

Republican decree no (255) for 2003 on the regulatory by-law of Ministry of Human Rights (MHR).

President of the Republic:

Having reviewed the constitution of the Republic of Yemen;
The republican decree no (20) for 1991 on Cabinet;
The Republican decree no (105) for 2003 on formation of the government and naming its members;
And upon a proposal by the Minister of Human Rights;
And after approval of the Cabinet:

Has decided:

Chapter 1

Goals and general functions and tasks

Article (1): This by-law shall be named (the Regulatory By-law of Ministry of Human Rights..

Article (2): The MHR aims to enhance the human rights and protect them in coordination with the concerned ministries, bodies, and authorities, activate mechanism of the national protection of human rights and their enhancement in a way that confirms commitment of Yemen to international agreements, charters, conventions, and covenants ratified by Yemen.

MHR has the following tasks and functions:

- 1) To propose policies, plans, programs, and procedures required for enhancement of human rights and their protection in coordination with the bodies concerned.
- 2) Study legislation and laws and find out to what extent they are compatible with principles and rules of the international conventions and treaties relating to human rights and already ratified by Yemen, and also to propose amendments required in the national legislation according to constitution and laws in effect.

- 3) Receive complaints from citizens and organizations and study them and treat them in accordance with jurisdictions of MHR in coordination with the bodies concerned.
- 4) Develop the legal awareness with the citizens by guiding them to their rights guaranteed by constitution and laws, spread culture of human rights in the society with all means.
- 5) Enhance fields of cooperation with the civil society organizations working in field of human rights.
- 6) Contribute to preparation and conducting of studies and researches of human rights.
- 7) Periodically report about Yemen's international commitments in coordination with the bodies concerned.
- 8) Coordinate with the human rights-related international organizations and develop cooperation with them.
- 9) Develop skills of MHR employees and build their capabilities technically and scientifically through preparing programs and plans for training and qualifying and implementing them internally and externally in coordination with the bodies concerned.
- 10) Collect information, analyze, and document them, about human rights and government's policies on them, make and strengthen relations with the ministries and organizations concerned with human right.
- 11) Periodically report to the Cabinet about the activities and accomplishments of MHR.
- 12) Any other tasks required for the nature of the work of MHR, or any work assigned to it.

Chapter 2

Responsibilities of the leadership of MHR

Module 1

Responsibilities of the Minister

Article (3): The Minister shall assume the following responsibilities:

- 1) To lead the MHR in all fields, as being its supreme president, and run it in accordance with the principle of the personal responsibility and collective consultation about the essential issues, and activities of MHR, and he is responsible to the Cabinet for all activities.
- 2) Supervise MHR and direct its administration and implement the general policy of the government of MHR in accordance with laws, by-laws and decrees in effect.
- 3) Issue regulatory resolutions and orders to run and implement tasks and duties drawn.
- 4) Oversee his subordinates and direct them to implementation of the MHR goals.
- 5) Supervise the making of the plans of MHR and follow up implementation and report to the Cabinet, according to order, about the level of accomplishment of the resolutions of the Cabinet.
- 6) Form the board of MHR and the advisory committees and specialized work committees and determine their tasks according to order.
- 7) Report to Prime Minister and Cabinet about major contraventions and irregularities that disagree with the government's system in field of MHR functions.
- 8) Coordinate with the concerned Ministers - in the framework of the concerted responsibility of the government - in all that comes in the range of MHR.

- 9) Coordinate with the governors about the resolutions of the Cabinet and resolutions of the local authority and their recommendations in field of MHR work.
- 10) Supervise preparation of plans and programs of training and qualifying and follow up the implementation.
- 11) Represent the MHR inside and outside the country when representation is at his level.
- 12) Supervise the reports to international organizations about level of implementation of international conventions and treaties ratified by Yemen.
- 13) Any tasks assigned to him by Prime Minister and Cabinet.

