



General Assembly

Distr.: General
8 November 2013
English
Original: Arabic

Human Rights Council
Working Group on the Universal Periodic Review
Eighteenth session
Geneva, 27 January–7 February 2014

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Yemen

* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

GE.13-18522 (E) 231213 231213



* 1 3 1 8 5 2 2 *

Please recycle 



Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1–3	3
Drafting methodology.....	4	3
Basic information on developments in Yemen.....	5–8	4
Government’s efforts to improve the human rights situation	9–24	4
Institutional mechanisms for the promotion of human rights	25–35	7
National legislation.....	36	9
General strategies and policies for the promotion of human rights	37–39	9
General policies and procedures for the realization of civil and political rights.....	40–58	10
General policies and procedures for the realization of social, economic and cultural rights	59–86	12
Measures for the promotion of the rights of groups.....	87–124	17
Cooperation with United Nations mechanisms.....	125–129	24
Difficulties and challenges encountered by Yemen in applying human rights policies.....	130	26
Expectations and technical assistance.....	131	27
Conclusion	132	27
Annexes		29

Introduction

1. The Republic of Yemen hereby submits its second report for the universal periodic review in accordance with the general guidelines adopted by the Human Rights Council in resolution 6/102 of 2007. The State's first report was submitted in February 2009 and was reviewed by the Working Group on the Universal Periodic Review at its fifth session in May 2009. Yemen received 142 recommendations, of which it accepted 125, rejected 15 and deferred consideration of 2.

2. The present report provides information on the steps that the Government has taken in the past four years, in conjunction with civil society organizations and with assistance from the international community, to follow up on the recommendations. The report outlines the actions taken by the Government to improve the human rights situation and to address the challenges that affect its capacity to promote and protect human rights, particularly in the light of the events that have taken place in Yemen since the outbreak of the peaceful, popular, youth revolution, which coincided with the "Arab spring" revolution of early 2011. Those events ushered in crucial changes, which have had a direct impact on the State and on Yemeni society.

3. In submitting this second report for the universal periodic review, the Government should like to draw attention to the developments that have taken place during the difficult political transition in Yemen: comprehensive national dialogue has been embraced as a means for preparing a road map for the future of Yemen and for devising remedies and solutions that address all issues of national concern through the drafting of a new constitution and the holding of parliamentary elections in February 2014, once the transition has been completed. This should lead to the establishment of a new, forward-looking Yemen and of a modern, civil and democratic State founded on good governance and the principles of freedom, justice, equality and respect for human rights.

Drafting methodology

4. The Ministry of Human Rights followed up on the implementation of two Cabinet decisions: Decision 317 of 2009, concerning the endorsement of the Human Rights Council recommendations on the country's first universal periodic review report, and Decision 137 of 2012, concerning action on the recommendations. The following steps were taken.

- The recommendations, together with a matrix on implementation measures, were circulated to all State institutions;
- Official letters were sent to all relevant entities asking for information on the follow-up given to the recommendations;
- Several meetings of the Technical Committee and Advisory Body of the Ministry of Human Rights were held to review the recommendations and the follow-up given to them;
- A special working group was established, pursuant to a decision of the Minister for Human Rights, to gather information and draft the report;
- Visits were conducted to gather information from government institutions and centres that compile official statistics and information;
- To launch the drafting process, a workshop was held for the Technical Committee and Advisory Body of the Ministry of Human Rights, with the Ministry's drafting group taking part;

- The information and statistics were analysed and the preliminary draft of the report was prepared;
- The draft report was reviewed in wide-ranging national consultations that the Ministry of Human Rights organized, in cooperation with the United Nations Development Programme (UNDP), with a view to supporting human rights in Yemen during the transition. Funding was provided by the Governments of Sweden and the Netherlands, and a series of workshops were held for government bodies, civil society organizations, academics, media experts, activists, and local government entities from across Yemen;
- All the feedback and comments provided were incorporated into the final draft, which was then published.

Basic information on developments in Yemen

5. At the beginning of 2011, a peaceful, popular revolution broke out in Yemen, marking a turning point in the country's history. In its wake, the Government took a number of critical steps to bring about a political settlement, as called for by the Security Council in resolution 2014 (2011). The first step was the signing of the Agreement on the Gulf Cooperation Council and Implementation Mechanism on 23 November 2011.

6. The National Consensus Government was formed in December 2011 and presidential elections were held on 21 February 2012. Committees were set up to resolve the main issues behind the national dispute which had led to protests by the peaceful Southern Separatist Movement. Presidential Decree No. 2 of 2012 was issued, providing for the establishment of a committee to discuss land disputes and another committee to deal with cases where civil servants had been dismissed from their posts in the civilian, security and military sectors.

7. On 16 March, Presidential Decree No. 11 of 2013 was issued. It provided for the organization of a comprehensive national dialogue conference, marking the second phase of the transition. All Yemenis are involved, with 50 per cent of the participants coming from the south and the other 50 per cent from the north of the country. Women make up 30 per cent of the participants and young persons 20 per cent. Political parties are also represented, together with the Southern Separatist Movement, civil society, the Houthis, marginalized groups, persons with disabilities, internally displaced persons, expatriates, and other societal groups.

8. The issues put forward for discussion at the National Dialogue Conference are priorities for all Yemeni nationals. They include: Southern Yemen; the situation in Sa'dah; good governance; State-building; transitional justice and national reconciliation; integrated development; development of the army and security services; the independence of institutions; rights and freedoms; and other issues of national concern. These matters have been taken up by nine working groups. Constitutional law experts will draw on the outcome of the conference to draft a new national constitution that reflects the social contract agreed by all sides and that addresses the main challenges confronting Yemen.

Government's efforts to improve the human rights situation

9. Yemen is going through a humanitarian crisis, which is linked to food and fuel-price hikes, the rising incidence of poverty, falling standards in social services, supply shortages, and internal conflicts. To deal with this situation, the Government drew up the Transitional Programme for Stabilization and Development 2012–2014, which was presented at the

donors' conference held in Riyadh on 4 September 2012 and at the "Friends of Yemen" Conference held on 26 September 2012 in New York. The purpose of the programme is to stabilize the political, security and economic situation during the transition and to promote State-building. The priorities are to: complete the process for the peaceful transfer of power; stabilize the political, economic and security situation; strengthen the rule of law; reform the judiciary; combat corruption; provide enhanced protection for human rights and general freedoms at the national level; and meet urgent humanitarian needs.

10. In order to supply the nation's needs with regard to the promotion and protection of the human rights and freedoms of all Yemeni citizens, the first National Human Rights Conference was held on 9 and 10 December 2012. This attests to the intensified efforts being made by the State and society to ensure that human rights are upheld, promoted and protected. At the conference, discussions were held on various issues that touch upon the main requirements for the realization of human rights in Yemeni society, namely: awareness-raising; reinforcement of young persons' political rights; application of the principles of gender mainstreaming and social accountability; guarantees of the constitutional rights of minorities and marginalized groups; protection of human rights under the National Counter-terrorism Strategy; development of national mechanisms to combat human trafficking; and efforts of raise awareness of the concept of transitional justice, which is the main new topic on the national agenda. Other topics discussed include the national and international legal framework for dealing with refugee issues; the outlook for civil society activism; and civil society networks and partnerships with government mechanisms on issues of national priority.

A. Security and stabilization

11. On 4 December 2011, Presidential Decree No. 29 was issued, providing for the establishment of a committee to deal with military issues and with security and stabilization processes in Yemen. The committee began its work by examining the situation on the ground and directly overseeing a comprehensive disarmament process. Military and security units were returned to base, sandbags were removed from the streets and trenches were filled in, and armed men were removed from government and civilian installations and buildings, which were turned over to the authorities. In addition, various presidential decisions providing for restructuring of the military and security apparatus were issued.

