



# General Assembly

Distr.: General  
21 February 2024

Original: English

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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-sixth session**  
29 April–10 May 2024

## Yemen

### **Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.<sup>1</sup> It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

#### **II. Scope of international obligations and cooperation with human rights mechanisms**

2. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Yemen to ratify the Convention against Discrimination in Education and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.<sup>2</sup>

3. UNESCO encouraged Yemen to submit comprehensive national reports for the periodic consultations on the Recommendation against Discrimination in Education and the Recommendation on Adult Learning and Education (2015).<sup>3</sup>

4. UNESCO encouraged the Government to share with it any relevant information to update the country profile in the Observatory on the Right to Education and the tool HerAtlas: Monitoring the right to education for girls and women.<sup>4</sup>

5. The Committee on the Elimination of Discrimination against Women urged Yemen to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.<sup>5</sup>

6. The Committee on Economic, Social and Cultural Rights requested that Yemen fully comply with its general comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities.<sup>6</sup>

7. The Committee on the Elimination of Discrimination against Women urged the Government to comply with its obligations under the Convention on the Elimination of All Forms of Discrimination against Women, as well as under international humanitarian, refugee and criminal law, as indicated in the Committee's general recommendation No. 30 (2013), so as to ensure protection for women and girls under those bodies of law, in



a complementary manner, highlighting for immediate and urgent implementation the recent recommendations made by the Group of Eminent International and Regional Experts.<sup>7</sup>

### **III. National human rights framework**

#### **1. Constitutional and legislative framework**

8. UNESCO encouraged Yemen to introduce a provision in its legislation to make pre-primary education free and compulsory for at least a year.<sup>8</sup>

9. The Committee on Economic, Social and Cultural Rights recommended that the Government take legislative and other appropriate measures to fully incorporate the International Covenant on Social, Economic and Cultural Rights into national laws to ensure the applicability of all Covenant rights in domestic courts. Yemen should ensure that legal and judicial training take full account of the justiciability of those rights and promote the use of the Covenant as a source of domestic law.<sup>9</sup>

10. The Committee on the Elimination of Discrimination against Women stressed the crucial role of the legislative power in ensuring the full implementation of the Convention and invited the parliament, in line with its mandate, to take the necessary steps regarding the implementation of the Committee's concluding observations before the submission of the next periodic report under the Convention.<sup>10</sup>

11. The same Committee recommended that the Government resume the constitutional drafting process, ensuring the provisions of the 2015 draft were harmonized with the Convention, and ensure its speedy adoption with transparent and participatory procedures, taking into account the views of all women and girls, including those holding divergent opinions.<sup>11</sup>

12. The Committee also recommended that Yemen adopt a definition of discrimination against women that was in accordance with article 1 of the Convention, encompassing direct and indirect discrimination, as well as intersecting forms of discrimination, in both the public and private spheres.<sup>12</sup>

13. Furthermore, the Committee recommended that the Government criminalize all forms of gender-based violence against women, including sexual harassment, including in the workplace, domestic violence and marital rape, without exemptions, ensuring that all acts of rape were considered as a grave offence triggering adequate punishment of perpetrators.<sup>13</sup>

14. The Committee further recommended that Yemen finalize the draft law on violence against women and girls and ensure its implementation through an adequately resourced national plan of action.<sup>14</sup>

#### **2. Institutional infrastructure and policy measures**

15. The Committee on Economic, Social and Cultural Rights recommended that Yemen take measures to bring the National Commission of Inquiry into full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) by further strengthening its independence and by providing it with adequate human, technical and financial resources to effectively and independently carry out its mandate, including the promotion and protection of economic, social and cultural rights.<sup>15</sup>

16. The Committee on the Elimination of Discrimination against Women called on Yemen to accelerate the adoption of the draft law establishing an independent national human rights institution in line with the Paris Principles, ensuring modalities for its cooperation with women's civil society organizations in the monitoring and treatment of human rights complaints.<sup>16</sup>

## **IV. Promotion and protection of human rights**

### **A. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **1. Equality and non-discrimination**

17. The Committee on Economic, Social and Cultural Rights recommended that the Government to adopt a comprehensive anti-discrimination law, in accordance with article 2 (2) of the International Covenant on Economic, Social and cultural Rights and general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, which prohibited direct and indirect discrimination on any grounds in all areas covered by the Covenant.<sup>17</sup>

