

Women and girls paying the heaviest price in Yemen

**Joint submission to the
Universal Periodic Review**

This report has been prepared by the following Yemeni human rights organizations, who are members of the Women Solidarity Network: Awam Foundation, Ejad Foundation for Development, Foods4Humanity, Peace Track Initiative, Sawasiah Organization for Human Rights, and To Be Foundation for Rights and Freedoms, in collaboration with the Women's International League for Peace and Freedom.



WOMEN'S INTERNATIONAL LEAGUE FOR
PEACE & FREEDOM



This report addresses some of the gaps in Yemen's implementation of previous UPR recommendations pertaining to women's rights and sheds light on the following issues:

- Humanitarian needs and lack of social services.
- Gender-based and sexual violence.
- Arbitrary detention and enforced disappearance.
- Arms proliferation and explosive weapons.
- Use of child soldiers.
- Women's participation in political and public life.

It does not reflect an exhaustive picture of the deteriorating situation of women's rights in Yemen. Our organisations 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 by all parties and to promote measures to find a durable political solution in Yemen. We will also continue to campaign for the immediate suspension of all arms sale to any party to the conflict in Yemen.

12 July 2018

Introduction

In the previous UPR of Yemen, which took place in 2014, several recommendations were made regarding sexual and gender-based violence and on promoting women's meaningful participation in public life. After that review took place, the situation in Yemen escalated into an armed conflict that has led to a dramatic increase in violations and abuses of women's rights. The devastating war in Yemen has exacerbated the existing dire humanitarian situation, where some 8.4 million people currently face severe food insecurity and are at risk of starvation. Additionally, the dissolution of the parliament in 2015 and the central government's loss of control over large segments of the territory has resulted in a serious deterioration of the rule of law.

Yemen has historically ranked at the bottom of the Global Gender Gap index. With the escalation of violence in 2014, the already dire situation in Yemen further deteriorated resulting in a grave impact on women who are disproportionately affected by the use of explosive weapons, indiscriminate shelling and mine explosions. Moreover, the social and economic insecurity, deterioration of the rule of law and displacement have increased women's vulnerability to violence, abuse and exploitation. The collapse of the health system compounded by the increasing lack of access to clean water, sanitation and hygiene, have led to catastrophic consequences, including outbreak of diseases such as cholera, with differentiated impacts on women.

Moreover, the the ongoing conflict has impoverished the population and resulted in social and economic insecurity that forced large sections of the population to rely on livelihood assistance. The delay or temporary suspension of the payment of civil servants salaries, upon which large parts of the Yemeni society relied as the sole source of family income, has exacerbated the need for women to take on leading role in supporting their families in addition to their gendered unpaid roles in care and domestic work.

Definitions:

The government: the use of the term government refers to the internationally recognized 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 since then have become the de-facto authority in the areas under their control.

Humanitarian Needs and Lack of Social Services

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 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 who are in acute need – an increase of more than one million since June 2017.¹ The number of food insecure people 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 being 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, safe delivery, 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, have led to catastrophic consequences, including outbreak of diseases such as cholera that is so far suspected to have reached more than a million cases. The ICRC, WHO and the UNICEF are among those to have stated that the cholera outbreak is a direct consequence of more than two years of warfare.⁷ 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”.⁸ 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”.⁹

¹ UNOCHA (2018). *Yemen: Humanitarian Needs Overview 2018*. Available at: <https://reliefweb.int/report/yemen/yemen-2018-humanitarian-needs-overview-enar>, p.2

² *Ibid*, p.9

³ UNOCHA (2018). *Yemen: Humanitarian Needs Overview 2018*. Available at: <https://reliefweb.int/report/yemen/yemen-2018-humanitarian-needs-overview-enar>, p.17

⁴ *Ibid*, p.36-39

⁵ *Ibid*, p.9

⁶ *Ibid*, p.37

⁷ See, for example, International Committee of the Red Cross (ICRC) (2017, July 27). *ICRC president leaves Yemen, issues urgent plea*. Available at: <https://www.icrc.org/en/document/statement-urgent-plea-yemen-icrc-president> and UN Press release (2017, June 24). *Yemen hit by world's worst cholera outbreak as cases reach 200,000 – UN*. Available at: <https://news.un.org/en/story/2017/06/560332-yemen-hit-worlds-worst-cholera-outbreak-cases-reach-200000-un>