12. The military and security forces sustained many casualties during operations that were mounted to counter terrorism, to wrest control of the governorate of Abyan and the districts of Zinjibar and Khanfar from armed terrorist groups and to put an end to this war, in which public and private buildings and installations have been destroyed and hundreds of people have been killed. The war has created numerous problems: large numbers of the inhabitants in these areas have been displaced, and there are issues with mines and remnants of war.

13. Consistent efforts have been made to remove the many mines that were planted by armed men with links to Al-Qaida. Yemen was implementing a 10-year programme to clear the country of mines and eliminate their pernicious effects by the end of 2009 and to rid the country completely from this threat. However, the events of 2011 and the growth in the number of armed groups have perpetuated and exacerbated the problem. Activities to survey the affected areas and clear them of mines have continued. UNDP provides logistical and technical support and assistance in this endeavour, and Yemen is a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines (the Ottawa Convention).

14. Republican Decree No. 101 of 2012 was issued in order to meet the need to rebuild infrastructure and the private homes that were destroyed in fighting with terrorists; to

enable displaced persons to return to their homes in Abyan; and to normalize the situation in general. The decree provides for the establishment of a reconstruction fund for the areas of the Abyan governorate that were damaged by acts of sabotage and terrorism. The National Demining Committee has taken steps to have mines and remnants of war cleared from all areas formerly controlled by armed terrorist groups so as to encourage displaced persons to return to their home districts once the problems associated with the destruction of their homes and property have been resolved.

15. In order to boost our country's counter-terrorism efforts, the Government approved a national counter-terrorism strategy and the President of the Republic issued directives on 28 August 2012 instructing ministries and relevant entities and sectors to carry out the actions detailed in the matrix for the Comprehensive Counter-Terrorism Strategy for Yemen.

B. Transitional justice

16. The Government of Yemen has taken proactive and practical measures to deal with past abuses through a wide range of activities and effective processes. It has issued various decrees and decisions and adopted targeted measures to provide transitional justice. The Immunity Act No. 1 of 2012 is part of a political settlement that was forged to coincide with the push for the adoption of the Transitional Justice Act and with the endorsement of a proposal on the establishment of an independent national commission to investigate the human rights abuses that took place in 2011.

17. Cabinet Order No. 13 of 2012 was issued to provide for the establishment of a ministerial committee to draft the Transitional Justice and National Reconciliation Bill. The comments of international and civil society organizations and of relevant public figures were reflected in the draft text, which was presented to the Cabinet and which will be reviewed based on the outcome of the National Dialogue process.

18. Cabinet Order No. 4 of 2012 was issued to provide for the establishment of a ministerial committee that was chaired by the Minister for Human Rights and whose members were the Minister for Foreign Affairs, the Minister for House of Representatives and Advisory Council (*Shura*) Affairs and the Minister of Justice. The committee reviewed and developed proposals on the constitution, in keeping with international standards, of an independent national commission of inquiry, to investigate human rights abuses reportedly carried out during the events of 2011.

19. The Ministry of Human Rights wrote to all political stakeholders and parties asking them for recommendations and ideas about candidates who could be appointed, by means of a consensus-based decision-making process, to sit on the commission of inquiry. An explanatory note was drawn up, in which stress was laid on the importance of establishing the commission of inquiry and formulating its terms of reference.

20. At the beginning of August 2012 it was announced that, a civil alliance had been established to support the independent commission of inquiry. Close to 60 civil society organizations that are active in Yemen are now members of the alliance. Several civil society organizations petitioned the courts to expedite the process for establishing the commission of inquiry.

21. On 7 August 2012, Cabinet Decision No. 138 of 2012 was issued. In it, the Cabinet agreed in principle to establish a commission of inquiry. It called for a draft decision of the Minister for Legal Affairs to be transmitted for review and finalization and for completion of the relevant legal procedures.

22. On 18 September 2012, the Cabinet issued a decision by which it approved the idea of establishing the independent commission of inquiry. The decision was transmitted to the

President of the Republic for issuance of a republican decree, on the establishment of the commission.

23. On 22 September 2012, Presidential Decree No. 140 of 2012 was issued, approving the establishment of an independent commission of inquiry to investigate the human rights abuses committed in 2011. It is expected that the members will be nominated and that the commission will commence its work.

24. The Cabinet issued Order No. 10 of 2012 on measures to assist people who were injured during the events of 2011 and 2012 and to provide for the families of those who were killed. Republican Decree No. 178 of 2013 provides for the establishment of a welfare fund for the families of those who were killed or injured during the peaceful, popular, youth revolution of February and during the revolution launched by the peaceful movement in the southern governorates.

National institutions for the promotion of human rights

25. During the years that followed the submission of its first universal periodic review report, the Government strengthened the national institutional infrastructure for the promotion of human rights, as explained hereunder.

A. Establishment of an independent national human rights mechanism

26. In order to meet the country's international obligations and to fulfil the voluntary pledges to establish an independent national human rights institution in conformity with the Paris Principles, the Cabinet issued Decision No. 215 of 2013, concerning the endorsement of the National Human Rights Institution Bill. The Bill was transmitted to the parliament for completion of the requisite constitutional procedures.

27. With a view to securing broad participation, the Government and the Office of the United Nations High Commissioner for Human Rights (OHCHR) jointly drafted the Bill, drawing also on the experiences of Arab countries in this domain. The text was presented to the Advisory Body and the Technical Committee on Human Rights. It was published on the websites of the Ministry of Human Rights and the Ministry of Legal Affairs so that feedback could be gathered and used to enrich the text. The Ministry of Human Rights, in cooperation with UNDP, organized several events and workshops to discuss the Bill. These activities were run in several governorates, and members of the independent bodies of the National Dialogue Conference and of civil society organizations and the House of Representatives also took part.

B. National Committee to Combat Human Trafficking

28. The National Committee to Combat Human Trafficking was established pursuant to Cabinet Decision No. 46 of 2012. Its members are drawn from governmental and non-governmental organizations that deal with this phenomenon. The Committee has become the institutional framework that serves to forge policies and develop national mechanisms to combat human trafficking offences, punish traffickers, protect victims and establish rehabilitation programmes. Pursuant to the above Decision, the Committee has formulated a national strategy on human trafficking and drafted a bill on the subject. It also carries out various other functions and tasks in relation to this subject.

29. As of the time of writing, the Committee had carried out a range of measures and activities, including, in particular, the drafting of the Bill on Human Trafficking, with help

from international experts. The Bill was presented and discussed at a national workshop held for governmental and non-governmental organizations and was posted on the Government's website so that the public could provide feedback on the text. In September 2013, the Government endorsed the Bill and instructed the Ministry of Legal Affairs to complete the procedure for transmission to the parliament for discussion, enactment and entry into force at the earliest possible juncture.

C. Establishment of general departments for human rights

30. The General Department for Human Rights and the General Department for Family Protection were established in the framework of the work done to restructure the Ministry of Human Rights. A general department for human rights was also established at the Ministry of Legal Affairs and general departments for the advancement of women were established in several ministries.

D. Appointment of human rights coordinators in the governorates

31. Human rights offices have been established in a number of governorates and human rights coordinators have been appointed to work in them. Their role is to monitor and document human rights abuses and to liaise with the Ministry of Human Rights on the coordination and implementations of human rights activities.

E. Technical Committee for Human Rights

32. A governmental body that represents judicial, security and other institutions, the Technical Committee has seen its membership expand over the past two years to include a larger number of governmental institutions that monitor human rights and mainstream them into their plans and programmes.

F. Enhancement of partnerships with non-governmental mechanisms

33. The Advisory Body of the Ministry of Human Rights: The membership of this consultative body has increased. It now has 60 members, representing civil society organizations that deal with human rights as well as academics, activists, journalists and trade unionists.

34. The Human Rights Promotion Group: This mechanism brings together government bodies, the private sector, international organizations and the donor community and coordinates efforts and exchanges information to support human rights.

