resources. With regard to restructuring, the Ministry established a special Studies and Research Department to prepare proposals aimed at: bolstering the efforts of the Ministry and the Government to fulfil their obligations and commitments; providing ministries and government agencies with the knowledge and resources they require to improve their performance, in line with human rights principles and objectives; and developing, in terms of quantity and quality, the administrative structure for monitoring and documenting violations in order to meet the challenges facing the country.

22. With a view to enhancing expertise, the Ministry appointed 21 experts in the public sectors and departments, including 9 experts from civil society organizations with expertise in the area of human rights and 12 coordinators tasked with enhancing the Ministry's performance at the local level in the governorates and districts, assisting the Ministry in establishing monitoring and documentation teams (volunteers) at the local level to work with the Monitoring and Documentation Department, and managing the financial resources required to provide equipment and tools to improve the performance of various sectors and departments.

23. **Establishment of the National Commission of Inquiry** to investigate allegations of human rights violations in the context of mounting human rights challenges following the coup perpetrated against the Government and the bloody escalation of the armed conflict. The President of the Republic, following consultations with governmental entities and in response to appeals from national and international non-governmental human rights institutions, established an independent National Commission to monitor, investigate and produce results concerning human rights violations perpetrated by various parties within the country, including violations related to the ongoing armed conflict. The Commission is composed of experts, including civil society leaders, judges and lawyers, who are known for their independence and impartiality.

24. The Commission issued five periodic reports reviewing its procedures for receiving allegations and for initiating impartial and objective monitoring of human rights violations. The reports contained details of violations that had been committed in Yemen.

25. **Establishment of the Ministerial Human Rights Committee** to serve as the key coordinator between the various ministries, and between the ministries and other State actors, including members of the House of Representatives, local government bodies and the judiciary. It was established in cooperation with military and security institutions, and through contacts with non-State bodies, such as civil society organizations, trade unions, chambers of commerce, business and industrial associations, and humanitarian relief organizations.

26. **Establishment of human rights departments in ministries and governmental agencies**, in recognition of the importance of the human rights component in various

political, security, economic, social and cultural fields, and for fulfilling existing obligations and the recommendations of the review mechanism. The Council of Ministers issued instructions for the establishment of special human rights departments and units in 10 government ministries in light of the responsibility to incorporate human rights into the activities of the executive branch. Mention may be made in particular of the general human rights departments in the Ministry of Foreign Affairs, the Ministry of the Interior and the Ministry of Defence, given the important action that they take in this regard, primarily in coordination with the Ministry of Human Rights, which serves as the leading authority. The Ministry of Human Rights provides the requisite technical advice and training for the various departments and units to improve their performance and promote their partnership with non-governmental human rights organizations.

27. **Establishment of the Advisory Body of the Ministry of Human Rights** pursuant to instructions from the President of the Republic and in line with the Government's policy, reflected in decisions of the Council of Ministers, to promote an approach based on partnership with various community stakeholders. The Ministry of Human Rights launched the activities of the Advisory Body, which is composed of leading civil society human rights experts and representatives of relevant community institutions, and which is tasked with providing advice aimed at enhancing the performance of the Government and the Ministry of Human Rights, studying society's concerns and priorities, improving policy implementation and service delivery, and promoting the integration of human rights standards into diverse areas.

28. **Strengthening the independence, capacity and competence of the judiciary** so that it may fulfil its human rights obligations, and implement the outcome of the comprehensive national dialogue and the provisions of the draft Constitution of 2014. In view of the importance of promoting justice and supporting the country's justice system, the State has proactively pursued these goals through ongoing dialogue with the judiciary and community-based stakeholders. It adopted the National Strategy for the Judiciary, which led to the establishment of the Supreme Judicial Council, which has been endowed with full authority to administer the judiciary, its organs and its budgets.

29. The Government of Yemen has given priority to the overhauling, maintenance and development of the judiciary, focusing on the judicial role of the courts and the Public Prosecution Service, which must be provided with the necessary tools and capacity to perform their duties. The Government restructured the Ministry of Justice so that it plays the role of an authority serving rather than leading the judiciary, and provides support and technical and financial services and facilities in line with the decisions of the Supreme Judicial Council, as well as other technical and logistical services, such as drafting of bills, preparation and drafting of republican and ministerial decrees, reviewing and amending implementing regulations, and ensuring the enforcement of court judgments. The full mandate of the Supreme Judicial Council (issued in 2013) authorizes it to exercise the former prerogatives of the Minister of Justice in the field of judicial inspection. As a result, authority in the areas of disciplinary sanctions, oversight and dismissal lies solely with the Supreme Judicial Council.

30. **Establishment of the High Committee for Relief** in response to the humanitarian challenges associated with the armed conflict. The President of the Republic issued Republican Decree No. 26 of 2016 establishing the Higher Committee for Relief, chaired by the Minister of Local Development. It is composed of representatives of the Ministry of Social Affairs and Labour, the Ministry of Information, the Ministry of Transport, the Ministry of Public Health and Housing, the Ministry of Endowments and Guidance, and the Ministry of Expatriates, a representative of the General Federation of Chambers of Commerce (private sector) and a representative of civil society organizations. The Commission promotes the delivery of humanitarian assistance to all Yemeni people in dire need, in accordance with the principles of independence, neutrality, impartiality, humanity and non-discrimination. It supervises and ensures strategic oversight of all humanitarian relief activities on behalf of Yemen, provides all possible support to alleviate the human suffering of citizens, performs diverse relief work and caters to the humanitarian needs of citizens in the affected areas. It also ensures that humanitarian assistance is

comprehensively coordinated throughout Yemen and is based on data that identify and seek to meet existing needs.

**Recommendations concerning the establishment of an independent national institution (recommendations Nos. 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32)**

31. The Yemeni Government adopted a number of measures aimed at the establishment of an independent national human rights institution, including the issuance of Prime Ministerial Decree No. 35 of 2015 on the drafting of a bill to establish such an institution. This led to the adoption of measures aimed at ensuring the independence, neutrality and objectivity of the institution tasked with protecting and promoting human rights and strengthening the rule of law. A bill on the establishment of the national human rights institution was drafted. The Ministerial Committee studied the draft in partnership with the Office of the United Nations High Commissioner for Human Rights (OHCHR). It was also reviewed by the Technical Committee and Advisory Body of the Ministry of Human Rights, in conjunction with civil society organizations and drawing on other countries' experience, with a view to adopting the draft and referring it to the House of Representatives for ratification.

32. The Ministry of Human Rights organized a number of events and workshops, in cooperation with the United Nations Development Programme (UNDP), to discuss the report. Workshops to discuss the draft were held in a number of governorates, including Amanat al-Asimah, Aden, Hadramawt and Ta'izz. A workshop was organized for members of the team of independent bodies of the National Dialogue Conference, and a workshop was held for members of the House of Representatives. The draft was published and all comments and recommendations were taken into account. However, owing to the events resulting from the coup by the Houthi militias, the draft could not be submitted to the House of Representatives for discussion and referred to the President of the Republic for the promulgation of a republican decree.