⁸ Protection Cluster Yemen (2017). *Protection Guidance for Cholera Response in Yemen*. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/protection_cluster_guidance_-_cholera_response_august_2017.pdf

⁹ UNFPA (2017, July 21). *Yemen's deadly cholera outbreak puts pregnant women in danger*. Available at: <https://www.unfpa.org/news/yemens-deadly-cholera-outbreak-puts-pregnant-women-danger>

Loss of livelihoods and income

The imposition of sieges, blockades and restrictions on movement has had severe repercussions on the Yemeni economy. This situation has been exacerbated by the reduction in government expenditures, the suspension or significant delay 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.¹⁰ 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.¹¹ This situation has exacerbated the need for women to take on 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 under poverty line with cash and in-kind assistance. A 2013 report identified several obstacles in accessing the SWF, including the 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 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.¹²

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 the Women Solidarity Network (WSN) members in February 2018¹³ shows that women have sold their jewelry 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 (See Story 5 Annex I). The war as such is adding into the complications of the mass land claims that existed in South of Yemen.¹⁴

Internal displacement and forced displacement

¹⁰ UNOCHA (2017) *The humanitarian situation in Yemen in facts and figures*. Available at: https://www.unocha.org/sites/unocha/files/dms/FF_updated_11092017.pdf

¹¹ UN Index: A/HRC/36/33 paragraph 77

¹² Overseas Development Institute (2013). *Beneficiary and community perspectives on the Social Welfare Fund in Yemen*. Available at <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/8312.pdf> p. 4

¹³ Focus group discussion organised by AWAM Organisation.

¹⁴ Unruh, J D (2016) *Mass Claims in Land and Property Following the Arab Spring: Lessons from Yemen*. Stability: International Journal of Security & Development, 5(1): 6, pp. 1–19, DOI: <http://dx.doi.org/10.5334/sta.444>

In December 2017, OCHA estimated that 76% of the over three million IDPs were women and children.¹⁵ 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 diseases, with women facing additional risks and challenges. A study conducted by the Women's International League for Peace and Freedom (WILPF) shows that displacement increases risks 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"¹⁷. 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, gave rise to negative coping strategies, particularly child marriage.¹⁸

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.¹⁹

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 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 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.²⁰ It is also reported that most healthcare facilities had 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

¹⁵ UNOCHA (2018). *Yemen: Humanitarian Needs Overview 2018*. Available at: <https://reliefweb.int/report/yemen/yemen-2018-humanitarian-needs-overview-enar>, p.17

¹⁶ Yemeni Coalition for Monitoring Human Rights Violations (2017). *Homeless IDPs: Human Rights report monitoring the second forced displacement of the population of the district of Jabal Habashi in Taiz in 2017*. Available at: <http://www.ycmhrv.org/Home/MonthlyReport/vf9pzTSy/HomelessIDPs3>, p.13

¹⁷ Women's International League for Peace and Freedom (WILPF) (2014). *Women and Explosive Weapons*. Available at: <http://www.reachingcriticalwill.org/images/documents/Publications/WEW.pdf>, p.18

¹⁸ UN Index: A/HRC/36/33 paragraph 75 and 76

¹⁹ UNFPA (2016). *Humanitarian Crisis in Yemen: Preventing Gender-based Violence & Strengthening the Response, October 2016*. Available at: <http://yemen.unfpa.org/sites/default/files/resource-pdf/Final%20GBV%20Sub-Cluster-%20Yemen%20Crisis-Preventing%20GBV%20and%20Strengthening%20the%20Response.pdf>

²⁰ UN Index:A/HRC/36/33 paragraph 42

family planning, exposing them to unwanted pregnancies in perilous conditions.²¹ In addition, the siege meant that women had to take hard terrain paths and walk for 3-6 hours daily to obtain the 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 breastfeeding women's health and can lead to numerous health complications, including but not limited to, anemia, infant mortality, and even infant deformities. Difficult or lack of 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.²²

