

# Joint recommendations for the Universal Periodic Review of Yemen

This document, compiled by the undersigned organizations, is a summary of submissions made by civil society organizations in relation to Yemen's Universal Periodic Review (UPR) during the upcoming 46th session of the UPR Working Group. It highlights critical human rights concerns and priorities in Yemen, as well as key recommendations to be urgently put forward to the internationally recognized government.

## Recommendations from previous UPR sessions

During its third UPR on 23 January 2019, Yemen supported 201 recommendations and noted 51 recommendations. However, the government failed to implement many of them, including: to establish a moratorium on the use of capital punishment; to align domestic legislation with the Convention on the Elimination of all Forms of Discrimination Against Women; to ratify the International Convention for the Protection of All Persons from Enforced Disappearance; to investigate and prosecute attacks and other forms of abuse against journalists and human rights defenders; and to put an end to the recruitment of child soldiers.

### *Recommendations to be put forward*

**Fulfill commitments based on recommendations accepted during the 32nd session of the UPR Working Group.**

**Provide a clear timeline for implementing previous and new UPR recommendations.**

## Accountability and redress

Throughout the conflict, all warring parties have committed unlawful attacks against civilians and civilian objects such as residential homes, hospitals, and schools; have disappeared, arbitrarily detained, and tortured civilians; and have committed grave violations against children. Some of these attacks might amount to war crimes. There has been virtually no accountability for violations committed by parties to the conflict, while victims and survivors have not been sufficiently included in the peace process. As such, key aspects of transitional justice have not been pursued.

### *Recommendations to be put forward*

**Ratify the Rome Statute and implement the statute in national legislation, including by incorporating provisions to cooperate promptly and fully with the International Criminal Court and to investigate and prosecute war crimes, crimes against humanity, and genocide before its national courts in accordance with international law.**

**Ensure effective, independent investigations of human rights abuses and violations of international human rights and humanitarian law and that investigative bodies, including the national commission, can independently and effectively operate within the country, protect prosecutors and witnesses, and prosecute and hold to account those responsible, in accordance with international investigation and fair trial standards.**

**Ensure access to remedies is provided to victims of unlawful attacks and their families, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition across Yemen. Ensure that any negotiated settlement or peace process includes participation of victims and survivors, effectively addresses their rights to justice with fairness and equity, and elaborates steps to fulfill transitional justice imperatives including reparative measures.**

Cooperate with relevant Treaty Bodies and with UN Special Procedures mandate-holders including by granting visit requests, by providing updates on responses to such requests, and by implementing their recommendations.

## Arbitrary detentions, torture, and enforced disappearances

All parties to the conflict have arbitrarily arrested, forcibly disappeared, and tortured people across Yemen. Abductees Mothers' Association documented 2,725 cases of arbitrary detention of civilians, 761 cases of enforced disappearance, and 974 cases of torture and other ill-treatment of civilian detainees between 2019 and 2022 – the largest percentage of instances of kidnapping, disappearance and torture fall under the responsibility of the Houthis. In May 2023, the Houthis forcibly disappeared 17 individuals of the Baha'i faith who were having a gathering in a private residence. The Southern Transitional Council has also arbitrarily detained journalist Ahmad Maher in August 2022 and subjected him to torture and other ill-treatment. Parties to the conflict also continue to detain and torture detainees in detention facilities and secret prisons.

### *Recommendations to be put forward*

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 and ensure national legislation aligns with obligations under these conventions.

End the practices of arbitrary arrest and detention, enforced disappearance, torture and other ill-treatment as well as release all those arbitrarily detained and reveal the fate of those disappeared.

## Women's rights and gender equality

Yemeni women face movement restrictions in areas under Houthi control, as well as in areas under government and STC control, due to requirements that they travel with a mahram (male guardian), in contravention of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the International Covenant on Civil and Political Rights (ICCPR). This restriction increasingly hindered Yemeni women from working, especially those required to travel for their job. This also had a direct impact on the access of Yemeni women and girls to healthcare and reproductive health rights. Many women who have completed their jail sentences remain in detention due to the requirement that they must have a mahram in order to be released.

### *Recommendations to be put forward*

Fulfill Yemen's obligation under CEDAW and end any discriminatory restrictions on women's rights, such as male guardianship, in law and practice such as the male guardianship.

Amend the Personal Status Law to ensure it is aligned with international human rights law and standards and does not contain any discriminatory provisions against women.

Immediately release all women detained beyond the completion of their prison sentence in accordance with Yemen's constitution, Penal Code, and international human rights law obligations as well as provide protection and rehabilitation for them after their release in order for them to reintegrate with society and live a decent life.

## Children and armed conflict

All warring parties have committed serious violations against children throughout the war. Parties to the conflict have been regularly listed in the Secretary-General's annual report on children and armed conflict for perpetrating grave violations against children. During 2023, 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). The majority of perpetrators are affiliated with Houthis forces with 75%, and 25% affiliated with the Yemeni government and Southern Transitional Council or unknown.