35. By its Decision No. 212 of 2013, the Cabinet endorsed the partnership agreement concluded between the Government of Yemen and civil society organizations. Pursuant to the agreement, work is being carried out to establish a higher council for the partnership as an institutional mechanism with financial and administrative independence and legal personality. The council would be responsible for coordinating partnership activities. Forty per cent of the members of the higher council are to be drawn from government bodies and the remaining 60 per cent from civil society organizations. The number of civil society organizations that are devoted to human rights issues has grown, especially since the peaceful youth revolution. Dozens of specialized organizations have been established to promote human rights and defend human rights and freedoms.

National legislation

36. The country's legal architecture for the promotion and protection of human rights has been developed: the following laws have been enacted.

- Act No. 1 of 2010 on combating money-laundering and the financing of terrorism; this law was drawn up in conformity with international human rights standards;
- Act No. 2 of 2010, amending some articles of Act No. 40 of 2002 on civil enforcement and pleadings;
- Act No. 26 of 2010, amending Act No. 13 of 2001, concerning general elections and referendums as amended;
- Act No. 9 of 2011, concerning health insurance;
- Act No. 13 of 2012, concerning the right to information;
- Act No. 15 of 2012, concerning the protection of author's rights and of related rights;
- Act No. 17 of 2012, amending article 32 of Act No. 48 of 1991, concerning the regulation of prisons, as amended;
- Act No. 18 of 2012, amending articles 104 and 104 bis of the Judicial Authority Act No. 15 of 2006.

(Annex 1 contains a list of the laws and decrees and decisions issued over the past four years.)

General strategies and policies on the promotion of human rights

37. A number of strategies are being formulated that have a direct bearing on the promotion and protection of human rights. They include:

- The National Human Rights Strategy: Cabinet Decision No. 58 of 2013, concerning the amendment of Cabinet Decision No. 30 of 2009, provided for the establishment of a national committee made up of various governmental bodies and civil society organizations to draft a national human rights strategy for Yemen;
- National strategy to combat human trafficking: pursuant to the mandate of the National Committee to Combat Human Trafficking, work is now being done to draft a national strategy to combat human trafficking.

38. The Government has taken steps to create such new programmes and strategies as are needed. The most important of these strategies, around which the Government's efforts revolve, are: a national strategy on microcredit; a national strategy on secondary education; a national strategy on vocational education; a national strategy on higher education; a national strategy on reproductive health; the Fourth Five-Year Plan on Health Development and Poverty Alleviation; a social protection strategy; the National Health Strategy 2010–2025; programmes to support the education of girls; the National Employment Strategy 2010–2015; the National Youth Employment Plan 2014–2016; the National Strategy for Small and Medium-sized Enterprises 2011–2015; the National Strategy for Development of the Agricultural Sector 2012–2016; the National Food Security Strategy 2010–2015; and the Transitional Programme of the National Consensus Government 2012–2014.

39. The Government has pursued its efforts to meet its obligations in relation to various aspects of human rights by following a range of strategies that are soon to be completed and will then be evaluated. These include the National Strategy for Children and Youth and the National Strategy for the Advancement of Women 2006–2015.

General procedures and policies for the realization of civil and political rights

A. Arbitrary detention and enforced disappearance

40. The Government approved the accession by Yemen to the International Convention for the Protection of All Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court and instructed the competent authorities to complete the procedures for ratification of these instruments. In addition, the Cabinet issued Order No. 48 of 2013 on the drafting of a bill on missing persons and enforced disappearances.

41. The Cabinet issued Decision No. 108 of 2012 providing for the release of all prisoners of conscience detained in 2011 from all lawful and unlawful places of detention. Through the media, it invited the families of all detained or disappeared persons to provide the relevant departments of the Ministry of Human Rights with full information about the persons concerned.

42. In order to support detained and disappeared persons and to follow up on the Cabinet decision on implementation by Yemen of the recommendations of the Human Rights Council and of Security Council resolutions 2014 (2011) and 2051 (2012), the Ministry of Human Rights has held meetings with the commanders of army units and the security services to discuss cases of detention and enforced disappearances reported to the Ministry by various sources. These sources include youth associations and coalitions for the defence of detainees and the victims of enforced disappearance. The Ministry has cooperated with various civil society organizations on the organization of several events and other activities.

43. In June 2013, the Minister for Human Rights announced that she would hold a sit-in at Sana`a Central Prison until 17 youths who had been unlawfully detained in 2011 were released. The young persons were released on the instructions of the President of the Republic.

44. The issue of independent investigations is one of 31 key items on the agenda of the National Dialogue Conference; other items under consideration include enforced disappearance, the rights of disappeared persons, and the establishment of the facts concerning human rights abuses committed in 2011.

45. A presidential decree was issued on 9 July 2013 concerning expedited action on the outstanding items of the 20 adopted by the Preparatory Committee for the National Dialogue Conference. In the light of that decree, the Cabinet issued Decision No. 185 of 2013, endorsing the matrix of measures for action on the 31 items. These include items on the release of detainees, the establishment of the fate of victims of enforced disappearance, including victims of the 1994 war, the war in Sa`dah, the peaceful Southern Movement, and compensation.

B. Independence and competence of the judiciary

46. In order to strengthen the independence of the judiciary, Act No. 18 of 2012 was promulgated by presidential decree, amending articles 104 and 104 bis of Act No. 15 of 2006 on the restructuring and reorganization of the Supreme Judicial Council. The President of the Supreme Judicial Council was appointed in accordance with article 104, as amended, which provides for the separation of the presidency of the Supreme Judicial Council from that of the Supreme Court in accordance with Presidential Decree No. 35 of 2012.

47. A draft amendment to the Judicial Authority Act was prepared. It contains provisions designed to: limit the powers of the Minister of Justice in matters relating to judges; expand the powers of the Supreme Judicial Council; and provide for the transfer of the functions of the Judicial Inspectorate and the Office of the Public Prosecutor to the Supreme Judicial Council.

48. A law on authentication and registration was promulgated and a law on legal fees was adopted. Regulations on the work of the Ministry of Justice were drafted, and a judicial code of conduct was adopted.

49. In order to build the capacities of judicial personnel, 17 training courses have been held on international humanitarian law and counter-terrorism and its relationship to human rights and forensic medicine.

50. The draft amendment to the Judiciary Act that is before the House of Representatives affirms the full independence of the judiciary. It is anticipated that the new constitution that will emerge from the national dialogue process will include the principle of the full separation of powers and of complete independence of the judiciary.

C. Prisons and prisoners' rights

51. Act No. 17 of 2012, amending the Prisons Organization Act No. 48 of 1991, as amended, was promulgated with a view to the reform and renovation of prisons in line with international standards. Article 32, as amended, provides that: "An area in the prison shall be designated as a reception centre for the purpose of interviewing and classifying prisoners upon their admission to prison, as follows: new prisoners shall be kept separate from prisoners with a criminal record; prisoners convicted of serious offences shall be kept separate from other prisoners; foreign prisoners shall be kept separate from Yemeni prisoners; juvenile prisoners shall be kept separate from adult prisoners; female prisoners shall be kept separate from male prisoners; female prisoners convicted for debt or civil offences shall be held in completely separate quarters from those convicted of criminal offences." Moreover, article 29 bis provides that: "Where children are allowed to remain in the institution with their mothers, provision shall be made for nursery facilities."

52. In practical terms, a juvenile wing has been established in Sana`a Central Prison and equipped to meet the needs of young prisoners.

53. In 2010, 2011 and 2012, the International Committee of the Red Cross was allowed to conduct a number of visits to Political Security Organization (PSO) detention facilities in the governorates of Sana`a, Al-Hudaydah, Ta`izz and Aden and to meet with detainees and officials. The Minister for Human Rights has also visited a PSO detention facility and met with detainees. PSO organized similar visits for a number of subgroups involved in the comprehensive national dialogue this year.

