**Shadow Report of the Yemeni NGOs CEDAW Coalition on**

**The Implementation of CEDAW in Yemen**

**Presented to the 77th Session of the CEDAW Committee**

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**Prelude**

In March 2020, Sisters Arab Forum for Human Rights (SAF) invited NGOs to participate in preparing a CEDAW Shadow Report on Yemen to present it to the 77th session of the CEDAW Committee, through which the seventh and eighth Combined National Report will be reviewed. Forty organizations responded to the call and the work began on collection and analysis of data and analysis from 2008 to September 2020.

SAF organized a training course between August 3-6 2020, in partnership with Karama and Operation 1325, with 59 NGOs participating from various governorates and abroad with the aim of introducing CEDAW and the methodology for preparing the report. A drafting committee was formed to prepare the final report, which was approved by 61 partcipants representing NGOs, listed below. SAF played the coordinating role for the prepartory process.

The absence of updated data or access posed a major challenge in the preparatory process, however, we put everything we reached and verified its validity to more accurately reflect the reality of discrimination, marginalization and exclusion of women and girls.

I hope that we have succeeded, we wish a better life for women and girls in a society where justice, security and peace prevail for all.

Amal Al-Basha

Chairwoman,

Sisters’ Arab Forum for Human Rights

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**General Recommendation No. 30: Women in Conflict**

* The war since March 26 2015, all parties to the conflict have committed violations of IHL and IHRL. The total toll dead and wounded is around a quarter of a million people, including 20,000 civilians - including women and children. These resulted from air strikes, artillery, sniping, mines, health system collapse, disease, dire humanitarian situation and blockade.[[1]](#footnote-1) Statistics indicate that 112,000 people were killed and wounded as a result of direct armed confrontations, 7,825 civilians were killed, including 933 women killed and 1,395 injured.[[2]](#footnote-2)
* Yemen is experiencing the worst humanitarian disaster in the world, affecting health, education, nutrition, water, electricity, fuel, etc. and disproportionately affecting women and girls. Currently 24.1 million people are in need of assistance, including 18.2 million women and children.[[3]](#footnote-3)
* Women lack protection from SGBV, detention, arrest, protests’ repression, kidnapping, torture and ill-treatment, threats of rape, and lack of fair trial. Women face restrictions and arbitrariness in mobility, and are not allowed to stay in hotels except with muharram, this happens in the areas under the control of the legitimate government, Aden and Taiz in particular. Women searching for the fate of forcibly disappeared relatives often experience violence.
* Women human rights defenders are exposed to violence and cybercrime with incitement, defamation, bullying and death threats.
* Displaced and refugee women are not protected in IDPs camps, they are exposed to violence, harassment, rape or threat of it.[[4]](#footnote-4)
* Conflict and forced eviction led to the displacement of millions at home and abroad. Yemen ranks 4th globally for the number of IDPs amounting to 3.5 million IDPs[[5]](#footnote-5) 83% are women and children, with 53% women and girls. In the diaspora, the number of residents in Egypt alone reaches 1 million.[[6]](#footnote-6)
* Women have been dramatically underrepresented in the 10 rounds of negotiations – zero women in the Gulf Initiative, zero in the Riyadh Agreement between the government and the Southern Transitional Council, and just one or two women represented at the Geneva, Kuwait, Pale and Stockholm. Meanwhile, the delegations refused to meet with civil society representatives at Kuwait negotiations or allowed their presence at the same negotiations venue.
* Women are underrepresented at the consultations organized by the UN Special Envoy. The Women's Technical Advisory Group’s voice is not heard due to the silence policy, lacks TORs, diversification or rotation.
* The government prepraed the 1325 NAP in Nov. 2019; however, NGOs representation was limited to two Southern NGOs. The NAP lacks resources, inclusivenes and implementation.
* Committees were formed to deal with Land and Deported employees in the civil, security and military in the South and a National Committee to Monitor Allegations of Human Rights Violations, with the exception of the latter, the representation of women ranged from 0% to 10%, no committees led by women.

**Recommendations**

* UNSC should pressure international and regional players to stop igniting and fueling the war, and lead to a ceasefire and a lasting, comprehensive and just peace
* Foreign contries must refrain from selling and supplying weapons to the parties of the conflict, in line with the Arms Trade Agreement
* UNSC Refers Yemen’s situation to ICC on crimes against humanity and war crimes
* Combating impunity on violations of women's human rights and SGBV at legislative, security and judicial structures
* Ratify the Convention on Enforced Disappearance, Rome Statute of ICC and the Optional Protocol of CAT
* Issuing a gender sensitive transitional justice law
* Enacting a National Law in accordance with the Refugee Convention
* Ensure women’s participation in peace talks at a minimum of 30% in the main and subsidiary delegations
* Demonstrating a stronger and supportive role for women by the UN Special Envoy and international actors, and inviting NGOs to negotiations as observers & expanding and rotating the Women Technical Advisory Group members
* Strengthening and extending of the Eminent International and Regional Experts Group to Monitor Human Rights Volations
* Facilitating visas for activists to make women’s voices heard at international fora.