**Capacity-building, national technical assistance and human rights awareness-raising (recommendations Nos. 87, 71 and 41)**

33. The Ministry of Human Rights takes action on behalf of the Government to promote human rights education through various awareness-raising programmes. It organizes training courses and special capacity-building programmes for persons occupying leadership positions in institutions, and for the staff of special human rights departments and units in ministries and governmental bodies and at the local government level. The Ministry also organizes intellectual seminars and events to celebrate special occasions and world human rights days. Government programmes target different groups and the Government pays special attention to the updating and refinement of curricula for basic, secondary and tertiary education. It also works with the Ministry of Information and media institutions to disseminate information and raise awareness of the human rights culture and public freedoms.

34. With regard to the Government's approach to cooperation and partnership with civil society organizations, it devotes special attention to the work of non-governmental human rights organizations, and to support for and participation in their activities. It also encourages regional and international donors to build partnerships with the organizations, and to provide technical support for newly established human rights NGOs.

35. The Ministry of Human Rights endeavours to raise awareness of human rights and adopts programmes that provide for the integration of human rights into the work of different sectors of civil society, particularly relief agencies, development organizations and charities. It opposes all approaches conducive to discrimination and inequality in the functioning of such institutions. In addition, it supports the integration of human rights into the activities of trade unions and professional associations.

36. The Ministry of Human Rights attaches great importance to building the human rights capacity of law enforcement officers and judicial personnel. It focused in the initial stages on building theoretical knowledge and then launched special programmes to develop communication and other skills. In both areas (knowledge and skills), the Ministry of



Human Rights focused on value-based training for the two groups in view of its importance for the practical performance of their duties.

37. With a view to protecting human rights, the Ministry of Human Rights cooperates actively with various ministries, departments and local government authorities in monitoring human rights violations, receiving complaints and reports, cooperating in their examination and assessment with independent lawyers and civil society, and making recommendations thereon. The Ministry of Human Rights issued dozens of statements concerning grave violations perpetrated by various parties involved in the armed conflict.

38. The Yemeni authorities seek to build the capacities of the OHCHR country office in Yemen and to support its potential to enhance technical cooperation on behalf of the various official bodies, special national committees and civil society institutions, especially since the process of implementing the proposed Constitution after its adoption will entail highly important legislative, executive and institutional deadlines, as well as expectations of the launching of the transitional justice process in accordance with the outcome of the comprehensive national dialogue.

39. The Yemeni authorities are counting on the contribution of a number of Yemeni organizations that have played a historical role in the country since its establishment. Their outstanding expertise has produced distinguished generations in the area of human rights during the past two decades, and their role after the restoration of peace and stability will have a major impact in terms of promoting dialogue and building a civic and citizenship-based culture.

#### **Request for technical and financial assistance from the international community (recommendations Nos. 163 and 165)**

40. In response to the request to the international community for technical and financial assistance, the requisite technical and material assistance was provided to support the efforts of Yemen to achieve economic reform and development. However, the humanitarian conditions created by the coup induced the Yemeni Government to appeal to the international community for urgent humanitarian assistance to meet the population's food and medical needs. There was a positive response in terms of support for the Humanitarian Response Plan in Yemen. Many countries have provided and continue to provide relief assistance bilaterally and through United Nations agencies.

41. There has not been a large-scale response to the request for assistance to Yemen in implementing the outcome of the national dialogue, the Gulf Cooperation Council Initiative and its Implementation Mechanism. Further support is therefore requested from the international community for the Yemeni Government's ongoing efforts to combat terrorism, to build the capacities and institutions of the Yemeni Government, and to build the capacity of the National Commission of Inquiry to investigate allegations of human rights violations, in accordance with the resolutions of the Security Council and the Human Rights Council.

### **The transitional period and human rights**

#### **Transitional justice, national reconciliation, independent investigations, achievement of security and stability, and post-transition guarantees (recommendations Nos. 8, 34, 79, 81, 82, 83, 84, 85, 86, 88, 89, 91, 93 and 123)**

42. Council of Ministers Decree No. 13 of 2012 provided for the establishment of a ministerial committee to draft the Transitional Justice and National Reconciliation Bill. The text was drafted and circulated among civil society organizations. A number of important steps towards achieving national reconciliation and surmounting the adverse impact of the conflict in Yemen were also incorporated in the outcome of the national dialogue. The Government continues to attach importance to this matter and it will launch the necessary implementation procedures as soon as the current conditions in Yemen have been surmounted.

43. The Ministry of Human Rights monitors and documents violations, develops databases and receives complaints and communications from the General Department for Complaints and Communications. Reports are prepared by the General Department for International Organizations and Reports. Litigation mechanisms are administered by the National Commission of Inquiry to investigate allegations of human rights violations, in accordance with Presidential Decree No. 50. Cases that have been investigated are referred to the national judiciary so that perpetrators of human rights violations are brought to justice and the victims receive reparations.

44. Support and assistance is provided to the families of persons who have been detained and disappeared by the militias. About 2,480 persons receive monthly benefits totalling 149 million rials (YRIs).

45. A plan for the reconstruction of areas, buildings and other facilities will be implemented, and a commission will look into land-related issues and the situation of persons who were forcibly dismissed from their posts. The National Dialogue Conference recommended the establishment of an independent high-level authority to be known as the Transitional Justice Commission.

46. The Government provides care for the families of martyrs in the form of monthly allowances and procedures to guarantee ongoing education for their children and relatives. The Government also provides treatment for injured persons. A total of 728 persons were transferred abroad in 2017, bringing the total number of persons who have received therapeutic services to 13,301. A reconstruction unit established in Aden Governorate received governmental support amounting to YRI 2 billion. The unit received grants of US\$ 2.5 million from the Arab Fund for Economic and Social Development and of US\$ 2 billion for the reconstruction of Ta'izz.

47. As a result of the Government's efforts to achieve security and stability, more than 80 per cent of Yemeni territory has been liberated, and international peace and security has been protected in Bab al-Mandab and the Red Sea. The military and security authorities have made great sacrifices to that end in the fight against terrorism. The Yemeni Government has also endeavoured to clear the mines laid by the Houthi militias and continues to survey large-scale mine clearance areas. Logistical and technical support for such action is provided by the King Salman Centre through the MASAM project and by the coalition that supports the legitimate authorities in Yemen. Moreover, Yemen is a signatory to the Ottawa Convention.

48. With a view to boosting the country's counter-terrorism efforts, the Government approved a national counter-terrorism strategy and the President of the Republic issued directives on 28 August 2012 instructing ministries and relevant entities and sectors to implement the actions specified in the matrix for the Comprehensive Counter-terrorism Strategy for Yemen.

49. The National Commission of Inquiry to investigate allegations of human rights violations was established as an independent national mechanism pursuant to Presidential Decree No. 140 of 22 September 2012, Republican Decree No. 13 of 2015 and Decree No. 50 of 2017. It is mandated to investigate all allegations of human rights violations perpetrated in all governorates of the Republic of Yemen since January 2011 and until such time as the State regains full control over the territory of Yemen. The Commission has produced five reports since the beginning of its work.