18. The same Committee recommended that the Government ensure effective protection from discrimination to all persons, particularly disadvantaged and marginalized individuals, and groups.<sup>18</sup>

19. While acknowledging the diversity of morality and cultures, the same Committee noted that national laws and practices must always adhere to the principles of universality of human rights and non-discrimination. Therefore, failure to comply with the Covenant's obligations could not be justified by reference to political, social, religious, cultural or economic considerations within the State. The Committee accordingly requested that Yemen decriminalize sexual relations between consenting adults of the same sex and ensure effective protection from all forms of discrimination based on sexual orientation and gender identity.<sup>19</sup>

20. The Committee on the Elimination of Discrimination against Women urged Yemen to eliminate harmful practices and underlying cultural justifications through raising awareness among the general public, parents, religious and community leaders and the media, in collaboration with civil society and women's organizations, on the harmful effects of such practices on the education, health and development of girls.<sup>20</sup>

21. The same Committee urged the Government, in line with the 2014 National Dialogue Conference outcome, to adopt the draft constitutional provision setting the minimum legal age for marriage at 18 years of age for both women and men, ensuring harmonization with any revisions to the 2014 draft law on Childhood and Safe Motherhood and the draft Rights of the Child Act.<sup>21</sup>

22. The Committee also urged Yemen to criminalize both child marriage and female genital mutilation, without exception, prosecuting and punishing any offenders.<sup>22</sup>

23. Furthermore, the Committee urged the Government to repeal the discriminatory sections of the Nationality Law to ensure that women and men enjoyed equal rights, in law and in practice, to acquire, transfer, retain and change their nationality, in line with article 9 of the Convention on the Elimination of All Forms of Discrimination against Women, including the right to transmit it to their children, as naturalized Yemeni citizens, and with respect to non-national spouses, ensuring that included full retroactive implementation of the law and the abolishment of any additional requirements placed on Yemeni women to acquire prior ministerial approval with respect to nationality.<sup>23</sup>

#### **2. Right to life, liberty and security of person, and freedom from torture**

24. In her report on the implementation of technical assistance provided to the National Commission of Inquiry to investigate allegations of violations and abuses committed by all parties to the conflict in Yemen, the United Nations High Commissioner for Human Rights recommended taking adequate and effective measures to protect victims and witnesses who cooperated with the National Commission from any form of intimidation and reprisal, and providing safe spaces where they could have privacy to speak with the commissioners and staff of the National Commission.<sup>24</sup>

25. The High Commissioner also recommended ensuring the right of victims to redress, including the right to truth, justice and reparation.<sup>25</sup>

26. The High Commissioner called on the Attorney-General of Yemen to systematically, promptly and effectively act upon the reports and cases received from the National Commission, whoever the alleged perpetrators were; and to ensure prompt, impartial and effective investigation into and prosecution of all cases of human rights violations, and abuses and violations of international humanitarian law, in line with international standards.<sup>26</sup>

### 3. International humanitarian law

27. During the period covered by the fourth cycle of the universal periodic review, Yemen continued to experience a non-international armed conflict between the Government of Yemen and the Houthis, to which article 3, common to the Geneva Conventions of 12 August 1949, the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), and relevant customary international humanitarian law applied. All parties to the conflict, including members of the coalition, were bound by those norms, in addition to obligations under other treaties they had ratified. The legal framework governing non-international armed conflict applied equally to other such conflicts occurring in Yemen, between the Government of Yemen and other non-State armed groups and among different armed groups.

28. The High Commissioner called on all parties to the conflict to fully cooperate with the National Commission so that it could safely and effectively fulfil its mandate, notably by granting it access to all areas of Yemen, including all places of deprivation of liberty, and providing it with all the information it requested.<sup>27</sup>

29. The High Commissioner also urged all parties to the conflict to implement all the recommendations made in the previous reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and of the Group of Eminent International and Regional Experts to effectively pursue accountability for human rights abuses and violations, and violations of international humanitarian law by all parties to the conflict.<sup>28</sup>

30. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict recommended that the Government continue and prioritize efforts to facilitate humanitarian access and facilitate the work of humanitarian actors, as well as facilitate explosive ordnance clearance and explosive ordnance risk education.<sup>29</sup>

31. The same Office recommended that the Government call on the Security Belt Forces to abide by the action plan signed with the Government in 2014 and the 2018 road map for its implementation, and continue to participate in activities such as training of its forces on the six grave violations against children.<sup>30</sup>