**ArticleS (1,2,3, 4): Discrimination**

**Legislation**

* Legislation abounds with discrimination accompanied by poor implementation, accountability, fragility of the judiciary and law enforcement authorities, endemic culture of impunity and stereotype that draws strict limits on women’s roles in public and private spheres. All constitute obstacles to women's enjoyment of rights, in fact Yemen is ranked on the list of the worst countries for women to live in.

**Constitution**

* Enforced constitution doesn’t criminalize discrimination, it enshrines it explicitly by discriminatory texts and using masculine, general, loose and contradictory provisions to legitimize discrimination.[[7]](#footnote-7) Article (3) states that “Islamic law is the source of all legislation.” It is an amended article from the Unity Constitution of 1990, which stipulated that Sharia is a “main” source of legislation. The amendment allows strict interpretations and limits equality in “public” domain excluding it from the private sphere.[[8]](#footnote-8) From the general text, the constitution moves to a special text to perpetuate discrimination in Article (31): “Women are sisters of men, and their rights are according to Sharia and as stipulated by the law.” A special text precedes over a general one in implementation, meantime women are addressed as sisters, not citizens.[[9]](#footnote-9)
* The constitution is written in explicitly masculine language. Article (107) specifies the conditions for a candidate for the post of President, “not to be married to a foreign woman”, meaning that only men qualify, therefore a debate took place on whether women were entitled to run for elections, so women's candidacy were rejected in the 2006 presidential elections.

**Draft Constitution**

* The draft constitution constituted a revolutionary development, it affirmed gender equality and non-discrimination, adoptes women’s quota in all powers by at least 30% and prohibited marriage under the age of 18 for both sexes. It was drafted after the completion of the NDC in which women participated in critical mass to make a difference in including equal citizenship, [[10]](#footnote-10) 4 women compared to 14 men appointed in the constitution drafting committee.
* Yet, Article 57 states that citizens are equal in “puplic” rights, freedoms, and duties without discrimination, etc. which excluds the private space.[[11]](#footnote-11) The most threatening is Article (135) which codifies all rights and freedoms in accordance to Islamic jurisdiction stating that (all rights and freedoms are guaranteed and shall not conradict with Islamic Sharia), which allows strict interpretations.[[12]](#footnote-12)

**Positive Discrimination**

* Yemen experienced positive discrimination in the 2013-2014 National Dialpogue Conferebce (NDC). Women’s participation’s reached 29% and assumed leadership in chairing the conference and various committees. Women succeeded in including priority needs, securing a women’s minimum quota of 30% in all authorities, preventing marriage of both sexes before 18 years, and ensuring equality and non-discrimination in the NDC document. However, its implementation is still ink on paper. Three governments were formed in which the quota for women was not observed, and no woman has appointed to the position of advisor to the President or governor, while dozens of men were appointed.[[13]](#footnote-13)
* The Service Law reserved 5% of jobs for people with special needs, and this applies to status, appeals for discrimination, appeals for discrimination, appeals for discrimination, appeals for discrimination, and welcome.[[14]](#footnote-14) The appointments are due without respect to the conditions of civil service in appointments such as years of service, career progression, numbering and the required experiences, but rather on the basis of loyalty, favoritism, quotas and regionalism.

**Recommendations**

* Harmonizing the draft constitution and legislation with CEDAW, amending Article (57) by deleting t"public" and deleting Article (135)
* Raising legal awareness among women
* Training and activating the House of Representatives and the National Authority to monitor the Outcomes of the NDC and the Constitution Drafting Committee on human rights and gender-based violence
* Implementing the NDC by representing women by no less than 30% in all appointed and elected authorities without delay or procrastination, representing the North by 50%, the South by 50% and the youth by 20%. Without prejudice to the standards of the civil service in appointment
* Implementing people with special needs qouta and modifying buildings, roads and public services

**Articles (5, 6 & GR 35): Social Norms, Human Trafficking & Violence against Women**

**Social Norms**

* Child marriage, forced marriage, honor killings and (FGM) are common under cultural and religious grounds, there is no legal protection for victims. Child marriage is the most dangerous and harmful practice with 9% of girls married before the age of 15, and 32% before the age of 18, while the percentage increased in areas hosting large numbers of IDPs in Al-Hudaydah, Hajjah and Ibb. Approximately 72.5% of girls are married before the age of 18, and 44.5% before the age of 15, due to the escalation of the armed conflict,[[15]](#footnote-15) FGM and early marriage are emerging as defensive mechanisms for protection. ‘Honor killings’committed by a husband, father, and children while the punishment is a maximum one year imprisonment or a fine.[[16]](#footnote-16) FGM prevelance reaches 19% in five governorates,[[17]](#footnote-17) and is not criminalized.
* The media has played a weak role in combating harmful practices, it does not address it as a priority. The volume of material allocated to women in the official press represents 1.9% of all materials,[[18]](#footnote-18) while the coverage of women on television reached 9.7% compared to 90.3% for men.[[19]](#footnote-19)