#### **National measures, policies and strategies for the promotion of human rights**

50. Such action was taken through the promulgation of national laws, decrees and regulations, the adoption of national strategies and the establishment of human rights departments. The Government issued a number of decisions concerning human rights sectors, social welfare and service requirements. The following is a list of the most important decisions:

- Council of Ministers Decree No. 180 of 2013 concerning the apology of the National Consensus Government for the south and Sa'dah;

- Council of Ministers Decree No. 185 of 2013 concerning endorsement of the matrix of measures for action on items 20 and 11;
- Council of Ministers Decree No. 73 of 2013 concerning the review of the Zakat and Social Welfare Bill;
- Council of Ministers Decree No. 34 of 2014 concerning the establishment of a committee to draw benefit from the Kenyan experience of safe return of Somalis to their country;
- Council of Ministers Decree No. 230 of 2013 concerning the employment needs of Sa'ada Governorate and measures to address the situation of persons dismissed from their posts;
- Council of Ministers Decree No. 105 of 2013 concerning the annual survey of violence against women;
- Council of Ministers Decree No. 53 of 2013 concerning the preparation of a matrix of measures for action on the 20 items;
- Council of Ministers Decree No. 67 of 2013 concerning the creation of an appropriate environment for the success of the National Dialogue Conference;
- Council of Ministers Decree No. 210 of 2013 concerning approval of the National Youth Employment Plan 2014–2016;
- Council of Ministers Decree No. 15 of 2014 concerning the establishment of a committee to develop a capacity-building programme for the rehabilitation of extremists sentenced to imprisonment;
- Council of Ministers Decree No. 30 of 2014 concerning the amendment of Council of Ministers Decree No. 58 of 2013 on the preparation of the national human rights strategy;
- Council of Ministers Decree No. 37 of 2014 concerning preparations for the establishment of an observatory for children's rights;
- Council of Ministers Decree No. 26 of 2014 concerning measures to implement the outcome of the comprehensive national dialogue;
- Council of Ministers Decree No. 28 of 2014 concerning the preparation of a matrix to implement the outcome of the national dialogue;
- Council of Ministers Decree No. 99 of 2014 concerning approval of the recommendations endorsed by our country during the universal periodic review of human rights in 2014;
- Council of Ministers Decree No. 100 of 2014 concerning ratification of the Optional Protocol to the Convention against Torture;
- Council of Ministers Decree No. 101 of 2014 concerning ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- Council of Ministers Decree No. 40 of 2014 concerning a review of Human Rights Council recommendations that are inconsistent with Yemeni legislation;
- Council of Ministers Decree No. 103 of 2014 concerning implementation of the Government's planned matrix for the outcome of the comprehensive National Dialogue Conference;
- Council of Ministers Decree No. 122 of 2014 concerning the assignment of priority to persons from the south in filling vacancies;
- Council of Ministers Decree No. 126 of 2014 concerning the convening of a special session to discuss the bills on transitional justice and national reconciliation and on the recovery of looted funds;

- Council of Ministers Decree No. 47 of 2014 concerning a review of the bill on the rights of the child;
- Council of Ministers Decree No. 50 of 2014 concerning the drafting of a law on asylum;
- Council of Ministers Decree No. 151 of 2014 concerning measures to address the security, service-related and humanitarian situation in Amran Governorate;
- Council of Ministers Decree No. 13 of 2014 concerning a review of the bill on the audiovisual media;
- Decree No. 17 of 2017 concerning 100 outboard motors for persons adversely affected by the Megh and Chapala cyclones;
- Council of Ministers Decree No. 19 concerning the coverage in the National Dialogue Conference of governmental plans and programmes;
- Council of Ministers Decree No. 72 of 2017 concerning support for the sanitation fund and compensation for fishers in Ta'izz Governorate;
- Council of Ministers Decree No. 47 of 2018 concerning the preparation and adoption of the budget of Abyan University;
- Council of Ministers Decree No. 48 concerning monetary reforms of the local currency;
- Council of Ministers Decree No. 51 concerning action to address flood damages in Hadramawt and neighbouring areas;
- Council of Ministers Decree No. 52 concerning treatment and benefits for persons wounded in the war;
- Council of Ministers Decree No. 57 concerning the printing, transfer and supply of school textbooks and examination documents for 2018–2019.

51. The Government has developed new strategies and programmes in areas requiring such action. The following is a list of the most important governmental strategies:

- The National Strategy to Combat Human Trafficking
- The National Secondary Education Strategy
- The National Vocational Education Strategy
- The National Higher Education Strategy
- The National Reproductive Health Strategy
- The National Health Strategy 2010–2025
- The fourth Five-Year Plan for Health-care Development and Poverty Alleviation
- Programmes to support girls' education
- The National Microfinance Strategy
- A Social Protection Strategy
- The National Employment Strategy 2010–2015
- The National Youth Employment Plan 2014–2016
- The National Strategy for Small and Medium-sized Enterprises 2011–2015
- The National Strategy for Development of the Agricultural Sector 2012–2016
- The National Food Security Strategy 2010–2015
- The Transitional Programme of the Consensus Government 2012–2014

52. Action by the Government to implement a number of these strategies was impeded by the coup perpetrated by the militias and their takeover of certain state institutions. However, action to implement others was resumed, including the National Human Rights

Strategy for the Republic of Yemen, the National Microfinance Strategy, the Social Protection Strategy and the programmes to support girls' education. Steps were also taken to raise awareness of human rights, to promote the political rights of young people, to apply the principles of gender mainstreaming and social accountability, and to guarantee the rights of minorities and marginalized groups in the new draft Constitution.

53. The outcome of the national dialogue, the Gulf Initiative and Implementation Mechanism, and Security Council resolution 2216 (2015) are regarded as key sources for achieving political and economic stability and security, as well as for nation building, strengthening the rule of law, reforming the judiciary, combating corruption, and promoting national protection of human rights and freedoms.

### **Measures to promote the rights of groups requiring special care: women, children, persons with disabilities and refugees**

#### **Protection and promotion of women's rights (equality and non-discrimination) (recommendations Nos. 48, 49, 53, 46, 42, 47, 51, 52, 117, 118, 119, 120, 121, 122, 142, 144 and 147)**

54. The Yemeni Government is committed to non-discrimination against women and endeavours to achieve equality, in accordance with national legislation, by constitutional, legal and other means and through the outcome of the national dialogue. It seeks to promote women's participation in the development process, decision-making positions and economic life. The Government has taken a number of decisions in this connection, including a decision to increase the recruitment of female teachers in rural areas and to mainstream gender in the State budget. Its strategies aimed at the promotion of women's participation in decision-making and public life led to a qualitative and unprecedented shift in the representation of women in the National Dialogue Conference. Women and men in public positions are paid equal wages and salaries, and women are granted special benefits in the case of pregnancy and childbirth. Yemeni legislation guarantees equal rights and equality of opportunity for all citizens, male and female, without discrimination. In accordance with the international treaties signed and ratified by the State, the rights of women and children are fully protected. The Government of Yemen is committed to integrating gender issues into all State plans, programmes and strategies, to the empowerment of women litigants before the judiciary and law enforcement authorities, and to the protection and safeguarding of the rights of women prisoners.

55. The State continues to build gender mainstreaming capacities in the police force and other authorities. It restructured the Ministry of Foreign Affairs, restoring the General Department for Women, and established the General Department for the Protection of Security and Youth in July 2018. It was decided to appoint a female director general to supervise the work of women police recruits. There are currently 993 female recruits and 45 officers in Aden; 132 female recruits in Lahij; 123 female recruits and 1 officer in Abyan; 210 female recruits and 4 officers in Ta'izz; and 500 female recruits and 25 officers in Sana'a.