32. The same Office also recommended that the Government adopt a handover protocol on the release of children detained during military operations and release children detained for actual or alleged association with armed groups; and treat children associated with armed groups primarily as victims and use detention as a measure of last resort and for the shortest appropriate period, with the best interests of the child and international standards for juvenile justice as guiding principles.<sup>31</sup>

33. Furthermore, the Office recommended that the Government vacate schools and hospitals that were used by the military, rehabilitate them and hand them over to civilian education actors; and set up a formal, comprehensive and integrated disarmament, demobilization and reintegration process for children formerly associated with armed groups.<sup>32</sup>

34. The Committee on Economic, Social and Cultural Rights recommended that Yemen combat impunity and effectively prevent, investigate, prosecute and punish all those responsible for violations of economic, social and cultural rights, including attacks on civilian infrastructure, such as health-care facilities, food and water infrastructure, and schools.<sup>33</sup>

35. The Committee also recommended providing systematic training on State obligations under human rights and humanitarian law to its military forces to ensure, in the context of military operations, that the principles of distinction, proportionality and precaution were observed and that attacks against civilians and civilian objects were prohibited.<sup>34</sup>

36. The same Committee recommended that the Government provide access to effective remedies for victims of economic, social and cultural rights violations in the context of armed conflict and ensure full reparation.<sup>35</sup>

37. In addition, the Committee recommended that the Government enhance efforts to continue to rebuild and rehabilitate essential infrastructure, such as previously damaged water and food infrastructure and destroyed schools and medical facilities, by generating additional resources, including through international cooperation.<sup>36</sup>

38. Furthermore, the Committee recommended that the Government provide protection to all humanitarian personnel and assets and conduct effective investigations into all violations that impeded the work of humanitarian workers; take measures to end all obstacles to and interference in the work of humanitarian agencies in delivering aid; provide safe, rapid and unimpeded passage for humanitarian relief to all civilians in need; and reopen the roads and lift any restrictions on the delivery of food, medicine and other essential goods across the country.<sup>37</sup>

39. The same Committee recommended that the Government take immediate action to clear existing mines and unexploded ordnance and practical measures to reduce the impact of such explosives. The Committee also recommended that the State work with the international community to ensure the provision of the technical equipment necessary for the marking and clearance of unexploded ordnance and mines.<sup>38</sup>

40. The Committee on the Elimination of Discrimination against Women urged the Government to facilitate the independent access of United Nations entities to all areas, including OHCHR, to enable the monitoring and documentation of the full scale and scope of human rights violations perpetrated against the civilian population, including women and girls.<sup>39</sup>

41. The same Committee urged the Government, along with non-State armed groups, to unconditionally and fully cooperate with the United Nations to facilitate rapid, safe and unhindered humanitarian access throughout Yemen, in compliance with Security Council resolutions 2139 (2014) and 2165 (2014), as well as subsequent resolutions and agreements.<sup>40</sup>

42. The Committee also urged the Government to effectively combat impunity and comply with its obligation to prevent, investigate, prosecute and punish serious human rights violations and crimes perpetrated against women and girls by both government forces and non-State armed groups, in compliance with international standards.<sup>41</sup>

#### **4. Administration of justice, including impunity, and the rule of law**

43. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict recommended that the Government pursue efforts to promote accountability by investigating, prosecuting and sanctioning anyone found to be responsible for grave violations against children, and ensure that all victims had access to justice and were provided with comprehensive, age-appropriate, gender-sensitive and disability-inclusive protection services.<sup>42</sup>

44. UNESCO urged the Government to investigate the cases of killed journalists, and to voluntarily report on the status of judicial follow-up to UNESCO.<sup>43</sup>

45. The Committee on Economic, Social and Cultural Rights requested the Government to conduct thorough, impartial and effective investigations into all reports of attacks on the life, physical integrity or freedom of human rights defenders, as well as acts of violence, threats, harassment, intimidation, bullying and defamation committed against them, and ensure that the perpetrators were brought to justice.<sup>44</sup>

46. The same Committee recommended that the Government establish an institution tasked with oversight of the settlement of land disputes; and develop and enforce a human rights-based property system and an efficient, comprehensive and transparent land registration system.<sup>45</sup>

