

## Responses to Recommendations

### YEMEN

Review in the Working Group: 11 May 2009  
 Adoption in the Plenary: 24 September 2009

Yemen's responses to recommendations (as of 09.08.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
109 REC accepted (among which 10 are considered as already implemented or in the process of implementation); 12 rejected; 21 pending	Out of the 21 pending, 16 were accepted (among which 1 was considered as already implemented – n°92.18), 2 were rejected and 3 would be “considered in the future” or were “pending a final decision” (-> pending)	No additional information provided	Accepted: 125 Rejected: 14 No clear position: 0 Pending: 3

**List of recommendations contained in Section II of the Report of the Working Group A/HRC/12/13:**

**91. The recommendations formulated during the interactive dialogue and listed below enjoy the support of Yemen:**

A - 1. Continue to bring its policies and legislation in line with its obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Netherlands);

A - 2. Review the Criminal Code with special attention to discrimination against women (Hungary);

A - 3. Revise its national legislation with a view to the total elimination of discrimination against women and implement effective measures to address violence against women in line with the CEDAW Committee recommendations (Zimbabwe);

A - 4. Ensure that all its laws are free from discrimination against women, in conformity with the ratified treaties by Yemen (Nigeria);

A - 5. Amend the provisions of the Crime and Penalty Law, the Election and Referendum Law, the Labour Code and the Prison Law which are in contradiction to its international obligations under CEDAW and take concrete measures to improve the social, economic and political participation of women (Austria);

A - 6. Take concrete measures to ensure effective birth registration, particularly in remote and rural areas (Norway);

A - 7. Examine relevant laws and measures to guarantee that restrictions imposed on freedom of expression are in line with the International Covenant on Civil and Political Rights (ICCPR), to which Yemen is party. (Argentina);

A - 8. Revise its legislation and practice so that they both ensure full protection of the principle of non-refoulement (Czech Republic);

A - 9. Proceed with its intention to establish an independent national human rights commission (Algeria); finalize the procedures aiming at the establishment of an independent national human rights commission (Jordan);

A - 10. Consider establishing (South Africa)/Establish (France)/Continue its endeavour to create (Thailand) an independent national human rights institution that complies with the Paris Principles;

A - 11. Speed up the establishment of an information centre in the Ministry of Human Rights, taking into account its important envisaged role in designing future strategies and plans (Sudan);

A - 12. Continue practical efforts to improve the overall human rights situation in the country (Azerbaijan);

A - 13. Ensure effective enforcement of human rights-related laws in all its territory and at all administrative and judiciary levels (Italy);

A - 14. Continue the promotion of human rights in conformity with the universally recognized principles and reject attempts to impose foreign values that are outside the United Nations legally approved framework (Egypt);

A - 15. Continue its reform process with all possible financial and technical assistance from the international community and relevant agencies for the political, economic and social uplift of its citizens, in particular women (Pakistan);

A - 16. Continue placing strong emphasis on promoting and protecting human rights in crucial areas such as poverty eradication, justice administration, education, public health and gender equality (Malaysia);

A - 17. Continue with the formulation of a human rights strategy and with human rights education (Jordan);

A - 18. Develop a national plan of action aimed at fostering a culture of human rights and at raising public awareness of human rights among the society (Islamic republic of Iran);

A - 19. Strengthen the implementation of educational and awareness-raising programmes on human rights (Japan); continue its efforts to raise human rights awareness, and provide human rights education and training for the relevant Government officials (Thailand);

A - 20. Continue its efforts to build national institutions, increase its people's awareness of all sets of human rights and broaden the space for the enjoyment of economic, social and cultural rights (Nepal);

A - 21. Organize intensive training courses for judges and the judiciary on human rights principles (United Arab Emirates);

A - 22. Enhance cooperation and consultation with civil society and work towards the promotion of civil society (Jordan);

A - 23. Pursue its efforts to combat administrative and financial corruption (Kuwait); pursue with resolve its efforts towards the eradication of corruption (Turkey);

