

GOVERNMENTAL AND NON-GOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS

The establishment of an independent Ministry for Human Rights by Presidential Decree nr. (105) for the year 2003 ordaining the formation of the Government and the appointment of staff in the principal governmental body charged with the protection and reinforcement of human rights, represent a culmination of numerous efforts undertaken prior to the creation of the Ministry. In this chapter we shall review the most significant phases in the development of governmental mechanisms concerned with the protection and reinforcement of human rights through the establishment of the first governmental committee that focused its attention on the domain of civic and political rights. As dealing with issues of human rights expanded and evolved, there emerged a growing awareness of the principle stipulating the complementarity of rights in all areas: political, civic, economic, social and cultural; and their indivisibility. As a result, the Yemeni Government decided to establish the Higher National Committee for Human Rights that included in its membership the most important governmental bodies concerned, and this became the main official authority dealing with

human rights. These efforts were bolstered by the decision to appoint a Minister of State for Human Rights to perform an executive capacity by occupying the post of Secretary General of the Higher National Committee for Human Rights. This was accompanied by advancing the institutionalization of the committee by endowing it with a technical team charged with the task of coordination and follow up on the committee`s activities.

In line with the firm belief in the importance of improving national mechanisms dealing with human rights and the necessity to establish an effective and comprehensive technical and administrative apparatus charged with streamlining government efforts in this field, as well as creating and reinforcing channels of coordination and cooperation with non-governmental organizations (NGOs) and international agencies, the Government decree of 2003 designated a ministerial portfolio to handle human rights issues.

This chapter will discuss the phases of this development and will review a set of mechanisms working in tandem with the Ministry of Human Rights

FIRST: The Development of Governmental Mechanisms concerned with Human Rights

A) Committee for Civil and Political Rights

This committee was established by Prime Minister`s decision nr. (95) for the year 1997 for the purpose of defining our country`s position on international agreements and conventions it has ratified. The committee was charged with the task of receiving reports of the International Commission for Human Rights and responding to them.

B) Higher Committee for Human Rights

This committee was established by presidential decree nr. (20) for the year 1998 which was amended by presidential decree nr. (92) for the year 1999. It was chaired by the Deputy Prime Minister and Minister of Foreign Affairs, with the Director of the Office of the Presidency of the Republic as Vice Chairperson. The membership included a number of ministers whose departments` fields of work involved human rights. These ministries are: Foreign Affairs, Internal Affairs, Justice, Social Affairs and Labour, Information, Legal Affairs.

Other members were the heads of some judicial and security services such as the

Public Prosecutor and the Central Authority for Political Security; in addition to representatives of the office of the Presidency of the Republic and the office of the Prime Minister.

In line with the terms of the decree of its establishment the committee was entrusted with a number of tasks, the most important of which were: formulating policies, plans and programmes aimed at safeguarding human rights in the Republic of Yemen and reinforcing the role of institutions handling human rights issues and protecting these rights in general as mandated by the constitution, current laws and ratified agreements and treaties; overseeing the judicious and correct implementation of international conventions dealing with human rights by the concerned national authorities; supervising the preparation of reports to be submitted by the concerned national authorities to international organizations on the level of implementation of international conventions and agreements related to human rights; presenting comments and opinions on laws, agreements, conventions and reports dealing with human rights.

The decree establishing the committee stipulated the formation of a permanent sub-committee comprising representatives of members of the higher committee and chaired by a general coordinator who streamlines the work of the higher committee and the permanent sub-committee that meets once every month or whenever necessary. The sub-committee was given a number of tasks including the reception of communications from personalities, institutions and international organizations dealing with human rights; studying such communications and responding to them gradually within the rules established by the higher committee to this effect. The general coordinator is assisted by a secretariate composed of a number of foreign ministry employees responsible for preparing the meetings of the permanent sub-committee and the consultative group. The decree also ordained the creation of a consultative group comprising a number of social and academic personalities and specialists in the field of human rights, in addition to representatives of concerned organizations active in civic society, as well as labour and professional syndicates and unions.

After establishing the post of Minister of State for Human Rights Affairs in 2001, the Higher National Committee for Human Rights was formed anew by Presidential Decision nr. (89) for the year 2001, raising the level of its representation to be chaired by the Prime Minister and adding to its membership the Minister of State for Human Rights Issues (secretary general). The decree discontinued the membership of the President of the Department of Judicial

Investigation and limited such representation in the higher committee to the Minister of Justice.