### *Recommendations to be put forward*

**End the recruitment of children in the armed forces including those serving non-military functions.**

**Appropriately investigate and punish officers who allow children in their units or are responsible for the war crime of recruiting or using children under 15 in military or security operations.**

**Fulfill obligations according to international law and in line with Action Plans signed with the UN, taking all the necessary measures to protect children, including rehabilitation measures, and stop violations against them.**

## Blocking and impeding humanitarian access

The Houthis and the Yemeni government impose unnecessary restrictions and regulations on humanitarian organizations and aid projects, creating lengthy delays and impairing civilians' rights, including their access to food, water and healthcare. Several NGOs and Yemeni CSOs, as well the UN Panel of Experts, have reported on how the Houthis have utilized humanitarian aid to recruit people to their forces, including children.

### *Recommendations to be put forward*

**Take the necessary measures to ensure free and unimpeded access for humanitarian organizations delivering aid and emergency assistance to all civilians who need it without further delay.**

## Refugees, asylum seekers, migrants, and internally displaced people

Yemen has been a key transit country for refugees, asylum seekers, and migrants from Somalia, Ethiopia, and Djibouti to Saudi Arabia in search of work or fleeing human rights abuses. Houthi forces have forcibly expelled thousands of Ethiopian migrants from northern Yemen, including by pushing them to the Saudi border, where Saudi border guards have systemically killed them. These killings if committed as part of a Saudi government policy to murder migrants would be a crime against humanity. Vulnerable groups, including persons from racial and religious minorities, are uniquely affected by internal displacement, as their access to human rights including healthcare is severely impeded.

### *Recommendations to be put forward*

**Fully implement the UN Guiding Principles on Internal Displacement and take all other necessary measures to fulfill the rights of internally displaced people in Yemen.**

**Investigate alleged killings of migrants, including asylum seekers, and other violations and abuses at the Saudi/Yemen border, identify all those suspected to be responsible including state officials and non-state actors, and hold them accountable in fair trials without recourse to the death penalty.**

## Persons with disabilities

Ongoing internal displacement has led to increased risks of Yemenis becoming disabled as a result of explosive weapons such as landmines and improvised explosive devices. Despite the high numbers of persons with disabilities in Yemen – which include persons with disabilities unrelated to the conflict – efforts by the government and other relevant actors including international organizations have revealed serious weaknesses in addressing the needs and perspectives of persons with disabilities. Access to schools and to primary health care centers and the situation of women and girls with disabilities are some of the key areas where government action to promote the equality and inclusion of persons with disabilities is urgently needed.

### *Recommendations to be put forward*

**Take all necessary steps to ensure compliance with requirements under international human rights law and international humanitarian law to protect persons with disabilities and other vulnerable groups, including necessary measures to clear areas under their control of landmines and other explosive remnants of war and to provide the necessary support and services to persons with disabilities caused by such unexploded ordnance.**

**Ensure that humanitarian aid is accessible to persons with disabilities and that they are able to receive adequate health services, and that education and employment opportunities are inclusive.**

**Ensure special attention is given in addressing the adverse impact on the rights of persons with disabilities in the context of the conflict in Yemen including in any rehabilitation efforts.**

## Freedom of expression, journalists and human rights defenders

Parties to the conflict have continued to harass, threaten, arbitrarily detain, forcibly disappear and prosecute targeted journalists and human rights defenders for peacefully exercising their right to freedom of expression. In 2022, government judicial authorities prosecuted at least three journalists for publishing content that was critical of officials and public institutions.

### *Recommendations to be put forward*

**Immediately and unconditionally release all those imprisoned solely for peacefully exercising their right to freedom of expression.**

**End the harassment and prosecution of activists and journalists and respect their right to freedom of expression, end the practice of summoning activists and journalists to security and military agencies for questioning as a means of harassment and end the abuse of laws on criminal defamation and national security to suppress dissent.**

**Bring national legislation that restricts the right to freedom of expression into line with international standards.**

# Signatories



مركز الدراسات الإستراتيجية  
لدعم المرأة والطفل  
Center for Strategic Studies to  
Support Women and Children



GLOBAL CENTRE  
FOR THE RESPONSIBILITY  
TO PROTECT



Justice4Yemen Pact  
ميثاق العدالة لليمن



منظمة مساهلة لحقوق الإنسان  
Musæala Organization For Human Rights



## Submissions referenced:

- Amnesty International
- Arab Human Rights Foundation
- Human Rights Watch
- Sana'a Center for Strategic Studies
- Joint submission: Human Rights Agenda, Association of Mothers of Abductees, Musaala for Human Rights, Dhameer for Rights and Freedoms
- Joint submission: DT Institute and Justice 4 Yemen Pact Coalition - Abductees' Mothers Association, Al-Amal Women's and Sociocultural Foundation, Center for Strategic Studies to Support Women and Children, Free Media Center for Investigative Journalism, Marib Dam Foundation for Social Development, Musaala Organization, SAM Organization for Rights and Liberties, Studies and Economic Media Center, Watch for Human Rights, Yemeni Coalition to Monitor Human Rights Violations
- Joint submission: Yemeni Network for Victims Associations - Abductees' Mothers Association, Yemeni Journalists Syndicate, Yemeni Teachers Syndicate-Taiz, HOCO-Hemaya (Protection) Organization for Civil Orientation, The Civil Commission for House Bombings Victims, Resalty Foundation for Women Development, Rasd Center for Rights and Development, The National Union for the Development of the Poorest Groups (NUDP)-Yemen, Musawah Organization for Rights and Freedoms, Eradah Organization against Torture, The Yemen Association for Landmine Survivors, The Association of Residential Complexes Families of Martyrs, Wounded, Aggrieved and Victims in Mokha