56. Policewomen play a role in the administration of facilities, including the airport, in the management of women's wings in prisons and of juvenile detention facilities in Aden and Ta'izz, and in the administration of the civil status register and the issuing of passports. They are employed in many departments and administrative positions in the Ministry of the Interior, and perform administrative tasks alongside and on an equal basis with male security officers in terms of authority and duties.

#### **Protection against violence and female genital mutilation (recommendations Nos. 94, 59, 67, 68, 69, 70, 72, 73, 74, 75 and 76)**

57. With regard to the prevention of early marriage, the setting of a minimum age for marriage, and protection against violence and female genital mutilation, the National Dialogue Conference set the marriageable age for girls at 18 and anyone who breaches that rule is prosecuted. The Government has taken steps to address legislation that is incompatible with the international treaties ratified by Yemen, including the Personal Status

Act, the Offences and Penalties Act, and the Public Health and Population Act. The Council of Ministers referred the Act on the Supreme Council of Medical Specialists, which is designed to bolster supervision and accountability in the medical sectors, to the House of Representatives. The Council of Ministers also adopted Decree No. 105 of 2013 concerning the annual survey of violence against women, and the relevant ministries were mandated to develop a matrix of actions to address the outcome of the survey. The Rights and Freedoms Group at the National Dialogue Conference recommended the addition of a constitutional text criminalizing assaults on physical integrity (female genital mutilation), sexual harassment, the exploitation of women in commercial advertisements in a manner that violates their dignity, and trafficking in women.

58. The Government has implemented a number of activities under the Humanitarian Response Plan 2015–2018 aimed at reducing gender-based violence, such as building capacity for monitoring violations. Governmental bodies address all communications referred to the competent authorities through the social referral mechanism, for instance by means of psychological and social counselling for victims of violence in public service offices of the Ministry of Health and Social Affairs.

#### **Promotion and protection of children's rights**

59. With regard to the protection of children from the death penalty, it should be emphasized that, pursuant to article 36 of the Juvenile Welfare Act, no provisions of Yemeni legislation may authorize the imposition of the death penalty on juveniles. In addition, articles 33 and 34 of the Republican Decree concerning Offences and Penalties and article 4 of the Juvenile Welfare Act prohibit the imposition of the death penalty on persons suffering from a mental impairment. The Minister of Justice issued a decision establishing a technical committee of experts in forensic medicine to determine the age of children who have been sentenced to death. If there are doubts as to whether persons have attained the legal age, they must be referred to forensic medical experts, who submit their views on the person's actual age to the judiciary.

#### **Execution of children (recommendations 19, 20, 54 and 60)**

60. With regard to the paragraphs stating that the abolition of capital punishment for persons who have not attained the legal age should be a first step towards the complete abolition of the death penalty, no provisions of Yemeni legislation authorize the imposition of the death penalty on juveniles. Thus, article 31 of the Criminal Code (Act No. 12 of 1994) and article 36 of the Juvenile Welfare Act prohibit the execution of a minor who has not attained the age of 18 years. In addition, articles 33 and 34 of the Republican Decree concerning Offences and Penalties and article 4 of the Juvenile Welfare Act prohibit the imposition of the death penalty on persons suffering from a mental impairment.

61. A number of measures have been taken to prevent any executions of persons under the age of 18 years or suffering from a mental impairment. In particular, the Minister of Justice issued a decision establishing a technical committee of experts in forensic medicine to determine the age of children who have been sentenced to death. Eleven physicians were trained in age determination techniques and 21 expert social workers were appointed to study and analyse juvenile cases and to assist children and juveniles, as well as judges prior to sentencing. Contracts were concluded with 16 lawyers to assist minors at police stations and prosecutors' offices, to defend them in the juvenile courts, and to develop guidelines for prosecutors and juvenile judges in order to ensure that investigations and trials of juveniles are conducted in line with current legislation and international treaties.

#### **Reduction of early marriage and setting of a minimum age for marriage (recommendations Nos. 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108 and 143)**

62. The Yemeni Government adopted the measures set out below with a view to defining the marriageable age and protecting children from the risk of early marriage. A bill setting the minimum age for marriage was drafted and approved by the Council of Ministers in February 2009. However, difficulties were encountered in ensuring its entry into force at the time, and the Government was subsequently unable to complete the promulgation procedures owing to the coup perpetrated by the militias and the failure to

convene meetings of the House of Representatives. The marriageable age was also defined in the outcome of the national dialogue as 18 years for both sexes. A bill amending article 15 of the Personal Status Act was drafted. It set the minimum age for marriage at 18 years and provided for the criminal prosecution of persons who breached that provision. The draft was submitted to the House of Representatives. The Ministry of Justice has also adopted a number of measures aimed at reducing early marriage.

63. Child labour increased as children dropped out of school and were transferred by the Houthi militias to military barracks and child recruitment centres. The Yemeni Government is taking vigorous action to raise awareness in society of the gravity of this phenomenon. Governmental institutions and non-governmental organizations have taken steps to promote birth registration by issuing birth certificates free of charge for all children born in the Republic of Yemen since 2007, pursuant to a decision by the Yemeni Government. The Government has also developed policies, strategies and plans to promote children's rights in general, such as the National Reproductive Health Strategy, the National Food Security Strategy, the Social Protection Strategy, the National Basic Education Strategy, the Childhood and Youth Strategy and the National Action Plan for Children.

**Demobilization and rehabilitation of child recruits (recommendations No. 41, 42, 43, 44, 45 and 46)**

64. The Council of Ministers issued Decision No. 212 of 2012, endorsing the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups. The State has also developed numerous strategies, ratified treaties and assumed obligations relating to children's rights and their protection, including the strategy to combat child recruitment and to promote their demobilization and rehabilitation, and the establishment of the 2014 Action Plan for the protection of children in armed conflicts, which Yemen signed on 14 March 2014. Pursuant to the Action Plan, the United Nations became a partner of the Yemeni Government in tackling the problem of child recruitment. Yemen also signed the Safe Schools Declaration.

65. The Government organizes training courses for task forces in order to provide protection for children as well as psychological and social support services under the supervision of the Ministry of Human Rights and in partnership with civil society organizations. It also organizes seminars and commemorative events, the most recent of which was the celebration of international Human Rights Day with a view to marking the 70th anniversary and highlighting human rights issues. The Yemeni Government complies with the treaties that the State has signed and ratified. It takes steps to return displaced children to school by enrolling them in schools in the areas of displacement, disseminates the Optional Protocol on the involvement of children in armed conflict (the Protocol provides for the transfer of children captured during military operations by government forces to actors involved in the protection of civilian children), and develops plans to raise awareness of the importance of the rehabilitation and demobilization of child soldiers. The Government has prepared project studies for implementation by international donor organizations with a view to rehabilitating children recruited by the Houthi militias and providing them with psychological and social support in preparation for their return to their families. A number of initiatives by the Yemeni Government aimed at providing psychosocial support and rehabilitation for children have had a positive impact on children recruited by the militias.