After its re-composition, the committee implemented a number of tasks related to its field of work. It organized numerous events and activities to raise awareness in human rights and train employees and upgrade their qualifications. The committee also executed the comprehensive programme for field visits to all prisons, social care centers and psychiatric clinics in all governorates of the Republic. As concerns complaints and reports, the committee received an increasing number of grievances falling within the scope of its competence, noted and pursued news of human rights abuses reported by daily and weekly newspapers, checked their veracity and undertook the necessary remedial measures. The committee took upon itself the responsibility of preparing and writing numerous international reports dealing with our country's adherence to the international agreements and conventions it had ratified. The committee also implemented the project titled "Administration of Juvenile Justice" in cooperation with the Higher Committee for Human Rights.

C) Ministry of Human Rights

Although the Ministry of Human Rights is considered the main governmental apparatus dealing with the protection and reinforcement of human rights and constitutes, by its legal status, a part of the morphology of the Executive Branch, its organizational structure and the tasks and specific assignments it carries out conform with many principles relating to the seat and operation of national organizations for the protection and reinforcement of human rights (Paris Principles) which were approved by the Committee for Human Rights in its resolution nr. (54/1992) dated 3 March 1992. This conformity between the tasks of the Ministry and the Paris Principles will be explained in reviewing the prerogatives of the Ministry and the components of its organizational structure and the tasks accomplished.

The Ministry conducts its functions in accordance with its own organizational chart specified in Presidential decree nr. (255) for the year 2003.

Objectives and Functions of the Ministry of Human Rights:

The first Paris Principle¹ requires that national organizations for the protection and reinforcement of human rights be specialized institutions. This is in conformity with the contents of article nr. (2) of the organizational chart which mandates that " the Ministry of Human Rights aims to reinforce and protect human rights in coordination with specialized

ministries, institutions and groups; and to activate and reinvigorate mechanisms of national protection of human rights ,reiterating our country` s adherence to the international agreements ,treaties and conventions it had ratified".To achieve this target, the same article specified a set of tasks and functions through which it seeks to realize the set objectives. These are in brief:

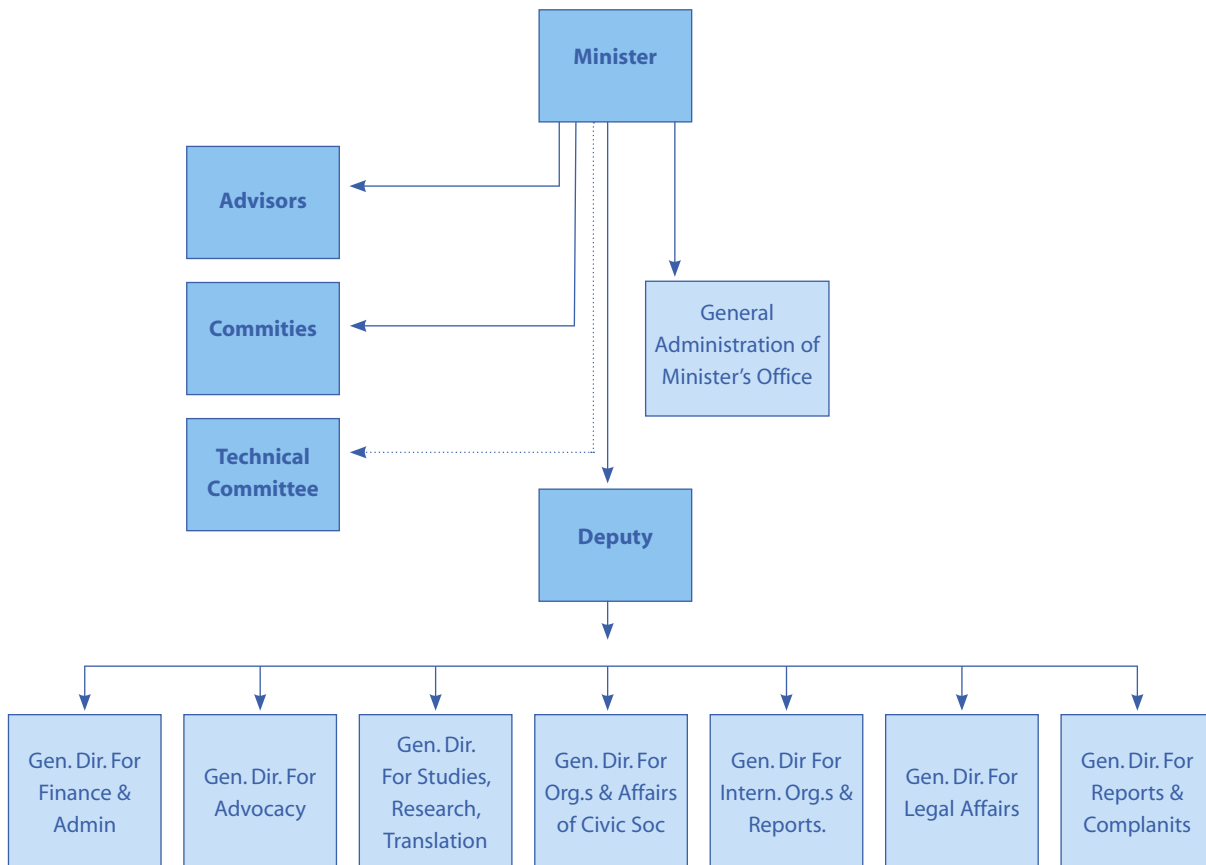
1. Propose policies, plans, programmes and measures designed to reinforce and protect human rights; and implement these in coordination with the concerned parties.
2. Review statutes and laws to determine their compatibility with the principles and rules of international agreements and conventions relevant to