54. Periodic visits are carried out to central prisons and remand and detention facilities throughout Yemen.

55. The Cabinet issued Decision No. 203 of 2013, approving a draft agreement between the Yemeni Government and the International Committee of the Red Cross on cooperation and humanitarian activities for the benefit of persons deprived of their liberty.

D. Freedom of opinion and expression

56. Presidential directives have been issued revoking decisions to imprison journalists, as they curb freedom of opinion and expression. A draft text on amendments to the Press and Publications Act (Act No. 25 of 1990) has been put before the House of Representatives; the proposed amendments include provisions intended to strengthen freedom of the press and of journalists' work. However, consideration and promulgation of the draft legislation has been postponed, at the request of the Yemeni Journalists' Union, pending further study.

57. From 2009 to 2012, licences were granted to 3 government newspapers, 4 political party newspapers, 12 civil society newspapers and 82 privately-owned newspapers, in addition to those issued to existing newspapers and magazines. Once the House of Representatives has concluded its consideration of the Audiovisual Media Bill, it will be possible to establish many private radio and television channels in addition to the existing official and private channels.

58. The Government has demonstrated a genuine willingness to promote and protect freedom of opinion and expression. Moreover, due note should be taken of the conclusions and recommendations of the Working Group on the Independence of Special Entities, submitted to the closing plenary of the National Dialogue Conference for adoption, since they refer to the establishment of a supreme press and media council, in accordance with the general provisions governing independent institutions. Such a council would define policies and develop a media vision, reform the press and media sector (print, televisual and electronic media) and provide the legal and moral guarantees necessary for the exercise of freedom of expression, freedom of the press and of information, and the right of access to data. It would protect the pluralism, objectivity and professional impartiality of the media and, thus, would protect democracy, human rights and the national and religious values enshrined in the Constitution. In this way, it would confer full professional independence upon public information agencies and institutions.

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

A. Reduction of poverty and unemployment

59. The poverty rate in Yemen is above 52 per cent; in other words, more than 12 million out of a total population of 24 million live in poverty. Prior to the events of 2011, the poverty rate was 39 per cent. Perhaps one of the most stark problems of poverty is the lack of food security; malnutrition rates are high, particularly among women and children. Acute food insecurity is widespread in Yemen, which is 1 of the 11 lowest-ranking countries in the world in terms of food insecurity; Yemen ranks 74th out of 84 countries on the Global Hunger Index.

60. Yemen suffers from uneven population distribution throughout its 21 governorates. Twenty-four per cent of the population lives in urban areas and 74 per cent in rural communities of less than 5,000 people; this has a considerable impact on capacity to provide basic services.

61. Yemen faces a considerable challenge in the development process because of unemployment. The unemployment rate among young people (15–24 years) is 52.9 per cent; in the 25–59 year age bracket, it is 44.4 per cent. Unemployment [among children] has increased to 17.8 per cent, according to a survey on child labour: the number of unemployed has risen from 689,000 to 900,000, according to the latest survey. During 2011, unemployment rose because a number of investment projects were suspended; many workers were laid off and some enterprises cut down on working hours and only paid partial salaries.

62. The employment prospects for young people in Yemen are very limited, because of the economic recession and security problems, which have reduced opportunities for investment and production. In order to reduce unemployment and create job opportunities, the Cabinet issued Decision No. 94 of 2011, approving the establishment of a mechanism for placing 25 per cent of persons who have been registered with the Civil Service since 2010 as jobseekers.

63. The Transitional Programme for Stabilization and Development includes a number of policies and action programmes in which priority is given to the creation of employment opportunities for youth and to the development of human resources. The Government National Consensus is aware of the danger of unemployment becoming entrenched, in particular among young people, and has, therefore, made young people a priority issue. It is taking action to provide young people with economic opportunities that will enable them to enjoy a decent standard of living and is implementing an employment strategy that will limit youth unemployment, increase investment, stimulate production and create employment opportunities for this category.

64. The Government of Yemen approved the National Plan for Youth Employment 2014–2016, with a budget of US\$ 500 million, in the framework of responsibility-sharing that sets out the commitments of Yemen and donor countries vis-à-vis the outcomes of the donors' conference and the "Friends of Yemen Conference", held in Riyadh and in New York respectively. The purpose of the plan is to create immediate employment opportunities for youth through labour-intensive programmes; to build the capacities of young people; to strengthen the role of promising economic sectors for youth employment; and to make it easier for young people to enter the local and foreign labour market.

65. The Government intends to allocate a share of oil revenues to youth employment. The money will be deployed through social development funds and a public works project. In addition, banks and private financial institutions, in particular Al-Amal Bank, will be given incentives to finance small enterprises, with guarantees provided by the State, and to grant interest-free loans. Other measures that the Government intends to take will focus on regional and international efforts to develop young people's capacities, in order to integrate them into the labour market, and on replacing foreign workers with qualified Yemeni nationals.

B. Economic and financial reforms from 2009 to 2013

66. The Government of the Republic of Yemen has agreed to a reform programme with the International Monetary Fund and has initiated a series of reforms. The most significant reforms include the phasing out and eventual future elimination of subsidies for refined petroleum products and the provision of social assistance. The need to implement trade and agricultural reforms and other complementary measures has been recognized. The Transitional Programme for Stabilization and Development was adopted to achieve a gross domestic product (GDP) growth rate of 4.5 per cent, which will help to improve living standards.

67. There was a marked improvement in gross national product (GNP) per capita, which increased from 242,894 Yemeni rials (YRIs) in 2009 to YRIs 270,657 in 2010. This figure decreased to YRIs 256,580 in 2011, because of the events that affected the economy of Yemen in early 2011 and the loss of purchasing power caused by rising prices and job losses. In 2012, GNP per capita improved again, rising to YRIs 270,567. In dollar terms, GNP per capita increased from US\$ 1,197 in 2009 to US\$ 1,263 in 2012.

GNP per capita, 2009–2012

<i>Indicator</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
GNP per capita at market price (millions of YRIs)	5 553 524	6 467 728	6 237 962	6 784 191
Dollar average	202.85	219.59	213.8	214.35
Average per capita				
Yemeni rials	242 894	274 242	256 580	270 657
Dollars	1 197	1 249	1 200	1 263

C. Social welfare

68. Under the Transitional Programme for Stabilization and Development, the Government of Yemen has adopted a coordinated national approach, through which it seeks to attain two basic goals. These goals are economic development and the expansion of cash-based social assistance for the poorest families through the Social Welfare Fund. In the social welfare programme, particular emphasis is placed on rural areas and the most vulnerable groups; a number of programmes and policies are included to increase the number of beneficiaries, encourage and support small loan programmes and modernize the institutional structure of the Social Welfare Fund and the Rehabilitation and Welfare Fund for Persons with Disabilities.

69. The European Commission, the World Bank and the Government of the Kingdom of the Netherlands support a social protection programme through a fund with the same name.

Number of beneficiaries and amount of assistance from the Social Welfare Fund, 2009–2012

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Number of beneficiaries	1 020 965	1 036 953	1 014 159	1 506 714
Assistance (thousands of YRIs)	39 885 997	39 774 220	40 363 697	61 858 224

Social insurance expenditure, 2009–2012

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Social security services expenditure	47 912	49 789	53 084	535 464
GDP	5 704 956	6 374 926	6 829 169	8 484 599
Percentage of GDP	0.84	0.78	0.78	6.31

Source: Ministry of Finance, Government financial and statistical bulletin for the third quarter of 2012.

D. Social security

70. Despite the current difficult political and economic difficulties in Yemen, the total amount of contingent insurance benefits increased by 7 per cent in 2011 in comparison with the figure for 2010.

71. The number of employers, facilities and persons registered as self-employed was 15,394 at the end of 2011, a numerical increase of 517 or a proportional increase of 3 per cent over the previous year.