Hodaida, a Houthi-controlled area, is at the brink of famine. Famine in Hodaida comes as a result of both the blockade imposed by the Saudi-led coalition and also by the Houthis who have planted mines in coastal areas and farms, in which 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 father killed his entire family and then committed suicide because he could not provide food for them,²³ 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. The UNICEF estimates that 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.²⁴ 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 military purposes.²⁵

Before the war, an average of eight women died during childbirth every day.²⁶ 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

²¹ Médecins sans Frontières (2017). *Yemen, healthcare under siege in Taiz*. Available at: https://msf.lu/sites/default/files/healthcare_under_siege_in_taiz.pdf; UNFPA (2018) *UNFPA Humanitarian response in Yemen 2018*. Available at: https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA_Yemen_2018_Response_brochure_-_English_-_printed_final.compressed.pdf

²² Huffingtonpost (2017, July 08), *Facing Famine, Girls And Women Bear The Heaviest Burden*. Available at: https://www.huffingtonpost.com/entry/facing-famine-girls-and-women-bear-the-heaviest-burden_us_59838dc1e4b00833d1de26a

²³ Al-Mahra Post (2018, June 3). «صورة» للأطاع | المهرة بوست. Available at: <http://almahrahpost.com/news/3307#.WOMhAhIzBJ>

²⁴ UNICEF (2018). *If not in School: The paths children cross in Yemen*. Available at: <https://www.unicef.de/blob/162394/b74a04950916cc63fe039fe566a04028/if-not-in-school-unicef-report-data.pdf>, p.2

²⁵ *Ibid*, p.2

²⁶ IRIN (2007, March 8). *Eight women die giving birth every day*. Available at: <http://www.irinnews.org/news/2007/03/08/eight-women-die-giving-birth-every-day>

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”.²⁷

Even those who can afford seeking medical treatment outside Yemen are facing difficulties. Programmes to seek medical care abroad, such as those run by the government with 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 (See Story 2 Annex I) and the limited flights routes.²⁸ The blockade has also resulted in huge inflation of commercial flight prices resulting in serious limitation of civilians’ ability to travel.

Recommendations:

- All parties to the conflict must lift all sieges and blockades immediately, and allow immediate and unimpeded access of humanitarian aid.
- The government must end naval and aerial blockades allow unimpeded commercial aviation, including on the Sana’a airport, and allow the free movement of persons seeking medical care abroad.
- Ensure 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.
- 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.

²⁷ UNFPA (2017, April 26). *Women and girls among the most vulnerable in Yemen*. Available at: <http://yemen.unfpa.org/en/news/women-and-girls-among-most-vulnerable-yemen>

²⁸ UN Index: A/HRC/36/33 paragraph 45

- Update the 2013 National Policy on Internal Displacement²⁹ to address the humanitarian situation and to develop sustainable and gendered solutions.

²⁹ Executive Unit for IDPs (2013). *National Policy for Addressing Internal Displacement in the Republic of Yemen*. Available at: http://www.globalprotectioncluster.org/_assets/files/field_protection_clusters/Yemen/files/Yemen_National_IDP_Policy_2013_EN.pdf

Gender-Based and Sexual Violence

Gender-based violence was already a serious concern even before the war. Discrimination was prevalent, both in law and in practice. Gender inequalities have been further aggravated by the armed conflict and subsequent displacement. Although previous UPR recommendations called for amending discriminatory laws against women including the Personal Status Law,³⁰ women's control of their lives and bodies continue 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 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%.³¹ In 2016, the UNFPA estimated that there were around 3 million women and girls of reproductive age at risk of gender-based violence³² as well as 61,000 women and girls at risk of sexual violence, including rape.³³ The Gender-Based Violence Information Management System (GBVIMS) recorded 8,031 incidents between January and September 2016 alone.³⁴ 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 2015.³⁵ The cases reported in the Gender-Based Violence Trend Analysis were predominantly of physical assaults, psychological and emotional abuses 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