human rights that have been ratified by our country, and propose the necessary amendments in the texts of various national statutes in conformity with the constitution and laws in force.

3. Receive and review complaints by citizens, groups and institutions and treat those that fall within the competence of the ministry in coordination with concerned parties.
4. Raise the citizens ` legal awareness by instructing them on their rights guaranteed constitutionally and by law, spread the culture of human rights in all segments of society through various methods of public guidance, strengthen the areas of cooperation with civic society` s organizations and institutions working in the field of human rights.

The Organizational Structure of the Ministry

In accordance with article (6) of the organizational chart, the organizational structure of the ministry is built as shown in the following diagram:



5. Prepare periodic reports on our country's international obligations in coordination with the concerned authorities.
6. Coordinate and enlarge areas of cooperation with international organizations working in the field of human rights.
7. Collect, analyze and document data/ information related to the fields of human rights and the government's policy thereon.

• **General Directorate for Reports and complaints:** The Paris Principles² stressed the role of national organizations in presenting legal opinions, recommendations and proposals concerning any case referred to them; receiving and researching complaints and petitions relevant to their work. Consequently, this directorate was entrusted with the task of receiving, studying, summarizing and classifying complaints raised by individuals, groups and organizations; then proposing measures to deal with cases falling within the competence of the ministry. This includes complaints both from inside and outside the country. In case the issues in question fall outside the competence of the ministry, the directorate informs the claimants and petitioners of the measures to be followed in order to solve their problems.

• **General Directorate for Legal Affairs:** This directorate is responsible for studying national legal statutes and the degree of their conformity with international agreements and conventions through participation in legal committees charged with proposing suitable amendments to the statutes for the sake of compatibility with agreements ratified by our country. This role is consistent with the emphasis of the Paris Principles³ on the role of national organizations in studying statutes and laws and presenting recommendations and proposals thereon, as well as ensuring and reinforcing harmony between national statutes and ratified international conventions.

• **General Directorate for International Organizations and Reports:** This directorate participates in preparing national reports on the level of our country's implementation of international agreements, treaties and conventions; receives international reports on human rights to be studied, summarized, classified and commented upon. It is also responsible for drafting official responses to international reports and notifications related to human rights, for coordinating with concerned international organizations, institutions and groups; exploring areas of cooperation with them and for listing, documenting, studying, summarizing and classifying international agreements; reviewing the drafts of limited and general international treaties and conventions, and examining the possibility of

ratifying them. These tasks conform with the Paris Principle⁴ relevant to the responsibility of the national organization for preparing reports on the national situation of human rights in general, its role in encouraging the ratification of non-ratified international agreements, participation in preparing the periodic reports countries have to present to United Nations committees and groups; as well as the national organization; its role in cooperating with the United Nations and all other organizations within the UN, and regional and national organizations concerned with human rights based in other countries.

