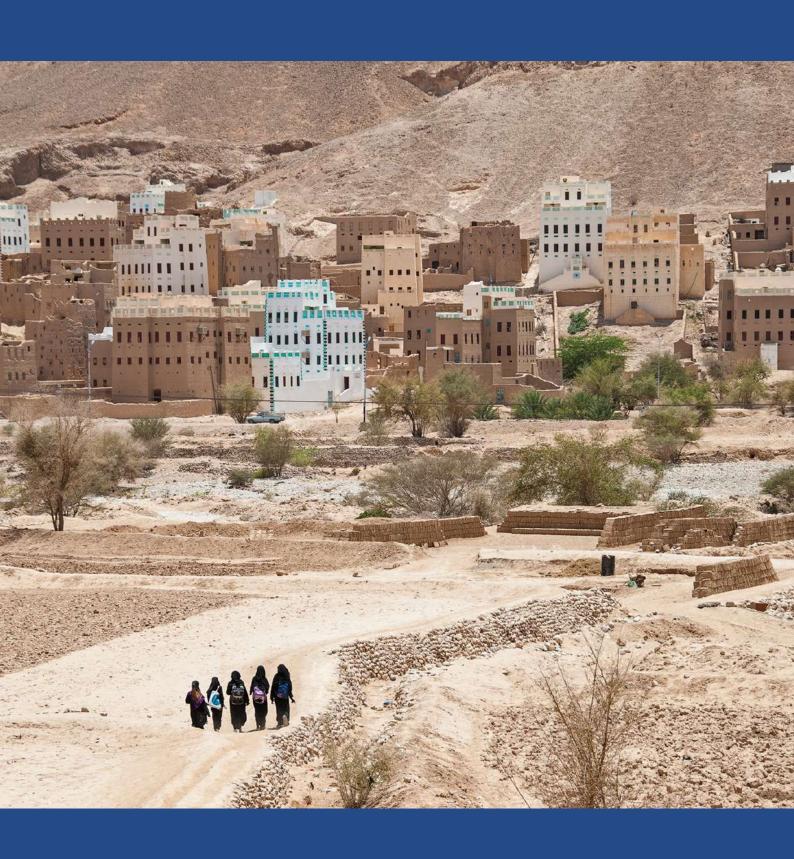
# CHANGES AHEAD:

# Yemeni Women Map the Road to Peace



# About the Publication

This publication builds on the findings and recommendations in the joint UPR submission Women and Girls Paying the Heaviest Price in Yemen, submitted to the Working Group of the Universal Periodic Review of Yemen on 12 July 2018.

The joint submission was prepared by the six Yemeni human rights organisations: Awam Foundation for Development and Culture, Ejad Foundation for Development, Food For Humanity, Peace Track Initiative, Sawasiah Organization for Human Rights, and To Be Foundation for Rights and Freedoms. All are members of the Yemeni Women Solidarity Network. The submission was prepared in collaboration with the Women's International League for Peace and Freedom, which since 2012 has been working on fostering a feminist movement for peace in Yemen.

The information in this report is correct as of 12 July 2018, date of the submission to the UPR.













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### **DEFINITIONS**

**The government**: the use of the term 'government' refers to the internationally recognised government headed by President Hadi.

The Houthis (also known as Ansar Allah) refers to the armed group that took over the capital Sana'a in 2014 and has since become the de-facto authority in the areas under their control.

# Introduction

This Publication is released in advance of the United Nations' Universal Periodic Review (UPR) on Yemen, which will take place in January 2019. It addresses some of the gaps in Yemen's implementation of the previous UPR recommendations on women's rights, sexual and gender-based violence, and women's participation in political and public life.

It is based on the submission for the UPR drafted by a group of progressive Yemeni women activists and human rights advocates representing a number of Yemeni grassroots organisations and outlines an alternative road to peace in Yemen. As UPR recommendations are generally addressed to the government of the State under review, the submission focuses especially on those. It does not reflect an exhaustive picture of the deteriorating situation of women's rights in Yemen, nor does it cover violations against women committed by other warring parties to the conflict in Yemen.

The organisations involved in the drafting of the UPR submission have engaged and will continue to engage in other UN processes to call for accountability for violations and abuses of international human rights law and international humanitarian law committed by all parties. They will continue to promote measures to find a durable political solution in Yemen and to campaign for the immediate suspension of all arms sales to any party to the conflict there.

# YEMEN Global Gender Gap Index

2011		2014		2017	
RANK	COUNTRY	RANK	COUNTRY	RANK	COUNTRY
1	Iceland	1	Iceland	1	Iceland
2	Norway	2	Finland	2	Norway
3	Finland	3	Norway	3	Finland
11	Germany	13	New Zealand	34	Argentina
26	Mozambique	27	Mozambique	76	Kenya
45	Ecuador	53	Colombia	100	China
100	Belize	75	Russia Federation	117	Tunisia
113	Jordan	100	Belize	134	Egypt
124	Syria	126	Algeria	137	Lebanon
135	Yemen	142	Yemen	144	Yemen
135 OUT OF 135 COUNTRIES		142 OUT OF 142 COUNTRIES		144 OUT OF 144 COUNTRIES	

Source: World Economic Forum

Yemen has historically ranked at the bottom of the Global Gender Gap Report, which is measuring a country's gender equality. The index ranks countries according to calculated gender gap between women and men in four key areas: health, education, economy and polities. The highest three ranking countries have closed over 82% of their gender gaps, while the lowest ranking country, Yemen, has closed only a little over 50% of its gender gap.