Module 2

Deputy Minister

Article (4): Under supervision and direction of Minister, the Deputy Minister shall assume the following responsibilities:

- 1) To participate in suggesting policies, and plans and assist the Minister in overseeing the implementation.
- 2) Follow up implementation of MHR tasks and prepare programs and plans and follow up the appraisal of the accomplishment level and report to the Minister.
- 3) Oversee the work processing and simplify its procedure and develop its styles.
- 4) Coordinate between the general directorates and take the steps required to guarantee performance of duties.
- 5) Review the reports, studies, and researches submitted by directorates and voice opinion on them.
- 6) Represent the MHR inside and outside the country when representation is at his level.
- 7) Any other tasks assigned to him by the Minister.

Module 3

The Board

Article (5): Formation of the board and its tasks:

Firstly: Formation:

(a) The board of MHR shall be formed as follows:

- 1) The Minister, chairman
- 2) Deputy Minister, deputy chairman
- 3) Advisors of Minister, members.
- 4) General Directors, members.

(b) The Minister is entitled to summon anyone whose attendance is necessary

for meetings of the board.

Secondly: Tasks of the board:

The board shall give consultations in the following matters:

- 1) Projects of MHR plans.
- 2) The financial plan and the workforce plan.
- 3) Development of MHR functions and regulation of its work and amendment of its structure.
- 4) The subjects, which are submitted to the Cabinet, and the Minister sees they should be presented to the board.
- 5) Proposals on protection of human rights and their improvement.
- 6) Draft laws and by-laws that regulate activities of MHR.
- 7) Any subjects, the Minister sees they should be presented to the board.

Thirdly: The Minister shall issue a system to run the works of the MHR board.

Chapter 3 MHR Regulation

Module 1

Regulatory structure

Article (6): The regulatory structure of MHR shall be made up of:

Firstly: The Minister: Directly subordinated by:

- 1) Advisors
- 2) The board.
- 3) The specialized committees.
- 4) General directorate of the minister's office, which the minister shall issue a resolution to determine its tasks and functions.

Secondly: The Deputy Minister: Directly subordinated by the general directorates.

Thirdly: General Directorates:

- 1) General directorate of complaints and reports.
- 2) GD of legal affairs.
- 3) GD of organizations and international reports.
- 4) GD of the civil society organizations.
- 5) GD of awareness.
- 6) GD of studies, researches and translation.
- 7) GD of financial and administrative affairs.

Module 2

Responsibilities of General Directorates

Article (7): General Directorate of complaints and reports shall assume the following responsibilities:

- 1) To receive complaints from individuals and organizations, study, summarize and classify them, and suggest procedures to treat what comes under the MHR jurisdictions.
- 2) Receive reports from international organizations, and study, summarize, and classify them and suggest procedures and means to treat what comes under the MHR jurisdictions.
- 3) Guide those who complain or report, to the procedures they must follow in order to solve their issues, which do not come under the MHR jurisdictions.
- 4) Follow up the concerned bodies to look into the complaints and reports, which come under the MHR jurisdictions.

- 5) Participate in preparation of the official responses to international reports about violation of human rights.
- 6) Periodical report about the performance level.
- 7) Any other tasks assigned to it.

Article (8): The general directorate of legal affairs shall assume the following responsibilities:

- 1) To formulate and review the draft laws and the resolutions of MHR, and coordinate with the bodies concerned to have them passed and published.
- 2) Participate in legal negotiations and talks, and prepare draft contracts, agreements, and protocols and follow up their implementation.
- 3) Document and keep all laws, by-laws, regulations, and resolutions of the MHR.
- 4) Report to the leadership of MHR about any contraventions or irregularities of the MHR laws and resolutions.
- 5) Share in the committees of the administrative investigations into contraventions referred by the leadership of MHR.
- 6) Represent MHR before judicial bodies in accordance with the law of the state's issues.
- 7) Present advices and legal consultation to those concerned at MHR.
- 8) Periodically report about level of performance.
- 9) Any other tasks assigned to it

Article (9): The General directorate of organizations and international reports shall assume the following responsibilities:

- 1) To count the international organizations working in field of human rights and document fields of their works and accomplishments, and suggest means of cooperating with them in a way that enhances the MHR trends.

