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Report

Second Universal Periodic Report on the Rights of the Child in  
Yemen

Issued by the Yemeni NGOs Coalition for Child Rights Care  
(YNGOC) with partnership of Save the Children

Joint report of Yemeni NGOs

Submitted to the Human Rights Council in Geneva

Yemen - 2018



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- **Introduction:**

1. The Yemeni NGOs Coalition for Child Rights Care submitted its midterm report in January 2017. Now it is submitting its second report within the UPR mechanism on the situation of human rights under difficult humanitarian conditions Yemeni children are experiencing due to the aggression of the Saudi-led coalition against our country for over three and a half years and the internal armed conflict. Children's lives are at risk of death and deprivation of the most basic elements of life.
2. The YNGOC hopes that it has succeeded in diagnosing the situation of children's rights in Yemen and providing solutions to the issues that have been monitored in the context of this report that summarizes childhood reality in Yemen as an extension of its first report submitted 2013. The present report is devoted to highlighting facts, activities, efforts, and developments in the field of children in Yemen ever since the first report was submitted until now.
3. This effort aims at drawing attention to the concerns of Yemen's children, contributing to the improvement of their situation, developing measures and procedures by the Government, and giving special attention to children's issues while developing national plans and strategies. We hope that all international and local organizations and UN agencies put children's issues in Yemen on the list of their priorities and concerns.
4. The YNGOC thanks all those who contributed to and cooperated in accomplishing this work, and commends the SCI intensive cooperation and support for preparation of this report in its various stages and sponsoring various activities directed by YNGOC towards those working with children or towards children themselves.

**General Coordinator**  
**Abdo Salah Al Harazi**



- *Definition of the YNGOC:*

5. The Yemeni Nongovernmental Organizations Coalition for Child Rights Care (YNGOC) was established in 1995. It is a Yemeni NGO, concerned with the rights and welfare of children in all age groups. It is the first non-governmental coalition in

# Buthaina\_eye-of-humanism

Hashtag launched by the supporters of the girl, who came out of the rubble, after putting her hands in her eyes trying to open to see, to communicate their voices to stop the crimes committed against children in Yemen by the Saudi-led coalition.

Yemen and the Middle East, which includes (45) CSOs spreading throughout 12 governorates in the Republic of Yemen. The YNGOC has cooperation ties with local, regional, and international organizations to provide urgent needs and priority services for children.

6. Among the YNGOC key tasks is conducting office studies and research, and field monitoring programs related to children's affairs,

submitting alternative reports (alternative to government reports), and discussing them with the UN CRC. Also, the YNGOC monitors and follows up on children's issues and anti-violence programs against children, protection and care of children in conflict with the law; capacity building of CSOs working in the field of childhood as well as local councils.

7. YNGOC headquarters (main office): Republic of Yemen - Sana'a - Hadda Street – Al Misbahi Roundabout – Al Ansi Building - Fifth Floor - Apartment No. 19 - Tel: 445020 / Telefax: 44285 / Email:

Yngoc2009@yahoo.com/Yngoc2013 @ gmail.com

- *Methodology of preparation of the report:*

8. A committee for preparation of this report was formed with a number of CSOs working in the field of childhood, human rights activists, and Children's Parliament.

9. YNGOC carried out consultative meetings with participation of children and various community components in Sana'a, Amran, Dhamar, Ibb, Hodeida and Hajja governorates in order to identify urgent issues of the Yemeni children at the current stage.

10. YNGOC has conducted analysis of information and data, drafted the report, and reviewed it in a panel discussion with participation of various stakeholders (government and NGOs). It has taken notes, and assimilated them in the report in its final form.



- *An overview of the situation of children's rights in Yemen under the current situation:*

11. Violations have increased against the Yemeni child under the armed conflict, continued aggression of the Saudi-led coalition against our country, and aerial bombardment of civilians in their homes and on population gatherings in public places such as markets, roads, children's schools, halls, and all civilian facilities, using rockets, cluster bombs, and all internationally prohibited weapons.

The inhumane violations have varied against the rights of millions of children, such as killing, violence, physical injury, displacement and homelessness. Some of these violations have been aggravated, such as the phenomenon of child exploitation, and child recruitment and involving them in war. The situation of the Yemeni child has become more difficult and led to the death and injury of more than (6000) male and female children, tens of thousands of whom have been subjected to physical and psychological violence by the increased period of blockade imposed by the Saudi-led Coalition Countries on Yemen's airspace and sea ports. This has hindered access of medicines, medical supplies, and basic needs to children, which is still the primary cause of the decline and collapse of basic social services<sup>1</sup>.

12. The number of children in need of assistance has reached about 11 million and 300 thousand. This figure represents about 79% of the total number of children in Yemen. Furthermore, 55% of the total number of the displaced are children<sup>2</sup>. Statistics indicate that one child dies every ten minutes of preventable diseases<sup>3</sup>. Indicators show that there is a deterioration in implementing various laws and policies related to children<sup>4</sup>. A report said that Yemen came in 140 out of 172 countries in the world and at the lowest level in the Middle East, where childhood in Yemen is constantly being stolen<sup>5</sup>.

13. According to a UNICEF report, about 10,000 children under five die from preventable and treatable diseases<sup>6</sup>.