# CHAPTER 1

# Listen to Yemeni Women

Yemen has historically ranked at the bottom of the Global Gender Gap Index and, while the previous UPR on Yemen in 2014 gave several recommendations to improve women's rights and opportunities, the escalation of violence in 2014 exacerbated the already dire situation. A direct outcome of the lack of gender equality in Yemen is that Yemeni women are totally absent from the discussion on how to solve the conflict within the country, even though they are disproportionately affected by it – including by the use of explosive weapons, indiscriminate shelling and mine detonations.

Yemeni women were visibly present and incredibly active in the uprisings that swept across the country in 2011. Since the war broke out in Yemen in 2015 and despite security challenges, displacement and increasing multifaceted patterns of violence inflicted upon them, Yemeni women have devised new kinds of communal and inclusive resistance to tyranny and militarised environments. Not only are Yemeni women at the forefront of the humanitarian response, they are also extensively mitigating the impact of war by being involved in local mediation efforts, creating peacebuilding initiatives and sustaining their communities and families.

The ongoing armed conflict has led to widespread poverty and resulted in a social and economic insecurity that forces large sections of the population to rely on livelihood assistance. The social and economic insecurity, deterioration of the rule of law and displacement have increased women's vulnerability to violence, abuse and exploitation. Moreover, the violent conflict has exacerbated the need for women to take on leading roles in supporting their families in addition to their gendered unpaid roles in care and domestic work.





The humanitarian crisis in Yemen has been ongoing for years. This crisis has been massively exacerbated as a result of the ongoing armed conflict. According to recent estimates by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 22.2 million out of Yemen's population of 29.3 million are in need of humanitarian aid and protection, of which 11.3 million are in acute need – an increase of more than one million since June 2017.¹ The number of food-insecure people has increased to 17.8 million, with 8.4 million of them on the verge of famine.² As of December 2017, OCHA estimated the number of internally displaced persons (IDPs) at over three million, 76% of whom are women and children.³ There are more than 16 million people who cannot access safe drinking water and health care services.⁴ More than three million children and lactating mothers are malnourished.⁵ Among those at particular risk are women lacking access to reproductive health services including antenatal care, midwifery services, postnatal care, emergency obstetric and newborn care.⁶

Moreover, the collapse of the health system – with severe shortages in medicines, equipment and staff – together with the increasing lack of adequate access to clean water, sanitation and hygiene, has led to catastrophic consequences, including the outbreak of diseases such as cholera which is so far suspected to have reached more than a million cases. The International Committee of the Red Cross (ICRC), the World Health Organization (WHO) and UNICEF are among those to have stated that the cholera outbreak is a direct consequence of more than two years of warfare. The impact of cholera is not gender neutral. As indicated in the Protection Guidance for Cholera Response in Yemen, "the domestic roles of women and girls in taking care of sick family members, cleaning latrines, fetching and handling untreated water, and preparing food, means that women and girls are at heightened risk." The UNFPA has documented that "pregnant and breastfeeding women are especially vulnerable to malnutrition, and those weakened by the nutrition crisis are more prone to infections, including cholera. Pregnant women who contract cholera have a higher risk of developing dangerous or even fatal complications [...] Women, in their roles as caregivers, may also face heightened exposure to cholera. Yet their lower status in terms of decision-making and control over household resources means they may be less able to seek medical care when they fall sick."

#### Loss of livelihoods and income

The imposition of sieges, blockades and restrictions on movement has had severe repercussions for the Yemeni economy. This situation has been exacerbated by the reduction in government expenditure, the suspension or significant delay in the payment of salaries for government employees since September 2016 and the collapse of the social protection system. As of September 2017, an estimated eight million people had lost their livelihoods or were living in communities with minimal to no basic services. The reliance of large portions of the civilian population on public sector salaries has led to progressive impoverishment, leaving entire families without any income and vulnerable to food insecurity. This situation has exacerbated the need for women to take a leading role in supporting their families in addition to their unpaid gendered roles in care and domestic work.

The Yemeni government used to contribute a limited amount of the government budget (3% of GDP) to the Social Welfare Fund (SWF), a programme used to support vulnerable people living below the poverty line with cash and in-kind assistance. A 2013 report identified several obstacles in accessing the SWF, including the lack of gender-sensitive delivery process appropriate to the context and a general lack of social information on the programme among beneficiaries, non-beneficiaries and even implementers, with an effect on the decision of potential beneficiaries to register or not, potential biases and, in some cases, intermediaries taking advantage of the poor and uninformed during the application process.<sup>12</sup>

There are increased burdens on women to secure livelihoods for their families as many men, who are the traditional breadwinners, are fighting, injured or killed, in addition to their unpaid gendered roles of care and domestic work. A focus group discussion held by Women Solidarity Network (WSN) members in February 2018<sup>13</sup> shows that women have sold their jewellery to cover the basic needs of their families and many have depleted their resources. In areas under the control of the government, the WSN also documented cases of takeover of properties and women's land. The war as such is adding to the complications of the mass land claims that already existed in the South of Yemen.<sup>14</sup>

#### Internal displacement and forced displacement

In December 2017, OCHA estimated that 76% of the over three million IDPs were women and children. The Yemeni Coalition for Monitoring Human Rights Violations has documented 980 cases of forced displacement in Taiz villages, including 478 women and girls. 16

The displaced face devastating circumstances, including hunger and disease, with women facing additional risks and challenges. A WILPF study shows that displacement increases the risk of sexual and gender-based violence for women, as well as other crimes that disproportionately target them because of the "constructed gender discrimination that makes women dependent on others for help and safe passage." <sup>17</sup> Displacement also pushes women to take a leading role in supporting their families while continuing their unpaid gendered roles of care and domestic work. The breakdown of formal and informal protection mechanisms, together with large-scale displacement, has given rise to negative coping strategies, particularly child marriage. <sup>18</sup>

The response to displacement has been inadequate and has not incorporated a sustainable or a gender-sensitive approach. Usually, IDPs find themselves relocated in schools and informal settlements which do not offer adequate levels of privacy and safety for women. The majority of internally displaced women reported witnessing sexual harassment, including from family members. <sup>19</sup> The 2013 National Policy on Internal Displacement requires updating, including the development of sustainable and gendered solutions.