**Persons with disabilities (recommendation No. 153)**

66. The State is committed to respecting the rights of persons with disabilities in all areas of life, as a matter of social solidarity, and ensures their access to the basic rights guaranteed to all citizens without distinction (page 173 of the national dialogue document concerning rights and freedoms). Persons with disabilities are highly respected and face a range of challenges that adversely affect their ability to participate.

67. The Yemeni Government, in cooperation with civil society organizations and the National Council for Motherhood and Childhood, is implementing programmes and projects aimed at protecting children with disabilities and integrating them into society by training staff to provide them with services and promote their integration. The Yemeni

Government continues to implement policies to promote the rights of persons with disabilities, in accordance with the relevant treaties.

68. The Yemeni Government plans to implement a number of training programmes for staff of governmental institutions in appropriate procedures for dealing with people with disabilities. The programmes will include workshops and training courses. The Care and Rehabilitation Fund for Persons with Disabilities was established to meet the objectives of plans to provide care and rehabilitation for persons with disabilities and special needs, who constitute a significant segment of society. The Fund has continued to provide services and to implement care, rehabilitation and institutional training programmes in line with the objectives enshrined in the decree concerning its establishment. The number of beneficiaries of the Fund's services has increased, and the areas through which financial support and in-kind assistance has been provided have been diversified. They are either provided directly to individuals with disabilities or through associations, training centres and rehabilitation centres for persons with disabilities, including deaf, mute and blind people and persons with motor disabilities. Medical equipment, such as wheelchairs, hearing aids and spectacles, is furthermore provided to disabled persons who need it, and teaching, learning and training materials are supplied to all men and women with disabilities. The Fund supports all educational and cultural programmes, activities and events run by associations and centres for persons with disabilities throughout the country. The Social Welfare Fund and the Care and Rehabilitation Fund for Persons with Disabilities provided funds for 41 centres and associations and for 3 social welfare centres. Permits were granted to 636 new associations.

#### **Refugees (recommendations No. 138, 154, 155 and 156)**

69. According to the outcome of the national dialogue, political refugees cannot be extradited or forcibly returned to the country from which they fled. The Yemeni Government respects its obligations under the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and all relevant treaties that the State has ratified.

70. The Yemeni Government bears great responsibility due to the influx of refugees into our country and the resulting economic burden, which is exacerbated by the complex economic and security conditions, widespread poverty and massive unemployment among Yemeni citizens. Notwithstanding international aid and the efforts of the Yemeni Government, the authorities are unable to cope with the increasing number of refugees. According to the estimates of the Ministry of the Interior, there are currently about 1 million refugees in the country, mostly in the main cities. In Aden, for instance, there are more than 30,000 refugees, who are treated like Yemenis, who benefit from health-care, educational, social and security services, and who are entitled to work like Yemeni citizens.

71. The Republic of Yemen cooperates closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) in implementing the recommendations of the first National Conference on Human Rights, which was held on 9 and 10 December 2012. It promotes coordination and joint action, and takes steps to integrate refugee issues into the country's overall development programmes and into development programmes on behalf of the governorates that are most affected by refugees and mixed migration. The Minister of Human Rights and UNHCR have paid a number of visits to refugee reception centres to assess the situation.

72. Marginalized persons were represented at the comprehensive National Dialogue Conference so that they could express their needs and the demands that should, in their view, be reflected in the new Constitution. The General Union for Marginalized Persons is represented on the Advisory Committee of the Ministry of Human Rights, which addresses human rights issues, including the needs and problems of marginalized persons. The State encourages the establishment of private associations for marginal groups, such as the National Union for the Poorest of the Poor, and supported the establishment of 55 civil society organizations, which receive annual subsidies.



## **Rights and freedoms**

### **The right to life (recommendations 55 and 56)**

73. The Yemeni Government confirms that it is considering the possibility of reviewing the legal provisions that provide for capital punishment, in accordance with the outcome document of the comprehensive national dialogue. Pursuant to the new draft Constitution, the death penalty should be confined to extreme cases entailing the penalties prescribed in the Islamic sharia, which are subject to major and complex restrictions and conditions.

### **The right to freedom of opinion and expression (recommendations Nos. 17, 110, 111, 112, 113, 114, 115, 65, 116 and 80)**

74. Council of Ministers Decision No. 13 of 2014 on the review of the Audiovisual Media Bill, which provides for the establishment of a governmental committee of competent parties to review the Bill in line with the outcome of the national dialogue, to promote the rights of journalists and to redress some of the shortcomings in the former Press and Publications Act No. 25 of 1990 and the Republican Decree on the implementing regulations of Act No. 40 of 1993.

75. The recommendations of the outcome of the national dialogue include a number of measures that will provide enhanced protection for the rights of journalists and media professionals and support the independence of the media. The national outcome document recommended the establishment of an independent supreme press and media council to formulate policies and develop a media vision, reform the press and media sector (print, audiovisual and electronic media) and provide legal and moral guarantees for the exercise of freedom of opinion and expression, freedom of the press and media, and the right of access to information. It would protect the pluralism, impartiality and professional integrity of the media, and would thus protect democracy, human rights and the national and religious values enshrined in the Constitution.

76. The President of the Republic issued recommendations to the Government concerning the release of all persons imprisoned on grounds related to public opinion. The outcome of the national dialogue comprised decisions by the State-building Working Group aimed at guaranteeing citizens' right to express their political opinions and choices and to express their will through peaceful means of action such as marches, demonstrations, strikes and sit-ins, without bearing arms, without damaging public or private property, and without requiring prior authorization. These rights should not be impeded or thwarted in any way, shape or form, and anyone who seeks to undermine such rights should be liable to criminal penalties. The Yemeni Government promotes a culture of human rights through awareness-raising programmes conducted by diverse governmental media institutions.

### **The prison service and prisoners' conditions and rights**

77. The Yemeni Government continuously endeavours to improve the living conditions and the environment in all prisons and to reform and develop criminal detention facilities in line with international standards. Act No. 17 of 2012, amending the Prisons Organization Act No. 48 of 1991, as amended, stipulates in article 29 bis that: "Where children are allowed to remain in the institution with their mothers, provision shall be made for nursery facilities." The International Committee of the Red Cross (ICRC) was also allowed to conduct a number of visits to detention facilities and to meet with detainees and officials. The Ministry of Human Rights visited facilities and met with detainees, and periodic visits are conducted to the central prisons and remand and detention facilities in a number of governorates of the Republic. A number of prisons have been reconstructed and additional services have been provided to the inmates. Pursuant to Council of Ministers Decree No. 15 of 2014, a committee was established to prepare a capacity-building programme for the rehabilitation of extremists sentenced to imprisonment, and an agreement was signed with the ICRC on visits to prisons and detention facilities and measures to facilitate their tasks.

**Arbitrary detention and enforced disappearance (recommendation No. 59)**

78. The Government approved the accession of Yemen to the International Convention for the Protection of All Persons from Enforced Disappearance and instructed the competent authorities to complete the legal procedures for ratification of the Convention. In addition, the Council of Ministers issued Order No. 48 of 2013 on the drafting of a bill on missing persons and enforced disappearances. However, the coup impeded the convening of the House of Representatives to approve the bill.