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- Reports issued by the Yemeni NGOs Coalition for Child Rights Care 2015-20171

- "The humanitarian Situation of children in Yemen" Report issued by the United Nations Office for the Coordination of 2 Humanitarian Affairs (OCHA) October 2017

- Statement by Khairat Kabliari, Regional Director for the Middle East and North Africa, UNICEF, November 20173

- Analysis of the Situation of Children in Yemen 2014 "Key Messages" released by UNICEF and the Ministry of Planning 4 and International Cooperation in cooperation with the Steering Committee for the Analysis of the Situation of Children "Stolen Childhoods", a report issued by Save the Children, June 20175

Yemen Children Report on the Brink of Collapse, Impact of Violence and Conflict on Yemen and Children, UNICEF Report 6 March 2016



14. Entertainment service sectors, related to children, have not been spared from the Saudi-led aggression. Tens of parks have been bombed, and the sports facilities destroyed reached 112<sup>7</sup>.
15. One of the key challenges facing children in Yemen is that most projects and programs on children's rights have been stopped in ministries, CSOs, and international donor organizations, exacerbating the situation of children in Yemen<sup>8</sup>.
- *Key issues and problems related to children's rights in Yemen:*
    - I) Problems and challenges related to the constitutional and legal status of children's rights**
16. The Constitution lacks certain provisions guaranteeing children's rights, such as the general and fundamental principles of children's rights (civil, political, social, economic, and cultural).
17. We also notice inadequacy of the laws about definition of the child and definition of the working child. The laws did not include some basic child rights, such as the right to privacy, prevention of any arbitrary or unlawful intervention with him, protection from recruitment and involvement in armed conflicts, and in emergencies and disasters, and guaranteeing dignity of children in conflict with the law. The law was limited to guaranteeing children's right to free access to basic health services.
18. A key problem related to juvenile justice is that Children's Law and Juvenile Care Law lack a proper definition of the juvenile. They state that a juvenile is a person who has not reached the age of 15, excluding the category of juveniles aged 15-18 from protection and rights ensured by the law. Moreover, a minimum age of criminal responsibility (7 years old) was provided, which is incompatible with the minimum age that is accepted internationally<sup>9</sup>.
19. Despite the fact that the law on the child rights provided a full section for protection of children from exploitation, violence, neglect, and abuse, it did not specify mechanisms of prevention and protection against these risks. The law did not

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- Legal Center for Rights and Development " Statistical Study of 3 years of the Crimes of Saudi Arabia and its alliance in 7 Yemen", March 2018

- Previous source: reports issued by the Yemeni NGOs Coalition for Child Rights Care 2015-20178

- "Children's Justice in Light of the Convention on the Rights of the Child and Practical Application" - The Fourth National 9 Conference of NGOs, Working paper prepared by Mr. Borkan Jaber Al Aghbari, December 2015



include a provision to guarantee that the state take measures to encourage parents to register their births<sup>10</sup>.

## II) Education

20. The past school year examinations were carried out under inappropriate social and psychological conditions. In addition to the sound of bullets and explosions, children suffered from power outage, water shortages, and displacement of tens of thousands of families<sup>11</sup>.
- 21.(2.3) million children of school age need support to receive education, out of which 1.1 million children live in war-affected areas. The coalition countries' aggression and internal war have negatively affected the education sector. (2,531) schools, were damaged either partially or completely, or were used to house IDPs, or were occupied by armed groups. The cost to rebuild schools is estimated at approximately (\$15 billion)<sup>12</sup>. (843) male and female children were killed in their schools, during going to or coming back from school, by airstrikes and during the conflict. The rate of children out of school increased to 47% (2.9 million) male and female children, compared to (27.5%) before the crisis.<sup>13</sup>.
22. The MOE is unable to provide school curricula because the paper for printing school textbooks ran out, and importation of paper into the country was denied because of the blockade.<sup>14</sup>
23. Findings of a recent evaluation in Aden governorate indicated that the conflict exacerbated gender disparities in terms of access to education with the widening gap between girls and boys by 76 girls to 100 boys compared with 92 girls to 100) boys before the conflict<sup>15</sup>.

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- Policy working paper on the comprehensive review of national legislations related to children and its adaptation to <sup>10</sup> relevant international standards, Prepared by the National Group for Legislation Review, Review and Supervision of the International Expert on Children's Rights, Mr. Consultant Daoud Draoui / UNICEF-2012

- "Children Pay High Price Due to the Conflict in Yemen", a Report by Mr. Louay Ahmed Thabet Al Qurashi, February 2016<sup>11</sup>

- Previous source: "The Humanitarian Situation of children in Yemen" a report issued by the UN Office for the Coordination <sup>12</sup> of Humanitarian Affairs (OCHA), October 2017

- "The Negative Effects of the Aggression and War on the Educational Aspect in Yemen" A working paper submitted to the <sup>13</sup> Fourth Conference of NGOs working in the field of children's rights, December 2015 - Prepared by Mr. Faisal Ahmed Muhalab, Director General of Early Childhood Development Center, Ministry of Education

- Report on "the Impact of War on the Education Sector in Yemen" by Ashraf Al Falahi, 20 November 2015 - The "Electronic <sup>14</sup> Monitor" website

- "The future is at stake, Yemen's children deprived of education", a report issued by Save the Children, 2016<sup>15</sup>