# Gendered impacts of the siege on Taiz

The city of Taiz has been under siege for more than three years; most of it is under Houthi control. The city is witnessing ongoing clashes between Houthis and Hadi-affiliated armed groups. Women's groups have been calling for the opening of humanitarian corridors. Besiegement impacts women and girls severely and disproportionately since it inflicts differential challenges that men would not necessarily face. The OHCHR reported that to access basic services in

# Takeover of properties and land

Wafa'a Abdulfatah is a lawyer and the daughter of the former president of South Yemen, Abdulfatah Ismail; she was living in a state-owned house in Aden that had been given to President Abdulfatah Ismail. The Abdulfatah family fled Aden due to political instability and the Katkat family took over the house. The Prime Minister, Ahmed Bin Daghr, issued instructions to the Deputy Minister of the Interior, Ali Nassir Alakhsa'a, to enforce vacating the home and protect the Abdulfatah family and their property. However, those instructions have not been enforced. Wafa'a did not resort to the legal system because it is still not fully functional. She relied on the Prime Minister's instructions to have her home returned to her. However, those were not implemented.

Taiz, such as health care, residents have to take routes mined with explosives and are exposed to the constant risk of shelling, airstrikes and snipers.<sup>21</sup> It is also reported that most healthcare facilities have been destroyed or damaged; this has a disproportionate impact on women's health. Without access to reproductive health services, women face an increased risk of life-threatening complications, as well as loss of access to family planning, exposing them to unwanted pregnancies in perilous conditions.<sup>22</sup> In addition, the siege meant that women had to walk for three to six hours daily in difficult terrain to obtain basic life-saving items, including food and medicine, when available.

#### Risk of famine

Cases of famine have been documented both in areas under Houthi control and under Hadi control. Famine, malnutrition and the scarce availability of food adversely affect the health of breastfeeding women and can lead to numerous health complications, including (but not limited to) anaemia, infant mortality and even infant deformities. Limited or no access to medical care inflicts a severe impact on women, especially during pregnancy and childbirth as it puts them at greater risk of pregnancy-related complications, death and disability.<sup>23</sup>

Hodaida, a Houthi-controlled area, is on the brink of famine. This is a result of both the blockade imposed by the Saudi-led coalition and also because of the Houthis, who have planted mines in coastal areas and farms so the fishermen and farmers are unable to operate. In areas previously under the control of Houthis but recaptured by government forces, such as Lahj, the media reported that a

# Takeover of properties and land

STORY 2

STORY 1

Najat lives outside Yemen. She bought two pieces of land in Aden hoping that, on return from exile, she could sell one and build a home on the other. This was her retirement project. However, she recently found out that someone has built two houses on her land. Najat hired a lawyer and is trying to sue this man; however, government authorities have not taken any measures to help her.

father killed his entire family and then committed suicide because he could not provide food for them;<sup>24</sup> another man in Aden posted photos of his starving children and called on the government to pay his salary.

#### Deterioration in education services and collapse of health services

Yemen had high dropout rates before the armed conflict. UNICEF estimates that numbers of out-of-school children increased from 1.6 million to 2 million after the war broke out. Increased drop-out means that girls are at a much higher risk of child marriage and boys of child recruitment.<sup>25</sup> It is estimated that 66% of schools have sustained physical damage, 27% of them have closed down completely, and 7% are either used as IDPs' shelters or for military purposes.<sup>26</sup>

# Failure to protect humanitarian workers

STORY 3

The Women Solidarity Network documented the case of Safa'a Hazza, a human rights defender and founder of the Candle Hope Initiative. Safa'a was caught in the crossfire between state military forces and armed groups belonging to Abou Abbas, the head of the Taiz Eastern Front, a non-state actor affiliated to the Hadi government and allegedly backed by the UAE. Safa'a was shot in the abdomen in Gamal Street in Taiz on 24 April 2018. She was taken immediately to Al-Barihi Hospital in Birbasha, Taiz, where she stayed in ICU for 52 days. Following that, she needed to be transferred to receive treatment in Egypt, with a flight from Aden airport. The trip to Aden was difficult. When she finally arrived, she needed to be admitted to an ICU in Aden until the time of her flight to Cairo. However, the hospitals in Aden were reluctant to receive her for the sole purpose of providing critical care while on transit to another hospital. Women's groups, including those in Aden, campaigned to grant her access to hospital facilities. Thanks to their intervention, she was finally admitted to a hospital in Aden and then transferred to Egypt where she is receiving treatment.

Before the war, an average of eight women died during childbirth every day.<sup>27</sup> With the escalation of armed conflict. health services are on the brink of collapsing. In April 2017, the UNFPA reported that "the risk of famine and rising food shortages has left an estimated 1.1 million pregnant women malnourished, with dire consequences on newborns. This situation is threatening the lives of 52,800 women who risk developing complications during childbirth. Furthermore, the health of an estimated 2.2 million women of childbearing age and girls may be at risk of harm."28 Even those who can afford to seek medical treatment outside Yemen are facing difficulties. Programmes

offering medical care abroad, such as those run by the government with the support of the King Salman Center, lack transparency and gender responsiveness, and give priority to injured civilians and military personnel rather than civilians. Seeking medical services outside Yemen is also a difficult journey because of the blockade imposed on airports and the limited flight routes.<sup>29</sup> The blockade has also caused a huge inflation of commercial flight prices, resulting in the serious limitation of civilians' ability to travel.