³⁰ UN Index: A/HRC/26/8, recommendations on Personal Status Law: 115.16 (Czech Republic); 115.95 (Belgium)

³¹ Care International (2016). *No Future for Yemen Without Women and Girls*. Available at: <https://insights.careinternational.org.uk/publications/no-future-for-yemen-without-women-and-girls>, p. 2

³² UNFPA (2016). *Three million women and girls at risk of violence in Yemen*. Available at: <http://yemen.unfpa.org/en/news/three-million-women-and-girls-risk-violence-yemen>

³³ UNFPA (2016). *Humanitarian Crisis in Yemen: Preventing Gender-based Violence & Strengthening the Response, October 2016*. Available at: <http://yemen.unfpa.org/sites/default/files/resource-pdf/Final%20GBV%20Sub-Cluster-%20Yemen%20Crisis-Preventing%20GBV%20and%20Strengthening%20the%20Response.pdf>, p. 4

³⁴ Quoted in UNOCHA (2017). *Yemen: Humanitarian Needs Overview 2017*. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/YEMEN%202017%20HNO_Final.pdf, p. 17

³⁵ Intersos and UNFPA (2015). *GBV trend analysis 2015: Incident reporting by 30 local associations to INTERSOS – UNFPA for 8 governorates*. Available at: https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/annex_1_-_3553_-_gbv_trend_analysis_2015_-_27.12.2015.pdf

largest numbers of IDPs - almost 800,000 IDPs are women and girls between the ages of 15 - 49 who are at risk of gender-based violence, including sexual violence and rape.³⁶

Loss of livelihoods and women's coping mechanisms

The inability to meet basic needs and the loss of livelihoods leave women particularly exposed to abuses; 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.”³⁷ 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.³⁸ 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, [to] forced/coerced prostitution and begging”³⁹ 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’”.⁴⁰ 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.⁴¹ In addition, although rape is criminalized in Yemen, national legislation does not criminalise marital rape and 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 allow 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 neither domestic violence, nor gender-based violence more generally. While conflict has been a driving factor in the increase of cases of gender-based violence, gender-based violence is rooted in the pre-existing severe discrimination against women in the Yemeni legal system.

³⁶ UNFPA (2016). *Humanitarian Crisis in Yemen: Preventing Gender-based Violence & Strengthening the Response*, October 2016. Available at: <http://yemen.unfpa.org/sites/default/files/resource-pdf/Final%20-GBV%20Sub-Cluster-%20Yemen%20Crisis-Preventing%20GBV%20and%20Strengthening%20the%20Response.pdf>, p.4

³⁷ *Ibid*, p. 6

³⁸ *Ibid*

³⁹ *Ibid*

⁴⁰ UNOCHA (2017). *Yemen: Humanitarian Needs Overview 2017*. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/YEMEN%202017%20HNO_Final.pdf, p. 16

⁴¹ UNFPA (2016). *Humanitarian Crisis in Yemen: Preventing Gender-based Violence & Strengthening the Response*, October 2016. Available at: <http://yemen.unfpa.org/sites/default/files/resource-pdf/Final%20-GBV%20Sub-Cluster-%20Yemen%20Crisis-Preventing%20GBV%20and%20Strengthening%20the%20Response.pdf>, p. 6

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.⁴²

The government has 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;⁴³ however, to date no efforts have been put 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

In 2014, Yemen accepted several UPR recommendations to establish in law a minimum age of 18 for marital consent⁴⁴ in line with the relevant recommendation by the National Dialogue Conference.⁴⁵ Yemen had the opportunity to implement that recommendation at the time of the adoption of the Safe Motherhood Law in 2014; however, the parliament removed an article setting at 18 the safe age of marriage. With families increasingly resorting to child marriage as a coping mechanism to address poverty and the deprivation of economic opportunities (see Story 1 in Annex I), it is extremely urgent to set the age of marriage at 18 without exceptions.

Recommendations:

- Ban child marriage and set the minimum age of marriage to 18.
- 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 CEDAW.