### III) Health

24. A temporary health emergency was declared in Sana'a due to the sudden outbreak of cholera, with 841,906 cases suspected of infection in 22 governorates and 2167 deaths of the epidemic ever since the outbreak on 27 April 2017<sup>16</sup>. The Ministry of Public Health and Population has launched the National Awareness Campaign for the Prevention and Control of Cholera in all governorates of the Republic<sup>17</sup>.
25. Because of the war and aggression against Yemen, the number of child deaths reached (30,57) male and female children, and (2,869) children wounded. Destroyed facilities reached 309 hospitals and health facilities<sup>18</sup>, in addition to over (800) health facilities that became out of service.
26. There are still 2 million children vulnerable to diarrhea, more than 1.5 million children at risk of pneumonia (children under five years of age), and more than 2.6 million children vulnerable to fatal diseases such as measles.<sup>19</sup>
27. In February 2007, 4.8 million children were vaccinated against poliomyelitis. In October, 5.1 million people were also targeted in the polio vaccination campaign, as well. Since January, 320,638 children under one year of age have been vaccinated against measles. Yemen faces the highest rate of malnutrition (stunting) in the world, with one in two children suffering from this phenomenon. (1.8 million) children are vulnerable to acute and moderate malnutrition and 346,000 children suffer from severe malnutrition.<sup>20</sup>
28. A report issued in 2016 by the Yemeni Sweden Hospital in Taiz governorate indicated a high increase in cases of child malnutrition due to deterioration of the families' financial situation, spread of jaundice among children due to the sounds of explosions, shelling and tank missiles on the city. There is also a rise of incidence of pertussis for lack of vaccines, outbreak of diarrhea, intestine and stomach inflammation, seborrheic fever, increase in epidemics because of the lack of vaccination or adequate health services. These services have been suspended because of the conflict and air bombardment. Many children were exposed to direct fire injuries and shrapnel<sup>21</sup>.

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- Electronic Program of Early Alert for Diseases, Ministry of Public Health and Population, 16 October 2017<sup>16</sup>

- Marsad News Agency 15/8/2017<sup>17</sup>

- Previous source - Legal Center for Rights and Development "Statistical study of 3 years of the crimes of Saudi Arabia and its coalition in Yemen", March 2018<sup>18</sup>

- Working Paper for the Fifth Conference on the rights of the child on "Children's Health Rights" by Dr. Najeeb Khalil Al Qubati, Director of Child Health Department, Ministry of Public Health and Population 2016<sup>19</sup>

- Previous source, "Humanitarian Situation of Children in Yemen", issued by the UN Office for the Coordination of Humanitarian Affairs (OCHA), October 2017<sup>20</sup>

- A report issued by the Yemeni Sweden Hospital specialized in the field of child care and protection in Taiz - 2016<sup>21</sup>





#### IV) Violence against children

29. Incidences of gender-based violence have increased by more than 63% over the past two years, putting 2.6 million women at risk of violence<sup>22</sup>. (10,806) incidents of violence and rape against young girls and women have been reported<sup>23</sup>.

An investigative report conducted in Sana'a indicated the growing phenomenon of exploitation of children in begging through begging networks that hire them from their families, or they are directly exploited by their families to work under their supervision<sup>24</sup>. Children have been used in jobs that are not suitable for their age, such as in sales points in mid streets and late at night but our country has not taken any deterrent measures against community violence in all its forms<sup>25</sup>.

30. The ICRC says that 95% of Yemeni boys and girls between 2-14 suffer violent punishment discipline, and there is no legislative framework to address domestic violence.<sup>26</sup>

#### V) Children with disabilities

31. Although the laws state that it is necessary to protect children with disabilities and guarantee their rights, there is no real activation of the provisions of these laws on the ground. Moreover, there are more than 1.2 million children with disabilities, who lack access to services. Disability continues to face difficulties because the environment is unready and unfriendly to people with disabilities.

32. Disabled children have no access to education. The Ministry of Education does not have a Braille printer to print the curricula for blind students. Deaf students do not have a curriculum in pictures or sign language. In addition, many schools and educational facilities are not ready to receive any people with disabilities, and it is difficult for them to move around in or to those schools<sup>27</sup>.

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<sup>22</sup> A Report of the "UNFPA response to the humanitarian crisis in Yemen" issued by the United Nations Population Fund in July 2017

- "Passing into Oblivion - Children of Yemen", a report by UNICEF in March 2017<sup>23</sup>

- An investigative report conducted by Mohammed Al Kowmani for the new Arab website with the support of Arij Network<sup>24</sup> in November 2015

- A report on the activities of the Yemeni Non-governmental Organizations for Child Rights Care in 2015<sup>25</sup>

- Committee on the Rights of the Child "Concluding Observations on the Fourth Periodic Report on Yemen" 2014<sup>26</sup>

- The National Union of Yemeni Disabled Persons', a working paper entitled "Children with Disabilities between Legislation<sup>27</sup> and Implementation" presented to the Third Conference on Measuring the Impact of the Convention on the Rights of the Child", prepared by Mr. Abdullah Ahmad Abdullah Banyan, Director General of Special Needs in the Capital Secretariat and



33. The number of disabled persons who applied for the services of the Fund for the Care and Rehabilitation of the Disabled has reached (11525), out of which are (5654) children since the beginning of the war until 17/12/2017. This figure is low, compared to the number of disabled or affected people by the war<sup>28</sup>.

34. According to a report, the war has left about 92 thousand disabled people, bringing the number of the disabled to more than 3.7 million. The bombing and planting of mines leave dozens of disabled people daily in a number of governorates, especially in the city of Taiz<sup>29</sup>.

## VI) Child labor

35. Results of the National Survey on Child Labor indicate that about 1.600,000 children in Yemen are working several jobs today, some of which are very dangerous<sup>30</sup>. The World Labor Organization report shows that (21%) out of (7.7) million children (a very high percentage) are employed in local businesses<sup>31</sup>.

36. The issues of poverty and unemployment are causes of the prevalence of this phenomenon, in addition to the impact of other issues such as family disintegration, school dropout rates, and parents' illiteracy. This phenomenon negatively affects the children's psychological and physical health and their cognitive development.