- 2) Coordinate with international organizations and agencies relating to human right, and discuss aspects of cooperation with them to serve the MHR goals.
- 3) Suggest programs, and plans to enhance Yemen's attitude towards human rights with the international organization.
- 4) Receive International reports about human rights, and study, summarize, and classify them and give recommendations on them.
- 5) Draft the official replies to international reports on human rights in coordination with the directorates and bodies concerned.
- 6) Count and document the international agreements, and study, summarize and classify them, in addition to studying the drafts of the international conventions (limited and general) and discuss possibilities of ratifying them.
- 7) Participate in preparing the national reports about level of Yemen's implementation of the international agreements, charters, and covenants.
- 8) Take part in study of national legislation and manifest the articles that disagree with the international agreements, treaties and charters ratified by Yemen, and suggest appropriate amendments.
- 9) Take part in preparation of the draft laws in connection with the MHR activities.
- 10) Periodically report about level of performance.
11) Any other tasks assigned to it.

Article (10): The general directorate of the civil society organizations shall assume the following responsibilities:

- 1) To count, classify, and document the civil society organizations, and bodies working in field of human rights according to their functions and activities.
- 2) Coordinate with the civil society organizations and discuss with them aspects of cooperation to serve human right issues.

- 3) Make partnership with the civil society organizations in field of activities and programs, which aim to develop awareness of human rights.
- 4) Submit proposals to the leadership of MHR with the purpose of developing the work in field of cooperating with the civil society organizations.
- 5) Coordinate with the bodies concerned with women and children's rights to enhance the partnership.
- 6) Report about level of performance.
- 7) Any other tasks assigned to it.

Article (11): The general directorate of awareness shall assume the following responsibilities:

- 1) To suggest and carry out the plans and programs that aim to educate the individuals of the society about their rights provided for by constitution.
- 2) Organize symposiums, workshops, and meetings on human rights in cooperation with the governmental and non-governmental organizations.
- 3) Organize awareness campaigns according to resources available and priorities of human rights issue.
- 4) Hold press conference in coordination with the bodies concerned.
- 5) Follow up and document what is published or broadcast by media about activities of MHR, and reply to them when need arises in coordination with the general directorates concerned.
- 6) Oversee the issues of the MHR and its publications in coordination with the bodies concerned inside and outside MHR.
- 7) Collect information about activities of all directorates inside and outside MHR, and review, classify, and keep them.
- 8) Periodically report about level of performance.
- 9) Any other tasks assigned to it.

Article (12): The general directorate of studies, researches and translation, shall assume the following responsibilities:

- 1) To contribute to conducting studies and researches about human rights in coordination with other general directorates and the bodies concerned.
- 2) Collect studies and researches in connection with human rights, and analyze them, and advise about possibilities of making use of them.
- 3) Translate, reports, studies, agreements, books, and letters addressed to MHR.
- 4) Simultaneously translate and interpret when need arises.
- 5) Periodically report about level of performance.
- 6) Any other tasks assigned to it.

Article (13): The general directorate of financial and administrative affairs shall assume the following responsibilities:

- 1) To prepare the project of the general budget of MHR, and put plans and programs for implementing it after being approved according to the rules of implementing the budget.
- 2) Suggest plans and programs that aim to upgrade the performance of MHR.
- 3) Determine the needs of MHR for manpower quantitatively and qualitatively according to the reports of the general directorates.
- 4) Determine the needs of MHR for devices, equipment, furniture and stationeries, and make them available and distribute them according to financial by-laws.
- 5) Oversee the work of personnel affairs at MHR and implement laws, by-laws, resolutions, and instructions.
- 6) Prepare pay rolls, overtimes, wages, rewards, and allowances according to rules in effect.
- 7) Document and keep works of secretariat according to scientific criteria.

