

STATEMENT
UPR Pre-session on Yemen
Geneva, February 15, 2024
Delivered by: DT Institute and Justice4Yemen Pact Coalition

This statement supplement the coalition’s [Joint Stakeholders Report](#), which was submitted under the 46th Session of the Working Group on Yemen for the Universal Periodic Review with the support of DT Institute.

1. Presentation of the Organization

Coalition Partners:



Justice 4 Yemen Pact (J4YP) is a coalition of human rights organizations and civil society actors that are united for the promotion and protection of human rights in Yemen. The coalition’s mission is to advocate for the rights of all Yemeni people, particularly those who are most vulnerable and marginalized. This is the first time for the coalition to participate in UPR processes since its establishment.

Members of the Justice4Yemen Pact

1. [Abductees’ Mothers Association \(AMA\)](#)
2. [Al-Amal Women’s and Sociocultural Foundation \(AWSF\)](#)
3. [Center for Strategic Studies to Support Women and Children \(CSWC\)](#)
4. [Free Media Center for Investigative Journalism](#)
5. [Marib Dam Foundation for Social Development \(MDF\)](#)
6. [Musaala Organization](#)
7. [SAM Organization for Rights and Liberties](#)
8. [Studies and Economic Media Center \(SEM\)](#)
9. [Watch for Human Rights](#)
10. [Yemeni Coalition to Monitor Human Rights Violations \(YCMHRV\)](#)

DT Institute is a non-profit organization that partners with communities and leaders to help build and preserve resilient, equitable, and inclusive democratic societies. DT Institute is an organization committed to “doing development differently.” We implement complex global development programs in conflict, fragile, and closed environments. We also fund thought leadership initiatives that drive innovation and improve lives through evidence-based programming.

2. - National consultations for the drafting of the national report

The [Justice 4 Yemen Pact](#) was not involved in any formal national consultations for the drafting of the national report as a coalition.

3. Plan of the Statement

This statement addresses the following issues:

1. The Rights of Children
2. Arbitrary Detention, Enforced Disappearance, and Torture

Note: The Joint Stakeholders of the J4YP coalition focus on key advocacy and monitoring areas, including: 1) Women's Rights; 2) Children's Rights; 3) Arbitrary Detention, Enforced Disappearance, and Torture; 4) Fair Trials; and 5) Freedom of Expression. However, the J4YP coalition recognizes these issues as some of the most pervasive and urgent human rights challenges in Yemen, and consequently, these issues merit additional comments and recommendations as the Working Group on Yemen progresses in the review process. Also, this approach aims to prevent redundancy with other speakers addressing diverse thematic areas related to Yemen.

4. Overarching Recommendations:

1. Conduct impartial and transparent investigations into alleged violations of international humanitarian and human rights law by all parties involved in the conflict. Publicize the findings and ensure accountability by holding perpetrators accountable for all violations and abuses.
2. Ensure that any peace agreement or political settlement in Yemen includes provisions for transitional justice, accountability, and reparations, in consultation with victims, survivors, and civil society.

3. Statement

I. Respect for the Rights of Children

A. Summary

1. The third Universal Periodic Review (UPR) of Yemen occurred on January 23, 2019 during the 32nd session of the Human Rights Council. Yemen received 252 recommendations from 97 countries addressing issues that included armed conflict, the humanitarian crisis, accountability, justice, and women's and children's rights. Out of these, Yemen accepted 201 recommendations, noted 51, and rejected none. Notably, 65 accepted recommendations focused on the protections for children's rights, which have become an increasingly prominent area of focus in Yemen's UPR. Children constitute close to 50% of Yemen's population, and children's rights accounted for 12.4% of the recommendations in the first cycle, 26.7% in the second cycle, and 25.8% in the third. One of the most pressing children's rights issues has been the ongoing recruitment and exploitation of child soldiers in Yemen's armed conflict despite multiple commitments by conflict parties to end the practice. Child recruitment has garnered significant international attention since 2014, constituting 16% of total recommendations

- raised in Yemen’s second and third UPR cycles combined. Other recommendations since 2014 have prioritized preventing the killing and maiming of children, protecting children from sexual violence and kidnapping, and ensuring children’s access to life-saving humanitarian aid. These trends reflect the ongoing, disastrous impact of the conflict on children and the increase in violence and grave violations against children (0-18 years) since 2014.
2. Since 2014, Yemen has embraced nearly 92% of the recommendations pertaining to children's rights.