## VII) Child marriage

37. The findings of a recent survey on the prevalence of child marriage practices showed that 72.5% of the female respondents got married while they were under 18 years of age. 44.5% of them were married at the age of 15 or under. The majority of women (86% in the study populations) said that girls are married at a young age, between (9-18). The respondents stressed that the rate of marriage among displaced girls is high because of their families' need for money. They also stressed that the

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Vice President of the Arab Organization for Persons with Disabilities, and Chairman of the Legal Department of the National Union of Disabled Persons, 2014

- The Fund for the Care and Rehabilitation of the Disabled, 17 December 2017<sup>28</sup>

- Deutsche Welle website, December 2016<sup>29</sup>

- Working Children in the Republic of Yemen: Results of the National Survey on Child Labor for 2010, issued in 2013<sup>30</sup>

- Report on the children of Yemen: "Deprivation, Misery, and Labor under Non-stop War", by Majid Abdul Hamid - 31  
Alwaght Website 11/6/2017



rate of marriage of young males is high to prevent them from joining armed groups or war<sup>32</sup>.

38. The Yemeni Women's Union monitored 413 forced marriage cases in 2016<sup>33</sup>. The report of the UN Secretary-General documented 100 girls who were forcibly married to leaders of armed groups in Abyan Governorate<sup>34</sup>.
39. Poverty and high illiteracy are among the main causes of underage girls' marriage<sup>35</sup>. Families resort to negative mechanisms of adaptation to alleviate their burdens, including child marriage, which has devastating effects, especially on girls<sup>36</sup>.
40. A survey has monitored the findings of a study carried out by specialists at Sana'a University, Faculty of Medicine. It said that a large number of minor girls, who were married early, suffered health, psychological, and social damage from complications during the wedding night, during pregnancy, childbirth, and puerperal diseases<sup>37</sup>.
41. Reports said that (8) cases of death occur daily in Yemen resulting from underage girls' marriage, early pregnancy, and childbirth. According to a report by the International Center for Studies, Yemen was ranked 13th among 20 countries and classified as the worst in terms of underage girls' marriage.
42. The Yemeni press and CSOs call the girls who are married at an early age the "Brides of Death", after death incidents of underage married girls, including a 12-year-old girl who was giving birth to her first child. Despite demands for a law to specify a minimum age for marriage, nothing has been achieved<sup>38</sup>.

### **VIII) Involving children in armed conflicts and wars**

43. Involvement of children in armed conflict has increased since mid-2014 due to the decline of the State institutions in performing their functions, and the spread of

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- Child / Minors' Marriage Survey Report of the Program "For A Safe Age of Marriage", May 2017, Implemented by the <sup>32</sup> Young Leadership Development Foundation with the support of UNICEF

- A statistical study by Yemen Women Union 2017<sup>33</sup>

- "Sexual Violence in Conflict Situations" Report of the UN Secretary-General in March 2013<sup>34</sup>

- "Yemen Minors at the Table of Early Marriage" a report by UltraSawt, 30/8/2015<sup>35</sup>

- Previous source, "Passing into Oblivion - Children of Yemen" a report issued by UNICEF, March 2017<sup>36</sup>

- An investigation report carried out under supervision of the Investigative Press Unit in Al-Thawra Newspaper on July 9, <sup>37</sup> 2016

- Early marriage kills 8 girls a day in Yemen, report - alittihadpress.net, September 2012<sup>38</sup>



fighting from four governorates to 12 governorates. Recruited children are being seen between and inside major cities<sup>39</sup>.

44. Since March 2015, the UN has verified that at least 1,572 children were recruited and used in the conflict, while 850 children were recruited last year. (235) abducted or forcibly detained cases of children were monitored<sup>40</sup>.

45. The “True Human Rights Institution” documented 2,438 cases of recruitment and involvement of children in armed conflict in several governorates, and documented the deaths of 453 children and 83 children with permanent disability as they were recruited and involved in armed conflicts<sup>41</sup>.

46. Save the Children expressed concern about the increasing number of children being recruited into armed groups, and the number of children being abducted and detained, where thousands of them are at risk of newly planted landmines, remnants of unexploded ordinance<sup>42</sup>.

47. According to the outcomes of the hearing session, organized by the Ministry of Human Rights to testimonies of prisoners released by the Saudi authorities, more than 100 Yemeni children under 18 were reported to be in Saudi prisons<sup>43</sup>.

### **IX) Rehabilitation of violations' victims**

48. According to a report issued by SCI, about six children are being killed or injured every day due to the ongoing conflict and current war. A field study carried out by SCI on 150 children in Aden and Lahj governorates indicated that (70%) of children suffer from trauma and mental disorders<sup>44</sup>.

49. Many families have been forced to leave their homes, which requires displaced children to adapt to a new reality in the areas of displacement. However, Yemen urgently needs to rehabilitate pupils psychologically to re-enroll in education. There

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- Previous source report on the activities of the Yemeni Non-governmental Organizations Coalition for Child Rights Care for 2015<sup>39</sup>

- Previous source "Passing into Oblivion - Children of Yemen", a report by UNICEF in March 2017<sup>40</sup>

- "Child Victims of Military Conscription", a report by almowatennet website 16/6/2017<sup>41</sup>

- A statement issued by the Director of Save the Children in Yemen, Edward Santiago in March 2016<sup>42</sup>

- Memorandum of the Yemeni NGOs Coalition for Child Rights Care to UNICEF, issued on 13/4/2016 on children held in Saudi prisons<sup>43</sup>

- A report of Save the Children 2016<sup>44</sup>



are those who have lost their parents or family members in addition to the psychological trauma they suffered<sup>45</sup>.