79. With a view to supporting victims of arbitrary arrests and enforced disappearances, the Ministry of Human Rights monitored the implementation of the Council of Ministers' decision concerning the implementation by Yemen of the recommendations of the Human Rights Council and of Security Council resolutions 2014 (2011) and 2051 (2012), in conformity with the text of the Gulf Cooperation Council Initiative and its Implementation Mechanism, which called for the rapid release of all persons who were detained unlawfully or on grounds contrary to freedom of opinion and expression.

80. The General Department for Complaints and Communications was established in the Ministry of Human Rights and receives complaints and communications at the Ministry's headquarters. The issue of independent investigations was discussed during the National Dialogue Conference as one of the 31 key agenda items, which included issues and rights pertaining to enforced disappearances and establishment of the facts concerning human rights violations. The Yemeni Government permitted the ICRC to visit places of detention. A bill concerning accession to the optional protocol concerning enforced disappearances was submitted to the Parliament. Owing to the current circumstances, however, consideration of the bill has been delayed until the House of Representative is convened.

81. The principles enshrined in the new draft Constitution include provisions requiring the State to guarantee the personal freedom of all citizens and the preservation of their dignity and security. A person's freedom may not be restricted except pursuant to a ruling by a competent court. No one may be arrested, searched or detained except in cases of flagrante delicto. No one may be monitored or investigated save in cases specified by law. Torture of a physical, psychological or moral nature and coercion of confessions during investigations are prohibited.

82. The draft Constitution stipulates that persons whose freedom is restricted have the right to remain silent until their lawyer is present. No one may be detained or imprisoned save in places that are subject to the Prisons Organization Act. Torture and inhumane treatment are prohibited during a person's arrest and interrogation, and persons who are arrested and interrogated must be permitted to make statements in their defence and to raise objections. A warrant stating the grounds for the arrest must be issued promptly or the arrestee must be released. The Public Prosecutor's Office may not maintain a person in detention for more than seven days without a reasoned judicial order. When persons are arrested on any ground, their relatives or a person of their choice must be informed of the arrest. The same applies when an order extending the period of detention is issued. The law stipulates that anyone who breaches any provisions of the relevant article shall be prosecuted, and that the victim of such violations shall be entitled to appropriate compensation. The crime of physical or psychological torture at the time of arrest, detention or imprisonment is not subject to a statute of limitations, and anyone who practises, orders or participates in the crime must be prosecuted.

83. The Ministry of Human Rights, in cooperation with civil society organizations, obtained statements concerning detainees and persons who were forcibly disappeared in prisons run by the Houthi militia. The Ministry submitted the statements to the Office of the Prime Minister and monthly allowances were paid to the families of 2,400 detainees and forcibly disappeared persons.

**Action to combat human trafficking**

84. The Yemeni Government established the National Committee to Combat Human Trafficking pursuant to Council of Ministers Decision No. 46 of 2012. Its members are drawn from governmental and non-governmental bodies involved in combating the phenomenon of human trafficking. In 2014 the Government adopted a bill on combating

human trafficking that was referred to the Parliament. The aim of the bill is to combat human trafficking in all shapes and forms, to protect and assist victims, and to provide them with the necessary care and respect for their human rights and dignity. It also aims to generate awareness in society of the risks of human trafficking in order to combat and reduce the phenomenon, and to promote and coordinate national cooperation in preventing and combating human trafficking.

85. The Government decided, pursuant to Council of Ministers Decree No. 101 of 2014 concerning approval of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, to ratify the Protocol and to refer it to the Parliament for ratification. A workshop to support the bill on combating human trafficking and to highlight the Government's efforts in that regard was held on 4 and 5 February 2014, in partnership with the International Organization for Migration (IOM), and in coordination with workshops on judicial procedures for prosecuting human trafficking crimes, which were held on 25 and 26 May 2014 in Sana'a and on 28 and 29 May 2014 in Hudaydah in cooperation with the IOM. Workshops to raise awareness of the bill on combating human trafficking were held in cooperation with the IOM on 15 and 16 June 2014 in Sana'a and on 18 and 19 June 2014 in Hudaydah.

## **General procedures and policies for the realization of economic, social and cultural rights**

### **The right to education (recommendations Nos. 145, 146, 148, 149, 150, 151 and 152)**

86. The education sector experienced major problems in March 2015 due to the invasion by Houthi militias of Yemeni governorates. Following the liberation of most of the areas, the schools and other educational facilities were renovated and expanded. The capacity of technical educational institutions was increased. A number of colleges and universities were established to accommodate students from families that were displaced from their areas of residence and sought refuge in the liberated governorates so that they could resume their studies and acquire academic qualifications. They were also supplied with the requisite textbooks.

87. The Ministry of Education has taken steps to guarantee the right to education, including the adoption of curricula based on the principle of respect for both genders. It has also introduced programmes for children with special needs and children from poor families in rural and urban areas. The Ministry of Education contributes to several special educational programmes for children of refugees and displaced persons, in cooperation with relevant organizations and entities. The Strategic Programme comprises a number of programmes aimed at reforming and improving basic education, and developing and defining strategic performance outcomes for basic education. It also comprises policies and programmes aimed at: improving the general educational situation in Yemen; developing criteria for the selection of qualified and skilled administrators and managers to run educational institutions; applying quality standards at different stages and in different categories of education; continuously improving, developing and evaluating curricula; improving teaching methods; promoting active partnerships between the State, civil society and the private sector; and providing school buildings, furniture and equipment to keep pace with the growing number of students.

88. High-quality universities and colleges have been established to meet the labour-market requirements at the local and regional level. Although vigorous action has been taken in recent years to mainstream gender in the planning of educational development programmes, a range of social, economic and cultural factors as well as the coup disaster continued to hamper the emergence of a rapid and integrated educational renaissance that would meet development requirements, in the comprehensive humanitarian sense of the term, and eliminate the vast and persistent gender disparities in terms of access to basic education and the ability to pursue education at all levels. The Ministry of Education continued in 2018 to implement programmes and strategies, including the National Strategy for the Development of Basic and Secondary Education, the School Health-care Strategy, the National Higher Education Strategy and the National Strategy for Technical Education

and Vocational Training. The Ministry also continued to implement programmes based on the principle of equality and non-discrimination, particularly in the areas of enrolment and quality improvement, development of an appropriate educational and health-care environment, and guaranteeing access to education for displaced children and refugees.