72. By the end of 2011, 8,687 persons had received social security benefits. Of these 6,327 were in receipt of pensions and 2,360 in receipt of compensation.

E. Education

73. The State has continued to implement the National Basic Education Development Strategy 2003–2015, as well as the General Strategic Programme and numerous other programmes devoted to the promotion of equality and non-discrimination, particularly in the areas of enrolment and quality improvements. Other programmes are designed specifically for children with special needs and children from poor families in urban and rural areas. The Ministry of Education contributes to a number of special educational programmes for refugee children, in cooperation with other organizations and entities. The General Strategic Programme comprises a number of programmes to reform and improve basic education, together with programmes to develop and define strategic performance outcomes for basic education, and the National Secondary Education Development Strategy. The policies and programmes to improve education in Yemen include the following goals:

- Finding effective solutions for children deprived of basic education, particularly girls in rural areas;
- Making basic education compulsory and reducing absenteeism and dropout rates in basic education;
- Developing criteria for the selection of qualified, skilled administrators and managers to run educational institutions;
- Applying quality standards across the various stages and types of education;
- Improving and continuing to develop and evaluate school curriculums; improving teaching methods;
- Promoting active partnership between the State, civil society and the private sector;

- Providing premises, furniture and school equipment to keep pace with the rise in pupil numbers;
- Developing high-quality faculties that teach courses to meet the needs of the local and regional labour markets.

74. Despite growing efforts in recent years to mainstream gender in the planning of educational development programmes, a range of social, economic, cultural and other factors continue to hamper the emergence of a rapid and integrated educational renaissance that would supply the requirements for development, in the full, human sense of the term, and eliminate the vast and persistent disparities between the sexes as regards access to basic education and the ability to pursue education at all levels.

75. A total of 1,701,889 girls were enrolled in school in the year 2008/09, or 65 per cent of girls in the age group 6–14 years. The enrolment rate for girls increased to 72.83 per cent in 2011/12, in comparison with 81.87 per cent for boys in the same age group. The gender gap in education was 0.81 in the same year.

76. In 2011, there were 3,369 literacy centres in Yemen; 311 literacy courses were taught by male teachers and 5,843 by female teachers. In 2010/11, there were 6,901 teachers in total and 159,740 students enrolled in basic, complementary and qualifying literacy classes or literacy classes for women; of those students, 96 per cent were women and only 4 per cent were men. Sixty-nine per cent of programme participants were from rural areas; of that group, 95 per cent were women.

77. The situation in Yemen in recent years and its impact on education should be noted. Education at all levels has been disrupted or brought to a halt at some point since 2011 because of strikes and demonstrations by education professionals demanding better living conditions. Moreover, armed conflict in different parts of Yemen have meant that schools and universities have either been targeted or used for purposes other than education.

(See Annex 2, Education statistics and indicators.)

F. Public health

78. Health care is one of the services that the State is committed to providing for men and women alike. Health services are provided through hospitals and health centres and through health awareness programmes. According to statistical indicators, there has been a considerable increase in the number of health facilities providing reproductive health services and a slight increase in the number of other facilities. Overall, the statistics show that the increase in the number of health facilities is not commensurate with the increase in the size of the population.

79. It should be noted that health care for women in particular includes reproductive health services, vaccinations and obstetric services. Women have access to other forms of health care on an equal basis with men.

80. The Government of Yemen is implementing a series of measures to improve physical and mental health, to reduce the prevalence of endemic and widespread diseases, to raise immunization rates, and to reduce the malnutrition rate. It is also endeavouring to: raise coverage rates for reproductive health and family planning; prevent anaemia (iron deficiency) by fortifying flour; provide essential medicines to health facilities; raise awareness of health and population issues; and strengthen institutions in the health sector through training and skills upgrades.

81. In addition, the Government is strengthening emergency services, through, inter alia, the delivery of basic services, medical camps, medicines and medical supplies, with a focus

on priority areas. The Ministry of Health has adopted protocols for the treatment of malnutrition, with support from the United Nations Children's Fund (UNICEF). It has done so through the establishment of therapeutic feeding programmes (therapeutic feeding centres (TFC) and outpatient treatment programmes (OTP)) for the treatment of acute cases of malnutrition with or without complications, in addition to supplementary feeding programmes (SFP) for the treatment of moderate malnutrition at health centres and hospitals.

82. The following table shows that there was an increase in government expenditure on the health sector in 2011, in comparison with previous years. However, the level of expenditure remains low and does not cover health needs.

<i>Year</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Expenditure (millions of YRIs)	70 172	74 786	76 945	107 924

(See Annex 3, Health statistics and indicators.)

G. Action against corruption

83. A number of steps have been taken to strengthen action against financial and administrative corruption. Presidential Decree No. 54 of 2013 was issued, establishing the Supreme National Anti-Corruption Commission, together with Presidential Decision No. 55 of 2013, by which members were appointed to the Board of Directors in the Office of Oversight of Tenders and Auctions. Two administrative tribunals were established, one in the capital and one in the governorate of Aden. In addition, a second prosecution office was established to deal with cases involving public assets. Its headquarters are the Anti-Corruption Commission.

84. The Cabinet issued the Code of Good Governance in Public Service by Decision No. 304 of 2012, with a view to fostering and promoting the values and standards of good governance and improving the legislative and institutional structures of the anti-corruption regime.

85. Six prosecutors from the Office of the Public Prosecutor were appointed to conduct investigations on behalf of the Supreme National Anti-Corruption Commission and the number of judges appointed to the public assets courts was increased.

86. Five routine inspections of courts and prosecutors' offices were conducted and four internal and external training courses on action against corruption were held.

Measures to promote the rights of specific groups

A. Women

87. Yemeni women played a distinctive and high-profile role in the peaceful and popular youth revolution, making them a difficult quantity to ignore. This has given them the strength and resilience that they need to move forward with their efforts to secure all of their demands and their rights.

88. The National Conference for Women, organized jointly by the Ministry of Human Rights and the National Commission for Women, was held from 19 to 21 March 2012. The entire political party spectrum was represented at the Conference, which produced an

agenda for women. The agenda included various demands, most importantly for the application of a quota system in all State bodies; this was submitted to the National Dialogue Conference to ensure that it could be reflected in the constitution and that it was observed by all political and social forces.

89. The Government of Yemen has continued its efforts to eliminate discrimination against women with regard to equality of rights under national law. This it has done by constitutional, legal and other means. It has adopted a number of measures to eliminate discrimination against women, reforming existing laws and introducing amendments or additional provisions to other laws in order to ensure women's rights, including in the public social sphere and in private and family life.

90. In order to increase participation by women in the formal and informal sectors of the economy, the Development Strategy for Working Women 2003–2011 was drawn up and a component on women was integrated and adopted in the Third Five-year Plan 2006–2010. The objective of these initiatives was to strengthen the participation of women in the development process, in decision-making positions and in economic life. The Government has taken a number of decisions in this connection, including a decision to increase the recruitment of female teachers in rural areas and to mainstream gender in the State budget. However, implementation remains below the required level.

91. A number of strategies to improve the status and meet the needs of women in rural areas have been adopted, notably the Rural Women Development Strategy and the National Agricultural Sector Strategy 2011–2015.

92. The Social Development Fund continues to support the development of the microfinance sector in Yemen. It is the only government entity to support loan programmes in almost every governorate, besides some national banks, which offer loans on terms that customers are not able to meet and which, consequently, have few beneficiaries, including women. The major banks that grant loans are the Central Bank of Yemen, Yemen Commercial Bank and the Cooperative and Agricultural Credit Bank.

93. The efforts of the Social Development Fund have led to a number of positive results in this area, including the promulgation of the Microfinance Act, the creation of Al-Amal Microfinance Bank, the establishment of the Yemen Microfinance Network and the entry of the private sector and national capital into this area of activity. In 2012, the number of customers taking out loans from the Network increased by 50 per cent. The number of active borrowers increased from 42,000 at the end of 2009 to more than 71,000 at the end of 2012; more than 57 per cent were women.