50. In a field survey of the situation of displaced children in the governorates of Amran and Hodeida carried out by SCI alongside with the Human Development Communication Foundation, it has been found that half of the children surveyed prefer to stay at home during illness, disability, or loss of a family member. They do not want to risk their lives by going out to places of displacement for fear of air strikes and armed confrontations<sup>46</sup>.
51. According to an assessment by the Adventist Development and Relief Agency and the Norwegian Refugee Council on the governorates of Saada and Amran, (96%) of the participants said that families and children suffer from protection and psychological problems<sup>47</sup>.
52. Displacement often results in the separation of children from their relatives and families, thus placing them at greater risk. An assessment conducted in Al Jouf area indicated that approximately (1.250) families, who arrived in the area, were women and children only<sup>48</sup>.
53. The UNICEF has expanded the follow-up and monitoring mechanism for grave violations of children's rights during armed conflicts, covering a geographical area of 1.3 million children, and 2,753 male and female children affected by armed conflicts were referred to child protection services<sup>49</sup>. The psychosocial support services reached more than 487,000 children through child-friendly zones. More than 450,000 children were reached with mine risk awareness programs<sup>50</sup>.

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-A previous source, report on the impact of war on the education sector in Yemen by Ashraf Al Falahi, 20 November 2015 - <sup>45</sup> the "Electronic Monitor Website"

- "Children in Yemen - Fuel and Victims of War" a report by Saeedd Al Soofi – Al Yemeni website 5/10/2015.<sup>46</sup>

- Report of the Danish Refugee Council and the Adra Mira organization on Saada, Amran, and the displaced in Bani Al <sup>47</sup> Hareth, May 2015

- A study on "Needs Assessment in Al Jouf area in May 2015"<sup>48</sup>

- A previous source, "Passing into Oblivion - Children of Yemen" a report by UNICEF in March 2017<sup>49</sup>

- A previous source, "Humanitarian Situation of Children in Yemen", a report issued by the United Nations Office for the <sup>50</sup> Coordination of Humanitarian Affairs (OCHA), October 2017



## X) Child Protection during Emergencies

54.(9.6) million children need humanitarian assistance to survive<sup>51</sup>, and more than 14 million people (8 million of whom are children) need health care<sup>52</sup>. It is estimated that 17 million people are food insecure, of whom 6.8 million suffer from acute food insecurity. (8) million people are in a dire need of access to income due to the collapse of social security networks, non-payment of salaries to employees of the Civil Service.

55. More than 4.5 million people need shelter and non-food assistance, including 3.9 million people living in highly disadvantaged areas<sup>53</sup>. The UNHCR has announced that it is preparing to deal with further displacement and humanitarian needs in light of the intensification of hostility acts<sup>54</sup>.

56. Among the war-affected population, more than 522,000 are pregnant women, 80,000 of whom are expected to face complications during childbirth<sup>55</sup>. (148,000) orphaned IDPs and host communities were reported to be among the vulnerable groups in the IDP sites assessed<sup>56</sup>.

57. A survey by UNICEF and the Social Welfare Fund on 9,200 marginalized families in 2015 found that there were significant differences between the marginalized minority and the rest of the population in terms of education, housing, child protection, water and sanitation<sup>57</sup>.

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- The previous source<sup>51</sup>

- Regional appeal of the International Organization for Migration Yemen (IOM), January-December 2016<sup>52</sup>

-Yemen: "A summary of Humanitarian Information" issued by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) January - February 2017

- A statement by Mr. Babar Baloch, UNHCR Spokesperson, Geneva, United Nations News Center, 15/12/2017<sup>54</sup>

-A statement by Ms. Lynaker Wastansen, UNFPA Representative, Yemen, 3 December 2015 - Launching the State of World Population Report 2015

-A previous source: "Humanitarian Situation of Children in Yemen", issued by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), October 2017

- A previous source, "Yemen Children's on the Brink of Collapse, The Impact of Violence and Conflict on Yemen and Children", UNICEF report, March 2016





## XI) Juvenile Justice

58. The number of cases pending before the First Instance Juveniles Prosecution in nine governorates reached (89) in 2016, and the number of juveniles within the punitive facilities in nine governorates reached (158) of both sexes<sup>58</sup>.
59. The legal status of prison inmates of children in the past has been deficient and passive. Most of the children's cases (70%) have been pending. The war has escalated this situation to quasi-stop<sup>59</sup>. Although the specialization structure of juvenile justice institutions is deficient, the political conflict and war against Yemen has caused damage to these institutions, where the child residential care centers were damaged by (73%), juvenile courts, prosecutions, and police were damaged by (33%). (34%) of those buildings became out of service<sup>60</sup>.
60. In the report of the field team visiting central prisons and juvenile detention centers to monitor and document juveniles in 11 governorates, implemented jointly by YNGOC and the General Department for Family Protection in the Ministry of Interior, and supported by UNICEF, the team listed the difficulties facing juveniles in detention centers. These difficulties are represented by lack of lawyers to defend their cases, except rarely, great delays during examination of juvenile cases, putting juveniles together with adults in some prisons, and lack of psychologists and social workers in prisons, the lack of diverse nutrition, poor and scarce health services, and drinking water, lack of hygiene kits, lack of rehabilitation, cultural, recreational, and vocational programs, especially in prisons. Moreover, the places of detention for juveniles in prisons are inadequate and unfurnished<sup>61</sup>.
61. There is a lack of provision of quality services for juveniles, and the failure of juvenile courts, if any, to provide services that cater for juvenile justice specialization, such as psychological and social support, and cessation of providing legal assistance services for children between 15-18 after support for the Juvenile Justice Project stopped<sup>62</sup>.

