



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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20 August 2019

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Yemen and welcome the constructive engagement of your Government during the 32nd session of the UPR Working Group in January 2019.

As the final outcome report on the review of Yemen has been recently adopted by the Human Rights Council at its 41st session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Yemen – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 88 delegations and the presentation made and responses provided by the delegation of Yemen. I have also considered the actions taken by the Government to implement the 167 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I would like to highlight encouraging steps taken by the Government of Yemen, including the Government's policy of guaranteeing equal salaries to men and women in public employment and the measures taken by the Government to protect children from early marriage, including the drafting of a bill to define the minimum age for marriage at 18. I welcome the adoption of national strategies relating to the rights of the child, including the strategy to fight child recruitment; and the establishment of the National Commission to Combat Human Trafficking.

I encourage Yemen to intensify efforts to end the conflict, to ensure respect for international human rights law and international humanitarian law, especially the principles of proportionality, necessity and distinction, and to refrain from indiscriminate attacks and direct attacks against civilians.

I also encourage Yemen to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for Yemen's fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and civil society organizations and, where necessary, with the support of international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

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H.E. Mr. Khaled Hussein Alyemany
Minister for Foreign Affairs
Republic of Yemen

I also encourage Yemen to establish a national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking this to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can contribute positively to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Yemen to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2021.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with you ways in which my Office may assist Yemen in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: H.E. Dr. Mohammed Mohsen Mohammed Askar
Minister of Human Rights
Republic of Yemen

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the human rights instruments to which Yemen is not yet a party, particularly the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Rome Statute of the International Criminal Court.
- Complying with obligations under international humanitarian law, especially the principles of proportionality, necessity and distinction, and refraining from indiscriminate attacks and direct attacks against civilians.

National human rights framework

- Continuing to provide support to the Yemeni National Commission to investigate human rights allegations and provide the necessary resources.

A. Cross-cutting issues

Equality and non-discrimination

- Strengthening awareness-raising programmes of human rights in order to promote equal rights and equality of opportunity for all citizens in accordance with Yemeni legislation.
- Intensifying efforts to eradicate all acts of discrimination against minorities living in Yemen, and to ensure that equal treatment is guaranteed to all individuals without exception.

B. Civil and political rights

Right to life, liberty and security of person

- Intensifying efforts to end the conflict and to ensure respect for international humanitarian law and international human rights law.
- Facilitating unhindered humanitarian access to its territory in order to facilitate the delivery of essential goods, including food and medicine.
- Imposing a moratorium on the death penalty and ensuring that the death penalty is not imposed on persons under the age of 18.
- Taking concrete steps to protect journalists, human rights defenders, civil society and minorities from arbitrary detention, enforced disappearance and torture.
- Ceasing the practice of arbitrary detention and torture in places of detention.

Administration of justice, including impunity, and the rule of law

- Conducting prompt, thorough and impartial investigations into reports of violations of international humanitarian law and international human rights law.
- Intensifying efforts to support the independence of the judiciary and promote its capacities and mandate.

Prohibition of all forms of slavery

- Implementing a national plan to prevent and combat trafficking in persons, with special consideration towards migrants, women and children.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Implementing national strategies in the areas of employment and livelihood.

Right to health

- Intensifying efforts to implement the Reproductive Health Strategy and the Five Year Plan on Health Development.
- Guaranteeing the functionality of health services for the society, including mental health.

Right to education

- Promoting the right of girls to education, through social mobilization campaigns, with the aim of changing attitudes to girls' education.
- Adopting measures to ensure access to education and basic health to all citizens, particularly in the rural areas.

D. Rights of specific persons or groups

Women

- Abolishing the male guardianship and control over women.
- Raising the minimum age for marriage to 18 by amending the Personal Status Law.
- Promoting female leadership and participation in public life, by guaranteeing a 30% participation rate of women in political consultations, in line with Sustainable Development Goal 5.
- Amending the discriminatory domestic laws against women and aligning them with the Convention on the Elimination of All Forms of Discrimination against Women.

Children

- Promoting the safety of children, in particular by protecting them from participation and exploitation in armed conflicts.
- Intensifying efforts aiming to put an end to forced marriage and sexual exploitation.
- Outlawing child marriage.

Persons with disabilities

- Continuing to improve the quality and scope of the conditions for persons with disabilities.

Minorities

- Halting all forms of persecutions against religious minorities, particularly those affiliated with the Baha'.
- Protecting the practice of religion and Christian minority groups against threats and acts of violence.

Migrants, refugees, asylum seekers and internally displaced persons

- Enacting laws and policies that ensure unrestricted access to asylum, and protect the rights of refugees and asylum-seekers, including by ensuring oversight by relevant bodies and institutions;
- Enhancing the protection of migrants, refugees, asylum seekers from violence and exploitation and intensifying efforts to implement the roadmap on the protection of internally displaced persons.