⁴² One in the southern part of Yemen, in Aden, and three in the northern part in Ibb, Sana'a, and Hodaida

⁴³ Reuters (2013). *U.N. Yemen envoy says former president's camp undermining talks*. Available at: <https://www.reuters.com/article/uk-yemen-reconciliation-idUKBRE9AR0D620131128>

⁴⁴ See, for example, UPR recommendation 115.105 "Take urgent steps to follow up on the recommendation which was made at the National Dialogue Conference for a universal minimum age of marriage of 18 years and ensure that an appropriate legal framework is put in place to prevent marriage for children under the age of 18 (Denmark)." and recommendations 115.13 (Spain); 115.14 (Chad), 115.15 (Norway), 115.96 (France), 115.97 (Japan); 115.100 (Mexico), 115.101 (Viet Nam); 115.102 (Belgium); 115.103 (Guatemala); 115.104 (Netherlands); 115.106 (Germany); 115.107 (Ireland); 115.108 (Libya); 115.143 (Canada), available in UN Index: A/HRC/26/8.

⁴⁵ National Dialogue Conference . حقوق المرأة في الوثيقة الوطنية . Available at: http://www.ndc.ye/ndcdoc/book_seven.pdf

- Issue special presidential decrees to protect and safeguard women's rights based on the National Dialogue Conference outcomes⁴⁶ and in line with CEDAW.
- Establish a comprehensive gender-based violence response programme comprising of 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.
- Ensure the appointment of gender experts on the National Mechanism for Investigating Alleged Human Rights Violations and gender sensitive reporting by this body.
- 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 to CEDAW.

⁴⁶ *Ibid.*

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 Yemeni Coalition of Monitoring Human Rights Violations puts it.⁴⁷ This organisation has stated that among the over 5000 violations documented, the majority were committed by the Houthis-Saleh militia in Sana’a and the Baidha province and Idd and Hodeida provinces under Houthis-Saleh militia’s control. Similar figures were provided by the Association of Mothers of Abductees (AMA) - a group of mothers who organized 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 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 reports of torture.⁴⁸ 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 forces⁴⁹ including Imam Al-Noubi, Commander of 20th Military Camp in Aden,⁵⁰ affiliated to the security belt backed by the Saudi-UAE led coalition. Similarly, activists have reported threats from the security members of Shiekh Police Station accusing them of atheism.⁵¹ 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 on and buried as per Islamic rituals.⁵² Members of 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

⁴⁷ Yemeni Coalition for Monitoring Human Rights Violations (2017). *Second Report on Enforced Disappearance and Arbitrary Detention in Yemen*. Available at: <http://www.ycmhrv.org/Home/MonthlyReport/1HWclCaL/Enforced-Disappearance-YCMHRV>, p. 6

⁴⁸ Human Rights Watch (2017, June 22) *Yemen: UAE Backs Abusive Local Forces*. Available at: <https://www.hrw.org/news/2017/06/22/yemen-uae-backs-abusive-local-forces>

⁴⁹ Al-Araby (2017, June 6). اغتيال ناشطين يمنيين بتهمة الإلحاد.. إرهاب بالزي العسكري. Available at: <https://goo.gl/q9rPrX>

⁵⁰ Al-Masdar (2017, May 19). الاشرافي " يدين اغتيال أحد نشطاءه وتعذيب صحفيين في عدن ويحمل السلطات المسؤولية". Available at: <http://almasdaronline.com/article/print/91305>

⁵¹ Victim interviewed by the Women Solidarity Network.

⁵² Al-Masdar (2017, May 18) مسلحون متطرفون يمنعون دفن جثمان الناشط أمجد في عدن ويحذرون من الصلاة عليه. Available at: <http://almasdaronline.com/article/91280>

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 (see Story 4, Annex I).

Many victims and their families are reluctant, out of fear retaliation, to report their 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 Abductees' Mothers has organized more than 100 demonstrations on this since its establishment in 2016.