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- Ministry of Interior - Rehabilitation and Reform Department 2017<sup>58</sup>

- Working paper "Child Labor in Prisons in the Present Situation" presented to the Fourth National Conference of NGOs<sup>59</sup> working in the field of children's rights 2015, Prepared by Colonel Abdullah Abdul Karim Al Hakim, Director General of Care, Reform, and Rehabilitation (Rehabilitation and Reform Department)

- Draft Report on the Reality of the Juvenile Justice System in Yemen "A Study of the Reality of the Juvenile Justice System<sup>60</sup> and its Changes under the war on Yemen", Issued by the Higher Council for Motherhood and Childhood and the Juvenile Justice Technical Committee at the Ministry of Justice - 2017

- A previous source, report on the activities of the Yemeni Non-governmental Organizations Coalition for Child Rights Care<sup>61</sup> in 2015

- A previous source, Working paper " Child Justice in Light of the Convention on the Rights of the Child and Practical<sup>62</sup> Implementation" - The Fourth National Conference of NGOs, Prepared by Borkan Jaber Al Aghbari, December 2015





62. With regard to the death penalty, 52 cases have been documented. Death sentences have been issued against suspects who are suspected of not having reached the age of 18 years old when they committed the offenses punishable by the death penalty. According to the court files in which lawyers of the Ministry of Justice and YNGOC have pleaded, 186 children who may face the death penalty because of the criminal acts they were accused of. The main issue that has been controversial about these provisions is related to determination of the age of the accused when they committed the offenses, which is connected with Yemen's biggest problem of births' non-registration.
63. In light of the issues raised about estimation of the age of those sentenced to death, the Minister of Justice issued a decision in 2013 to form a committee of forensic experts to examine the age of children brought before the courts in criminal cases and are subject to the death penalty. (36) cases were examined and the summary of the results came as follows: (29) cases were proved to the Committee to be under eighteen years old. The Committee was unable to determine the age of (6) cases due to the long period between the committee's examination and the offense committed. The Committee concluded that only one case is over 18 years old<sup>63</sup>.

## XII) Child Trafficking

64. The issue of child trafficking in Yemen has emerged over the past years as a serious phenomenon, where a group of gangs exploits the bad financial conditions of some families and persuade them to traffic their children for money. UNICEF pointed out that trafficking occurs in order to find a livelihood and that the families have the misconception that their children will not be in danger or abused.
65. According to the study conducted by Siyag Organization, the least of the harms to trafficked children is sleeping outdoors, exposed to insect and reptiles' bites, as well as physical, verbal, or sexual abuse that they may be subjected to while being trafficked into neighboring countries.
66. The number of cases of child trafficking from the Yemeni city of Haradh to Saudi Arabia is skyrocketing. The number of cases monitored during January-August 2014 alone is 510 cases<sup>64</sup>.

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- Working paper presented to the "Conference of Combating the Death Penalty against Children", 29-30 October, Sana'a<sup>63</sup> 2014, Prepared by the international expert on the rights of the child, Daoud Draoui - UNICEF

- Case report on the human rights situation in Hajja governorate (Haradh), submitted to the High Commissioner for Human Rights in September 2014, Prepared by Mr. Nabil Al Jedairi and Mr. Ibrahim Zaidan<sup>64</sup>



67. A specialized technical committee has been set up to combat and control this phenomenon through preparing programs and activities to sensitize families and take some legal and coordination measures with neighboring countries to control child trafficking and exploitation. The Ministry of Human Rights and the Higher Council for Motherhood and Childhood (HCRC) have been working actively in this regard<sup>65</sup>.

### **XIII) Female genital mutilation (FGM)**

68. A report by UNICEF revealed a slight decline in the prevalence of FGM in Yemen over the past years by (19%), compared to (25%) according to previous studies. This decline occurred because of the efforts of organizations and government to combat it<sup>66</sup>.

69. Results of the National Demographic Health Survey for 2013 indicate that FGM varies from one governorate to another. It is most prevalent in the governorates of Hodeida, Hadramout, and Mahara, exceeding 60%<sup>67</sup>.

70. During the period from 2013 to 2016, dozens of community awareness campaigns have been carried out on the impact of FGM. It was considered violence against girls

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-Fourth Alternative Report on the Situation of Children in Yemen, the Yemeni NGOs Coalition for Child Rights Care, 2012<sup>65</sup>

- UNICEF report issued 22 July 2013<sup>66</sup>

-National Demographic Health Survey of Yemen in 2013. Main results issued mid-2014<sup>67</sup>



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**XIV) Projects implemented by the Yemeni NGOs Coalition for Child Rights Care (YNGOC) in cooperation with SCI, UNICEF, and the Arab Fund for Human Rights during 2014-2018 (appendix 1):**

- ***Recommendations***<sup>68</sup>:

**71. General Recommendations:**

- We call on the UN Security Council to put pressure on all parties to the conflict to immediately stop air and ground fighting in Yemen and lift up the economic blockade imposed by the Saudi-led Coalition's aggression.
- We call on the international community to expedite the inflow of humanitarian and relief assistance to the affected areas in Yemen without discrimination.
- We call on the Human Rights Council to form a neutral international commission of inquiry to investigate the mass massacres and violations against children in Yemen and to refer the perpetrators and those involved to the International Criminal Court.
- The Yemeni government must pay the salaries of state employees, especially the health sector employees to ensure continuation of providing health services in the country.
- The UN must intervene to open Sana'a airport for medical cases and emergency assistance to Yemen.