## **5. Fundamental freedoms and the right to participate in public and political life**

47. UNESCO recommended that the Government decriminalize defamation and place it within a civil code that was in accordance with international standards; and implement the freedom of information law and strengthen the independence of the oversight body in alignment with international standards.<sup>46</sup>

48. UNESCO encouraged the Government to introduce an independent broadcast regulator to award and administer broadcast licences, in compliance with international human rights law; and to cooperate with the UNESCO annual survey instrument to measure global progress on access to information and consider including relevant information in the country's voluntary national reviews under the Sustainable Development Goals.<sup>47</sup>

49. UNESCO encouraged the Government to consider taking advantage of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity to strengthen protection of journalists.<sup>48</sup>

50. The Committee on Economic, Social and Cultural Rights requested that Yemen guarantee the effective protection of human rights defenders, including those working to protect economic, social and cultural rights, against all forms of harassment, intimidation and reprisal.<sup>49</sup>

51. The same Committee further requested that the Government carry out awareness-raising campaigns highlighting the importance of the work of human rights defenders, with a view to instilling a climate of tolerance in which they could carry out their missions without fear of intimidation, threats or reprisals of any kind.<sup>50</sup>

## **6. Prohibition of all forms of slavery, including trafficking in persons**

52. The Committee on the Elimination of Discrimination against Women urged the Government to develop a standard operating procedure for all first-line responders, targeting in particular border officials, those working at camps for internally displaced persons, medical staff, law enforcement officials and social workers, to provide the early identification and referral of trafficking victims to gender-appropriate assistance and protection services.<sup>51</sup>

53. The same Committee urged the country to collect and analyse data, disaggregated by sex, age, nationality, ethnicity and disability, on the prevalence of trafficking in persons within and from Yemen, the number of criminal proceedings initiated, and the sentences imposed on perpetrators of trafficking-related crimes.<sup>52</sup>

54. The Committee also urged the Government to engage with neighbouring countries to reach bilateral or regional agreements and other forms of cooperation to prevent women and girls from being trafficked; and to expedite the adoption of the draft anti-trafficking law and ensure it was effectively implemented, including through the elaboration of an adequately funded national plan.<sup>53</sup>

55. Furthermore, the Committee urged the Government to prosecute and adequately punish any person perpetuating slavery, thus ensuring enslaved women and girls were immediately freed, issued identification documentation and provided with long-term rehabilitation services.<sup>54</sup>

## **7. Right to work and to just and favourable conditions of work**

56. The Committee on Economic, Social and Cultural Rights recommended that the Government prioritize the creation of job opportunities, particularly for young people. It also recommended that Yemen provide education and training curricula to enhance working skills and employability, particularly for young people, women and persons with disabilities.<sup>55</sup>

## **8. Right to social security**

57. The Committee on Economic, Social and Cultural Rights recommended that the Government build a long-term plan of action to revive and strengthen the national social protection system. The Committee invited Yemen to fully comply with its general comment No. 19 (2007) on the right to social security.<sup>56</sup>

## 9. Right to an adequate standard of living

58. The Committee on Economic, Social and Cultural Rights recommended that the Government address the root causes of corruption as a matter of priority; adopt all necessary legislative and administrative measures to ensure transparency and accountability in public administration, both in law and in practice, and the use of public resources, including in respect of funds received in the framework of international cooperation.<sup>57</sup>

59. The same Committee recommended that the Government strengthen existing anti-corruption bodies and agencies, including by ensuring their independence and through the provision of adequate funding for training and institutional capacity-building programmes.<sup>58</sup>

60. The Committee also recommended that the Government ensure the effective implementation of anti-corruption measures and take steps to effectively protect victims of corruption and their lawyers, anti-corruption activists, whistle-blowers and witnesses.<sup>59</sup>

61. The same Committee recommended that Yemen resume payment of salaries to civil servants throughout the country and remove any procedural obstacles to their payment.<sup>60</sup>

62. Furthermore, the Committee recommended that the Government ensure that the protection against acts of interference by employers or their organizations in the activities of trade unions was expressly provided for in its legislation, and that it address all cases of trade union interference. The Committee also recommended that Yemen amend the Law on Trade Unions so as to allow workers and their organizations to establish and join the federation of their own choosing.<sup>61</sup>