- A - 24. Intensify cooperation with United Nations mechanisms to, inter alia, address the issue of outstanding reports to various treaty bodies, and enhance cooperation with special procedures (Germany);
- A - 25. Continue to fulfil its international human rights commitments and obligations and continue its cooperation with international human rights mechanisms (Algeria);
- A - 26. Take into account, when examining the UPR recommendations, those that are in line with its religious, social and cultural specificities (Algeria);
- A - 27. Honour its voluntary commitment to submit national reports to the treaty bodies by the due date (Republic of Korea);
- A - 28. In cooperation with the relevant bodies, follow up on the implementation of voluntary commitments as reflected in its national report and consider their inclusion in its national human rights strategy (Mexico);
- A - 29. Take measures to implement the recommendations of the CEDAW Committee in the area of women's rights as soon as possible (Mexico);
- A - 30. Continue its policy aiming at incorporating women's issues in its comprehensive development plans; enhance healthcare services for women, increase their access to credit, promote rural women and enhance women's access to education (Algeria);
- A - 31. Review legislation to ensure it does not discriminate unfavourably against women and introduce laws to unequivocally prohibit violence against women (United Kingdom);
- A - 32. Review its national legislation to eliminate any discrimination against women (Libyan Arab Jamahiriya);
- A - 33. Actively enhance respect for the rights of women, including access to education and equal treatment in custody cases, and by creating support mechanisms for divorcees and women victims of violence, particularly sexual violence (Canada);
- A - 34. Continue its efforts to advance the role of women in society and support women in acceding to high-level decision-making posts (Bahrain);
- A - 35. Continue working on promoting and protecting the rights of women (Cuba);
- A - 36. Continue its work in creating and using opportunities to encourage and defend the rights of women, including the voluntary obligations which are set out in the national report (Belarus);
- A - 37. Ensure a gender perspective in all fields and stimulate women's participation in public life, while putting emphasis on the situation in local and rural communities (Morocco);
- A - 38. Take additional measures to reform the justice system and enable women to accede to judicial positions (Morocco);
- A - 39. Continue efforts made to upgrade the status of Yemeni women to one of equality with that of men, including with regard to their representation in society and politics, their access to education and their treatment before the law (Indonesia);
- A - 40. Intensify the efforts undertaken to make progress in the area of gender equality, especially with regard to the equality of women before the law, equal access to judicial processes and participation in the education system at all levels (Mexico);
- A - 41. In the framework of reinforcing its pioneering policies to promote women's rights, continue its efforts aimed at prohibiting early marriages of girls, taking into account that women represent half the population (Tunisia);

A - 42. Continue to improve the condition of women and ensure their effective participation in political life by appointing them to political positions of responsibility (Djibouti);

A - 43. Continue with initiatives aimed at increasing the number of women in education and employment (Lebanon);

A - 44. Redouble its advocacy efforts to enhance public awareness on gender equality and women's role in social and economic development (Republic of Korea);

A - 45. Strengthen measures, both in regard to policy and legislation, to combat discrimination and violence against women (Germany);

A - 46. Continue efforts to improve the status of women and to empower them (Jordan); maintain its efforts aimed at strengthening the status of women in society (Turkey);

A - 47. Intensify efforts to reduce the gap between the sexes in all political, economic and social activities of the country, to bring down the child mortality rate and to better protect the most vulnerable social groups (Viet Nam);

A - 48. Continue measures to enhance the protection of the human rights of women and gender equality, taking into account the observations of the CEDAW Committee (Philippines);

A - 49. Continue to consolidate existing legal and institutional frameworks to further improve the situation of women in society (Bangladesh); continue to work towards improving the opportunities for women within society in order to empower them to become an important driving force for development (Thailand);

A - 50. Continue to implement measures designed to promote and protect the rights of children (Belarus);

A - 51. Continue with measures to protect disadvantaged children and to create conditions for their fully-fledged development (Belarus);

A - 52. Redouble its efforts to support persons with special needs and to facilitate their integration in public life (Qatar);

A - 53. Abide only by internationally agreed principles of international law; in this regard, capital punishment does not fall within such agreed norms, the imposition of capital punishment is the prerogative of individual States (Sudan);

A - 54. Stop the sentencing of children to any form of physical punishment (United Kingdom);

A - 55. Ensure compliance with its obligations under article 37 (a) of the Convention on the Rights of the Child not to impose capital punishment for offences committed by persons below 18 years of age (Canada);

A - 56. Ensure that the death penalty is not applied to minors, in keeping with resolutions adopted by the United Nations in this area (Mexico);