Recommendations:

- Thoroughly and impartially investigate without delay allegations against all parties to the conflict of enforced disappearances, arbitrary arrests and arbitrary detention.
- All parties must allow immediate and unconditional access to all places of detention by independent monitors and, at a minimum, humanitarian organizations 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 centers across Yemen.
- Put in place mechanisms to protect human rights defenders, political activists, including 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 the specific challenges faced by them.
- Take measures to protect the families of detainees, 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. Families must also be included in any transitional justice process.
- Ensure that any person deprived of liberty is held in a recognized place of detention and has the right to challenge his or her detention before an independent and impartial body.

Arms proliferation and explosive weapons

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 around 8-11.5 million weapons owned by civilians.⁵³ In 2007, Yemen ranked 10 out of 178 countries for privately owned firearms, and ranked second for privately owned firearms per 100 people, with about 54.8 firearms per 100 people.⁵⁴

Proliferation of arms increased due 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.⁵⁵ Arms transfers to other coalition members have also continued.⁵⁶ The Houthis are also being supplied through illicit armed transfers, homemade munitions, battlefield seizures and unsecured stockpiles, and diversion from Yemeni national forces.⁵⁷ 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 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.⁵⁸ 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 continued targeting of civilians and the disproportionate repercussions inflicted on women. One of JIAT 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

⁵³ Gun Policy. *Yemen — Gun Facts, Figures and the Law*. Available at: <http://www.gunpolicy.org/firearms/region/yemen>

⁵⁴ *Ibid.*

⁵⁵ ATT Monitor (2016) *Dealing In Double Standards How Arms Sales To Saudi Arabia Are Causing Human Suffering In Yemen*. Available at: <https://controlarms.org/wp-content/uploads/2018/03/ATT-Monitor-Case-Study-2-Saudi-Arabia-FINAL.pdf>, p. 1

⁵⁶ See, for example, WILPF reports to the CEDAW Committee on Italy and Germany's arms transfers, available at: <https://wilpf.org/wilpf-publications/>; and WILPF statements on the UPR of the UK, available at: https://wilpf.org/wilpf-statements/upr_uk_arms_transfers/ and France, available at: <https://wilpf.org/wilpfs-statement-on-the-upr-of-france/>; and Amnesty International, *Yemen: Three years on, US and UK arms supplies to Saudi Arabia-led coalition are devastating civilian lives*, Available at: <https://www.amnesty.org/en/latest/news/2018/03/yemen-three-years-on-us-and-uk-arms-supplies-to-saudi-arabia-led-coalition-are-devastating-civilian-lives/>

⁵⁷ ATT Monitor (2016) *Dealing In Double Standards How Arms Sales To Saudi Arabia Are Causing Human Suffering In Yemen*. Available at: <https://controlarms.org/wp-content/uploads/2018/03/ATT-Monitor-Case-Study-2-Saudi-Arabia-FINAL.pdf>, p. 2

⁵⁸ Human Rights Watch (2016, October 13) *Yemen: Saudi-Led Funeral Attack Apparent War Crime*. Available at: <https://www.hrw.org/news/2016/10/13/yemen-saudi-led-funeral-attack-apparent-war-crime>; Human Rights Watch (2017, January 13) *Letter to Saudi-Led Coalition Joint Incidents Assessment Team Regarding Yemen*. Available at: <https://www.hrw.org/news/2017/01/16/letter-saudi-led-coalition-joint-incidents-assessment-team-regarding-yemen>; Human Rights Watch (2018, April 24). *Bride Among 20 Dead in Yemen Wedding Airstrike*. *Daily Brief*. Available at: <https://www.hrw.org/the-day-in-human-rights/2018/04/24>; Médecins Sans Frontières (2016, December 9). *Saudi-led airstrike on Abs hospital cannot be justified as "unintentional error"*. Available at: <https://www.msf.org/yemensaudi-led-airstrike-abs-hospital-cannot-be-justified-unintentional-error>; UN Index: A/HRC/36/33 paragraph 28

JIAT has also pointed out that the targeting process is provided by Yemeni informants affiliated to the government.⁵⁹

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.