94. Al-Amal Microfinance Bank focuses its business on women; women are a major group and account for a large part of the Bank's business. From 2009 to 2012, 34,486, loans worth a total of YRIs 1.2 billion, equivalent to US\$ 6 million, were disbursed to women. Women represented 60 per cent of all borrowers as at the end of 2012.

95. With regard to women's participation in decision-making positions and in public life, the status of women has improved to an unprecedented degree: women were represented at the first National Dialogue Conference and a series of decisions were adopted during the period 2012–2013, on women's political participation, as described below.

- *National Consensus Government.* There are 35 ministers in the National Consensus Government, including 3 women at the helm of the Ministry of Human Rights, the Ministry of Social Affairs and Labour and the Ministry of State for Cabinet Affairs. Nine per cent of the members of the Government are women. Although the ministries headed by women are not responsible for matters related to sovereignty or

revenue, but deal with social services, the fact that they are headed by women is a step forward and a promising sign for women's access to decision-making positions;

- *Presidential Liaison Committee.* Presidential Decision No. 13 of 2012 established the Liaison Committee to liaise with stakeholders on participation in the National Dialogue Conference. Two of the Committee's eight members are women (25 per cent);
- *Technical Preparatory Committee for the National Dialogue Conference.* By Presidential Decision No. 30 of 2012, a 29-member technical preparatory committee for the National Dialogue Conference was established. Some 17 per cent of the members were women. The Committee decided that the minimum quota for the representation of women in the national dialogue process should be 30 per cent;
- *Appointment of a woman as Adviser to the Office of the President of the Republic.* Pursuant to Republican Decision No. 55 of 2012, issued by the President of the Republic, a woman was appointed to the post of Adviser for Women's Affairs. The appointment was unprecedented in the history of Yemen;
- *Electoral High Committee.* Pursuant to Presidential Decision No. 63 of 2012, two women judges were appointed to the Electoral High Committee, representing 22 per cent of its nine members;
- *The judiciary.* A woman was appointed as a judge of the Supreme Court and 10 women were employed by administrative tribunals located in the capital and in Aden. In addition, six female graduates of the Judicial Training College were assigned to different courts;
- *Supreme National Authority for Combating Corruption.* Three women were appointed to the 11-member Supreme National Authority; 1 woman was appointed as President and another as Vice-President, following internal elections.

(See Annex 4, Statistics and indicators on the promotion of women's rights.)

B. Children

96. The Cabinet issued Decision No. 193 of 2013, approving a joint action plan by the Government of the Republic of Yemen and the United Nations on the recruitment of children to the Armed Forces. The objective is to prevent and put an end to this practice, to demobilize child soldiers and to support their reintegration. The Cabinet issued Order No. 1 of 2013 on a review of the status of implementation by Yemen of its obligations to end child exploitation. It established a ministerial committee to study decisions put forward on measures to prohibit the involvement of children in armed conflict.

97. The Cabinet issued Decision No. 212 of 2012, endorsing the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups.

98. The Minister of Justice issued a decision establishing a technical committee specialized in forensics to determine the age of children who have been sentenced to death. The committee has trained 11 physicians in age determination techniques and has revised the manual and guidelines for physicians and other health personnel on the identification of violence and abuse against children, women and older persons. In order to eliminate any duplication or contradiction in legal texts — including, in particular, in relation to the determination of the age of a juvenile — a new bill has been drafted merging the Juvenile Act with the Rights of the Child Act.

99. Twenty-one expert social workers were engaged to study and analyse juvenile cases and to assist children and juveniles, as well as judges prior to sentencing. Contracts have

been concluded with 16 lawyers to assist minors at police stations and prosecutors' offices, to defend them in the juvenile courts and to develop guidelines for prosecutors and juvenile judges in conducting investigations and trials of juveniles in line with current legislation and international treaties.

100. With regard to protection of children from the risk of the death penalty, there is no article in Yemeni law that authorizes the imposition of a death sentence on juveniles. This is in accordance with article 36 of the Juvenile Welfare Act. Persons suffering from a mental impairment may not be sentenced to death, as stated in articles 33 and 34 of the Republican Decree on Offences and Penalties and in article 4 of the Juvenile Welfare Act.

101. Yemen has taken various measures and initiatives to define marriageable age and to protect children from the risks associated with early marriage. These measures include the following:

- A bill was drafted setting the minimum age for marriage. The bill was approved by the House of Representatives in February 2009 but has yet to be promulgated or to enter into force. The Ministry of Human Rights is working with the authorities to ensure that the law is promulgated and that it does enter into force. The issue of early marriage has been raised at the National Dialogue Conference and, in a resolution, the Committee on Human Rights and Freedoms reaffirmed the need to comply with international standards on the minimum age for marriage and to define the minimum age in accordance with the Convention on the Rights of the Child;
- The Minister of Justice issued a circular in which registrars were instructed to refuse to register the marriage of any person under 17 years of age;
- Government institutions, including the Ministry of Health and Population Affairs, and non-governmental organizations have undertaken numerous activities to raise awareness of the problem of early marriage. The Technical Working Group on Reproductive Health, which was established by the Ministry of Health and Population Affairs, deals with issues that affect young people, including early marriage;
- The National Commission for Women conducted a study in 2008 on the definition of marriageable age and another study, in 2011, on the risks associated with early marriage and early pregnancy;
- An advocacy committee known as "Government bodies, civil society organizations" was established in the framework of the National Child Protection Network. It carries out advocacy work on three main issues that affect children in Yemen, namely, early marriage, violence in schools, and birth registration. Four lawyers have been contracted to act on behalf of impoverished women whose cases are brought before the courts in the governorates of Aden, Hadramawt, Ta'izz and Al-Hudaydah. In 2010, the Ministry of Health issued a circular stating that it is unlawful to perform female excision operations in health centres and informing the public of the risks associated with the practice and of the prohibition on the performance of female excision procedures outside health-care facilities;
- The Government, in cooperation with UNICEF, is conducting a review of the current legislation on children and will make proposals on new draft legislation to be developed in line with the Convention on the Rights of the Child. The draft legislation will be presented to the Government for adoption and will be transmitted to the Cabinet for endorsement. Under article 21 of the Children's Bill, children have the right to protection from the practice of early marriage and the State must take all necessary administrative and legal measures to prevent early marriage in accordance with the law and to punish wrongdoers. The State also has a duty to raise

awareness of the health and social risks that early marriage poses for children and for society in general.

102. A number of restrictive measures have been imposed on mixed marriages in order to prevent so-called “tourist marriages”. In the first place, approval must be obtained from the Yemeni Ministry of Interior and the embassy of the prospective spouse in order to ensure that the marriage does not involve any form of trafficking in girls and that it is not a “tourist marriage”. More than 150 cases of violations involving mixed marriages have been investigated and the perpetrators have been punished or put on trial.

103. The Ministry of Social Affairs and Labour Child Trafficking Unit and its local offices in the governorates have conducted many studies and a large quantity of field research with the aim of combating child trafficking, establishing a database on child trafficking and building the capacities of those who work in this field. The Unit continuously raises awareness in communities of the gravity of child trafficking and organizes activities and events to curb the spread of trafficking across the country.

104. The Government, in cooperation with the International Labour Organization (ILO), conducted the first comprehensive, nationwide field survey on street children in 2009–2010. The goal was to establish a database that could be used to help define the scale of the problem.

105. With regard to the reduction of infant mortality rates, there are more than 4,589,280 children under 5 years of age in Yemen. The country has managed to significantly reduce neonatal, infant and under-5 mortality rates: the infant mortality rate fell from 90 per 1,000 live births in 1990 to 57 per 1,000 live births in 2010 and the under-5 mortality rate fell from 128 per 1,000 live births in 1990 to 77 in 2010, a decrease of 2.5 per cent over the period. Moreover, the crude birth rate dropped to 35.9 per cent in 2010–2015, down from 37.9 per cent in 2005–2010. The birth rate is expected to reach 27.7 per cent by the end of 2020–2025.