A - 57. Review the use of the death penalty on minors and mentally disabled persons (Hungary);

A - 58. Take immediate steps to remove juvenile prisoners from death row (Denmark);

A - 59. Ensure that all detained persons have prompt access to a doctor and a lawyer, as well as contact with their families, at all stages of detention, and that detainees held by the Political Security Department be given prompt access to legal advice and information (United Kingdom);

A - 60. Take measures to effectively end the practice of incommunicado detention and to ensure access of detainees to legal representation without undue delay (Austria);

- A - 61. Raise the legal age of criminal responsibility, develop a system of alternative sentencing for juvenile offenders and ensure that prison sentences for offenders below the age of 18 are only used as a last resort (Austria);
- A - 62. Continue to take steps to ensure that Yemeni authorities at all levels respect the integrity of persons and support the human rights standards set out in the Constitution (Denmark);
- A - 63. Prohibit any practice of forced early marriage of young girls, including “tourist” or temporary marriages, female genital mutilation, and parent-supported trafficking of children through, inter alia, the adoption and subsequent implementation of the Safe Motherhood Law, recently brought before Parliament, without delay, as recommended by the CEDAW Committee (Israel);
- A - 64. Consider measures to prevent “tourist marriages” with a view to combating them as considered by the CEDAW Committee (Brazil);
- A - 65. Address the problems arising from the trafficking of children to the neighbouring countries within the context of the National Strategy for Children and Young People (Brazil);
- A - 66. Continue efforts to prevent the smuggling of Yemeni children outside the country (Saudi Arabia);
- A - 67. Strengthen the vigilance of the authorities and take effective measures to address the serious issue of domestic violence against women (Djibouti);
- A - 68. Take immediate steps to ensure the full implementation of the recently formulated National Plan of Action for the eradication of female genital mutilation from Yemen (Denmark);
- A - 69. Take practical measures to rehabilitate women prisoners after their release and to rehabilitate offending juveniles and street children (Palestine);
- A - 70. Work to improve conditions in its prisons, including sanitary conditions, access to food and health care and overcrowding (Canada);
- A - 71. Implement strict judicial measures on corruption and bribery, which continue to have devastating effects on socio-economic rights (Canada);
- A - 72. Ensure that the standards of a fair trial are guaranteed under all circumstances (Austria);
- A - 73. Strengthen the capacity of judicial administrators (Japan);
- A - 74. Remove restrictions on the ability of journalists to report and criticize government policy freely and without of fear of repression, intimidation, imprisonment or threat (Canada);
- A - 75. Take appropriate measures to guarantee and promote freedom of expression and pluralism of information (Italy);
- A - 76. Amend the Press and Publication Act so that it clearly and unequivocally protects freedom of expression for journalists and enforce this law (United States);
- A - 77. Develop a comprehensive policy to address the issue of gender discrimination in employment (United States);
- A - 78. Ensure better enforcement of laws protecting employees from anti-union discrimination (United States);
- A - 79. Publish case studies and annual statistics of labor disputes brought before the Government, and their manner of disposal (United States);
- A - 80. Pursue its efforts to combat poverty and continue applying measures to mitigate the impact of the economic and financial crisis on Yemeni people and share its pioneering experience in this regard

with other concerned States (Algeria);

A - 81. Continue the effective policy of combating poverty and promoting economic, social and cultural rights (Kazakhstan);

A - 82. Continue its efforts, with the support of the international community, to eradicate poverty, increase literacy and enrolment rates and improve access to basic health services (Philippines);

A - 83. With the support and assistance of the international community, continue efforts to fight poverty and guarantee the enjoyment of the economic, social and cultural rights of the Yemeni people (Bangladesh);

A - 84. Maintain the efforts under way to increase the access of the entire population to health care services, both in rural and urban areas (Cuba);

A - 85. Adopt more effective policies and programmes to combat unemployment, particularly among women and youth (Malaysia);

A - 86. Continue improving the healthcare system to ensure the best welfare for the Yemeni people in this area (Saudi Arabia);

A - 87. Expand the social welfare scheme and the number of beneficiaries (Jordan);

A - 88. Increase efforts to improve access to public health by people living in rural areas (Djibouti);

