

**Joint Statement of Yemeni women's rights civil society organizations to the Universal
Periodic Review (UPR)
"Women and girls paying the heaviest price in Yemen"**

Geneva, December 13th 2018

Presented by Nisma Mansour, Field Coordinator of the Peace Track Initiative

Your Excellencies and distinguished delegations, it is my honor to deliver this statement on behalf of Peace Track Initiative and our partners, who worked with us on drafting the joint UPR submission. I will focus in my statement mainly on gender based and sexual violence and women's participation in political and public life.

On Gender based and sexual violence:

Yemen has always ranked last at the Gender Gap Index. Gender-based violence was already a serious concern before the war. Discrimination against women and girls was prevalent, both in law and in practice, and is embedded in laws, institutions, and social norms. As a young woman living in Yemen, I can tell you that my hopes and aspirations to live in dignity, to feel protected, and to enjoy full rights, are diminishing every day.

Although previous UPR recommendations, many of which were accepted by Yemen, called for amending discriminatory laws against women, including the Personal Status Law and Penal Code, I can tell you that my control over my life and body continue to be limited by male guardianship. We, as women, typically depend on a husband, father or brother, who needs to give us permission to study, work, travel or contract marriage. In conflict situations, this also has negative repercussions on women's health and safety. We have, 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.

When the war started, reported cases of gender-based violence, including rape, rose by 70% in the first five months of the war. Child marriages have increased drastically as families are increasingly resorting to child marriage as a coping mechanism to address poverty and the deprivation of economic opportunities. In 2014, Yemen accepted several UPR recommendations to establish in law a minimum age of 18 for marital consent in line with the relevant recommendation by the National Dialogue Conference. 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 minimum age of marriage.

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. Although rape is criminalized in Yemen, national legislation does not define or explicitly criminalize marital rape.

Discriminatory legal provisions coupled with the collapse of the legal system have contributed to the deterioration of the protection of women and lack of accountability for violations and abuse against women. This is compounded by the lack of support structures for survivors of gender-based violence, with shelters present in only four governorates. The government has not taken any serious efforts towards reparation or compensation to the victims of this war or of old grievances.

For this reason, we call on you to put forward the following recommendations to the Yemeni government:

- Urgently ban child marriage and set the minimum age of marriage to 18.
- Amend discriminatory laws against women, such as the Personal Status Law and the Penal code, especially with regard to male guardianship and control over women. The laws should be brought in line with Convention on the Elimination of Discrimination against Women.
- Establish a comprehensive gender-based violence response programme. The programme should comprise support to survivors, such as health services, shelters, psychosocial support, financial and legal aid. And it should ensure the availability and accessibility of these services in all regions.
- Ensure the development without delay of reparation programmes and transitional justice mechanisms for all survivors of sexual and gender-based violence. Survivors must be fully involved in their design, implementation, monitoring and evaluation.
- Ratify the Optional Protocol to CEDAW.

On 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. However, women's political participation remains very limited; women constitute less than 1% in the parliament and local councils. The representation within the government has deteriorated with only two women as ministers in the current cabinet and three women as ambassadors. The only government's mechanism to advance women's rights, the Women National Committee (WNC), has not been able to operate fully since the war started. 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 been made to support the WNC to develop a new plan. Additionally, the government has not taken any steps to develop a national action plan for UN Security Council resolution 1325 (2000) and subsequent related resolutions.

Yemen also accepted a recommendation to continue its efforts to protect and promote women's rights, including by giving due consideration to the application of a quota system in all State bodies as put forward by the National Conference for Women. However, the representation of women in all negotiation delegations, including the government's delegation, did not meet the minimum 30% quota recommended under the National Dialogue Conference outcomes. 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.

For this reason, we call on you to put forward the following Recommendations to the government of Yemen:

- Effectively implement a minimum quota of 30% of women, ensuring inclusion of youth and southern 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.
- Call on all parties to 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.

- Implement UNSCR 1325 by developing a National Action Plan with the adequate and sustainable financial and human resources, and in consultation with civil society organizations.

In closing, the government is not taking necessary actions to prioritize gender justice and we hope that you will draw from our submission to put forward strong recommendations to protect women and improve their inclusion in political and public life.

Thank you



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