

Statement for the Universal Periodic Review Pre-session on Yemen

Honorable Members of the United Nations Human Rights Council, Excellencies, Distinguished Delegates, Colleagues, Friends:

My name is Yazeed Aljeddawy and I am here representing the Sana'a Center for Strategic Studies, a Yemeni policy and research center. Today, I point your attention to the catastrophe in Yemen, which continues to suffer from nearly a decade of war and one of the world's worst humanitarian crises. The core of our submission regards the urgent need to recognize the rights of the victims of conflict, and the centrality of justice to Yemen's political and economic future. Victims' voices are not being adequately represented or respected in official negotiations, and have too long been drowned out by competing political and military agendas, from actors both within Yemen and abroad. This arrangement is as dangerous as it is unjust, ensuring that national reconciliation and sustainable peace will remain elusive, and that unresolved disputes and cyclical violence will destroy the aspirations of yet another generation of Yemenis. We hold that the recognition and prioritization of victims of conflict is a crucial component of any peace process. Last July, along with more than seventy Yemeni civil society organizations, the Sana'a Center signed a landmark declaration demanding that transitional justice be made a central tenet of negotiations and recognized as a requisite of any political settlement.

But justice must extend beyond the realms of wartime criminality and political inclusion. Yemen remains the poorest country in the Middle East, a condition exacerbated by nine years of destructive conflict. Worldwide, it ranks as one of the most vulnerable to, and least ready to cope with, the effects of climate change, despite contributing less than 0.1 percent of global emissions.¹ The abnegation of responsibility by the leading economies does not come without costs, which are being borne by Yemeni communities already teetering on the verge of famine. If Yemen is to rebuild an economy capable of supporting the basic needs of its population, it needs urgent support for sustainable development and climate change mitigation.

Yemen is increasingly vulnerable to catastrophic weather events, which are expected to increase in severity and frequency with climate change. In such circumstances, climate justice is not only a matter of environmental protection, but an issue of basic human rights. Yet the country has received insufficient development and economic support to ameliorate the current situation or the promise of worse to come.

In previous cycles, member states have made recommendations to the internationally recognized Yemeni government on transitional justice, including establishing and implementing a reconciliation and transitional justice framework aligned with the recommendations of Yemen's National Dialogue Conference and the UNHCR; expediting relevant legislation; ensuring the independence of the National Commission of Inquiry; and promoting the representation of women in political processes and public life.

Member states have also supported investigating and prosecuting those responsible for arbitrary

¹ "Climate Change Profile - Yemen," Ministry of Foreign Affairs of the Netherlands, April 2018, https://reliefweb.int/sites/reliefweb.int/files/resources/Yemen_2.pdf

arrests, detentions, enforced disappearances, torture, and other ill-treatment, and the provision of reparations for victims, including victims of religious persecution and gender-based violence. Yemen has been encouraged to become a party to the International Convention for the Protection of All Persons from Enforced Disappearance and to enact legislation that includes measures for compensation for victims and their families.

The Yemeni government's response to these recommendations has been lacking in both commitment and execution. Despite the clear need for a robust framework to address the atrocities that have been committed, there has been little appetite for adopting or implementing effective transitional justice mechanisms.

Recommendations

To the internationally recognized Yemeni government:

1. Recognize the right of victims, family representatives, and associations to be present and represented in all activities related to political settlements or transitional justice. The government should facilitate the registration of these associations and encourage them to provide their testimonies for documentation and memorialization purposes.
2. Design any forthcoming political settlement in a manner that upholds the rights of victims and effectively addresses their grievances.
3. Promote and support a comprehensive national approach to transitional justice, drawing on the experiences of the National Dialogue Conference and incorporating relevant principles of customary law and legislation.

To the international community:

4. Provide financial and technical support to help Yemen implement sustainable development and environmental protection initiatives. These should take advantage of indigenous knowledge and engage with local and vulnerable communities.
5. Support and provide funding for efforts to document human rights violations.
6. Establish a compensation fund for victims, financed by the regional states involved in the conflict, with a commitment to transparent management.
7. Ensure that compensation to victims does not prejudice their right to uncover the truth, restore their dignity, or seek accountability.

Despite the potential re-escalation of the conflict in Yemen, it is imperative that we neither forget nor neglect its victims and their suffering. Immediate action is needed to organize support for victims and to document the violations against them. Additionally, the critical consequences of climate change in Yemen must be urgently addressed, considering its role in exacerbating poverty, malnutrition, and conflict.