**Recommendations**

* Retaining marriage at 18 age in the draft constitution, and amending the Personal Status Law
* FGM must be prohibited, criminalized and enforced by law
* Documenting marriage by authorities
* Issuing ID cards and birth certificates to protect from early marriage
* Intensifying awareness on harmful effects of FGM, early marriage
* Conducting research on FGM, child marriage and honor crimes
* Prioriyize girls ’education priority to end early marriage and domestic violence
* Abolish Article 232 of Crimes and Penalties Law on Honor Crimes and intensify punishment

**Human Trafficking**

* Human trafficking has emerged with more than 1,000 cases of organs’ trafficking reported between 2009 and 2014, surgeries are performed abroad.There is no concrete effort to combat it or prosecute perpetrators.[[20]](#footnote-20)
* Forced prostitution has become more prominent, girls lured into prostitution through social media and kidnapped while parents refrain from reporting for fear of stigma. Authorities fail to conduct investigations to uncover fate and hold perpetrators accountable.[[21]](#footnote-21)
* Slavery exists despite Yemen is a party to the Convention against Slavery and national law criminalizes it. There are slaves in Al Hudaydah, Hajjah and Saada, (190) cases of slavery have been monitored. The sales and documentation are conducted by the courts. Slave children are not enrolled in education, and have no fathers, they are attributed to their slave mothers and do not possess birth certificates or identity cards.[[22]](#footnote-22)

**Recommendations**

* Issue a law criminalizing and punishing human trafficking, and activating the international protection mechanisms
* The government establish rehabilitation and care centers for survivors of human trafficking
* Implementing the law criminalizing slavery and establishing strict penalties for those who involve or refuse to free slaves
* Conducting research to reveal prevalence of slavery and its treatment
* Issuing identification documents for slavery victims
* The government establishes support and rehabilitation centers for victims of slavery, enroll them in literacy and formal education programs
* Activating the media in exposing human trafficking, slavery and forced prostitution

**Violence against Women**

* All forms of violence against women and girls are widespread in different regions and social classes at all levels in both the family and public spheres. Violence is exacerbated in the armed conflict manifestated by rape, murder, abduction, enforced disappearance, detention, torture, forced prostitution, begging, child, forced and touristic marriage, honor crimes, FGM and CRSV.
* Protection and justice for survivors are lacking due to illiteracy, poverty, weak legal awareness, scarcity of social, psychological and legal services, shelter and referral systems in an environment that perpetuates violence and a culture of impunity by silence or justification, compounded with the absence of law on domestic violence. Legal enforcement institutions lack training, which makes survivors reluctant to report.
* Partisans, media, civil society activists and artist women are exposed to systematic smear campaigns, defamation, bullying, and accusations of apostasy by the conflicting parties, extremist religious groups and electronic armies. Some are exposed to fatal danger by weapons, displacement, and their homes exposed to fire.
* During the popular protests, nearly 80 cases of violence against women protesting in the sit-in squares were reported, including beatings and demolition of women's tents, killings during security raids, sniping, kidnapping, and immoral, defamatory and expiatory campaigns.[[23]](#footnote-23)
* Southern women participated at the NDC were accused of treason, their pictures were published in the streets as traitors by opposing elements of the Peaceful Southern Movement.[[24]](#footnote-24)

Family graves of an activist were destroyed, she was threatened with death, torture and crucifixion, and incitement and the issuance of religious fatwas and threats of liquidation by terrorist groups for participation at the UNHRC and exposing war crimes[[25]](#footnote-25).

* Sexual harassment is widespread in streets reaching 90% in 9 governorates.[[26]](#footnote-26)
* Marginalized women of minority black community are subjected to severe discrimination, violence and exclusion, violence rose to 36% in 2017. Not a single marginalized woman participated in the NDC. There is no legislation to criminalize discrimination against the marginalized persons, despite blantant social discrimination and systematic exclusion.
* Women and girls with special needs suffer from marginalization, lack of protection and empowerment.
* In demonstrations women are subjected to violence by the (Zainabiyat) security of Ansar Allah.
* During the sit-in at the Squares in Sana’a & Taiz, the Security Women Committees belonging to the Islah Party committed violence against women in 2011.
* The mothers of the kidnapped are exposed to violence during protests in areas controlled by the legitimate government in the southern regions.
* Women and girls are imprisoned on charges of prostitution, seclusion, indecent act and homosexuality as legally criminalized, while male accomplices are free, rape cases are adapted as adultery for lack of witnesses.[[27]](#footnote-27)
* Women were invistigated by Ansar Allah on charges of collaborating with "aggression" or aiding "Al Qaeda". In Abyan and Mukalla, in southern Yemen, two woman were be beheaded by Al Qaeda on charges of practicing sorcery and other charges.