• **General Directorate for Organizations and Affairs of Civic Society:** This directorate implements a combination of tasks related to the organizations of civic society and the rights of women and children that coincide in many instances with the texts regulating the work of the national organizations referred to in the Paris Principles⁵ which emphasized the role of the national organization in reinforcing cooperation with non-governmental organizations dedicated to protecting and strengthening human rights. To achieve the directorate works in coordination with civic society's organizations and groups active in the field of human rights to explore areas of cooperation. The purpose is to promote the cause of human rights, work hand in hand toward the creation of a partnership in activities and programmes targeted at raising legal awareness, develop human rights related activities and coordinate with parties concerned with rights of women and children in order to bolster the partnership and safeguard the guaranteed rights.

• **General Directorate for Advocacy:** The directorate is responsible for the implementation of the ministry's information policy of spreading awareness in human rights in conformity with the Paris Principle⁶ on publicizing the tenets of human rights by proposing and executing plans and programmes designed to inform members of society of their constitutionally and legally guaranteed rights; planning and organizing meetings, discussions, workshops and

¹ Paragraph one of the article dealing with the responsibilities and functions of national institutions.

² Item 2 of article A of the third recommendation of functions and responsibilities of national institutions, item 2 of recommendations on working methods, and items 3 & 4 of the supplementary principles.

³ Item 1 of article A and items B&C of the third institutions on functions and responsibilities of national institutions.

⁴ Item 3 of article A and items B, C, D, E of the third recommendation on functions and responsibilities of national institutions.

⁵ Item 7 of the recommendations on working methods of national organizations.

⁶ Item G of the third recommendation on functions and responsibilities of national institutions.

other educational informative activities on the subject of human rights in coordination and partnership with relevant governmental and non-governmental groups; allocating available means for guidance and awareness raising according to the priorities of human rights issues; monitoring, evaluating and documenting materials published by the press and diffused by the media on the work of the ministry.

- **General Directorate for Studies, Research and Translation:** This directorate is charged with the fulfillment of a set of tasks related to the field of studies and research, such as participation in preparing studies and papers in the areas of human rights in coordination with the other general directorates and the concerned parties, collecting and analyzing studies and papers on human rights issues to profit from them in line with the Paris Principles which emphasized the role of the national organization in helping conduct scientific research related to human rights.

- **General Directorate for Financial and Administrative Affairs:** This directorate carries out tasks concerned with the system of finance, accounting and personnel.

Specialized Committees and Groups

The ministry's structure includes a number of specialized committees and groups responsible for carrying out specific tasks:

- **Technical Committee:** It was formed by Prime Minister's decision nr. (111) for the year 2004 based on a proposal by the Minister of Human Rights in accordance with article (17) of the ministry's organizational chart. This committee replaced the permanent sub-committee that sprang from the Higher National Committee for Human Rights (formerly), and is composed of representatives of the Ministries of Foreign Affairs, Planning and International Cooperation, Information, Internal Affairs, Labour, Justice and Legal Affairs; in addition to representatives of the Office of the Presidency of the Republic, Office of the Public Prosecutor and the Central Authority for Political Security.

This committee was charged with the implementation of a series of tasks such as presenting observations and opinions on international agreements and conventions, national statutes and laws, and the level of the Yemeni Republic's fulfillment of its commitments arising from human rights related agreements it had ratified. Additionally, the committee provides data and information on cases referred to representative bodies concerning grievances and all matters related to human rights. The committee meets regularly once every month under the chairmanship of the Minister of Human Rights.

- **Consultative Panel:** This body was formed by ministerial decision nr. (1) for the year 2004 and is composed of 27 members representing non-governmental organizations, the heads of societies, unions and syndicates; as well as a number of personalities active in the domain of human rights. The panel carries out a number of tasks, the most important of which are: providing opinion and counsel on subjects brought before it, advising on means and measures needed to strengthen partnership with organizations of civil society, evaluating training programmes designed to improve the performance of personnel working in the field of human rights to develop and expand their skills, capacities and knowledge. Furthermore, the panel proposes policies and plans to bolster human rights, protect the values and principles enshrined in the constitution and laws. The panel meets periodically once every three months under the chairmanship of the Minister of Human Rights.