A - 89. Continue its efforts to further the promotion and protection of economic, social and cultural rights, including the right to development, for a better realization of the MDGs, and in this regard, take concrete steps to reduce poverty and unemployment rates with a view to improving the livelihood of all citizens (Islamic Republic of Iran);

A - 90. Improve the social security system and make it easily accessible (Germany);

A - 91. Carry on its important achievement in supporting vulnerable groups, especially those living in rural areas (Venezuela);

A - 92. Commit more resources to housing development for low-income families and focus on committing more resources to the health sector, especially in rural areas and other less-developed areas (Zimbabwe);

A - 93. Allocate more resources for economic and social development measures and policies to better ensure the population's enjoyment of the most essential economic and social rights, notably the rights to food, medical care and employment, and to fight against poverty and illiteracy (Viet Nam);

A - 94. Continue efforts to promote education and combat illiteracy, particularly among rural women (Egypt);

A - 95. Strengthen efforts, in the framework of the MDGs, to make basic education generally accessible (Syrian Arab Republic);

A - 96. Make greater efforts to protect the access of children to education and implement its new law prohibiting child marriages (Canada);

A - 97. Continue implementing its basic education strategy and enhancing educational opportunities in deprived areas in order to support education in the country (Saudi Arabia);

A - 98. Take concrete measures to increase access to education and health for all, particularly for the vulnerable segments of society, including women and children in rural and remote areas (Islamic Republic of Iran);

A - 99. Include in the school system at all levels, appropriate measures in the field of human rights

education, in accordance with the Plan of Action of the World Programme for Human Rights Education (Italy);

A - 100. Within the spirit of the Durban Review Conference, continue to make all efforts to adopt effective measures to prevent the recurrence of threats against religious minorities, including the Jewish and the Baha'i communities (Brazil);

A - 101. Continue efforts for the promotion and protection of the rights of migrants, refugees and internally displaced persons, as well as persons with disabilities (Islamic Republic of Iran);

A - 102. Continue hosting refugees coming from the Horn of Africa, in particular from Somalia, with the concrete and timely support of the international community, particularly Arab countries (Somalia);

A - 103. While recognizing the commitment to welcome on its territory refugees from the Horn of Africa, continue its efforts in this laudable work (Venezuela);

A - 104. Seek the necessary financial and material support from the international community to fulfil its humanitarian responsibilities (Djibouti);

A - 105. Guarantee the protection of fundamental freedoms even in counter-terrorist legislation (Hungary);

A - 106. Take all measures to ensure that the counter-terrorism efforts in Yemen are applied in accordance with human rights obligations (Sweden);

A - 107. Step up efforts aimed at capacity-building and increasing awareness of human rights in Yemen (Malaysia);

A - 108. Request OHCHR support to conduct awareness-raising programmes and training for those working in the human rights field and provision of technical assistance to promote human rights (Kuwait);

A - 109. Seek technical assistance from the United Nations as outlined in part 12 of its national report (South Africa).

**92. Yemen considers that recommendations Nos. 2, 7, 8, 31, 32, 58, 60, 61, 63, 74 above are either already implemented or in the process of implementation.**

**93. The following recommendations will be examined by Yemen, which will provide responses in due time. The response of Yemen to these recommendations will be included in the outcome report adopted by the Human Rights Council at its twelfth session:**

R - 1. Become a party to the Optional Protocol to CEDAW (Netherlands);

A - 2. Ratify the UNESCO Convention against Discrimination in Education (Azerbaijan);

P - 3. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, accept the competence of the Committee as foreseen in article 26 of the Convention and modify its national legislation to criminalize this act (Argentina);

P - 4. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Optional Protocol to the Convention against Torture (CAT-OP) and implement the national prevention mechanism foreseen in this instrument (Argentina); accede to CAT-OP and establish its national preventive mechanism accordingly, which would also facilitate a better and more effective fight against secret detention, prolonged detention without trial and cases of torture by prison officers (Czech Republic);

R - 5. Consider ratifying the individual complaints procedures under the treaties to which it is a party (Norway);

A - 6. Amend the provisions of the Personal Status Law legalizing marriage of girls below the age of 15 and raise the minimum age to 18 (Austria);

A - 7. Eliminate any discriminatory provisions that are incompatible with international treaties dealing with the rights of women (Portugal);

P - 8. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

A - 9. Review all relevant existing and prepared legislation, including the Penal Code, with a view to ensuring its compliance with international human rights law, namely with protection of privacy and prohibition of discrimination.(Czech Republic);