# Recommendations

# All parties to the conflict in Yemen must:

» Lift all sieges and blockades immediately and allow immediate and unimpeded access to humanitarian aid.

# The government of Yemen must:

- » End naval and aerial blockades, allow unimpeded commercial aviation, including at Sana'a airport, and allow the free movement of persons seeking medical care abroad.
- » Request the support of the international community in ensuring that durable solutions are established to provide IDPs with shelter, access to health, education, social protection and legal assistance (including access to legal documentation) in collaboration with all relevant actors, including by establishing a national policy to address the humanitarian situation.
- » Update the 2013 National Policy on Internal Displacement to address the humanitarian situation and to develop sustainable and gendered solutions.
- » Ensure that gender-sensitive health services, psychological and social support be provided, including targeted support for women and girls, with specific attention to the needs of IDPs.
- » Restore access to basic social services such as health, education and social protection, including through payment of public sector salaries arrears.
- » Address the shortcomings of the Social Welfare Fund in terms of governance, accountability, gender-sensitiveness and transparency, including by setting up anti-corruption policies.
- » Take immediate measures to foster economic empowerment and livelihoods, specifically by supporting women-led private sector initiatives, small-scale industries and social entrepreneurship.

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Gender-based violence was already a serious concern before the war. Discrimination was prevalent, both in law and in practice. Gender inequalities have been further aggravated by the armed conflict and subsequent mass displacement. Although previous UPR recommendations to the State of Yemen called for amending discriminatory laws against women, including the Personal Status Law, 30 women's control of their lives and bodies continues to be limited by male guardianship. Women typically depend on a husband, father or brother, who needs to give them permission to study, travel abroad or contract marriage. In conflict situations, this has negative repercussions on women's health and safety. The WSN, for instance, has documented cases of women whose male guardians have prevented them from travelling outside Yemen to seek medical care for themselves or for their children.

#### Gender-based violence

Only five months into the armed conflict, gender-based violence had increased by 70%.<sup>31</sup> In 2016, the UNFPA estimated that there were around three million women and girls of reproductive age at risk of gender-based violence, <sup>32</sup> as well as 61,000 women and girls at risk of sexual violence, including rape.<sup>33</sup> The Gender-Based Violence Information Management System (GBVIMS) recorded 8,031 incidents between January and September 2016 alone.<sup>34</sup> However, GBVIMS stressed that reporting on sexual violence in Yemen remains particularly difficult because of social conservatism and stigma.

According to research by the UNFPA and Intersos, 1,608 gender-based violence incidents were registered – 88% by women and girls – in eight governorates in 2015.<sup>35</sup> The cases reported in the Gender-Based Violence Trend Analysis were predominantly of physical assaults, psychological and emotional abuse and denial of resources, as well as sexual assault, forced marriage and rape. It is worth noting that 17% of the reported cases involved survivors under the age of 18, and 11% of rape survivors were under the age of nine.

Displacement exposes women and girls to new and/or different forms of gender-based violence. The UNFPA reports that in Sana'a, Aden and Hajjah – the governorates hosting the largest numbers of IDPs – almost 800,000 IDPs are women and girls between the ages of 15 and 49 who are at risk of gender-based violence, including sexual violence and rape.<sup>36</sup>

# Loss of livelihoods and women's coping mechanisms

The inability to meet basic needs and the loss of livelihoods leave women particularly exposed to abuse; this is worsened by "displacement, disrupted livelihoods, disrupted access to public services, overcrowding, increase in rent and food prices, exacerbated by the import restriction and lack of employment, income or non payments of public servants' salary."<sup>37</sup> Indeed, the UNFPA reports that "females are the first family members to eat less as a coping mechanism" because of their role of caregivers which implies that it is their first and foremost duty to prepare food for the family.<sup>38</sup> The gendered impact of the crisis has led to coping strategies by IDPs and at-risk groups which range, for example, from "child marriage, survival sex, sex for rent, begging, Itol forced/coerced prostitution and begging"<sup>39</sup> that put women in a position of extreme vulnerability.

# Change of 'traditional roles' and domestic violence

Focus group discussions carried out by OCHA show that "women report psychological distress due to violence, fear for family members, and fear of arrest or detention, while men report distress due to loss of livelihoods, restricted mobility, and being forced to perform 'women-specific roles'." <sup>40</sup> The change of 'traditional roles' within the families, with men losing their jobs and remaining at home while women take over breadwinning roles, has increased social tensions and exposed women to domestic violence, with perpetrators being close family members, including fathers, brothers and husbands and extended family members. <sup>41</sup> In addition, although rape is criminalised in Yemen, national legislation does not criminalise marital rape, nor are services provided by the government for survivors of marital rape; this leaves women survivors exposed to long-term physical and psychological traumas, and allows perpetrators to go unpunished.

# Lack of accountability

The increase in gender-based violence and lack of accountability for these violations is partly due to the fact that the country currently does not have a system in place to address either domestic violence or gender-based violence more generally. While conflict has been a driving factor in the increase of cases of gender-based violence, such violence is rooted in the pre-existing severe discrimination against women in the Yemeni legal system. Many laws, including the Personal Status Law and the Penal Code, indeed contain discriminatory provisions against women. Discriminatory legal provisions coupled with the collapse of the legal system have contributed to the deterioration of the protection of women. This is compounded by the lack of support structures for survivors of gender-based violence, with shelters in only four governorates.<sup>42</sup>

The government established a National Commission to Investigate Alleged Violations of Human Rights in 2015. However, its reports are usually gender blind and it has not issued any reports focusing on women's rights. This mechanism does not include any gender expert on the team.