- **Technical Team for the Human Rights Support Project "HURIST":** Yemen, represented by the Higher National Committee for Human Rights, requested participation in the Human Right Support Project being implemented by the United Nations Development Programme in cooperation with the office of the High Commission for Human Rights. The project encompasses five areas and Yemen chose area nr. (2) aimed at clarifying the appropriate methods to incorporate the concept of human rights into the plans and strategies of national development. Yemen specified sectors of national priority (education, health and nutrition) for application of the project. The request was approved and Yemen became the only country in the Asia/Pacific region able to participate in this project.

- **Other Specialized Committees:** In addition to the previously listed groups, the ministry forms specialized committees to conduct specific assignments like going to the field to inspect the situation of prisons and refugees. They carried out numerous field visits last year and this year to a number of prisons and reformatories in the governorates of the Republic.

The Most Important Tasks Implemented by the Ministry

The Area of complaints and reports

Dealing with reports and complaints related to violations of the rights of individuals and groups is one of the most important areas given great attention by the ministry. A review of the number of complaints and reports that reached the ministry in the period 2002-2004 reveals that these amounted to (1232) complaints and reports that came by way of individuals or groups in civic society or international organizations working

in the field of human rights, in addition to cases raised by the press. The ministry acted to develop a specific mechanism to deal with these complaints and reports that included checking their veracity, specifying the violated rights and, consequently, coordinating with the appropriate government authorities to take the necessary measures bound to deal seriously with such violations.

These reports and complaints deal with a category of practices contravening the rules of detention such as the imprisonment of individuals without legal grounds, the extension of the duration of illegal imprisonment and violation of the limits of authority in matters of detention. The ministry contributed to the enactment of a resolution by the Council of Ministers instructing the Minister of Justice and the Public Prosecutor to expedite rectifying the legal situation of persons detained pending investigation and accelerate reviewing their cases and resolve them promptly. The office of the Public Prosecutor is also informed of all cases received by the ministry on detainees that qualify for conditional release, and instructions are issued to add the files to the case-load of committees charged with field visits to central prisons.

The ministry has also dealt with a number of cases or arbitrary dismissal from work, and the result was finding administrative solutions by the concerned authorities based on recommendations to either return those dismissed to their posts or to retire them. As a result of the ministry's intervention in a number of complaints related to court procedures and enforcement of their verdicts, the Minister of Justice directed the concerned courts to enforce their rulings and decisions and enable the persons in question to benefit from these verdicts, and to report back on the reasons and obstacles impeding enforcement. In the same context the Public Prosecutor instructed the concerned prosecution authorities to expedite the processing of cases that are required by law to be adjudicated by the courts at a certain stage. Furthermore, the Minister of Interior instructed all directorates of criminal investigation not to disregard legal rules and measures governing the referral of accused persons to the prosecution authorities.

In line with its concern for the health situation in prisons, the ministry issued consecutive reports to the appropriate authorities, and passed these on the Council of Ministers in the form of recommendations to be embodied in executive decisions to correct deficiencies and inadequacies in the standard of health services in prisons and ensure their availability and utility.

As concerns cases dealing with the right to security, the Minister of Interior issued instructions requesting that adequate measures be taken to prevent the recur-

rence of any complaint in this respect by expediting action on cases handled by security services and referring these to the appropriate authorities; and settling disputes in conformity with the law. Concerning the exposure of individuals to physical harm while in investigative custody, the Ministry of Human Rights conducted fact-finding actions in (17) cases with complaints of infliction of torture, practices to coerce confessions and mistreatment. Consequently, a number of persons charged with committing torture were remitted to the disciplinary panel of the Ministry of Interior after being summoned by orders of the public prosecution that went as far as requesting compulsory interrogation on charges of committing acts in breach of the law. Some offenders are brought to accountability internally within the Ministry of Interior, others are referred to courts of justice that pronounce verdicts in their cases.

Field Visits to Care Centers and reformatories

In 2004 the ministry implemented in cooperation with the Ministry of Interior, the Ministry of Social Affairs and the governors a programme of field visits to central and auxiliary prisons and social care centers. This included visits to the central prisons of the following governorates: Sana'a, Aden, Ta'az, Hadramaut, Lahj, Dhamar, AlBaida'a, Ibb, Alhodaydah and Umran; as well as to all auxiliary prisons in the capitals' administrative district during August 2004. Visits were also carried out to social care centers in the governorates of the capital Sana'a, Aden, Ta'az, Ibb, and Alhodaydah. Reports on the outcome of the visits were prepared and copies thereof were sent to the concerned parties. Comprehensive reports were submitted to the Council of Ministers emphasizing the importance of combining efforts to raise the quality of services in care centers, reformatories and specialized institutions; and to ensure that their occupants receive an adequate level of services and related benefits; in addition to paying special attention to the task of supervising and evaluating the staff in charge of these institutions and their needs in order to develop and equip them appropriately.

