

List of Issues addressed to United Arab Emirates by the Group of Eminent Experts on Yemen established pursuant to Human Rights Council resolution A/HRC/RES/45/15

I. Introduction

The United Nations Human Rights Council, in its resolution (A/HRC/RES/45/15) of 6 October 2020 renewing the mandate of the Group of Eminent Experts on Yemen (GEE), again “[e]ncourages all parties to the armed conflict in Yemen to extend full and unfettered access and cooperation to the Group [...].”

Noting that the mandate of the GEE includes, among other things, the need to “engage with Yemeni authorities and all stakeholders, in particular [...] [the] authorities of the Gulf States and the League of Arab States”, on 9 March 2021, the GEE sent a note verbale to the United Arab Emirates. In this note verbale, the GEE requested to meet with officials of the United Arab Emirates, and requested issuance of visas so that the Chairperson, Experts of the Group, and members of the GEE Secretariat could travel to the United Arab Emirates in order to meet officials and conduct investigations.

As of 8 June 2021, the GEE had not yet received permission from the United Arab Emirates to visit the country. In particular, the GEE notes that inability to visit the United Arab Emirates seriously curtails its ability to fully execute its mandate, including further investigation of matters raised by the United Arab Emirates and the Coalition in their responses to the GEE’s report of 28 September 2020.

Considering the inability for the GEE so far in 2021 to access the United Arab Emirates, the GEE prepared the below list of issues pertaining to the United Arab Emirates. The GEE takes this opportunity to respectfully bring to the attention of the United Arab Emirates that it has yet to receive responses to the list of issues sent by the GEE on 18 June 2020, and would welcome responses to this list.

The GEE respectfully requests the United Arab Emirates to address the queries detailed herein. Responses will be included in the Group of Experts’ report to the Human Rights Council, with the exception of any information that the United Arab Emirates requests to remain confidential.

The GEE would be grateful to receive replies no later than 10 July 2021. In addition, the GEE renews its request to the United Arab Emirates to receive any other submissions that the United Arab Emirates may wish to present.

II. List of issues to be addressed by the United Arab Emirates

1. Please share with the GEE whether there have been any investigations into alleged violations committed by UAE forces (or affiliated forces) within Yemen? and if so, in how many cases there has been a conclusion of a violation of human rights or humanitarian law? If available, please provide further details of the investigative body, as well as a breakdown of the types of cases (types of violations, against which parties).
2. How many cases of confirmed violations have been referred from such investigations to judicial authorities (civil or criminal jurisdictions)?
3. Have any such investigations recommended the payment of any funds, or other forms of reparation to victims of confirmed violations? If yes, in how many cases?

Prosecutions and other proceedings

4. Of the cases that have been referred to judicial authorities, please provide the GEE with information in relation to the status of these cases. In particular:
 - a) How many cases have been investigated by the relevant Prosecutor (within ordinary or military justice systems)?

- b) How many cases have been brought to trial? What were the charges? What was the rank or office held by the accused charged?
 - c) What has been the outcome of any trials (including convictions, punishments imposed)?
5. Have there been any other proceedings (civil or criminal) in relation to violations committed by parties to the conflict?
The GEE would appreciate receiving details of any specific proceedings (e.g. the presiding courts, and if available, any judgments).

Reparations

6. The GEE would be grateful for further information concerning the implementation of any recommendations for reparations for victims of violations in Yemen. In particular:
- a) What are the mechanisms by which any recommendations for reparations are implemented?
 - b) How many financial payments have been made?
 - c) What are the numbers of beneficiaries (if available segregated by gender and age)?
 - d) What has been the quantum of any such payments?
 - e) How is the level of assistance assessed?
 - f) How are victims identified?
 - g) What is the process by which victims have been able to access funds?
 - h) How are victims involved during the process? What means are used in publicising the available assistance?
 - i) What are the systems in place to monitor distribution of assistance?

The GEE would also appreciate details of any challenges faced in relation to providing reparations and the means of seeking to address such challenges.

7. In any court proceedings concerning violations committed during the conflict, have there been any orders for compensation to victims of the violations? Have any victims received payments as a result?
8. Are there any non-financial means of reparations provided to victims of violations in Yemen? In particular, what actions have been taken by authorities to:
- a) Acknowledge the experience of victims in Yemen
 - b) Provide details about the violations which have impacted on them (including the fate/whereabouts of those disappeared);
 - c) Provide necessary medical care, psycho-social support and other forms of rehabilitative assistance.
 - d) Provide other forms of assistance (eg education grants).

(In providing details of such assistance, it would be appreciated if statistical and disaggregated data could be included).

General

9. What measures do you consider important for parties to the conflict and other relevant actors /including the international community) to take in order to provide for accountability and the securing of victims' rights to truth, justice and redress.