**72. Recommendations addressed to the Parliament in relation to the constitutional and legal status:**

- To add a constitutional provision that explicitly guarantees children's enjoyment of the rights enshrined in the Convention on the Rights of the Child.
- To adapt the Yemeni laws related to children's rights with the ratified conventions and protocols thereto.
- To ratify the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

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<sup>68</sup> -The source of these recommendations are the documents of activities implemented by the YNGOC, the outputs of the questionnaire, and the consultative meetings that were carried out to prepare this report



- To enact legislation to prevent violence against children and ratify the Third Optional Protocol to the Convention on the Rights of the Child.
- To enact legislation that criminalizes FGM.
- To develop legal provisions that determine a safe age for marriage in line with the Convention on the Rights of the Child.
- To develop governmental policies for reconciliatory justice for children.

### **73. Education:**

- To develop appropriate measures by Ministry of Education to reduce the phenomenon of school dropouts and improve the quality of education services and raise their budgets.
- To call donors to rehabilitate educational facilities that have been affected by aerial bombardment and internal conflict, and find suitable alternatives for displaced people in some schools with coordination and cooperation between competent government, civil, and international NGOs.

### **74. Health:**

- To save Yemenis' lives, especially children, from the catastrophic health situation resulting from war and blockade, we call on the international community and the World Health Organization to provide essential medicines and medical requirements. We call on immediate lift off of the blockade on medical supplies, solutions, and lifesaving medical supplies.
- To expand coverage of health services for children through facilities, fixed and mobile health teams, and integrated delivery activities, rehabilitate health workers in the field of child health, and develop emergency health-care plans for the health sector in collaboration with international and local partners.
- To call on donors to rehabilitate health facilities, especially those affected by aerial bombardment and internal conflict.

### **75. Violence against children:**

- To develop protection programs for child victims of violence by HCMC and international and local organizations working in the field of childhood and



intensify outreach campaigns within schools and to raise awareness of households and community about proper child raising.

#### **76. Child recruitment:**

- The international community and UN bodies must put pressure on all parties to the conflict in Yemen in order not to involve children in armed conflicts and places of conflict, and urgently release the children involved for the best interest of the child.

International organizations and CSOs working in the field of childhood must conduct awareness campaigns on the risks of child recruitment, and develop psychological and social rehabilitation programs for child victims of recruitment and reintegrate them in society.

#### **77. Rehabilitation of Victims of Grave Violations:**

- To increase the CSOs efforts to raise the capacity of community committees on responding to children's rights during emergencies, monitoring, documentation, and mechanisms of collecting field data on children in areas affected by the current situation.
- To activate the role of the National Observatory for Children's Rights as an appropriate and permanent mechanism for monitoring and addressing violations committed against children in Yemen, and provide it with specialized staff.
- To call on donors, NGOs and MoSAL to immediately provide medical, legal, and psychosocial services for children who are victims of aerial bombardment and armed conflicts, include them in relief and emergency programs, and provide a protective environment for children (child-friendly zones, social and psychological support, meet needs of the displaced), establish rehabilitation centers for victims of violations, activate alternative family care system for children who lost their families and pay fair compensation for victims of violations
- All conflicting parties must stop planting landmines; perpetrators must be punished; efforts of landmines survey and clearance teams must be intensified; outreach campaigns must continue on their risks and ways of protection from them in cooperation with relevant organizations.

#### **78. Child labor:**



- To raise awareness and give priority to this issue in the agendas of the government, parliament, local authorities, unions, and CSOs.
- To coordinate and network between government, donors, and CSOs to support programs and projects that limit child labor.

#### **79. Child trafficking:**

- To increase cooperation between competent authorities and concerned organizations to raise awareness about the risks of child trafficking; establish an accurate database on this phenomenon; and tighten penalties on traffickers.
- To increase coordination between Yemeni authorities and neighboring countries, relevant organizations, and UN bodies to address this phenomenon.
- To call on donors and private sector to support implementation of small income-generating projects to assist poor households.

#### **80. Juvenile justice:**

- To establish a permanent medical committee affiliated to Ministry of Justice to determine the age of juveniles and raise awareness about fair trial guarantees for children.
- Concerned bodies and CSOs must expedite assigning lawyers to follow up juveniles cases
- To activate the role of judicial inspection to follow up and accelerate calling cases and giving decisions on juvenile cases, transfer them from prisons to care homes and social guidance centers, establish juvenile correction homes, and separate them from adult prisoners.
- To strengthen the role of competent government agencies to improve the living, health, cultural, sports, and recreational conditions of children in juvenile care homes, social guidance centers, and prisons, and support them with basic needs in collaboration with international and local partners..
- To call on the government, donors and concerned organizations to provide support to the Typical Police Centers for Child Protection and to rehabilitate infrastructure of juvenile justice institutions that have been affected by aerial bombardment and internal conflict
- To sensitize parents about the importance of birth registration, and the State must take measures to facilitate access to this service.



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### 81. Child marriage and female genital mutilation (FGM):

- To unite the efforts of CSOs, official institutions, and international community to provide advocacy and support for community outreach campaigns on the risks of child marriage.
- To intensify outreach campaigns in areas where FGM is widespread and involve various media and religious scholars to participate in these campaigns.