## 10. Right to health

63. The Committee on Economic, Social and Cultural Rights recommended that the Government take immediate action to address acute malnutrition, in particular of children, including by adopting emergency action plans incorporating clear-cut targets for reducing rates of acute malnutrition in the country.<sup>62</sup>

64. The same Committee recommended that Yemen develop a strategy to address chronic malnutrition; and ensure an unimpeded flow, into and within the country, of humanitarian and commercial imports that served essential needs.<sup>63</sup>

65. The Committee also recommended that the Government adopt a legislative and institutional framework and a strategy for guaranteeing the right to adequate food and combating hunger and chronic malnutrition, and seek technical support for addressing food insecurity from the Food and Agriculture Organization of the United Nations.<sup>64</sup>

66. Furthermore, the Committee recommended that the Government monitor, prevent and mitigate the impacts of the armed conflict on water and sanitation services; and improve access to safe drinking water, hygiene and sanitation infrastructure and services, with a particular focus on internally displaced persons.<sup>65</sup>

67. The same Committee recommended that the Government promote alternatives to qat production, encouraging farmers to adopt less water-intensive crops, and fully implement the Committee's general comment No. 15 (2002) on the right to water.<sup>66</sup>

68. The Committee also recommended that Yemen allocate sufficient resources to the health sector and ensure the availability, accessibility and quality of health services, including reproductive health services, by securing a sufficient amount of qualified medical personnel and providing adequate medical equipment, infrastructure and facilities.<sup>67</sup>

69. Furthermore, the Committee recommended that the Government maximize the impact of international aid by taking measures to ensure the delivery of medicines and vaccines, particularly to the most disadvantaged and marginalized individuals and groups.<sup>68</sup>

70. The same Committee recommended that Yemen ensure an effective, credible, impartial and transparent investigation into the use of medical facilities for military purposes and on all attacks against medical facilities and personnel, ensuring that the perpetrators were adequately prosecuted and held accountable; and that the country strengthen measures to effectively ensure that medical facilities were fully demilitarized.<sup>69</sup>

71. The Committee on the Elimination of Discrimination against Women recommended that the Government reinforce the health sector to prevent a further reduction of the already limited health infrastructure by allocating sufficient budgetary resources to ensure the availability of affordable and adequate health services, ensuring sexual and reproductive health services, in particular prenatal and postnatal care and emergency obstetric services provided free of charge and by skilled birth attendants throughout the territory of the country.<sup>70</sup>

72. The same Committee recommended that the Government inform all health workers that that government policy did not require male accompaniment for women seeking health care, including obstetric care, regardless of age; and educate women and girls, and men and boys, on sexual and reproductive health and rights, including family planning and responsible sexual behaviour, and ensure that affordable and modern contraceptives were available throughout the country, without permission required of any male attendant.<sup>71</sup>

## **11. Right to education**

73. The Committee on the Elimination of Discrimination against Women urged the Government to allocate specific budgets to rebuild schools affected by conflict and disburse without delay and in full the salaries of teachers; and to condemn all attacks on schools, strengthen measures to ensure the demilitarization of schools and that perpetrators targeting students for recruitment were promptly investigated, prosecuted and punished.<sup>72</sup>

74. The same Committee recommended that the Government encourage girls' enrolment, attendance and retention in schools and their reintegration if they dropped out, particularly at the secondary and tertiary levels, and with a focus on girls living in poverty, girls living in rural areas, pregnant girls and adolescent mothers, by eliminating the direct costs and reducing the indirect costs of education and recruiting more female teachers.<sup>73</sup>

75. The Committee also called on the Government to raise awareness among parents, teachers, traditional and religious leaders and girls and boys of the importance of educating girls for their economic empowerment, personal development and autonomy.<sup>74</sup>

## **12. Cultural rights**

76. The Committee on Economic, Social and Cultural Rights recommended that the Government take legislative and administrative measures, including the adoption of a plan of action, to ensure that the activities carried out by business entities domiciled in Yemen or operating in its territory did not adversely affect the enjoyment of economic, social and cultural rights.<sup>75</sup>

## **13. Development, the environment, and business and human rights**

77. The Committee on Economic, Social and Cultural Rights recommended that Yemen ensure that adaptation measures respected economic, social and cultural rights; and consider the Committee's statement on climate change and the International Covenant on Economic, Social and Cultural Rights, adopted on 8 October 2018.<sup>76</sup>