**Recommendations**

* Passing a law to protect women and girls from domestic violence, and in armed conflicts
* Amending the Crimes and Penalties Law by abolishing Article 232 on honor and enacting severe penalties
* A comprehensive definition of rape and incest should be incorporated
* Establishing shelters and psychological support, providing safe spaces, and free legal aid for survivors in all governorates, and activating the role of the Ministry of Justice in providing free legal aid to women in need
* Provide accountability mechanisms, prevention, protection and redress programs, and establish emergency units, and increase policewomen recruitment
* Providing forensic service in all governorates with DNA testing free of charge for cases of SGBV
* Establishing family courts to settle family disputes
* Establishing a database to monitor prevelance of GBV nationwide
* Expanding scope of studies on GBV and impact
* Launching maedia campaigns media to change stereotypes
* Supporting women's NGOs and networks in activating 1325 NAP
* Training law enforcement on human rights and SGBV
* Establishing precautionary detention centers for women with qualified policewomen, and special annexes for women
* Moving women's prisons from the perimeter of the central prisons of men in various governorates
* Regularly update prisons data of the Ministry of Interior nationwide
* Providing institutional and technical support, training for NGOs on SGBV
* Ratify CEDAW Optional Protocols & the Convention on Combating Torture
* Establishing an independent national human rights institution according to Paris Principles
* Establishing an Ombudswomen Office for GBV

**Articles (7, 8): Women Decision-making**

**Legislative Authority**

* There is no woman in the elected House of Representatives, composed of 301 members, since the last elections held in 2003. Only one woman was elected, however she paseed a way in 2015. Since then, women have been entirely absent from the longelife assembly in Yemen’s history. Since 2006 women’s representation in Local Councilis is less than 1%.
* Women candidates are routinely subjected to violence, threats and unethical campaigns
* The appointed Shura Council consists of 111, two women were appointed, and as a result of the NDC to expand the Shura Council membership, Ansar Allah appointed 3 women, while Hadi’s government never appointed a woman, only men. Not a single woman chairs the two councils' sub-committees. Parliament has been split since the outbreak of the war, part is loyal to Ansar Allah, and the other is loyal to Hadi's government.
* One woman appointed to the High Elections Committee compared to 8 male judges however, women's organizations pressure led to the appointment of another woman.

**Recommendations**

* Adopting a women’s quota of no less than 30% in the electoral system, Shura Council and Electoral Commission, according to NDC
* Amending the Political Parties and Organizations Law by imposing the quota in parties nominations and structures
* Adopting proportional representation in the Election Law,
* Tackling GBV against women candidates to the parliamentary and local councils

**Executive Authority**

* Women ministers has ranged from zero to three, in addition to a minister of state in all government formations. Currently, there are two women in the legitimate government, although their number increased to three in the portfolios of Culture, Media and Legal Affairs after NDC, while women have held the portfolios of Social Affairs & Labor and Human Rights since 2003. Ansar Allah in Sana'a formed a National Salvation Government, appointing two women Minister of Human Rights and Minister of State.
* Women participated in preparing for the NDC), the Liaison Committee, two women were appointed out of 8 members, and in the Technical Committee to prepare for the NDC, 6 women were appointed out of 25 members. The number of women participating in the NDC reached 166 out of 565 members, or 29%. This affected the outcomes of the NDC by adopting a female quota of not less than 30% and preventing the marriage of both sexes under 18 years.
* After the NDC, a Regional Division Committee was formed of 24 members, with two female members only, which revealed absence of political will in the first test to implement the outcomes of the NDC that represented national consensus.

**Women National Committee**

* The National Committee for Women (WNC) has been hindered as a mechanism concerned with formulating gender-related policies, after Ansar Allah took control of Sana'a and appointed a chairperson affiliated to them. Meantime, Hadi government did not activate the WNC in Aden, or allocate efficient human or financial resources. Rather, the Ministry of Social Affairs and Labor was assigned to deal with the women's file.

**Recommendations**

* Taking legal measures to enable women to exercise their political rights and participate in public life
* Activating the WNC and providing it with qualified and leading cadres, allocating the necessary financial resources, supporting its branches, and supporting women's departments in various sectors
* Building the capacity of women leaders involved in political work
* Tackling GBV that hinders women's participation in political life

**Judicial Authority**

* Women’s representation in the judiciary does not exceed 1.7% of the total number of judges.[[28]](#footnote-28)A woman was appointed to the Supreme Judicial Council, and another was appointed to the Higher Judicial Institute with 12 men, The number of women enroled in the institute reached 36 female students compared to 300 students, or 12%. Feminist NGOs launched a campaign to enrol girls at the Higher Judicial Institute, and since 2007, the Institute began accepting them yet in a very low numbers.
* Women judges are appointed in courts related to the reproductive role of women, such as personal status and juvenial delinquency. They are rarely appointed in criminal courts, due to the legal dispute that women are not permitted to deal with criminal cases. Women are underrepresented at the Appeal Courts, Supreme Court and Constitutional Court. The appointments demonestrate dicrimination, while there is slight increase of women at Prosecution.