### 82. Children with disabilities:

- The government must implement the provisions of the CRC and the Convention on the Rights of Persons with Disabilities and all laws, resolutions, and communiqués relating to ensuring the rights of persons with disabilities.
- To unite the efforts of government, international organizations, and CSOs to support early intervention programs to alleviate disability and help children with disabilities to benefit from the health, educational, cultural, sports, and recreational services provided by the state for the community and to work on integrating children with disabilities with their non-disabled peers, and rehabilitate, treat, and compensate the disabled victims of war on Yemen





**(Appendix 1)**

**Projects implemented by the Yemeni NGOs Coalition for Child Rights Care (YNGOC) in cooperation with SCI, UNICEF, and the Arab Fund for Human Rights during 2014-2018**<sup>69</sup>

- The Community Outreach Project on the National Dialogue Outputs and the Inclusion of Articles on the Rights of Children in the New Constitution.
- Monitoring of Violations against Children in the Current Situation
- The Child Rights Governance Project focused on disseminating the concept of the Convention on the Rights of the Child, was held. Also, the Fourth Annual Assessment Conference of NGOs working in the field of children's rights and relevant governmental bodies and international organizations in 2015. The Conference was implemented for the fourth year consecutively. The YNGOC continued its efforts to complete the establishment of the National Observatory for Children's Rights.
- The project, "Strengthening Juvenile Justice Systems" monitored the number of children in conflict with the law in 12 governorates, and reported on their situation in coordination with UNICEF. Legal assistance was provided to cases in need through hiring experienced lawyers.
- The fifth alternative report on the situation of children in Yemen has been prepared and submitted to the CRC, Geneva, beginning of May 2018.
- The Community Outreach Project for Social and Behavioral Change was implemented in cooperation with UNICEF, and the Reconciliatory Justice for Children (Juveniles) Project in conflict with the law in cooperation with the Arab Fund for Human Rights.

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The Third and Fourth Annual Assessment Conference of NGOs working in the field of children's rights, relevant<sup>69</sup> governmental bodies, and international organizations held by the Yemeni NGOs Coalition for Child Rights Care (YNGOC) and the progress reports of the work of the YNGOC during the period 2014-2017



Appendix (2) Summary of key indicators and statistics on childhood reality in Yemen, which were mentioned in the report

S	Title	Percentage or No.	Notes
1	Number of children in need of urgent humanitarian assistance	11.3 million	
2	Child deaths due to aggression on Yemen	3057	
3	Wounded children due to the aggression on Yemen	2.869	
4	Deaths of children under five due to low health care	10.000	
5	Children threatened by acute and moderate malnutrition	1,8 million	
6	Children threatened by severe malnutrition	346.000	
7	Children are susceptible to pneumonia	1.5 million	Under 5 years of age
8	Children exposed to deadly diseases (measles)	2.6 million	Under 5 years of age
9	Children immunized against polio in February 2017	4.8 million	
10	Children immunized against poliomyelitis in October 2017	5.1 million	
11	Children less than one year old have been immunized against measles	320.638	Since January 2017
12	Cholera suspected cases	663.451	Since 27 April 2017
13	Deaths from Cholera	2074	
14	Children at risk of diarrhea	2 million	
15	Health facilities and hospitals destroyed by the aggression	309	
16	A health facility was out of service due to the	800	



	aggression on Yemen		
17	Children lack health care requirements	8 million	
18	Pregnant women affected by the current situation	522.000	
19	Pregnant women affected by the current situation	80,000	
20	Children with disabilities	1.2 million	
21	Children with disabilities due to the aggression on Yemen according to statistics of the Fund for the care and rehabilitation of the disabled	5654	
22	Yemeni boys and girls between the ages of 2-14 years who suffer violent discipline	95%	
23	Number of displaced children	1.3 million	
24	Children living in areas affected by aggression and war	1.1 million	
25	Status of orphaned children from displaced and host communities	148.000	
26	Number of governorates where child recruitment is widespread	12	
27	Children forced to engage in one form or another in armed actions	1.572	Since March 2015 according to a UN statistics
28	Child detained or forcibly disappeared	235	According to UN statistics
29	Prisoners of Yemeni children under the age of 18 years in Saudi prisons	More than 100	
30	Children are killed or injured daily due to continued conflict and war	Around 6	
31	School-age children need support for education	2.3 million	
32	Percentage of children out of school	47% (2.9) million children	Compared to 27.5% before the crisis



33	Schools damaged either by partial or total destruction or by the hosting or occupation of displaced persons by armed groups	2.531	
34	The cost of reconstructing destroyed schools	1.5 billion US dollars	
35	Schools closed because of the bombing of the aggression and internal conflicts in the nearby areas	1624	
36	Children who were killed while in school, on their way out, or returning from school	843 male and female children	
37	Children are doing some of the most serious work	1.6 million	
38	Number of cases of children trafficked from the Yemeni city of Haradh to Saudi territory, which was monitored during the period January - August 2014 only	510	
39	Percentage of outstanding juvenile cases pending	70%	After the war, it reached a near-cessation stage
40	Number of juvenile cases pending before the prosecution of primary cases in nine governorates during the year 2016	89	
41	Number of juveniles within penal establishments in nine governorates	158	
42	Children may face the death penalty because of the criminal acts attributed to them	186	
43	Cases of forced marriage monitored by the Yemeni Women Union during the year 2016	413	
44	Minor deaths occur daily due to young marriage, early pregnancy and childbirth	8	
45	Yemen ranks among 20 countries classified as the worst in the marriage of underage girls.	13	
46	Yemen is ranked in the lowest rank in the Middle East where children are systematically robbed	140	Out of 172 countries



47	The prevalence of FGM / C during the past years	19%	Previous percentage 25%. There is improvement
48	Children who have been referred to child protection services	2.753	
49	Children have benefited from psychological support services through child-friendly zones	487.000	
50	Children have benefited from mine awareness programs	450.000	
51	Sports facilities destroyed by the aggression on Yemen	112 facilities	