International Reports and International Organizations

In fulfillment of the obligations of the Republic of Yemen which is party to numerous international agreements and conventions, The Ministry of Human Rights prepares periodic reports on the level of Yemen's implementation of these international agreements and conventions and sends national teams to discuss them in the concerned committees. The following table lists the reports presented in the period 2001-2004.

In line with the conviction of the Ministry of Human Rights in the importance of coordination with non-governmental organizations working in the field of human rights and its call for the preparation of progress reports on the scope of enjoyment of

human rights in our country, it is worth noting that the Ministry is in the process of preparing a series of periodic reports it is committed to present during 2005 as demonstrated in the following table:

National Reports presented to Human Rights Committees in the period 2001-2004⁷

	Title of Agreement	Title of Report and presentation date	Date report was discussed	International committee concerned with discussion of report
1	International Convention on economic social and cultural rights (CESCR)	First report of the Rep. of Yemen on the level of implementation of the convention presented on 27 Apr. 2002	12 – 13 Nov. 2003	The Economic and Social Council, Committee on Economic Social and Cultural Rights
2	International Convention on civil and political rights (CCPR)	Third report of the Rep. of Yemen on the level of implementation of the convention presented on 13 July 2001	Not scheduled Yet	Human Rights Committee
		Fourth report of the Rep. of Yemen on the level of implementation of the convention presented on 1 Aug. 2004		
3	International Convention on the Eradication of all Forms of Discrimination against Women (CEDAW)	The fourth and fifth periodic reports on the level of implementation of the Convention were presented in Dec. 2001	14 Aug. 2002	Committee on Eradication of Discrimination against Women
4	International Convention on the Rights of the Child (ICRC)	Third national report on the level of implementation of the Convention, presented in May 2003	The Rep. of Yemen presented its first report on the level of implementing ICRC on 14 Nov. 1994 then the Ministry of Social Securities and Affairs presented a complementary report on the situation of children in Yemen in the light of ICRC in August 1997	Committee on the Rights of the child
5	International Convention on Elimination of all Forms of Racial Discrimination (CCRD)	Periodic Reports 11,12,13,14 of the Republic of Yemen on the level of implementation of the convention presented on 10 Sept. 2001	Report discussed in the 61st session of the Committee on Combating Racial Discrimination on 12/13 Aug 2003	Committee on Combatting Racial Discrimination
6	International Convention Against Torture	First report of the Rep. of Yemen on the level of implementation of the convention presented in May 2002	17/18 Nov. 2003	Committee on Combatting Torture

⁷ All these and other reports can be viewed on the website of the Ministry of Human Rights www.mhryemen.org.

In light of the conviction of the Ministry of Human Rights in the importance of coordination with NGOs working in the human rights field and its call for the preparation of internal reports on the standard of application of human rights and freedom in our

country, it is worth noting that the ministry is in the process of preparing a set of periodic reports it is committed to present in 2005, as shown in the following table:

Table of Reports to Be Presented and Discussed in 2005

	Purpose	Date of Presentation	Remarks
1	Discussing the (third) national periodic report on the level of implementation of ICRC	May	It was decided to discuss the report in the committee concerned with children's rights in coordination with the Higher Council for Motherhood and childhood
2	Discussing the (fourth) national report of Yemen on implementing its obligations as party to the International Convention on Civic and Political Rights	June	
3	Informing the Action Group on forced or involuntary disappearance of the High commission for Human Rights in Geneva of all new findings reached by the National Fact Finding and Investigative Committee charged with working in the field to pursue this file	Not scheduled	
4	Preparing the national periodic report (15,16) on the level of implementation of the International Convention on the elimination of all forms of racial discrimination	November	It is required that the report be prepared and presented on the listed date, noting that the previous report was presented on 10 October 2001 and discussed on 12 August 2002

Further to the writing and presentation of periodic reports, the ministry prepared official comments on annual reports issued by countries and international organizations on the situation of the human rights in Yemen⁸. The most recent of these preparing and presenting Yemen's official comments on the U.S. State Department's report on the situation of human rights in Yemen issued in April 2004. The ministry also issued the official comments of the Republic of Yemen on Amnesty International's report on the situation of human rights in Yemen issued in 2003. Additionally, the Ministry coordinates with the delegates of countries and international organizations that issue such reports, and provides them with relevant clarifications and answers before they submit their reports. In the context, delegations from Amnesty International, Freedom House and others were received in Yemen.