**Recommendations**

* Appointing female judges in the Supreme Judicial Council and in all levels of courts, the Constitutional Division, and the Higher Judicial Institute, with a quota of not less than 30%
* Appointing female judges in the courts in a manner consistent with the standard of competence and ability while raising their capacity and qualification

**Political Parties**

* Women’s representation in ruling and opposition political parties is minimul. There have been developments in some parties. Women in the Yemeni Socialist Party political bureau reached 3 out of 29 members, or 10%. Women in the Unionist Popular Nassirate’s Central Committee reached 27 out of 90 members, or 30%, and in the General Secretariat two out of 16, or 12.5%. No updates of parties.[[29]](#footnote-29)
* New parties have emerged since 2011, including Watan Party and Arab Hope Party, the first party founded by women and holding leadership positions at 40% and headed by a woman.[[30]](#footnote-30)

**Trade Unions and NGOs**

* NGOs grew until their number exceeded 11,000 after 2011, and the role of women-led organizations and networks emerged in awareness-raising and advocacy, which have succeeded in placing women's issues at the center of the political agenda. During the popular protests, NGOs and feminist coalitions participated in the mobilization and organized awareness activities during negotiations between the then Saleh regime and the opposition.
* Feminist organizations and networks play a notable role in calling for peace and effective participation of women in negotiations, highlighting the needs, concerns and protection of women and girls to be included in a comprehensive peace agreement when reached.
* NGOs face challenges of obtaining or renewing licenses in the north and south, while restricting activities and freezing accounts of some NGOs.[[31]](#footnote-31) Support is directed to humanitarian relief with limited support for community projects/initiatives. International organizations compete by direct implementation of projects instead of partnering with local women's organizations. There is a weakness in the institutional building of organizations and coordination.
* The politicization and containing of NGOs has led to undermining CSOs, which is a greatest challenge.
* Defensive and peace advocacy NGOs have emerged in the diaspora, they are restricted due to imposition of permits and restrictions on visas, which weakened women's voices reaching international fora, with few exceptions.
* The role of women in professional unions is still limited, which no longer has a role in light of political disputes and the sharp division in society, which led to the emergence of regional unions detached from the original ones, which has weakened their impact.

**Recommendations**

* Enabling women's organizations to carry out activities and removing all restrictions
* Political parties and forces must stop interfereing in trade unions and NGOs and ensure their autonomy
* Rehabilitation and training of NGos and building institutional capacities
* Creating effective partnership and coordination among women’s organizations/alliances, government, local authority and international organizations
* Providing support to women's organizations, raise capabilities and influence, especially local peace initiatives
* Facilitate visas for women rights defenders to participate at HRC, CSW, EU events, etc.

**Diplomacy & International Organizations**

* Women’s representation in the diplomacy is low, female ambassadors are 2 from the south and 1 from the north, compared to 50 men, while women are more present in administrative levels. Women at the Ministry of Foreign Affairs reached 13.3% in 2012, and almost non-represented as consul, military, medical or commercial attache, with few exceptions.[[32]](#footnote-32)
* Women’s representation at international organizations and permanent delegations is unfair. Yemen is represented by a woman in the Food and Agriculture Organization (FAO) as ambassador to Italy. In addition to the appointment of a woman in the AlSECO in Morocco, while women were not appointed in the permanent delegations and missions in international and regional organizations such as the League of Arab States, the Arab Parliament, or the Organization of the Islamic Conference.

**Recommendations**

* Increasing women's representation in decision-making in the diplomatic and consular sector and in various permanent delegations by at least 30%, according to NDC
* Stop discriminatory appointment policy based on favoritism, partisanship and regionality

**Articles (10, 12): Education & Health**

**Education**

* There is a clear enrollment gap for girls compared to boys. Enrollment for boys reaches 78%, compared to 69% for girls.[[33]](#footnote-33) In basic education, the percentage was 42.7% for females, compared to 57.3% for males in 2010,[[34]](#footnote-34) while the percentage in secondary education for the same year was 36.8% for females compared to 63.2% for males. In the urban areas, the percentage in basic education for girls reached 76% and secondary education 41%.[[35]](#footnote-35) The proportion of females in university education reached 30% compared to 69% of males[[36]](#footnote-36) during the period 2016-2018.[[37]](#footnote-37)
* The dropout rate is 70% for girls, more than 60% boys’ in the age group 6 -14, and more than 20% for the age group 15-24.[[38]](#footnote-38) Drop out is caused by poverty, early marriage, displacement, attitude towards girls’ education, lack of girl schools in rural areas with bathrooms and fences, COVID-19 and the war.
* Iliteracy rate gab between sexes reaches 40% for males compared to 60% for females, by 40% in urban areas and 74% in the rural areas. The impact of conflict and suspension of salaries resulted in high rate of illiteracy, many teachers have stopped teaching, and thousands of schools damaged due to bombing, totally or partially, some schools used as military barracks, warehouses, detention centers or shelters fo IDPs.