Additionally, Houthis have targeted civilians through ballistic missiles, indiscriminate shelling, snipers, and mines.⁶⁰ They have planted landmines, including antipersonnel mines and improvised explosive devices.⁶¹ 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.⁶² A recent government report documented 1,539 cases of death and injuries by mine between 2014-2016, killing 26 women and injuring 36 women.⁶³ OHCHR has also reported that there is no evidence of any precautionary measures being taken to indicate the presence of mines.⁶⁴

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, Randa Almuqbili, a 25-year-old woman, and her two children, who were injured by a mine explosion while on their way to collect water in a village in Taiz (see Story 3 Annex I). Women's rights groups appealed to the government to provide the necessary healthcare to Randa 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 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.
- Disarmament, demobilization, and reintegration programmes must be set up, ensuring that they are gender responsive and address recruitment of women.

⁵⁹ Saudi Press Agency (2016, October 15). *عام / بيان صادر عن الفريق المشترك لتقييم الحوادث بشأن حادثة استهداف القاعدة الكبرى بصنعاء*. Available at: <https://www.spa.gov.sa/1548643>

⁶⁰ The National (2018, February 9). *Houthi sniper kills woman delivering aid in Tuez*. Available at: <https://www.thenational.ae/world/mena/houthi-sniper-kills-woman-delivering-aid-in-tuez-1.703101>; The National (2017, May 22). *Yemen: Seven killed by Houthi missile in Marib*. Available at: <https://www.thenational.ae/world/mena/yemen-seven-killed-by-houthi-missile-in-marib-1.732735>; Human Rights Watch (2017, August 9). *Yemen: Artillery Attacks Kill Civilians in Taizz*. Available at: <https://www.hrw.org/news/2017/08/09/yemen-artillery-attacks-kill-civilians-taizz>

⁶¹ See, for example, Human Rights Watch (2017, April 20). *Yemen: Houthi-Saleh Forces Using Landmines*. Available at: <https://www.hrw.org/news/2017/04/20/yemen-houthi-saleh-forces-using-landmines> .

⁶² UN Index: A/HRC/36/33 paragraph 37

⁶³ Bahrain News Agency (2018, April 24). *300,000 Houthi landmines removed in Yemen*. Available at: <https://reliefweb.int/report/yemen/300000-houthi-landmines-removed-yemen>

⁶⁴ UN Index: A/HRC/36/33 paragraph 37

- The government must 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.
- The Houthis must immediately cease using landmines and destroy existing stockpiles.
- Urgent measures must be taken to indicate the presence of landmines and of other explosive devices and to remove them, as well as develop gender sensitive programmes to protect civilians and to care for survivors of mines.
- 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.
- Request international assistance to equip, train, and assist clearance personnel to systematically survey, clear, and destroy mines and explosive remnants of war.
- Ensure that urgent assistance, appropriate compensation, and support is provided to those wounded and their families, or to the families of those killed.

Use of child soldiers

Yemen is party to the Optional Protocol to Convention on the Rights of the Child on the involvement of children in armed conflict.⁶⁵ In the previous UPR, recommendations were made relating to child recruitment by armed forces and armed groups.⁶⁶ The number of children taking part in the conflict has increased.⁶⁷ Since 2015, the UN has documented 1702 cases of child recruitment with 67% being recruited by the Houthis and 20% by government forces.⁶⁸ The national action plan to end the recruitment of child soldiers signed with the UN has not been implemented.⁶⁹ The UN has suspended the demobilization, disarmament, and reintegration programmes (DDRs) relating to children in 2016 on the basis that it is risky to run such programmes and is necessary to await a political settlement to be achieved.⁷⁰ Additionally, the King Salman Center funded a civil society organization in Mareb to run rehabilitation center for children combatant captured. However, these efforts fall short in addressing this issue.

Recommendations

- All parties to the conflict must put an end to the recruitment and use of child soldiers in accordance with UNSC resolution 2216 (2015) and their obligations under international humanitarian law and international human rights law.
- Request the resumption of DDR programmes as a matter of priority.
- Ensure that humanitarian response plans, DDR programmes and peace negotiations effectively comprise mechanisms to support the reintegration of child combatants and ensure gender responsiveness.
- Improve education and social protection services including provision of income for children in areas with high levels of recruitment of child soldiers to prevent further recruitment.