106. The vital statistics records in Yemen (data on births, deaths, marriages and divorces) are incomplete for a number of reasons, including pervasive shortcomings in the civil registry system and a lack of public awareness of the importance of registering vital events. The available statistics show that birth registration rates improved in 2010, in comparison with 2009, but the situation deteriorated in 2011, owing to the state of affairs at that time in Yemen.

107. The following table shows the number of births, disaggregated by sex, that were registered between 2009 and 2011.

<i>Description</i>	<i>Registered births, disaggregated by sex</i>								
	<i>2009</i>			<i>2010</i>			<i>2011</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Total	150 807	120 462	271 269	178 997	139 939	318 936	132 810	107 170	239 980

108. Governmental institutions and non-governmental organizations have taken steps to promote the registration of births and to make this a universal practice at the national level:

- Birth certificates have been issued free of charge for all children born in Yemen since 2007, pursuant to a decision of the Yemeni Government;
- The elements of a project for the issuance of online certificates for births and other vital events were designed with support from the Social Fund for Development and

UNICEF. A pilot project run at Al-Saba` in Hospital and the Hospital of Science and Technology has been successful. Under the project, birth certificates will be available online across the country (central and governorate levels) within 10 years;

- Ten workshops were held to raise awareness at the national level of the importance of birth registration;
- A national workshop was held to prepare a manual of procedures for registering births and other vital events;
- Preparations are under way for the opening of 10 centres to issue online birth certificates in four governorates.

109. With support from UNICEF, a national observatory for children's rights is being established to: provide statistics on the situation of children; monitor and follow up on cases of abuse; conduct periodic visits to children's institutions; and liaise with governmental institutions and non-governmental organizations on related activities.

C. Marginalized persons

110. Since 2011, there have been a number of changes with regard to the participation of marginalized persons in public life. People in this category have participated in the protests held in Yemen, demanding that society cease to consider them as inferior beings. As an initial step towards ending their exclusion from public life, marginalized persons were included in the comprehensive National Dialogue Conference so that they could voice their needs and the demands that they wished to see included in the new constitution. The Federal Union for Marginalized Persons is represented on the Advisory Committee of the Ministry of Human Rights, which addresses human rights issues, including the needs and problems of marginalized persons.

111. In December 2012, the Ministry of Human Rights ran a workshop on the rights of minorities and marginalized persons. Recommendations were issued in which the need to integrate all members of these groups fully into public life was reaffirmed.

112. In terms of practical action, the State supports and protects marginalized persons, through measures that include the following:

- Encouraging the establishment of civil society associations for marginal groups, such as the National Union for the Poorest of the Poor, and supporting the establishment of 55 civil society associations, which receive annual subsidies;
- Allocating free places for marginalized persons at Ta`izz University (150 places) and the University of Sana`a (30 places);
- Making health care and surgical operations available to marginalized persons free of charge at two hospitals in Sana`a;
- Allocating 1,500 posts in the Armed Forces for marginalized persons in 2009 and 2010;
- Providing social security benefits to 47,000 marginalized persons;
- Establishing a homeownership scheme for marginalized persons in Sana`a and Ta`izz and connecting homes to the water and electricity supply; other such schemes are close to completion in areas of Ta`izz, Sana`a, Aden and Al-Hudaydah.

D. Persons with disabilities

113. The Disabled Care and Rehabilitation Fund was established in order to meet the objectives of plans to provide care and rehabilitation to persons with disabilities and special needs, who constitute a significant segment of society. The Fund has continued to provide services and to carry out care, rehabilitation and institutional training programmes and activities in line with the objectives set forth in the decree on its establishment. In 2011, 83,439 men and women with disabilities benefited from services provided by the Fund in various governorates, at a total cost of YRI 2,403,250,415.

114. In 2012, the Fund provided financial assistance to 5,841 persons with disabilities. It also provided study assistance to 342 persons, in-kind assistance to 6,651 persons and health services to 8,541 persons over the same period. Various forms of support, including financial and in-kind assistance, are provided either directly to individuals with disabilities or through associations, training centres and rehabilitation centres for persons with disabilities, including deaf, mute and blind people and persons with motor disabilities. Medical equipment, such as wheelchairs, hearing aids and spectacles, is furthermore provided to disabled persons who need it and teaching, learning and training materials are supplied to all men and women with disabilities. The Fund supports all educational and cultural programmes, activities and events run by associations and centres for persons with disabilities throughout the country.

115. In September 2013, the House of Representatives adopted the finalized text of a bill amending Act No. 2 of 2002, on the establishment of the Disabled Care and Rehabilitation Fund, in the light of a report issued by the Labour Force and Social Affairs Committee. The adoption of the bill attests to the concern that the people's representatives show for this important section of the population. The amendments provide for the expansion of the services, activities, programmes and projects that are delivered and financed by the Fund to assist both individuals and institutions. These amendments will have implications as far as the financial resources of the Fund and the terms of reference of the President of the Board and the Executive Director are concerned.

E. Refugees

116. Between early 2008 and May 2013, more than 434,000 new refugees were reported as arriving at crossing points and some 297,000 refugees were registered with the Office of the United Nations High Commissioner for Refugees (UNHCR). According to government estimates, there are more than a million refugees and irregular migrants from the Horn of Africa [in Yemen].

117. On 21 May 2012, a memorandum of understanding between the Ministry of Human Rights and UNHCR was signed in Sana'a. Further to the agreement set forth in the memorandum, training, capacity-building activities and awareness programmes have been carried out and a number of documents in Somali, Amharic, Arabic and English have been issued and distributed. The Ministry has scrutinized the situation of refugees and displaced persons and the arrangements for providing them with legal aid. It has conducted visits to refugee camps and refugee reception centres and to detention centres and prisons where refugees are held. Many refugees have been released, in particular those who have not been convicted of serious offences. In 2013, the memorandum of understanding between the Ministry of Human Rights and UNHCR was renewed with a view to the organization of awareness-raising and training activities on asylum-related issues.

118. Six permanent registration centres have been opened pursuant to the memorandum of understanding signed in 2013 between UNHCR and the Immigration and Passports

Department; identification cards are issued to refugees by the Directorate-General of Refugee Affairs and its branch offices in the governorates. Between March 2009 and May 2013, 107,000 identification cards were issued to refugees.

119. Refugees have access to public services on an equal footing with Yemeni citizens. These services include those provided at public health-care facilities, hospitals, schools, literacy centres, professional training centres and universities, and the delivery of marriage, birth and death certificates. Refugees may seek assistance at police stations and pursue justice through the Yemeni courts.

120. The Government, in cooperation and partnership with the International Organization for Migration and the Ethiopian Embassy in Sana`a, and with support from donors, repatriated 25,500 irregular migrants from Ethiopia between 2011 and June 2013.

121. In 2009, the membership, mandate and scope of the National Committee for Refugee Affairs were expanded and a technical subcommittee was established to carry out field work in conjunction with UNHCR. In the same year, a working group on mixed migration was established. It has prepared statistical studies and reports on mixed migration in Yemen. Pursuant to Presidential Decision No. 39 of 2010, the mandate of the Directorate-General of Refugee Affairs of the Immigration and Passports Department was expanded. One of the main functions of the Directorate-General is to receive and protect refugees and provide for their welfare.

122. In 2011, the Ministry of Human Rights established a department for displaced persons and refugees and a department to combat human trafficking. Furthermore, a team was formed to receive, study and handle complaints from refugees in coordination with UNHCR and the authorities.