**Recommendations**

* Reconstructing destroyed schools, remove weapons, militia and provide IDPs with alternatives
* Increasing female teachers, building girl schools in countryside, and shelters for IDPs
* Developing a currecula strategy to change stereotye and refrain from political and sectarian interests
* Restructuring education and paying teachers’ salaries
* Creating environment to accommodate student girls with special needs
* Providing equal opportunities for females to obtain scholarships abroad and handing over financial dues

**Health**

* Maternal mortality is the highest in the world at 148 deaths per 100,000 live births in total. The rate increases in rural areas at 164 deaths, compared to 97 in urban areas.[[39]](#footnote-39)
* Health services are either non-existent or poor and don’t meet urgent needs. The health system suffers from wear and tear in the simplest basic components, the displacement of medical staff and the exit of most hospitals out of service, so more than 50% of 3506 health facilities are out of srvice, with 6 beds for 1000 persons.[[40]](#footnote-40)
* Infant, child and maternal mortality rates are high, due to early marriage, repeated pregnancy, poverty and illiteracy among women, limited access to health care and family planning services, especially in rural areas, conflict areas and IDPs camps and mother and child centers have also closed.
* Elderly women lack shelters throughout the country, and people injured or disabled by the war do not receive medical care.[[41]](#footnote-41)
* The people infected with HIV (AIDS) increased to 4805 cases in 2016, 64.5% men, and 33.2% women, and there is poor diagnosis and lack of reporting.[[42]](#footnote-42)
* Cholera, dengue and *celery fever* (Chikungunya), claiming thousands lives.
* The first cases of COVID-19 appeared in April 2020, and the total number of cases was 2013, 1213 recoveries and 583 deaths[[43]](#footnote-43) which is alarmingly high, accounting for 29% of cases, efforts must be redoubled.[[44]](#footnote-44)

**Recommendations**

* All parties to the conflict must respect IHL & the health sector
* Increasing the public budget for health and salaries payment
* Restoring hospitals, health centers and units, and providing specialized medical staff, and preventive supplies
* Creating well-equipped health services in rural areas
* The international community should provide services to women especially IDPs facing malnutrition and famine
* Raise awareness through campagins media on chronic and emerging diseases
* Studies should adopt gender and age perspectives
* The Ministry of Social Affairs and Labor should establish shelters and care centers for elderly women everywhere
* Opening Sanaa airport and all domestic airports to respond to humanitarian and health needs

**Articles (11, 13, 14): Labor, Economic & Social Entitlement & Rural Women**

**Labor**

Women’s participation at workforce was 6%, compared to 65.4% for men, and the percentage was 28.3% in urban areas and 71.7% rural areas. Female employment is 4.5% compared to 57.3% males, and women’s unemployment reached 26%, compared to 12.3% for men in 2014.[[45]](#footnote-45)

Working women are involved mostly in agriculture, basic and secondary education. Women in the informal sector was 83%, compared to 81% for males in 2014. In 2015, male’s employment decreased by 11% & female’s by 28%. Women engage in the labor market to support their families increased.[[46]](#footnote-46) Currently 21% of households are headed by girls under the age of 18.[[47]](#footnote-47)

There is a gender pay gap, with an average income for men $65 compared to rural women of $50, additionally, 54.2% of rural women unpaid.[[48]](#footnote-48)

Male children labor reached 882,000, compared to 732,000 for female children, according to the last survey in 2010. The work of minors is concentrated in domestic work.[[49]](#footnote-49)

There is no law criminalizing sexual harassment in the workplace.

Wives must obtain the consent of husbands in order to work, and husbands can prevent them if it violates Islamic law.[[50]](#footnote-50)

Women in the marginalized black minority work on seasonal contracts as cleaners day and night, although the Labor Law prohibits women from working at night except in specific jobs. They have been working for years while they do not enjoy vacations or pensions. The government refuses to include them in the civil service.[[51]](#footnote-51)

Domestic workers work as forced labor without specified working hours, vacations or minimum wages, and are subject to sexual harassment and violence and are not protected by the Labor law.[[52]](#footnote-52)

**Recommendations**

Amending the Labor Law to address discrimination in wages and incentives, employment, training, qualification and promotion

Enrollment of cleaning workers in the civil service and protect domestic workers from exploitation by amending the Labor Law

Passing a law criminalizing and punishing sexual harassment

**Economic & Social Benefits**

Women's inheritance rights are allocated according to Islamic law, therefore daughters inherit 1/2 of the sons' share, husband inherits 1/4 share after the wife's death, while the wife inherits 1/8 upon the husband's death. There are details of the different cases in which women inherit different shares, yet women are deprived of inheritance. Girls are forced to marry male relatives so that the wealth does not pass outside the family. Inheritance cases before the courts are often delayed or receive unfair rulings.[[53]](#footnote-53)

Few women are able to access banking services due to lack of information of banking and cultural barriares. Most women-led firms are not registered in the Chamber of Commerce. The conflict has made financial services more expensive or unavailable.[[54]](#footnote-54)

A Women General Department was established in the Olympic Committee, women occupy 5 out of 25 seats in the Olympic Committee, i.e. 20%, and 15 out of 59 seats, i.e. 25%, in the General Assembly. Female participation is limited to chess, judo, equestrian and basketball while they lack access to other games.[[55]](#footnote-55) Women's sports clubs are rare in most regions. Males are sent to sporting events excluding women so many have left sports, considered a luxury during the conflict.