New developments since the third review

1. According to the [UN Report of the Secretary-General \(A/77/895-S/2023/363\)](#), for the period of January to December 2022, the United Nations verified 1,596 grave violations against 637 children (522 boys, 115 girls), including 26 children who were victims of multiple violations. Additionally, in 2022, 245 grave violations against 212 children from previous years (185 boys, 27 girls) were verified. These violations were perpetrated by all conflict parties in Yemen.
2. During 2023, two coalition members, the Yemeni Coalition for Monitoring Human Rights Violations (YCMHRV) and Watch 4 Human Rights (Watch4Hr) identified and investigated 309 grave children's rights violations (99 cases of killing and maiming, 70 cases of child recruitment, 55 victims of cases attacks on schools and hospitals, 56 cases of abduction, 13 cases of denial of humanitarian access, and 16 cases of sexual and gender-based violence). Of these cases, 27% of victims were IDPs, 9% of victims were from the Muhamasheen community, and the majority of victims (64%) were Yemeni residents. The cases covered both girls (16%) and boys (84%), and the alleged perpetrators included all major conflict parties, with 75% of perpetrators affiliated with Houthi forces, 18% with the Yemeni government and the Southern Transitional Council (STC), 7% with the Saudi-led coalition or unknown.
3. The UN's constructive collaboration with the Ansar Allah since the last UPR cycle resulted in the signing of an Action Plan in 2022 to eradicate child recruitment in armed conflict.
4. According to the U.N. Security Council's Panel of Experts on Yemen, nearly 2,000 children recruited by the Houthis lost their lives in combat from January 2020 to May 2021 alone. Despite having signed the 2022 Action Plan, the Houthis have persisted in recruiting children. [The Panel of Experts](#) confirmed an escalating trend in children being exposed to military propaganda and training, especially through summer camps. In 2023, these camps reportedly involved more than 1 million Yemeni children residing in Houthi-controlled areas. Despite claims of positive steps taken by the Houthis upon signing the 2022 Action Plan, evidence collected indicates a contrary trend.
5. J4YP coalition members (MDF and Musaala) have documented cases wherein the Ansar Allah group have also extensively used landmines in Marib, often laying extensive minefields around key civilian structures such as hospitals and schools. Due to children's inherent innocence and curiosity and their tendency to wander from designated paths while playing outdoors, they face an increased risk of harm from UXO and minefields once active conflict ceases. Previous UPR recommendations do not explicitly address the cessation of use and clearance of landmines and UXO, but several recommendations generally call for the government to respect and obey international humanitarian law. Using indiscriminate weapons such as landmines is banned internationally, and Yemen is a state party to the Mine Ban Treaty.
6. During 2023, J4YP coalition members (YCMHRV, Watch4Hr, Al Amal, and CSWC) have documented 46 cases of conflict-related sexual and gender-based violence carried out by parties involved in the Yemeni conflict. These cases include instances of rape and other forms of sexual violence, particularly against children.

B. Recommendations

1. Fully implement all relevant agreements to end child recruitment, including the Government of Yemen's 2014 Action Plan to End and Prevent Recruitment and Use and the 2018 roadmap, the Coalition's 2019 memorandum of understanding and related program of activities, and Ansar Allah's 2022 Action Plan. Immediately release from duty of all children who are under 18 and ensure providing protection and reintegration to affected children.
2. Identify and remove landmines and unexploded remnants of war. Avoid using educational facilities as military barracks or weapons depots, and ensure these spaces are dedicated to education.
3. Facilitate immediate, safe, and unimpeded delivery of humanitarian aid to children and other civilians in need.