In 2013, the government announced the launch of a reparation programme with funding from Qatar;<sup>43</sup> however, to date no efforts have been made to compensate the victims. With the current conflict, the government has not yet established any reparation and compensation programmes. It is essential to ensure that any transitional justice and reparation measures are not based on existing discriminatory laws against women (such as in inheritance matters, where women inherit half as much as men), in order to make sure that compensation measures reach women effectively and do not further entrench discriminatory practices.

# Child marriage

# Forced and early marriage

STORY 4

The Women Solidarity Network documented the case of Eman, a 12-year-old girl in Aden. Because of economic constraints, her father married her off to a man 10 years her senior. Eman's mother objected to the marriage and refused to send her daughter off to the husband's house. Women activists were able to support her in reimbursing the dowry money and filing for her daughter's divorce.

In 2014, Yemen accepted several UPR recommendations to establish in law a minimum age of 18 for marital consent<sup>44</sup> in line with the relevant recommendation by the National Dialogue Conference.<sup>45</sup> Yemen had the opportunity to implement that recommendation at the time of adopting the Safe Motherhood Law in 2014; however, the parliament removed an article that set

the age of 18 as the minimum age of marriage. With families increasingly resorting to child marriage as a coping mechanism to address poverty and the deprivation of economic opportunities, it is extremely urgent to set the age of marriage at 18 years without exception.

# Recommendations

# The government of Yemen must:

- » Ban child marriage and set the minimum age of marriage to 18 years.
- » Amend discriminatory domestic laws against women, such as the Personal Status Law and the Penal code, especially with regard to male guardianship and control over women, and bring them in line with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- » Issue special presidential decrees to protect and safeguard women's rights based on the National Dialogue Conference outcomes and in line with CEDAW.
- » Ensure that reparation programmes and transitional justice mechanisms for all survivors of sexual and gender-based violence are developed without delay, and that survivors be fully involved in their design, implementation, monitoring and evaluation.
- » Ratify the Optional Protocol of CEDAW.
- » Ensure the appointment of gender experts on the National Mechanism for Investigating Alleged Human Rights Violations and gender-sensitive reporting by this body.
- » Request the support of the international community in establishing a comprehensive gender-based violence response programme comprising support to survivors, such as health services, shelters, psychosocial support, financial and legal aid, and ensure the availability and accessibility of these services in all regions.

>>> 12



# Put an End to Arbitrary Detention and Enforced Disappearance

Arbitrary detention and enforced disappearance have become commonly used as a tactic of war; to date "you can hardly find a Yemeni household without a painful story of one or more of its members who were exposed to abduction or enforced disappearance," as the Yemeni Coalition of Monitoring Human Rights Violations puts it. 46 This organisation has stated that among the 5,000-plus violations documented, the majority were committed by the Houthi-Saleh militia in Sana'a, Baidha, Idd and Hodeida governorates under Houthi-Saleh militia's control. Similar figures were provided by the Association of Mothers of Abductees (AMA) – a group of mothers who organised themselves in 2016 with a common goal to release their loved ones – which documented 5,347 cases of arbitrary detention and enforced disappearance.

However, all parties have used arbitrary detention and enforced disappearance to target political opposition and contain dissent. Most of the arbitrarily detained and forcibly disappeared in Aden have been accused of affiliation with terrorist groups. The security forces are not following legal standards on detention, with many long-term detentions without prosecution and with reports of torture. The Association of Mothers of Abductees has organised demonstrations in Aden and demanded the release of 104 arbitrary detainees; the authorities have only released 64 so far.

Moreover, in Aden, secular youth activists were targeted by members of security forces<sup>48</sup> including Imam Al-Noubi, Commander of the 20th Military Camp in Aden,<sup>49</sup> allegedly affiliated to the security belt backed by the Saudi-UAE led coalition. Similarly, activists have reported threats from the security members of Sheikh Police Station accusing them of atheism.<sup>50</sup> In 2017, Amjad Abdulrahman, the founder of the cultural club Alnasiah, was shot dead; Commander Imam Al-Noubi prevented the body of Amjad from being prayed over and buried as per Islamic rituals.<sup>51</sup> Members of the Alnasiah club were detained or threatened; young women members, whose names had been mentioned during interrogations by security forces, had to flee Aden to seek asylum outside Yemen. The security commanders and personnel perpetrating those violations still remain in their positions without any accountability.

Women human rights defenders, political activists and women belonging to certain ethnic minorities have experienced arbitrary detention and enforced disappearances, mostly in Houthi-controlled areas. However, such violations also occur in areas back under Hadi control. In this regard, the Women Solidarity Network documented a case of enforced disappearance in Aden of Ansam Abdulsamad. a woman political activist and a security force member, on 15 September 2017; her whereabouts remain unknown.