Cultural activities are diminished by the war, the structure of society changed bya dominating militant culture which suppresses freedoms. During the past twenty years, classes for creativity, sports, culture, music and acting were eliminated from schools, and theaters and sports halls were turned into storages. Few women have struggled to engage in theater and television, they face rejection in addition to the absence of female participation in writing, directing, singing, popular bands and cinema. There is no film industry or cinemas in any parts of Yemen. Rather, old cinemas were closed after the 1980s bombing of cinemas in Sana'a, so none have been built since then.

There is no legal text that defines women's outfit, yet the extreme and militant culture has imposed black clothes covering the body. Strict clothing is imposed on girls at school, university and workplace in addition to prohibiting the use of nail polish, heels and colored cover face for decency in workplaces.

**Recommendations**

Encouraging enlightened readings of Shariah to achieve justice for women in inheritance, based on the experiences of Arab countries such as Tunisia in amending Inheritance Law

Achieve an efficient, fair and independent trained judiciary in human rights and gender

Designing and implementing programs and facilities for women entrepreneurs and small enterprises to encourage borrowing and raise financial literacy and investment skills

Establishing women’s diverse sports clubs

Establishing sports and cultural programs at schools and universities

Protecting freedom of dress for women, taking into account the nature of work

**Rural Women**

Rural women live a worse reality since agricultural activity has declined and 40% of the land has been lost due to eviction and forced displacement. About 70% of the population resides in the countryside, women contribute to the family production economy more than any other sector, yet it is not monetarily estimated or reflected in the GDP, gender gap in the unpaid family economy estimated at 100 men, compared to 410 women.[[56]](#footnote-56)

Targeting hospitals in conflict and siege have led to acute shortage of qualified medical personnel, medicines and medical supplies, including nurseries. Many health centers have closed, and the reluctance to receive health care during childbirth has increased maternal mortality and premature delivery.

Displacement, poverty, and early marriage deny girls schooling and cause dropping out; training, education and literacy activities have been hampered.[[57]](#footnote-57)

Many rural areas lack electricity, water, paved roads, and sanitation. Currently, about 18 million people live in need of basic services, and it is difficult to access in the areas of clashes and IDP camps, which has led to spread of epidemics and high toll of deaths.[[58]](#footnote-58) Women are forced to travel long distances to bring firewood, fodder and water in dangerous roads.[[59]](#footnote-59)

**Recommendations**

Spreading awareness on the importance of educating girls, increasing the number of rural schools, recruitment of women and changing socal norms

Facilitating women's access to loans and small projects, and assessing women's unpaid work in GDP

Providing adequate social security for women working in the family economy

Establishing hospitals and health centers in villages with female doctors

Supporting water, electricity, sewage, roads and communications networks

**Articles (9, 15, 16): Nationality, Legal Capacity & Family Relations**

Yemen’s Nationality Law discriminates against women. The last amendment in 2010 allows a woman married to a foreigner to confer her nationality to children born after the date of the amendment, i.e. without retroactive effect, except in the case of a request to grant citizenship within 3 years from the date of the amendment provided approval of the Minister, or after a year has passed since the submission of the request.[[60]](#footnote-60) Whoever is unable to submit the application within the specified period loses the right to obtain mother’s nationality. The children of a man married to a foreign woman acquire the nationality upon birth, while minors are granted citizenship by dependence.

The law does not permit the retention of the nationality of the father and the nationality of the mother together, and a woman loses her nationality if she chooses the nationality of her husband, regaining it only after divorce.

A foreign man married to a Yemeni woman cannot obtain citizenship. Rather, he is granted a permanent residency renewable every 2 years, while a foreign-born wife is eligible for citizenship after 4 years of marriage.

Women are not allowed to marry a foreigner without the approval of the Minister of Interior. No equivilent requirement exists for Yemeni men.

The Evidence Law discriminates against women by not accepting their testimony in criminal courts and contracts. The Law accepts testimony only of two men, or a man with two women together in crimes such as murder, rape, torture, money and marriage contracts.[[61]](#footnote-61)

Article 24 of the Penal Code stipulates that blood money (restitution) for a woman is half of a man.[[62]](#footnote-62)

When obtaining or renewing a passport, women are required to bring a male guardian (father, brother, husband, son).

The Personal Status Law allows for girls to marry at the age of fifteen and under.[[63]](#footnote-63) It does not allow an adult woman to marry herself off except for her guardian or the guardianship of the judge. The Law allows polygamy and divorce without informing the wife, and divorce in absentia without specifying the time for informing the wife.[[64]](#footnote-64) A husband has the right to return his wife within 3 months of the divorce without her knowledge.[[65]](#footnote-65) Wive seeking divorce face far greater obstacles and only on condition that the dowry be returned, with the judges’ intransigence in accepting divorce cases and deciding on it.[[66]](#footnote-66)

**Recommendations**

Abolishing discriminatory provisions against women in all legislations including Personal Status, Nationality, Crimes and Penalties and Evidence Laws