- 8) Carry out works of maintaining and outfitting the MHR.
- 9) Prepare the final accounts, monthly, annually, and periodically.
- 10) Oversee accountants according to laws, regulations, and financial by-laws.
- 11) Periodically report about the level of performance.
- 12) Any other tasks assigned to it.

Module 3

Joint Responsibilities of General Directorates

Article (14): The general directorates shall cooperate in concerted responsibilities to achieve the following:

- 1) To draft the financial and human plans of action required for carrying out joint tasks.
- 2) Write regular reports, periodically, about their activities and accomplishments and level of implementation of plans and programs.
- 3) Apply the basic principles to implement the works specified in module 4 of this chapter.
- 4) Contribute to development of the training plans of MHR.
- 5) Any other tasks assigned to them by the MHR leadership.

Module 4

General Regulatory principles

Article (15): To optimally implement tasks, MHR shall adopt the following regulatory principles:

- 1) MHR shall apply scientific criteria in administration and regulation, and when putting plans and programs and when tackling problems of the work.
- 2) The general directorates of MHR shall prepare plans and programs, annually and quarterly, to carry out their tasks.

- 3) MHR shall apply the principle of authorization, to keep in line with the general administration of the state, in a way that leads to achieving the administrative reform.
- 4) MHR leadership, and middle leadership shall guarantee continuous coordination (when planning or implementing) with units of the general directorates, and guarantee good communication system between them.
- 5) Tasks and duties and responsibilities of everyone shall be accurately defined to achieve balance between authority and officials.
- 6) Maps and booklets explaining how to implement tasks and manuals guiding MHR workers and beneficiaries shall be issued and periodically updated.
- 7) Administrative bosses shall be considered responsible for training the employees under their authority, in addition to their role in regulating, simplifying, guiding and monitoring.
- 8) MHR shall prepare trained and qualified cadre, specialized in field of its activity, stimulate innovators, develop human relations, and work relations with the aim of upgrading performance.
- 9) MHR shall apply the principle of reward and punishment in general employment according to laws in effect.
- 10) All divisions of MHR shall comply with collecting and analyzing the information and statistics relating to their various activities, as a scientific method to take decisions and assess works and suggest solutions for administrative development.
- 11) MHR leadership shall give special care for works of registers, documents, and monitoring the application of regulations and by-laws, as being the memory of MHR.
- 12) It's required of any employee when facing a new problem that cannot be solved by laws in effect, to report to the direct boss who, in turn, treats it with the MHR leadership according to hierarchy.
- 13) The general directorates of MHR shall be responsible for works of secretariat of the committees and councils in their fields except cases that regulations state otherwise.

Chapter 4 General Provisions

Article (16): The Minister shall give special care for developing work, simplifying procedures, improving level of implementation, through applying regulation principles, giving some powers to his subordinates, and encouraging this principle inside MHR.

Article (17): The Minister is entitled to enlist the help of a technical committee of expertise, from the bodies concerned in field of human rights, to facilitate works of MHR. A decree naming its members and determining functions shall be issued by Prime Minister after Cabinet's approval, upon a proposal from the Minister.

Article (18): The Minister shall issue a decree determining the subdivisions of
the regulatory structure of MHR stated in this by-law in coordination with the Ministry of Civil Service and Insurance

Article (19): The Minister shall issue a decree on merging or canceling a directorate
or department, according to rules of administrative regulations.

Article (20): The Minister shall issue resolutions and instructions required for implementing this by-law and achieving its goals.

Article (21): The republican decree no (89) for 2001 on re-formation of the Supreme
National Committee for Human Rights shall be null and void.

Article (22): This decree shall enter into force from date of issuance and be
Published in the official gazette.

Issued in Presidential Office, Sana'a.

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