Many victims and their families are reluctant, out of fear of retaliation, to report their

# The Women Solidarity Network documented the case of enforced disappearance of Ansam Abdulsamad, a woman political activist and member of the security forces from Aden, who was forcibly disappeared on 15 September 2017 at 7:30 pm. Ansam went out of her house and did not return. Masked men stormed her home and confiscated her belongings, including her identification papers, phone, her daughters' iPads, family pictures and money. They told her husband that they had apprehended Ansam and that she would be released only if found innocent. Local security authorities denied responsibility for Ansam's disappearance and failed to take action. However, local NGOs allege that the anti-terrorism squad (allegedly a UAE-backed entity) is responsible. The Women Solidarity Network has formed a team to follow the

**Enforced disappearance of Ansam Abdulsamad** 

missing relatives and disclose information about cases of arbitrary detention, abduction and enforced disappearance. Nevertheless, popular movements are still taking action to demand the release of the disappeared and the arbitrarily detained; for example, the Association of Mothers of Abductees has organised more than 100 demonstrations on this issue since its establishment in 2016.

case of Ansam.

# Recommendations

# All parties to the conflict in Yemen must:

- » Thoroughly and impartially investigate without delay allegations against all parties to the conflict of enforced disappearances, arbitrary arrests and arbitrary detention.
- » Allow immediate and unconditional access to all places of detention by independent monitors and, at a minimum, humanitarian organisations such as the International Committee of the Red Cross.
- » Immediately reveal the fate and location of victims of enforced disappearances and of arbitrarily detained persons, including by providing official statistics on the number of detainees and the places of detention, and establish inquiry centres across Yemen.
- » Ensure that any person deprived of liberty is held in a recognised place of detention and has the right to challenge his or her detention before an independent and impartial body.

# The government of Yemen must:

- » Put in place mechanisms to protect human rights defenders and political activists, including those from religious minorities, so that they can carry out their legitimate activities without fear of intimidation or retaliation, and improve their access to sustainable protection measures including services for relocation, social security and legal aid.
- » Ensure that enhanced protection mechanisms for women human rights defenders and women political activists are put in place to respond to the specific challenges faced by them.
- » Take measures to protect the families of detainees, and identify and address the gendered and disproportionate impact of detention on women relatives, who face increased vulnerabilities and deal with new duties as heads of households in addition to their unpaid gendered roles of care and domestic work. Ensure that families be included in any transitional justice process.



Before the outbreak of the conflict in Yemen, the proliferation of arms had always been an issue of utmost concern. In 2010, it was estimated that there were between eight and 11.5 million weapons owned by civilians.<sup>52</sup> In 2007, Yemen ranked tenth out of 178 countries for privately owned firearms and second for privately owned firearms per 100 people, with about 54.8 firearms per 100 people.<sup>53</sup>

#### International arms transfer keeping conflict alive

The proliferation of arms has increased due to the conflict. As of August 2016, 19 Arms Trade Treaty State Parties and three signatories have either authorised or delivered arms transfers to Saudi Arabia, which is leading the coalition supporting the Hadi government.<sup>54</sup> Arms transfers to other coalition members have also continued.<sup>55</sup> The Houthis are also being supplied through illicit arms transfers, homemade munitions, battlefield seizures and unsecured stockpiles, and diversion from Yemeni national forces.<sup>56</sup> International and regional stakeholders must play a meaningful role in mediation to reach a just and permanent peace; suspending arms transfers to all parties to the conflict is an essential step in this regard.

### Human rights violations and abuses

Human rights violations, abuses and violations of international humanitarian law have been committed by all parties to the conflict in Yemen. The Saudi-led coalition airstrikes have targeted schools, hospitals, markets, weddings and funerals, and continue to be the leading cause of civilian casualties. Many of these attacks were indiscriminate, disproportionate or directed against civilians and civilian objects. While the coalition has formed the Joint Incident Assessment Team (JIAT) to investigate unlawful airstrikes in 2017, civil society groups have reported the continued targeting of civilians and the disproportionate repercussions inflicted on women. One of JIAT's objectives is

to refer cases to reparation services, but it is not clear how to access the reparation services and whether these services are gender responsive. The JIAT has also pointed out that the targeting process is provided by Yemeni informants affiliated to the government.<sup>58</sup>

# Military depots and mines

Most military depots and camps are located within the cities in Yemen, placing civilians at huge risk. Women interviewed in different governorates, including areas recaptured by government forces, have demanded the removal of military depots and camps from residential areas, starting with the areas recaptured from the Houthis.

STORY 6

# Denial of adequate health care

to mine victims

The Women Solidarity Network docu

The Women Solidarity Network documented the case of 25-year-old Randa Almuqbili and her two children, who were injured by a mine explosion while on their way to collect water in a village in Taiz. They were all admitted to a hospital, where Randa's left leg was amputated. Women's rights groups appealed to the government to provide the necessary health care to Randa and her children and to help transfer them to Egypt to seek quality health care. The government official who was approached about funds for her travel and support for the travel process replied that the government had no means of helping her. After two weeks in the hospital in Taiz, her right leg was also amputated. Delayed access to medical care and lack of access to quality health care led to Randa's death due to an infection days later. Her extended family assumed the role of taking care of her children. Food4Humanity paid Randa's debts and sent some financial assistance to her children as the government failed to provide them with any type of support. The government is not putting enough resources to assist injured women and children.

Additionally, Houthis have targeted civilians through ballistic missiles, indiscriminate shelling, snipers and mines.<sup>59</sup> They have planted landmines, including anti-personnel mines and improvised explosive devices. 60 OHCHR has reported that no comprehensive statistics are available on civilian casualties but credible reports from demining experts indicate that the danger is widespread and ongoing.61 A recent government report documented 1,539 cases of death and injuries by mines between 2014 and 2016, with 26 women killed and a further 36 injured.62 OHCHR has also reported that there is no evidence of any precautionary measures being taken to indicate the presence of mines.63

The government is not putting enough resources to support the process of demining or support the victims of mines. The Women Solidarity Network recently documented a case of mines victims, 25-year-old Randa Almuqbili and her two children, who were injured by a mine explosion while on their way to collect water in a village in Taiz. Women's rights groups appealed to the government to provide the necessary health care to Randa Almuqbili and her children. However, delayed access to medical care and lack of access to quality health care led to her death due to an infection.