#### Number of classes at the basic and subsequent stages — illiteracy eradication

Basic 1			Basic 2			Follow-up			Total			No. of centres
Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	
75	2 464	2 539	66	2 266	2 332	43	1 645	1 688	184	6 375	6 559	3 759

#### Number of students at the basic and subsequent stages — illiteracy eradication

Basic 1			Basic 2			Follow-up			Basic		Female		Total	
Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Male	Female	Total	
1 744	60 300	62 044	1 395	57 559	58 954	887	36 869	37 756	721	8 347	4 747	164 180	168 927	

#### Number of administrators and staff — eradication of illiteracy

Administrators			Staff						Overall total			
			On contract		Permanent		Total					
Male	Female	Total	Male	Female	Male	Female	Male	Female	Total	Male	Female	Total
742	96	838	51	54	17	5	68	59	127	810	155	965

#### Number of students in women's training centres — eradication of illiteracy

Women's skills											
	Dressmaking	Knitting	Printing	Embroidery	Handicrafts	Hairdressing	Photography	Rain-fed agriculture	Housekeeping	Others	Total
<b>Total</b>	<b>2 824</b>	<b>321</b>	<b>52</b>	<b>413</b>	<b>1 160</b>	<b>851</b>	<b>93</b>	<b>15</b>	<b>679</b>	<b>1 939</b>	<b>8 347</b>

#### Number of students in basic training centres for men — eradication of illiteracy

Basic skills											
Management	Vehicles	Electricity	Welding and soldering	Carpentry and furniture	Turnery and metalwork	Computers	Household electricity	Male tailoring	Plumbing	Other	Total
<b>Total</b>	<b>166</b>	<b>193</b>	<b>75</b>	<b>56</b>	<b>33</b>	<b>35</b>	<b>35</b>	<b>18</b>	<b>18</b>	<b>135</b>	<b>721</b>

#### Number of students in terms of gender — eradication of illiteracy

Urban areas			Rural areas			Total		
Male	Female	Total	Male	Female	Total	Male	Female	Total
952	46 859	49 054	2 552	116 999	119 551	4 747	164 180	168 927

### Girls' schools, boys' schools, mixed schools and total number of schools at the national level

Supervisory authority	Basic level				Secondary level				Basic/secondary				Total			
	Boys	Girls	Mixed	Total	Boys	Girls	Mixed	Total	Boys	Girls	Mixed	Total	Boys	Girls	Mixed	Total
Government	850	690	11 171	12 711	149	66	163	378	437	586	3 076	4 099	1 526	1 449	15 570	17 188
Private/family													58	10	831	899
Local	16	4	540	560	6	1	1	8	36	5	290	331				
Private															4	4
Foreign			1	1				0			3	3				
<b>Total</b>	<b>866</b>	<b>694</b>	<b>11 712</b>	<b>13 272</b>	<b>155</b>	<b>67</b>	<b>164</b>	<b>386</b>	<b>473</b>	<b>591</b>	<b>3 369</b>	<b>4 433</b>	<b>1 584</b>	<b>1 459</b>	<b>16 405</b>	<b>18 091</b>

### Students are distributed according to gender as follows

Boys' schools	Girls' schools	Mixed schools	Total
1584	1 459	16 405	18 090

### Number of students in the Republic by grade and gender

Male	Female	Total
3 246 147	2 567 435	5 813 582

Total number of human resources at the governorate level: 304,041.

### The right to public health (recommendations Nos. 158 and 159)

89. The State has adopted a number of health-care strategies, including the National Health Strategy, the Reproductive Health Strategy and the Five-Year Health-care Development Plan, with a view to bolstering the provision of health-care services through hospitals and health-care centres. It has also promoted health awareness-raising programmes and preventive medicine. According to statistical data, the increase in health-care facilities is not commensurate with the increase in the population. It should be noted that there are positive indicators of progress in health care for women, in particular reproductive health services, vaccinations and obstetric services. Women have access to other forms of health care on an equal basis with men.

90. The Republic of Yemen is implementing a series of governmental measures aimed at improving physical and mental health, reducing the prevalence of endemic and widespread diseases, raising immunization rates, reducing the malnutrition rate and fighting the cholera epidemic. It is also endeavouring to: raise coverage rates for reproductive health and family planning; prevent anaemia (iron deficiency) by fortifying flour; provide essential medicines to health-care facilities; raise awareness of health and population issues; and strengthen institutions in the health sector through training and upgrading of skills. Steps are being taken to boost emergency services, including basic services, medical camps, and the availability of drugs and medical supplies, particularly in priority areas.

91. The armed conflict and the restrictions imposed by the militia that perpetrated the coup on the flow of humanitarian aid and beneficiaries' access to aid have led to the loss of thousands of citizens' lives. Hundreds of thousands have been exposed to outbreaks of epidemics of diseases such as dengue fever, typhoid, malaria and cholera. Notwithstanding these challenges, the Yemeni authorities, in cooperation with local and international civil society institutions and relief organizations, have managed to step up the provision of health-care services. Relevant data may be found in the annex on health statistics and indicators.

**Development, combating poverty and malnutrition, and reducing unemployment (recommendations Nos. 125, 126, 127, 129, 130, 132, 133, 135, 131, 137, 139 and 140)**

92. The country has suffered in recent decades from the failure of development policies to rescue the country from its diverse economic crises, which were compounded by widespread corruption, waste and nepotism, and the lack of democracy, transparency and good governance. The country almost broke down the wall of failure through the revolution of 11 February 2011, which raised expectations and fostered hope that construction of the political system could be completed until the Houthi militias and their allies shattered the Yemeni people's dreams of escaping from the cycle of poverty and unemployment.

93. Poverty rates doubled in Yemen during the reporting period on account of the coup and the armed conflict. The humanitarian crisis in Yemen has become one of the world's worst humanitarian crises. It is estimated that about 22 million Yemenis out of a total population of 27 million need assistance in securing a livelihood, while the number of internally displaced persons now exceeds 3 million.

94. The armed conflict in general and the deliberate targeting of the service infrastructure by the Houthi militia severely affected the basic service sectors, leading to a worsening of the crisis in the supply of clean drinking water and greatly exacerbating the energy crisis. These developments have adversely affected citizens' daily lives, impeding their ability to move freely and to run facilities such as hospitals and educational institutions. Hundreds of thousands of citizens have lost their means of subsistence, either because of internal displacement or due to the country's massive economic downturn, and this has had a negative impact on the livelihoods of their families. In addition, the purchasing power of the national currency has collapsed, declining in value vis-à-vis foreign currencies by more than 100 percent. At the same time, the prices of food, basic commodities and services have risen so that the majority of the population are unable to meet their basic needs.

95. The Houthi militia looted public funds, assumed control of the Central Bank, and seized salaries and wages that the Government owed to State and public-sector employees. The militia also imposed illegal fees and taxes, using the slogan "Support for the war effort". The Houthi militia has appropriated the bulk of international humanitarian assistance in areas under its control, either as a fee for the transfer of aid, or to meet the needs of its fighters and their families. It controls the distribution of the remaining aid, basically in the form of benefits for those loyal to the militia. The Houthi militia has also imposed indirect restrictions on humanitarian organizations that seek to supply their aid through other ports, and confines the delivery of aid to the port of Hudaydah, which it controls. The militias have rejected all United Nations efforts and initiatives aimed at securing international management of the port in order to guarantee the flow of humanitarian aid, and to prevent violations of international resolutions banning the use of weapons against friendly States and neighbouring countries and the threat of global navigation through the Red Sea and the Bab al-Mandab strait.

96. The Yemeni authorities adopted a series of measures, based on republican and ministerial decrees, to respond to humanitarian and development needs. In August 2018 they adopted Republic Decree No. 175 on the establishment of an Economic Committee to take the necessary remedial action and ensure that the neediest groups were provided with the necessary support. The Yemeni Government adopted a coordinated national approach under the Transitional Programme for Stabilization and Development with a view to attaining two key goals, which are economic development and expansion of cash-based social assistance for the poorest families through the Social Welfare Fund. Particular emphasis is placed under the Social Protection Programme on rural areas and the most vulnerable groups. Thus, a number of programmes and policies have been adopted to increase the number of beneficiaries, to encourage and support small-scale loan programmes, and to develop the institutional structure of the Social Welfare Fund and the Welfare and Rehabilitation Fund for Persons with Disabilities.