A - 10. Take further concrete measures to ensure equal rights of women and men with regard to personal status (Norway);

A - 11. Implement the decision of the House of Representatives to set the minimum age of marriage no lower than 17 years (Netherlands);

A - 12. Continue its efforts to amend legislation and strengthen measures to deal with the problem of violence against women and girls, including honour killings, with a view to ensuring that all types of discrimination and violence against women are effectively eliminated (Sweden);

A - 13. Step up enforcement of laws protecting women from rape and violence, criminalize spousal rape and treat honor killings no differently than murder (United States);

A - 14. Immediately allow the Ministry of Human Rights and domestic and international NGOs greater access to its prisons; subsequently that the President of Yemen establish a commission with the purpose of analyzing the recommendations of the Ministry of Human Rights and NGOs and implementing reforms to bring Yemen's prison system up to internationally recognized standards (United States);

A - 15. Allow access to its prisons and detention centres to Yemeni and international human rights organisations, in particular the International Committee of the Red Cross (Czech Republic);

A - 16. Guarantee an all-embracing freedom of expression and in particular stop censorship and repressive measures against journalists and civil society activists (Germany);

A - 17. Take necessary measures to ensure full enjoyment of freedom of expression, notably press freedom, and to prevent, combat and punish acts of harassment and aggression committed against journalists (France);

A - 18. Ensure full protection and realization of the right to freedom of expression and plurality of information sources as well as the right to peaceful assembly and association in compliance with international standards (Czech Republic);

A - 19. Protect and respect the freedom of expression and association of human rights defenders and refrain from placing any unnecessary restrictions on their work (Norway);

A - 20. Adopt appropriate measures to disseminate widely and ensure full observance of the Declaration on Human Rights Defenders (Norway);

A - 21. Ensure that the legislation on fighting terrorism complies with international standards of protection of human rights and fundamental freedoms and attend to the recommendations of the Human Rights Committee and the Committee against Torture with regard to the non-derogable character of some rights and the inadmissibility of torture (Mexico).

**94. The following recommendations did not enjoy the support of Yemen:**

R - 1. Ratify the Second Optional Protocol to ICCPR and definitively abolish the death penalty (Portugal);

R - 2. Amend the Personal Status Law of 1992 and the Citizenship Law of 1990 to prevent discrimination and violence against women in marriage, divorce, guardianship, testimony, property, nationality, child custody and inheritance, and repeal all discriminatory provisions of the Penal Code, including articles 232, 273 and 275, as recommended by the CEDAW Committee, and the proposed amendment to article 26 of the Penal Code (Israel);

R - 3. Take all measures necessary to abolish the death penalty and, as a first step, introduce a moratorium with a view to adhering to the resolutions of the General Assembly in this regard (Sweden); restrict the application of the death penalty not only to the most serious crimes but also according to the international minimum standards; consider the establishment of a moratorium on the use of the death penalty with a view to its abolition (Italy); consider a moratorium on executions with a view to the complete abolition of the death penalty in line with General Assembly resolutions 62/149 and 63/168 (Netherlands);

R - 4. Impose a moratorium on executions of all offenders with a view to abolishing the death penalty (United Kingdom);

R - 5. Consider adopting a moratorium on the use of the death penalty (Canada);

R - 6. Favourably consider the establishment of a moratorium on the application of the death penalty (Mexico);

R - 7. Reduce significantly the use of the death penalty with a view to its complete abolition (Hungary);

R - 8. Reduce the number of capital offences and reduce the use of the death penalty (Netherlands); progressively restrict the use of the death penalty and reduce the number of offences for which it may be imposed (Brazil);

R - 9. Abolish torture and other cruel, inhuman and degrading treatment in all forms, in particular stoning, flogging and the amputation of limbs, and the execution of minors, as recommended by the Human Rights Committee and the relevant special mandate holders, respectively (Israel);

R - 10. Abolish corporal punishments such as flogging and, in a few cases, amputation of limbs, as they are in violation of article 7 of ICCPR. (Nigeria);

R - 11. Consider a moratorium on the application of capital sentences (Austria);

R - 12. Ensure the freedom of persons to choose a religion or belief including the right to change one's current religion or belief (Nigeria)."

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