# Recommendations

# All parties to the conflict in Yemen must:

- » Cease indiscriminate attacks on and targeting of civilians, and fully cooperate with international mechanisms to ensure effective, impartial and independent investigations into all alleged violations and abuses of human rights and alleged violations of international humanitarian law.
- » Ensure that urgent assistance, appropriate compensation and support is provided to those wounded and their families, or to the families of those killed.
- » Ensure that maps of areas affected by landmines and explosive devices be developed as part of confidence-building measures in the context of peace negotiations.

# The government of Yemen must:

- » Set up disarmament, demobilisation and reintegration programmes, and ensure that they are gender responsive
- » Put pressure on the Saudi-led Coalition to halt airstrikes in highly populated residential areas and to agree on safe zones that should not be targeted by airstrikes, in line with international humanitarian and international human rights law.
- » Take urgent measures to indicate the presence of landmines and other explosive devices and to remove them, as well as develop gender sensitive programmes to protect civilians and to care for survivors of mines.
- » Request international assistance to equip, train and assist clearance personnel to systematically survey, clear and destroy mines and explosive remnants of war.

#### The Houthis must:

- » Immediately cease using landmines, destroy existing stockpiles and submit the mine maps to show good faith and as part of confidence building.
- » Immediately release all arbitrarily detained civilians and forcefully disappeared persons, including journalists.
- » Urgently pay the salaries of civil servants in the areas under their control.
- » Immediately stop the targeting of women human rights defenders, including demonstrators.
- » Lift restrictions targeting civil society organisations, including mobility restrictions due to imposing a Mahram (male guardian) to join women during their field work.



Yemen is party to the Optional Protocol to Convention on the Rights of the Child on the involvement of children in armed conflict.<sup>64</sup> In the previous UPR, recommendations were made relating to child recruitment by armed forces and armed groups.<sup>65</sup> The number of children taking part in the conflict has increased.<sup>66</sup> Since 2015, the UN has documented 1,702 cases of child recruitment, with 67% being recruited by the Houthis and 20% by government forces.<sup>67</sup>

# Reintegration programmes needed

The national action plan to end the recruitment of child soldiers signed with the UN has not been implemented. The UN suspended the demobilisation, disarmament and reintegration programmes (DDR) relating to children in 2016 on the basis that it is risky to run such programmes until a political settlement can be achieved. Additionally, the King Salman Center funded a civil society organisation in Mareb to run rehabilitation centre for children combatants captured. However, these efforts fall short in addressing this issue.

# Recommendations

# All parties to the conflict in Yemen must:

- » Put an end to the recruitment and use of child soldiers in accordance with UN Security Council resolution 2216 (2015) and their obligations under international humanitarian law and international human rights law.
- » Ensure that humanitarian response plans, DDR programmes and peace negotiations effectively comprise mechanisms to support the reintegration of child combatants and ensure gender responsiveness.

# The government of Yemen must:

- » Request the resumption of the demobilisation, disarmament and reintegration (DDR) programmes as a matter of priority.
- » Improve education and social protection services, including the provision of income for children in areas with high levels of recruitment of child soldiers to prevent further recruitment.



In the previous UPR on the State of Yemen, Yemen accepted recommendations to pursue efforts to ensure the representation of women at all levels of the political process and their participation in public life without discrimination or intimidation. However, women's political participation remains very limited; women constitute less than 1% in the parliament and local councils. The representation within the government has deteriorated, with only two women as ministers in the current cabinet and three women as ambassadors.

# No plans on advancing women's participation

The Women's National Committee (WNC), the mechanism established by the government to develop policies to advance the status of women, has not been able to operate fully since the war started. The main headquarters in Sana'a is under Houthi control and the WNC branches in areas recaptured by the government, including Aden, remain neglected. Moreover, the government has not taken any steps to develop a National Action Plan for UN Security Council resolution 1325 (2000) and subsequent related resolutions. In addition, previous UPR recommendations called for the establishment and implementation of a comprehensive action plan to improve and promote women's rights. The WNC National Strategy for Advancing Women ended in 2015; no efforts by the government have been made to support the WNC to develop a new plan.

# Women need to be part of negotiation delegations

Yemen also accepted a recommendation to continue its efforts to protect and promote women's rights, including by giving due consideration to the application of a quota system in all State bodies as put forward by the National Conference for Women.<sup>73</sup> However, the representation of women

in all negotiation delegations, including the government delegation, did not meet the minimum 30% quota recommended under the National Dialogue Conference outcomes. Out of 28 delegates, only three were women and two were in the government delegation. Additionally, a UN Security Council presidential statement of June 2017 called for women's participation in the negotiation delegations to be a minimum of 30%. President Hadi announced similar commitments during the 2017 celebration of International Women's Day; however, these are yet to be implemented.

The absence of women in negotiations resulted in the peace agenda overlooking certain priorities outlined by many Yemeni women, including demands to end child recruitment and calls for self-determination in the South.

# Women in security sectors lack adequate protection

Women in the security sector within state institutions are also facing challenges such as marginalisation and obstacles to career advancement due to their gender. For instance, women working in the security sector in Aden have indicated that they have not been provided with uniforms or equipment and faced suspension of salaries.<sup>75</sup> The women also indicated that they are assigned to conduct raids without additional protection units and, sometimes, even without being given firearms. They also raised the need for capacity-building for women working in the security field.