97. The Government sponsored and participated in several workshops organized as part of the Sustainable Development Network in Aden, Hadramawt, Ma'rib, Hudaydah and Ta'izz until 25 September 2018. The aim was to raise awareness of the SDGs and their

incorporation into various long-term development projects. The Yemeni Government is developing large-scale programmes and plans in cooperation with friendly countries with a view to alleviating poverty and implementing development programmes. It launched reconstruction projects, with the support of the Arab coalition States, following the Government's successful liberation of 80 per cent of Yemeni territory.

98. During the period from May 2015 to May 2018, the Houthi militia seized and prevented the entry of 84 relief and oil vessels, and targeted seven relief and commercial vessels in the Red Sea. They looted more than 696 trucks and blew up four relief trucks, killing two drivers. In addition, they seized 15,815 food baskets, stormed the warehouses of international organizations, damaged 4,000 tonnes of foodstuffs, and prevented the unloading of 11,979 tonnes of diesel and 84,326 tonnes of petrol in the port of Hudaydah.

99. The decline in the value of the rial vis-à-vis other currencies has led to an increase in the poverty rate in Yemen, which now encompasses the majority of the population. Malnutrition levels are also high, especially among children and women, since acute food insecurity is widespread in the country. Yemen ranks among the world's 11 worst affected countries in terms of food insecurity. Unemployment constitutes a major challenge and an obstacle to development. The unemployment rate has increased as a result of the suspension of many investment projects, the dismissal of a large number of workers, the emigration of businessmen following the coup, the seizure by the militias of more than US\$ 5 billion from the Central Bank, the looting of State resources and the deliberate withdrawal of hard currency from the market, which led to the collapse of the local currency.

### **Cooperation with United Nations mechanisms**

100. The State attaches great importance to cooperation and interaction with United Nations mechanisms. It also highly appreciates the efforts of diverse United Nations agencies, entities and programmes to promote the peaceful settlement process in the country and to provide vitally needed relief to those affected by the armed conflict. It engages in close cooperation and coordination with various programmes, and particularly appreciates the work of the United Nations Development Programme, the United Nations Office for the Coordination of Humanitarian Affairs, the World Food Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Educational, Scientific and Cultural Organization, and the United Nations Children's Fund.

101. In the area of human rights, the Yemeni Government strongly believes that progress in the implementation of international human rights standards is of the utmost importance, given their crucial role in strengthening the social fabric, promoting active citizenship and restoring civil peace in the country. As the United Nations plays a key role in this area, the Yemeni Government decided to accede to the International Convention for the Protection of All Persons from Enforced Disappearance. It is currently looking into the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and of ratifying the Rome Statute of the International Criminal Court. The lack of an operational legislative authority impedes the country's ability to advance and complete these procedures.

102. The Yemeni Government attaches importance to continuous participation and active involvement in the sessions of the United Nations Human Rights Council. It also maintains contact with OHCHR and with the special procedures of the Human Rights Council. The Yemeni Government announced its acceptance of the resolutions adopted by the Human Rights Council in September 2016 and September 2017 concerning cooperation with and support for national investigative mechanisms. It also agreed to draw on the expertise of OHCHR, including through cooperation with the Group of Eminent Experts established by the resolution adopted by the Council in 2017. It hosted the Group and their associated professionals and provided them with clarifications and detailed and well-documented information.

103. Visits have been paid by high-level delegations of United Nations agencies and UNHCR, including the United Nations Under-Secretary-General for Humanitarian Affairs, the Director-General of the World Health Organization, the Executive Director of the

World Food Programme, the Executive Director of the United Nations Children's Fund and the President of the ICRC. Visits have also been paid by the United Nations Security Council Sanctions Committee, the Group of Eminent Experts appointed by OHCHR, and the Director of the Middle East and North Africa Section of OHCHR. There is also continuous cooperation with the OHCHR country office in Yemen. The State has complied with its obligation to submit national reports to the treaty bodies responsible for instruments signed and ratified by Yemen except in recent times, owing to the complex circumstances prevailing in the country since the coup and the resulting deterioration in many different areas. The Government aspires to boost its cooperation with United Nations agencies and international human rights organizations that are taking action in Yemen to improve the human rights situation and to provide humanitarian and relief assistance to the Yemeni people.

### **Difficulties and challenges encountered by Yemen in implementing human rights policies**

104. The Government of the Republic of Yemen is currently facing the following major challenges:

- The ongoing impact of the coup perpetrated by the Houthi militias, their control of some parts of the Republic of Yemen and their intransigent rejection of peace and refusal to implement the relevant Security Council resolutions, including resolution 2216 (2015);
- Implementation of the outcome of the National Dialogue Conference and holding of a referendum on the new draft Constitution;
- The difficulties faced by the institutional structures in Yemen owing to the collapse of the economy, social disintegration and the disappearance of basic services, which has resulted in massive economic deprivation and driven millions of Yemenis to the brink of starvation;
- The food crisis, the challenges faced by the banking sector, and the collapse of basic services due to the coup and the resulting circumstances;
- The rapid increase in the poverty rate of the Yemeni people, which has a major impact on the Government's ability to provide them with basic services;
- Ongoing abuse of children by the Houthi militias in areas under their control, particularly the escalation in crimes of child recruitment, placing them on the front lines or using them as human shields;
- The slow response of international organizations tasked with affording protection, and their weak coordination with the legitimate Government represented by relevant ministries in implementing activities and projects aimed at achieving the desired goals;
- The displacement of families by the war waged by the Houthi militia, its impact in terms of the abuse and violations suffered by children, and the challenges faced by those responsible for addressing the situation and providing minimum living conditions, especially for women.

### **Conclusion**

105. The Government of the Republic of Yemen is committed to all the treaties, covenants and conventions that it has ratified, and declares its unwavering commitment to the promotion and protection of human rights. It also pledges to overcome all the difficulties and challenges that the country is facing, and to retrieve the institutions that are still controlled by the militias with the support of the international community and the Arab pro-legitimacy coalition. The Yemeni Government hopes for developmental and humanitarian support and assistance from various countries and international organizations in order to alleviate the difficult conditions faced by the Yemeni people and to assist the



Government in addressing the major challenges that plague the country. The Yemeni Government underscores the important role played by the universal periodic review mechanism in promoting human rights and reaffirms its commitment to the effective implementation of international human rights instruments.

106. The Government of the Republic of Yemen take pleasure in extending its thanks and appreciation to the Human Rights Council, OHCHR and the Universal Periodic Review Working Group. It is committed to taking action on all accepted recommendations that the Council adopts during the discussion of the country's third universal periodic review report. The Yemeni Government undertakes to consider the recommendations made during the review process and to cooperate with civil society, the Ministry of Human Rights and members of the Government's Technical Committee in preparing its response to accepted recommendations and in monitoring their implementation.

## **Annexes to the report**

- **Annex 1: National Dialogue Conference document**
  - **Annex 2: Draft Constitution**
  - **Annex 3: Statistics and indicators on education**
  - **Annex 4: Statistics and indicators on public health**
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