II. Arbitrary Detention, Enforced Disappearance, and Torture

A. Summary

1. During the third UPR cycle, Yemen accepted 40 recommendations focused on arbitrary detention, enforced disappearance, and torture. These recommendations called for investigating and prosecuting such cases, providing reparations to victims, ratifying international conventions, and ensuring proper control and monitoring of detention facilities by legitimate authorities and independent bodies.
2. Despite Yemen's acceptance of these recommendations, enforced disappearance, arbitrary detention, and torture remain prevalent. J4YP coalition members have documented hundreds of incidents of these violations since 2019.

B. New developments since the third review

3. According to the recent UNSC [Panel of Experts report on Yemen](#), all parties to the conflict have arbitrarily detained or forcibly disappeared men, women, and children. Most often, victims are targeted due to their perceived association with opposing parties, for counter-terrorism purposes, or for ransom. Civilian groups most often subjected to detention and enforced disappearance include, but are not limited to, human rights and civil society activists, national and international staff working for local and international organizations, and journalists.
4. The J4YP coalition have received and investigated multiple reports of torture and ill-treatment against prisoners held by the Southern Transitional Council-affiliated forces. One prominent example is the case of journalist Ahmed Maher, who has been detained in Bi'r Ahmad prison without any hearing or due process since his arrest in August 2022 despite multiple directives instructing the Specialized Criminal Court in Aden to move forward with his case. Maher has reportedly been repeatedly subjected to torture and ill-treatment.
5. The J4YP coalition members (SAM, AMA, Free Media, SEMC, and Al Amal) have investigated and reported on the continued, widespread practice of arbitrary detention, enforced disappearance, and torture under the control of all parties to the conflict. Between 2019 and 2022, AMA alone monitored and documented 2,725 cases of arbitrary detention of civilians, 761 cases of enforced disappearance, and 974 cases of torture and ill-treatment of civilian detainees. Additionally, AMA has investigated and documented 153 detainee death cases in Sana'a, Aden, Taiz, Dhamar, and Ma'rib. The causes of these deaths varied, including aerial bombardment of detention facilities, gunshot wounds, torture, and medical negligence.
6. Systematic and widespread violations of the rights to liberty and dignity of the person continue to occur in areas under Ansar Allah control, where the group runs an extensive network of undocumented prisons and detention centers. Ansar Allah authorities employ a broad approach to security, arresting and disappearing individuals who they perceive as opposing their religious beliefs or authority, regardless of how tenuous the basis. Tragically, thousands of Yemeni citizens have vanished within this opaque, violent, and oppressive system. These secret prisons are rife with violations such as extended solitary confinement, physical and psychological torture, medical neglect, limited access to basic facilities, overcrowding, deprivation of light and sleep, forced nudity, verbal abuse, and death threats. Such inhumane practices are distressingly frequent and indiscriminate. All parties involved in the conflict have resisted acknowledging the problem, and there have been no genuine efforts to prevent these violations, investigate reports, or hold the perpetrators accountable.
7. In April 2023, the IRG-Y and the Houthis agreed to a large prisoner swap, which involved nearly 900 detainees. Despite this positive development, the swap seemed to have little effect on the underlying policies and practices of either group and the practice of enforced disappearance has continued unabated. For example, as recently as May 2023, 17 members of the Baha'i religious minority were arbitrarily arrested in Sanaa and 6 of them continue to be detained by Ansar Allah authorities. The ongoing peace process allows for the possibility of additional releases in the future of those unfairly detained.

C. Recommendations

1. Yemen should ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. All conflict parties and governing authorities must immediately halt the practice of arbitrary arrest and detention, enforced disappearance, and torture, and other ill-treatment and immediately release all persons arbitrarily held, including those hold for exercising fundamental rights such as the freedom of expression or association.
3. All authorities that oversee prisons or detention centers, whether formal or informal, must publish official lists of all individuals currently in detention centers and those who have died in detention, provide immediate, free, and unhindered access to facilities by independent humanitarian agencies.
4. Investigate all reported incidents of torture in accordance with international standards; take immediate measures to hold those responsible accountable and provide remedies to victims.

Thank you for your attention.