123. The Ministry of Human Rights agreed to hold a workshop at the first National Conference for Human Rights in 2012 on migration to Yemen and its impact on the economic, social, political and security situation. In the key recommendations that it adopted, the Conference:

- Reaffirmed the need for a national law on asylum procedures in Yemen in order to help to eliminate or to reduce the impact of many related problems and to protect refugees and define their rights and obligations;
- Called for the incorporation of refugee issues into general government development programmes and development programmes in the governorates affected by the presence of refugees and by mixed migration.

124. Preparations are under way for the Regional Conference on Asylum and Migration from the Horn of Africa to Yemen, which is to be held in Sana`a from 11 to 13 November 2013.

Cooperation with United Nations mechanisms

125. Compliance with the obligation to report to treaty bodies:

- The fourth periodic report on the implementation of the Convention on the Rights of the Child was submitted in 2009;
- The initial report of Yemen on the involvement of children in armed conflict was submitted in 2010;
- The combined seventeenth and eighteenth periodic reports on the implementation of the International Convention on the Elimination of Racial Discrimination was submitted in November 2009 and considered in 2011;

- The fifth periodic report of Yemen on the International Covenant on Civil and Political Rights was submitted in August 2009 and considered in March 2012. Official clarifications in response to the observations of the Human Rights Committee were prepared in August 2013;
 - The eighth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women was submitted in May 2013;
 - The third periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights was submitted in May 2013;
 - The second periodic report on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was considered in 2010.
126. Ratification of, and accession to, international human rights treaties:
- Act No. 3 of 2010, concerning endorsement of the International Convention for the Suppression of the Financing of Terrorism;
 - Act No. 9 of 2012, concerning endorsement of the State's accession to the International Convention for the Suppression of the Financing of Terrorism;
 - Act No. 127 of 2013, concerning endorsement of the State's accession to the International Convention for the Protection of All Persons from Enforced Disappearance;
 - Cabinet Decision No. 128 of 2013, concerning endorsement of the State's accession to the Rome Statute of the International Criminal Court;
 - Cabinet Decision No. 129 of 2013, concerning endorsement of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
127. Follow-up on recommendations and observations of international treaty bodies and on Human Rights Council resolutions: Cabinet decisions have been issued endorsing recommendations and resolutions, and measures have been adopted in government programmes to follow up on them. They have been integrated into general policies and plans. In the past few years, the following decisions have been adopted:
- Cabinet Decision No. 317 of 2009, concerning follow-up on the recommendations issued by the Human Rights Council on the first universal periodic review report of Yemen;
 - Cabinet Decision No. 137 of 2012, concerning follow-up on the recommendations issued by the Human Rights Council on 21 March 2012, at its nineteenth session, and on the recommendations issued by the Human Rights Committee in March 2012. The Ministry of Human Rights monitors the bodies required to implement resolutions and reports on compliance with recommendations;
 - Cabinet Decision No. 238 of 2011, concerning action on the recommendations of the Committee on Economic, Social and Cultural Rights;
 - Cabinet Decision No. 55 of 2009, concerning endorsement of the recommendations of the Committee on the Elimination of All Forms of Discrimination against Women.
128. Establishment of a bureau of the Office of the United Nations High Commissioner for Human Rights (OHCHR):
- An OHCHR bureau was established in Sana`a. On 24 January 2012, in Decision No. 14 of 2012, the Cabinet gave its approval for the establishment of an OHCHR bureau in

Yemen. In cooperation with the OHCHR delegation, an agreement on the establishment of the bureau was drawn up and was signed in New York on 25 September 2012.

129. The Government arranged for a number of visits to be carried out to examine the human rights situation in Yemen during the transition phase. These visits included:

- Visits to Yemen by OHCHR delegations, and interactive discussions and comments on reports, together with action to follow up on their recommendations;
- Visit to Yemen by Ms. Flavia Pansieri, United Nations Deputy High Commissioner for Human Rights, in response to an invitation issued to Ms. Navi Pillay, United Nations High Commissioner for Human Rights;
- Visit to Yemen, in November 2012, by Ms. Leila Zerrougui, Special Representative of the Secretary-General for children and armed conflict;
- Visit by Ms. Judy Cheng-Hopkins, United Nations Assistant Secretary-General for Peacebuilding Support;
- Cooperation and arrangements for holding of a Security Council session in Sana`a in January 2013;
- Visit by Ms. Valerie Amos, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, in September 2013;
- Visit by Ms. Ertharin Cousin, Executive Director of the United Nations World Food Programme, in September 2013;
- Replies to communications from the special rapporteurs attached to OHCHR;
- Ongoing cooperation with Mr. Jamal Benomar, appointed by the United Nations Secretary-General Ban Ki-moon as his Special Adviser on Yemen, at the level of Assistant Secretary-General. Mr. Benomar has spearheaded the commendable efforts made by the United Nations during the transition.

Difficulties and challenges encountered by Yemen in applying human rights policies

130. They consist in the following:

- Success of the National Dialogue Conference in finding suitable solutions for the situation in southern Yemen and for determining the shape of the State, delivering transitional justice, achieving national reconciliation, and turning the page on the past;
- Commencement of independent and impartial investigations into human rights abuses;
- Completion of process to meet economic priorities for the transition and to implement projects for the Transitional Programme for Development in Yemen;
- Completion of security and army restructuring and reform processes;
- Ongoing attacks on electricity lines and on oil and gas pipelines;
- Ongoing, targeted assassinations of public figures and of military and security leaders;
- Ongoing smuggling of weapons in Yemen and increase in the number of weapons in public circulation;

- Weakness of national human rights mechanisms;
- Absence of an effective system for supplying data on the realization of human rights;
- Lack of public awareness of rights and obligations in a broad cross section of society.

Expectations and technical assistance

131. They consist in the following:

- Delivery of technical and material assistance to support the State's efforts to reform the economy and promote development with a view to achieving and strengthening the goals of the transition process and making them sustainable;
- Invitation to foreign holders of capital to invest in Yemen in order to support the economy, create jobs and improve the lives of the populace;
- Assistance for Yemen to take action on the 20 items recommended by the Preparatory Committee for the National Dialogue Conference and the 11 items adopted at the Conference on the issue of southern Yemen;
- Appeal to donors to honour their commitments, in line with the economic priorities set for the transitional phase and the projects of the Transition Programme for Development in Yemen;
- Appeal to the international community to increase support for the 2013 Humanitarian Response Plan for Yemen and to support the sustained efforts of the Government to combat terrorism and piracy;
- Strengthening of national mechanisms to follow up on the recommendations emanating from the universal periodic review and from the treaty bodies and of joint action to disseminate a human rights culture in Yemen;
- Building of national capacities and strengthening of mechanisms to monitor and document human rights abuses and issues;
- Securing increased regional and international support to help Yemen to deal with mixed migration flows and refugee influxes, and building legal, regulatory and training capacity for agencies that deal with refugee and mixed migration issues.

Conclusion

132. The Government of Yemen declares its unfettered commitment to the promotion and protection of human rights and pledges to work to overcome all the difficulties and challenges that the country is facing. It intends to strengthen cooperation with all the fraternal and friendly parties that sponsored the Gulf initiative to bring Yemen back to a place of safety. The Government is convinced that the outcome of the comprehensive Dialogue Conference will draw the attention of its regional neighbours and of the international community and will win considerable support for implementation on the ground.

133. Lastly, the Government of Yemen takes pleasure in expressing its gratitude and appreciation to the Human Rights Council, OHCHR and the Working Group on the Universal Periodic Review. It is committed to taking action on all the accepted recommendations that the Council will adopt during the discussion of the country's second

universal periodic review report. It calls for a genuine partnership to be established with all international organizations and relevant civil society organizations in order to promote and ensure the realization of human rights in Yemen.

Annexes

Annex 1: Laws and decisions and decrees adopted in the past four years

Annex 2: Statistics and indicators on education

Annex 3: Statistics and indicators on health

Annex 4: Statistics and indicators on the promotion of women's rights