⁶⁵ Office of the Special Representative of the Secretary-General for Children and Armed Conflict (2014, May 14) *Children, Not Soldiers: Yemen Signs Action Plan to End Recruitment and Use of Children by Armed Forces*. Retrieved from: <https://childrenandarmedconflict.un.org/yemen-signs-action-plan/>

⁶⁶ UN Index: A/HRC/26/8 recommendations on child recruitment: 115.60 (Italy); 115.61 (Eritrea); 115.63 (Slovenia); 115.64 (United States of America); 115.67 (Botswana);

⁶⁷ IRIN (2016, May 17) Five Countries where child soldiers are still recruited. Available at: <http://www.irinnews.org/news/2016/05/17/five-countries-where-child-soldiers-are-still-recruited>

⁶⁸ UN Index: A/HRC/36/33 paragraph 59

⁶⁹ See UN Press release on 14 May 2014. *Children, Not Soldiers: Yemen Signs Action Plan to End Recruitment and Use of Children by Armed Forces*. Available at: https://www.unicef.org/media/media_73490.html and UN Index: A/72/361–S/2017/821.

⁷⁰ UNOCHA (2016). *2016 Humanitarian Response Plan - Yemen*. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/2016%20Yemen%20Humanitarian%20Response%20Plan.pdf>, p.36

Women's Participation in Political and Public Life

In the previous UPR, 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.⁷¹ However, women's political participation remains very limited (See Annex II); women constitute less than 1% in the parliament and local councils.⁷² The representation within the government has deteriorated with only two women as ministers in the current cabinet and three women as ambassadors.

The Women National Committee (WNC), the mechanism established by the government to develop policies to advance the status women, has not been able to operate fully since the war started.⁷³ The main headquarters in Sana'a is under Houthis 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. Moreover, 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 made to support the WNC to develop a new plan.

Yemen also accepted a recommendation to continue its efforts to protect and promote women's rights, including by giving due considerations to the application of a quota system in all State bodies as put forward by the National Conference for Women.⁷⁴ However, the representation of women in all negotiation delegations, including the government delegation, did not meet with 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, the UNSC's June 2017 presidential statement called for ensuring women's participation in the negotiation delegations to a minimum of 30%.⁷⁵ President Hadi announced similar commitments during the 2017 celebration of Women's International Day; however, this is 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 the security sector within state institutions are also facing challenges such as marginalisation and obstacles to career advancement due to being a woman. For instance,

⁷¹ UN Index A/HRC/26/8: recommendations on women's participation: 115.52 (Mauritania); 115.117 (Chile); 115.118 (Bahrain); 115.119 (Pakistan); 115.120 (Philippines); 115.122 (Algeria).

⁷² UN Women. *Country profile: Yemen*. Available at: <https://spring-forward.unwomen.org/en/countries/yemen>

⁷³ KIT: Royal Tropical Institute. *Strengthening the capacity of the Women National Committee in order to enhance gender mainstreaming in Yemen*. Available at: <https://www.kit.nl/gender/project/empowering-womens-national-committee-yemen/>

⁷⁴ UN Index A/HRC/26/8: recommendations on women's participation: 115.121 (Indonesia).

⁷⁵ UN Press release on 13 June 2017, UN Index: SC/12873. Full statement available at: <http://undocs.org/S/PRST/2017/7>

women working in the security sector in Aden have indicated that they have not been provided with uniforms, equipment, and faced suspension of salaries.⁷⁶ 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.

Recommendations:

- 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 self-determination 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, and 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.
- Implement UNSCR 1325 by developing a National Action Plan with the 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.

⁷⁶ Friedrich Ebert Foundation and Musawa (2018). مشاركة النساء في السلام، والأمن والعمليات الإنتقالية في العالم العربي. Retrieved from: <http://library.fes.de/pdf-files/bueros/beirut/14513.pdf>