78. The same Committee recommended that Yemen continue cooperating with all the parties involved in facilitating the success of the United Nations salvage operation to prevent an oil spill in the Red Sea and its potentially disastrous environmental and humanitarian impacts on the country and the region.<sup>77</sup>

79. The Committee also recommended that Yemen develop a national adaptation plan focusing on the most significant effects of climate change; and diagnostic capacity with respect to the impact of climate change on groups and individuals who might be particularly affected.<sup>78</sup>



## B. Rights of specific persons or groups

### 1. Women

80. The Committee on the Elimination of Discrimination against Women urged the Government to ensure the meaningful and inclusive participation of women from diverse backgrounds at all stages of the peace process and in all reconstruction initiatives, as well as in transitional justice processes, in particular at the decision-making level, at the national and local levels, and, to that end, to adopt temporary special measures, including a 30 per cent quota, in conformity with article 4 (1) of the Convention on the Elimination of All Forms of Discrimination against Women, and in line with universal periodic review recommendations accepted by Yemen to give due consideration to the application of a quota system in all State bodies as put forward by the national conference for women.<sup>79</sup>

81. The same Committee urged the Government to provide opportunities for women's and civil society organizations to contribute to the peace process as independent actors, for example by establishing an effective channel of communication between them and the mediation team to ensure coordination and joint initiatives for the inclusion of women's priorities.<sup>80</sup>

82. The Committee on Economic, Social and Cultural Rights requested that the Government end the *mahram* (male guardian) requirement for all women across the country and ensure their full access to economic, social and cultural rights. The Committee referred the State to its general comment No. 16 (2005) on the equal right men and women to the enjoyment of all economic, social and cultural rights.<sup>81</sup>

83. The same Committee recommended that the Government take measures to criminalize all forms of gender-based violence against women, including sexual harassment, domestic violence and marital rape.<sup>82</sup>

84. The Committee also recommended that Yemen prevent gender-based violence and ensure that all cases were investigated, that perpetrators were prosecuted and appropriately sentenced and that victims had access to justice, effective reparations, shelters and support services.<sup>83</sup>

85. The Committee on the Elimination of Discrimination against Women recommended that Yemen increase the number of women judges, prosecutors and police officers, ensuring the capacity-building of all justice personnel on the strict application of criminal law provisions for gender-based violence against women and on gender-sensitive investigation and trial procedures, and introduce mandatory training for medical personnel.<sup>84</sup>

86. The same Committee recommended that the country facilitate women's access to all justice facilities by abolishing the requirement, both in law and practice, to be accompanied by a male guardian, by reducing fees and documentation requirements, by providing procedural accommodations and accessible measures when needed and by increasing the public awareness, transparency and speed of legal procedures.<sup>85</sup>

87. The Committee also recommended that Yemen collect data on all forms of gender-based violence against women, disaggregated by age, region, disability, and relationship between the victim and perpetrator, and on the number of cases reported but not prosecuted, the number of convictions and type of punishment ordered, the number of acquittals and the amount of compensation awarded to survivors.<sup>86</sup>

### 2. Children

88. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict recommended that the Government continue to implement the 2014 action plan and the 2018 road map to end and prevent child recruitment and use, as well as continue to strengthen existing measures to prevent child casualties during military operations and to prevent other grave violations.<sup>87</sup>

89. The same Office recommended that the Government continue the timely coordination with relevant stakeholders, including the United Nations, of the release of detained children,

to allow for the swift and adequate delivery of programmatic responses; and provide unhindered access for child protection actors to detention facilities.<sup>88</sup>

90. The Committee on Economic, Social and Cultural Rights urged the Government to prevent and eliminate cases of child labour, including through the adoption of a national plan to combat child labour, and raise awareness of the illegality of child labour, as well as its harms to children's well-being and development in educational and public settings.<sup>89</sup>

91. The Committee also urged the Government to take the necessary measures to ensure that no child under 14 years of age engaged in an apprenticeship; and to strengthen the capacity and expand the reach of the Child Labour Inspectorate by providing it with adequate human and financial resources to enable it to monitor effectively cases of child labour and enforce ministerial order No. 11 of 2013 on hazardous work prohibited to children under the age of 18 years.<sup>90</sup>

92. The same Committee urged the Government to combat trafficking in children and enforce section 26 of ministerial order No. 11, investigate and prosecute all those who engaged in the trafficking of children and impose effective and dissuasive sanctions.<sup>91</sup>

