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UN Human Rights Council, 48th regular session of the Human Rights Council (13 September to 8 October 2021)

Item 2: Interactive dialogue on the report of the Group of Eminent International and Regional Experts on Yemen

Statement on Yemen

This statement is supported by The Peace Track Initiative (PTI).

We welcome the Group of Eminent Experts' (GEE) latest report, encourage their efforts to apply a gender perspective in their work, and strongly support the renewal of their mandate.

We fully agree with the experts that for peace to be sustainable in Yemen, it is imperative that it be based on respect for human rights. We support the measures highlighted in the report to increase 'peace preparedness'. These include the recommendations to enhance the inclusiveness of the peace process and to adopt further modalities "to ensure that the voices of underrepresented groups (including women, youth, and minorities) and civil society are heard and can influence any potential peace agreement; as well on the vital need "to create and preserve space for discussions on a comprehensive transitional justice response, prioritising the involvement of victims."¹

¹ "83. For peace to be sustainable in Yemen, it is imperative that it be based on respect for human rights, including the core principle of accountability. Even at this stage, measures can be undertaken to increase "peace preparedness". Four areas in particular merit attention. First, there is a need to enhance the inclusiveness of the peace process. Further modalities should be adopted to ensure that the voices of underrepresented groups – including women, young people and minorities – and civil society are heard and can influence any potential peace agreement. Second, encouraging an explicit principled commitment to accountability at an early stage of discussions would significantly assist the way in which issues of accountability and transitional justice are later conceptualized and operationalized. Third, it is vital to create and preserve space for discussions on a comprehensive transitional justice response, prioritizing the involvement of victims. Fourth, targeted initiatives could strengthen the capacity of Yemeni civil society in areas such as documenting violations, integrating gender, considering comparative models of transitional justice mechanisms, and navigating and influencing peace processes." Situation of human rights in Yemen, including violations and abuses since September 2014, Report of the Group of Eminent International and Regional Experts on Yemen, A/HRC/48/20, 13 September 2021 (advanced edited version), paragraph 83.

We full share the GEE's grave concerns about third States² transferring arms to parties in the conflict notwithstanding the experts' strong and repeated recommendations to cease to do so and that many of these transfers are in violation of international law. We strongly echo the experts' call on States to cease arms transfers and military support to the parties.³ As the experts rightly put it, "arms sales are fuel that perpetuates the conflict."⁴ Indeed, arms transfers hinder all efforts to achieve a ceasefire and long-lasting peace.

While we welcome the efforts of the UN Special Envoy and other actors towards reaching a ceasefire agreement between all parties to the conflict, we remain concerned that once again women have not been included meaningfully in this process. Moreover, we deplore that the new government formed in December 2020 does not include any women, which is a grave setback for Yemeni women's effective participation in their country's political and public life. It also clearly runs counter to Yemen's human rights obligations, the recommendations from the National Dialogue Conference (NDC), and Yemen's support of several UPR recommendations to ensure women's participation in political and public life, including a recommendation to "promote and protect the equal rights of women, stimulating female leadership, including by guaranteeing a 30 per cent participation rate of women in political consultations and peace talks."⁵ We regret that these concerns are not reflected in the GEE's report.

We urge decisive action by all relevant actors, including this Council, on the Group of Eminent Experts' recommendations. We also call on this Council to urge a revision of the composition of the government in order to include a minimum 30% quota of women.

² "19. Notwithstanding the strong recommendations by the Group of Eminent Experts in its previous reports, third States, including Canada, France, Iran (Islamic Republic of), the United Kingdom of Great Britain and Northern Ireland and the United States of America, continued their support of parties to the conflict, including through arms transfers. Further, some States, such as Italy, have loosened previous restrictions. As the Group has previously noted, arms sales are fuel that perpetuates the conflict." A/HRC/48/20, paragraph 19.

See also, for example, Oral Update of the Group of Eminent Experts on Yemen to the 46th session of the Human Rights Council, 25 February 2021; and "Situation of human rights in Yemen, including violations and abuses since September 2019 Report of the Group of Eminent International and Regional Experts on Yemen", A/HRC/45/6, 28 September 2020.

³ "Other States and regional and international organizations must fully support initiatives to end violations and ensure accountability, and in particular (...) b) Take all reasonable measures to ensure respect for international humanitarian law and international human rights law by all parties to the conflict; in particular, by ceasing to provide arms and military support to the parties;" A/HRC/48/20, paragraph 91.

⁴ A/HRC/48/20, paragraph 19.

⁵ "124.69 Promote and protect the equal rights of women, stimulating female leadership, including by guaranteeing a 30 per cent participation rate of women in political consultations and peace talks, in line with Sustainable Development Goal 5 and the presidential statement of the Security Council dated 15 June 2017 (S/PRST/2017/7) (Netherlands)"