

**Human Rights Council****Thirty-third session**

Agenda item 10

Resolution adopted by the Human Rights Council on 29 September 2016**33/16. Technical assistance and capacity-building for Yemen in the field of human rights**

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties,

Confirming the primary responsibility of States to promote and protect human rights,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Yemen,

Recalling Security Council resolutions 2014 (2011) of 21 October 2011, 2051 (2012) of 12 June 2012 and 2140 (2014) of 26 February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013, 27/19 of 25 September 2014 and 30/18 of 2 October 2015,

Recalling also Security Council resolution 2216 (2015) of 14 April 2015,

Recognizing that the promotion and the protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country,

Welcoming the acceptance by Yemeni political parties to complete the political transition process on the basis of the Gulf Cooperation Council initiative and its implementation mechanism, and emphasizing the need for implementation of the recommendations made in the outcome document of the National Dialogue Conference and to complete the drafting of a new Constitution,

Welcoming also the results of the meeting of Yemeni political parties in Riyadh on 17 May 2015 and their commitments to find a political solution to the conflict in Yemen on the basis of the Gulf Cooperation Council initiative, the outcomes of the National Dialogue Conference and Security Council resolution 2216 (2015), and the efforts of the Secretary-General and of his Special Envoy for Yemen,

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Welcoming further the positive engagement of the Government of Yemen in the Kuwait-hosted peace talks and its cooperation with the Special Envoy of the Secretary-General for Yemen, and encouraging the Government to continue its efforts to realize peace and stability in Yemen,

Recalling its call for an investigation into all cases of violation and abuse of human rights, and the relevant calls made by the United Nations High Commissioner for Human Rights,

Noting the release of the preliminary detailed report by the national commission to investigate alleged violations of human rights in August 2016, and welcoming the extension of the mandate of the national commission for one more year, in accordance with Presidential decree No. 97 of 24 August 2016, in order for the commission to be able to accomplish its mandate,

Noting with concern the level of cooperation between the national commission and the Office of the High Commissioner,

Welcoming the work of the national commission, as embodied in its preliminary report, and encouraging it to continue to work intensively towards the completion of its task during the specified period, in accordance with Presidential decree No. 97,

Aware of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and also that the parties to the conflict must ensure that humanitarian aid is facilitated and not hindered,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Yemen¹ and of the debate held by the Human Rights Council at its thirty-third session, notes with interest the statement and comments made by the Government of Yemen on the report, and welcomes the willingness of the Government to cooperate with the United Nations and the Office of the High Commissioner;

2. *Expresses deep concern* at the serious abuses and violations of international human rights law and applicable international humanitarian law in Yemen, including those involving the continued recruitment of children, the abduction of political activists, violations against journalists, the killing of civilians, attacks on civilian infrastructure, including hospitals and ambulances, the prevention of access for relief and humanitarian aid, and the cutting of electricity and water supplies;

3. *Calls upon* all parties to respect their obligations under international human rights law and international humanitarian law, to stop immediately attacks targeting civilians and to ensure humanitarian access to the affected population nationwide, and also to facilitate the delivery of basic humanitarian goods and services;

4. *Calls upon* the Government of Yemen to take further measures to protect civilians, and to ensure the continued efforts of effective investigation by the national commission, in order to, inter alia, end impunity;

5. *Calls upon* all parties in Yemen to implement fully Security Council resolution 2216 (2015), which will contribute to an improvement in the human rights situation and which contains specific concerns and places particular demands on Ali Abdullah Saleh and the Houthi militias to release political prisoners and journalists and to engage in the political process in an inclusive, peaceful and democratic way, ensuring

¹ A/HRC/33/38.

that women are part of the political and peacemaking process, calls upon Mr. Saleh and the Houthi militias to meaningfully engage with the Special Envoy of the Secretary-General for Yemen, and encourages all parties to reach a comprehensive agreement that will end the conflict;

6. *Demands* that all Yemeni parties to the conflict end the recruitment and use of children and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his reports on children and armed conflict;

7. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the Convention on the Rights of Persons with Disabilities and the Convention relating to the Status of Refugees and the Protocol thereto, and looks forward to the Government continuing its efforts to promote and protect human rights;

8. *Expresses deep concern* at the deteriorating human rights and humanitarian situation in Yemen, expresses its appreciation to donor States and to organizations working on improving the humanitarian situation, and calls upon the international community to provide financial support for the Yemen humanitarian response plan for 2016 and to fulfil its pledges to the relevant United Nations humanitarian appeal;

9. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States, to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and in accordance with the priorities set by the Yemeni authorities;

10. *Requests* the High Commissioner to provide substantive technical assistance and advice, including in the areas of accountability and legal support, to enable the national commission to complete its investigatory work concerning allegations of violations and abuses committed by all relevant parties in Yemen to fulfil its mandate in line with international standards and finalize its comprehensive report on all alleged human rights violations and abuses before the thirty-sixth session of the Human Rights Council, with both the national commission and the Office of the High Commissioner continuing to strengthen and improve their cooperation;

11. *Also requests* the High Commissioner to allocate additional international human rights experts to the Office of the High Commissioner in Yemen to complement the investigatory work of the national commission, while collecting and preserving information to establish the facts and circumstances of alleged violations and abuses, and encourages all parties to facilitate access and cooperation with the national commission and the Office of the High Commissioner;

12. *Further requests* the High Commissioner to present to the Human Rights Council, at its thirty-fourth session, an oral update on the situation of human rights in Yemen, and the developments in the implementation of the present resolution, and to

present to the Council, at its thirty-sixth session, a written report on the situation of human rights, including violations and abuses since September 2014, and on the implementation of technical assistance as stipulated in the present resolution.

*39th meeting
29 September 2016*

[Adopted without a vote.]