93. Furthermore, the Committee urged the Government to adopt legal and other safeguards to effectively prohibit and prevent child recruitment and to bring to justice all those involved in the recruitment and use of children in hostilities, in accordance with the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and ensure full reparations to the victims.<sup>92</sup>

94. The Committee also urged the Government to take measures to assist children coerced into labour and the worst forms of child labour by providing them with all appropriate assistance for their recovery and social reintegration, including access to health care, adequate psychological support and education programmes.<sup>93</sup>

95. The same Committee also expressed concern over the large number of children below 14 who were victims of child labour; and children between 14 and 17 years of age working more than 30 hours a week and/or in hazardous occupations, including in agriculture, the fishing industry, mining and construction.<sup>94</sup>

96. In addition, the Committee recommended that Yemen take urgent and effective measures to impose the minimum age of marriage of 18 years for both women and men, as recommended in the 2014 National Dialogue Conference outcome document.<sup>95</sup>

97. Furthermore, the Committee recommended that the Government establish penalties for those who performed or facilitated child marriage and ensure access to effective remedies and other forms of necessary protection for the victims; and raise awareness of the devastating effects of child marriage on the victims and provide platforms and opportunities for discussion within communities and families on the benefits of ensuring that girls received an education.<sup>96</sup>

### **3. Indigenous Peoples and minorities**

98. The Committee on Economic, Social and Cultural Rights recommended that Yemen take all necessary measures to fight effectively against negative stereotypes and systematic discrimination against the Muhamasheen, particularly Muhamasheen women; and adopt the outcomes of the National Dialogue Conference on the inclusion and integration of the Muhamasheen, including by adopting temporary special measures such as a quota for the participation of Muhamasheen in all government authorities and bodies.<sup>97</sup>

99. The same Committee recommended that the Government develop and implement a comprehensive national strategy to effectively ensure full access to education, health, housing and public services for Muhamasheen communities, particularly women, including technical and vocational training opportunities to improve their employment prospects.<sup>98</sup>

### **4. Migrants and refugees**

100. The Committee on the Elimination of Discrimination against Women recommended that the Government address the specific risks and particular needs of migrant women, who

were subject to multiple and intersecting forms of discrimination, ensuring their access to basic services without fear of detention based on irregular migration status.<sup>99</sup>

101. The same Committee recommended that the Government end the arbitrary detention and forced movement of migrants; and ensure border police and immigration officials were adequately trained, supervised and monitored for gender-sensitivity and non-discriminatory practices when dealing with women migrants, with the support of relevant agencies.<sup>100</sup>

## 5. Internally displaced persons

102. The Committee on Economic, Social and Cultural Rights recommended that Yemen collect statistical data, disaggregated by sex, gender, age and geographic location, on the employment, housing and living conditions of internally displaced persons; and take measures to prevent and reduce the duration of displacement and ensure that internally displaced persons could return to their homes safely and with dignity or offer them long-term solutions.<sup>101</sup>

103. The same Committee recommended that the Government provide effective protection for the country's internally displaced persons to ensure that they had access to adequate food, decent housing and basic services, including water and sanitation, health-care, education and social protection services, if necessary, by seeking international cooperation assistance.<sup>102</sup>

104. The Committee on the Elimination of Discrimination against Women recommended that Yemen provide internally displaced women and girls who were victims of gender-based violence, including child marriage and trafficking in persons, with free and immediate access to medical services, legal assistance and a safe environment, as well as to female health-care providers and services, such as reproductive health care and counselling.<sup>103</sup>