# Women's Political Participation

### **National Dialogue and Transitional Processes**

11%

Presidential Authority of the National Dialogue Conference (1 woman)\*\*\*

33%

NDC Consensus Committee
(2 women)\*\*\*

26%

NDC Implementation
Monitoring and Supervisory
Authority (22 women)\*\*\*

19%

National Dialogue Preparatory
Committee (6 women)\*\*\*

33%

Chairing Thematic Working
Groups at NDC (3 women)\*\*\*

23%

Constitution Drafting
Committee (4 women)\*\*

28%

National Dialogue Conference (161 women)\*\*\*

28%

NDC Standards and Discipline Committee (2 women)\*\*\*

9%

Federal Regions Committee (2 women)\*\*

# Representation of Women in State Governments

8%

Reconciliation Government 2012-2014 (3 women)\*\*

7%

Competency Government 2014-2015 (3 women)\*\*

6.8%

Bin Daghr Government 2015 - currently (2 women)\*\*

# Representation of Women in Elected Chairs

0.3%

Parliament 2003-2014 (1 woman)\*\*

0.5%

Local Councils 2006 - currently (38 women)\*\*

### Representation of Women in Peace Processes

10%

Signature of GCC Peace Agreement (2011) (1 woman)\* 10%

Negotiations held in Kuwait (3 women)\*

# Data available in this table is drawn from:

\* Media reports

\*\* Official Sources/Decrees

\*\*\* NDC website

# Recommendations

# All parties to the conflict in Yemen must:

- » Effectively implement a minimum quota of 30% of women in the public and political spheres in accordance with the outcomes of the National Dialogue Conference, including in ambassadorial and other high-level governmental positions.
- » In the implementation of the 30% minimum quota, ensure that women from diverse backgrounds are equitably represented, including 50% for women from the South (including those with selfdetermination demands) and 20% for young women, as per the outcomes of the National Dialogue Conference.
- » Effectively implement a 30% minimum quota of women in peace negotiations, including in the negotiation delegation, advisory team and in all committees developed as result of the peace negotiations and political processes during the transitional period, as well as in the current and future governments.
- » Take measures to ensure that the peace agenda is gender responsive, including by having gender experts in peace negotiating delegations and by formally consulting women in the negotiation process, including rural women and women survivors of the conflict, to ensure that their priorities are addressed in any political settlement.

### The government of Yemen must:

- » Implement UN Security Council resolution 1325 (2000) by developing a National Action Plan with adequate and sustainable financial and human resources, and in consultation with civil society organisations.
- » Take measures to repeal discriminatory practices against women in the security sector and ensure they are provided with the necessary protection.

25 <<

» 24

# Partners and Networks



# Awam Foundation for Development and Culture

Awam Foundation for Development and Culture is an independent and non-profit organisation, established in 2008, which seeks to contribute actively towards attaining sustainable development in the Republic of Yemen. Awam's work focuses on three main programmes in the areas of sustainable development; democracy and women's political empowerment, and human rights.

www.facebook.com/AwamOrg



# **Ejad Foundation for Development**

Ejad Foundation for Development is a voluntary, non-profit youth foundation working in the fields of development and human rights. It was established in 2012 and is based in Sana'a. Ejad works towards developing and promoting the values of democracy and human rights, and consolidating social peace in Yemeni society by enhancing the participation of youth and women in public life, empowering them by developing and strengthening their capacities through training and rehabilitation, and implementing activities to enable them to practise these rights.

www.facebook.com/ejadfoundation



# **Food For Humanity Foundation**

Food For Humanity is a non-profit, non-governmental organisation aimed at alleviating poverty. It was one of the first women-led CSOs in Yemen during the war, having been initiated in 2015 and founded by Yemeni women volunteers working in the areas most affected by the famine and lack of humanitarian needs. Food For Humanity works in the most remote parts of the country where those who are most vulnerable to conflict and violent extremism live, with special focus on Taiz Hodeida-Sanaa, delivering humanitarian aid in addition to promoting civic values and responsible citizenship, especially among young people.

www.facebook.com/Food4humanity1



#### **Peace Track Initiative**

Peace Track Initiative (PTI) was formally registered as a non-profit organisation incorporated in Canada in October 2017. It has been active since 2015. PTI aims at localising peacebuilding and amplifying the voices of women and youth for sustainable peace and prosperity. PTI works to create a space for missing voices and the contributions of women, youth and civil society organisations to peace processes. The PTI works at a regional level in the MENA region with focus on Yemen.

www.peacetrack.wordpress.com



### Sawasiah Organization for Human Rights

Sawasia is an independent civil society organisation established to disseminate and promote democracy, the rule of law and respect for human rights. It aims at developing the capacity of civil society groups and monitoring and documenting human rights violations, as well as establishing a cooperative relationship with national authorities and relevant local, regional and international civil society organisations.

www.facebook.com/sawasia.hr



### To Be Foundation for Rights and Freedoms

To Be Foundation for Rights and Freedoms is an independent, non-governmental, non-profit organisation, founded by a group of human rights defenders in Aden in 2011. It aims at building a society based on justice, equality and the rule of law, and focuses on raising awareness of human rights and women's rights in particular through advocacy campaigns and support.

www.tobeonline.org



### Women's International League for Peace and Freedom

Since the foundation of the League in 1915, the Women's International League for Peace and Freedom has united women from around the globe to work for peace by non-violent means and by promoting political, economic and social justice for all. The League addresses the root causes of war and violence through a feminist lens and constantly challenges systems of oppression, militarism, patriarchy and neoliberalism.

www.wilpf.org

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Chapter 7: Reuters/Khaled Abdullah - stock.adobe.com