Harmonizing laws with CEDAW, and issuaing executive regulations

Allowing dual nationality for women married to foreigners and for children

Training justiciary on human rights, GBV and CEDAW

Establishing family courts in all governorates with an Alimony Fund

Issuing age certificates and punishing those involved in marrying off children

Adopt the Moroccan Law of Efforts & Pursuence in marriage for Yemen

**Annex**

**List of NGOs Prepared the CEDAW Shadow Report**

|  |  |  |
| --- | --- | --- |
| No | Name | Organization |
| 1 | Abeer Ahmed Aborijal | Women's Voices of Peace Network (WVP) |
| 2 | Abeer Mohsen | Yemeni Woman Journalist Center (YWJC) |
| 3 | Afrah Suhail | Businesswomen Council |
| 4 | Alaa Murshed | Media for Peace Network (MFP) |
| 5 | Alanood Mohammed | Jood Foundation for Sustainable Development |
| 6 | Amal AlBukhaiti | Awam Foundation for Development |
| 7 | Amal Basha | Sisters Arab Forum for Human Rights (SAF) |
| 8 | Amani Al-Ghoury | Lawyers Association to Promote the Rule of Law |
| 9 | Amat Alsalam Altharihi | Al-Bunyan Social Association |
| 10 | Amena Muhsen | Yemen Women Union/Abyan Branch |
| 11 | Anisa Tarpish | Sewing Association and Development Services |
| 12 | Anjila Al-Maamari | Center for Strategic Studies Support for Women & Children |
| 13 | Bahia Alsakkaf | Alf Ba Foundation Civil & Coexistence |
| 14 | Bahria Shamsheer | Ana Alwatan Foundation |
| 15 | Basma Nasser | Yemeni Feminist Voice |
| 16 | Bilqis Abu Osba | Awam Foundation for Development |
| 17 | Biqam Alazzani | Al-Tamauz Corporation for Yemeni Development |
| 18 | ‏ | Yemeni Women Journalists Network |
| 19 | Elham Al-Sanabany | Diwan Al-Yemen |
| 20 | Elham zaide Hadish | Yemen Society for Culture, Heritage, Stamps and Coins |
| 21 | Eman Ebrahim | Sisters Arab Forum for Human Rights (SAF) |
| 22 | Faten Sultan | Civil Agglomeration for Taiz Youth |
| 23 | Fatima Mutahar | Yemeni Journalist Syndicate |
| 24 | Ghaidaa Abdulhameed | Civil Development Taeosh Foundation |
| 25 | Hana Moqbel | Women’s Pact for Peace & Security, (Tawafuq) |
| 26 | Hind Qatran | Daoo Foundation for Rights and Development |
| 27 | Howyda Alfadhly | Sisters Arab Forum for Human Rights (SAF) |
| 28 | Huda Alsarari | Defense Foundation for Rights & Freedoms |
| 29 | Huda Awn | Eayhaa Foundation for Social Peace |
| 30 | Huwaida Al-Shaibah | Women's Voices of Peace Network |
| 31 | Lamia Yahia Al-Eryani | Yemen Peace School Organization |
| 32 | Layla Lutf Al-Thaour | Sam for Peace & Human Rights |
| 33 | Luna Othman | Asenate Organization for Development |
| 34 | Magda Taleb | Women's Voices of Peace Network |
| 35 | Maha Awadh | Wojood Foundation for Human Security |
| 36 | Muna Haitham | Partners Foundation |
| 37 | Muna Luqman | Food4Humanity |
| 38 | Munia Thabet | Gusoor for Peace & Coexistence |
| 39 | Nabila Al-Hakimi | Media for Peace Network |
| 40 | Najla Rawiah | Youth Leadership Development Foundation (YLDF) |
| 41 | Nesmah Al-sameai | Youth of The World Together Organization |
| 42 | Noor Surib | Aden Women Forum |
| 43 | Qabool Al-Absi | Qarar Foundation for Media & Sustainable Development |
| 44 | Rabab Abdullah Abd AlGalil | Food4Humanity |
| 45 | Rabab Al-Ashwal | Abjad Center for Studies & Development |
| 46 | Raeda Al -Thubhany | Awtad Organization for Fighting Corruption |
| 47 | Rahella Omeir | Aden University |
| 48 | Rasha Abdulkafi | Civil Agglomeration for Taiz Youth |
| 49 | Raya Abduljalil Noman | Wojood Community Initiative |
| 50 | Saadah Saeed Olayah | Adwar Organization for Youth Development |
| 51 | Salma Almasabai | Yemeni Women Union |
| 52 | Samera Al-Sameai | Civil Agglomeration for Taiz Youth |
| 53 | Shaima Bin Othman | Women Solidarity Network |
| 54 | Shatha Hussein Al-Aghbari | Sisters Arab Forum for Human Rights (SAF) |
| 55 | Shifa Bahmish | Shahid Development Organization |
| 56 | Somaia Sultan Alatwani | Ejad Foundation for Development |
| 57 | Suha Saeed Ali | Sarah Shabab Yemen Initiative |
| 58 | Suhair Al-Samman | Yemeni Writers Union |
| 59 | Tahani Alsarari | Observer Human Rights Organization |
| 60 | Wedad Albadwi | Cultural Media Center (CMC) |
| 61 | Yasmeen Baghreeb | Aden Development Foundation |

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