## Notes

- <sup>1</sup> [A/HRC/41/9](#), [A/HRC/41/9/Add.1](#) and [A/HRC/41/2](#).
- <sup>2</sup> UNESCO submission for the universal periodic review of Yemen, pp. 1 and 2.
- <sup>3</sup> UNESCO submission, para. 23.
- <sup>4</sup> Ibid.
- <sup>5</sup> [CEDAW/C/YEM/CO/7-8](#), para. 27.
- <sup>6</sup> [E/C.12/YEM/CO/3](#), para. 20.
- <sup>7</sup> [CEDAW/C/YEM/CO/7-8](#), para. 11. See also [A/HRC/48/20](#), paras. 89 and 90.
- <sup>8</sup> UNESCO submission, para. 23.
- <sup>9</sup> [E/C.12/YEM/CO/3](#), para. 10.
- <sup>10</sup> [CEDAW/C/YEM/CO/7-8](#), para. 9.
- <sup>11</sup> Ibid., para. 16.
- <sup>12</sup> Ibid., para 18.
- <sup>13</sup> Ibid., para. 20.
- <sup>14</sup> Ibid.
- <sup>15</sup> [E/C.12/YEM/CO/3](#), para. 12.
- <sup>16</sup> [CEDAW/C/YEM/CO/7-8](#), para. 23.
- <sup>17</sup> [E/C.12/YEM/CO/3](#), para 26.
- <sup>18</sup> Ibid.
- <sup>19</sup> Ibid., para. 30.
- <sup>20</sup> [CEDAW/C/YEM/CO/7-8](#), para. 25.
- <sup>21</sup> Ibid.
- <sup>22</sup> Ibid.
- <sup>23</sup> Ibid., para. 33.
- <sup>24</sup> [A/HRC/45/57](#), para. 61.
- <sup>25</sup> Ibid.
- <sup>26</sup> Ibid.
- <sup>27</sup> Ibid., para. 60.
- <sup>28</sup> Ibid.
- <sup>29</sup> Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission for the universal periodic review of Yemen, p. 2.
- <sup>30</sup> Ibid.
- <sup>31</sup> Ibid.
- <sup>32</sup> Ibid.

- 33 [E/C.12/YEM/CO/3](#), para. 8.
- 34 Ibid.
- 35 Ibid.
- 36 Ibid.
- 37 [E/C.12/YEM/CO/3](#), para. 18.
- 38 Ibid., para. 50.
- 39 [CEDAW/C/YEM/CO/7-8](#), para. 11.
- 40 Ibid.
- 41 Ibid.
- 42 Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission, p. 3.
- 43 UNESCO submission, para. 28.
- 44 [E/C.12/YEM/CO/3](#), para. 14.
- 45 Ibid., para. 16.
- 46 UNESCO submission, paras. 24 and 25.
- 47 Ibid., paras. 26 and 27.
- 48 Ibid., para. 28.
- 49 [E/C.12/YEM/CO/3](#), para. 14.
- 50 Ibid.
- 51 [CEDAW/C/YEM/CO/7-8](#), para. 27.
- 52 Ibid.
- 53 Ibid.
- 54 Ibid.
- 55 [E/C.12/YEM/CO/3](#), para. 36.
- 56 Ibid., para. 42.
- 57 Ibid., para. 24.
- 58 Ibid.
- 59 Ibid.
- 60 Ibid., para. 38.
- 61 Ibid., para. 40.
- 62 Ibid., para. 56.
- 63 Ibid.
- 64 Ibid.
- 65 Ibid., para. 58.
- 66 Ibid.
- 67 Ibid., para. 64.
- 68 Ibid.
- 69 Ibid.
- 70 [CEDAW/C/YEM/CO/7-8](#), para. 37.
- 71 Ibid.
- 72 Ibid., para. 35.
- 73 Ibid.
- 74 Ibid.
- 75 [E/C.12/YEM/CO/3](#), para. 20.
- 76 Ibid., para. 62.
- 77 Ibid., para. 60.
- 78 Ibid., para. 62.
- 79 [CEDAW/C/YEM/CO/7-8](#), para. 14.
- 80 Ibid.
- 81 [E/C.12/YEM/CO/3](#), para. 34.
- 82 Ibid., para. 48.
- 83 Ibid.
- 84 [CEDAW/C/YEM/CO/7-8](#), para. 20.
- 85 Ibid.
- 86 Ibid.
- 87 Submission of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission for the universal periodic review of Yemen, p. 2.
- 88 Ibid.
- 89 [E/C.12/YEM/CO/3](#), para. 44.
- 90 Ibid.
- 91 Ibid.
- 92 Ibid.
- 93 Ibid.

<sup>94</sup> Ibid., para. 43.

<sup>95</sup> Ibid., para. 46.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid., para. 28.

<sup>98</sup> Ibid.

<sup>99</sup> [CEDAW/C/YEM/CO/7-8](#), para. 44.

<sup>100</sup> Ibid.

<sup>101</sup> [E/C.12/YEM/CO/3](#), para. 32.

<sup>102</sup> Ibid.

<sup>103</sup> [CEDAW/C/YEM/CO/7-8](#), para. 44.

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