The Ministry of Human Rights represents Yemen in the annual meetings of human rights committee and receives the delegations of the High Commission for Human Rights when they visit Yemen. It participates in the annual session of the Human Rights Commission in Geneva and the Sub-Committee for the Protection and Reinforcement of Human Rights, and delivers comments and declarations on all subjects listed on the session's agenda. In the framework of visits conducted by delegations of the High Commission, the independent expert on human rights and abject poverty was received and provided with the necessary information to prepare her report submitted to the Human Rights Commission in its sixtieth session. Also

⁸ All these reports and comments can be viewed on the ministry's website www.mhryemen.org.

received was the High Commission's human rights coordinator for the Arab Region who came to discuss areas of technical support to be provided by the commission to Yemen.

In the field of cooperation with international organizations, the ministry is completing investigations in the remaining instances of involuntary disappearance presented by the action group dealing with cases of involuntary disappearance in Yemen. In September 2004 a supplementary reply was submitted on (77) cases. Earlier, the ministry received a memorandum from the action group informing of the cessation of reviews on 62% of the cases responded to by Yemen in 2002. The agreement for technical cooperation signed between the ministry and the United Nations High Commissioner for Refugees (UNHCR) is an example of the ministry's cooperation with international organizations, through which it has organized a number of training workshops to raise awareness on the refugee agreement and the attached protocol. Furthermore, it has prepared an evaluation report on the situation of refugees in our country in coordination and cooperation with the Ministries of Foreign Affairs and the Interior and the UNHCR office in Sana'a.

Statutes and Decisions Pertaining to the Ministries Work

Proposing policies and actions aimed at strengthening and protecting human rights in coordination with the concerned authorities is at the heart of the functions of the Ministry of Human Rights. During the past two years, the ministry prepared or participated in the preparation of a set of resolutions aimed at invigorating human rights and protecting the rights of a number of groups within Yemeni society. The ministry succeeded in its effort to elicit numerous decisions from the Council of Ministers including:

- Council of Ministers decision nr.(106) for the year 2003 on the formation of a committee headed by the Minister of Interior to complete the programme of field visits to prisons to verify the situation of inmates and prisons and submit a report on the findings to the Council.

- Council of Ministers decision nr. (129) for the year 2004 on the implementation of executive proposals on coordination of work between the Ministry of Human Rights and other ministries and parties concerned with human rights.

- Prime Ministerial decision nr. (28) for the year 2004 on the formation of a committee to review cases of emigrants whose rights are subject to violations in their host countries.

- Prime Ministerial decision nr.(29) for the year 2004 on the formation of a legal committee respon-

sible for reviewing national laws and statutes and the degree of their conformity with international treaties and conventions ratified by our country.

- Council of Ministers decision nr.(198) for the year 2004 approving the recommendations contained in the report of the Ministry of Human Rights concerning auxiliary prisons in the capital's administrative district.

- Council of Ministers decision nr. (199) on supervision and administration in women's prisons.

In the field of advocacy, the ministry was able to execute and distribute numerous publications on human rights in national legislation, international agreements and national reports. It also collected data and information related to various juristic activities in and outside the ministry, reviewed these, recorded them electronically and diffused them on the ministry's internet website. The ministry carried out media coverage of its activities and organized press conferences and interviews, and implemented recently a programme to inform pupils in (12) schools in the capital about human rights in general and the rights of the child in particular.

Cooperation with Organizations of Civic Society

In line with the conviction of the leadership of the Ministry of Human Rights that the protection and reinforcement of human rights in our country is a noble undertaking surrounded by considerable difficulties and challenges that surpass the capabilities of any national institution working in this field, and that combining and coordinating the efforts of all governmental institutions and non-governmental organizations are an inescapable necessity that cannot be bypassed or ignored, the ministry adopted a programme aimed at strengthening the bonds of cooperation and coordination with organizations of civic society that included several encounters with a number of the during 2004.

Furthermore, the ministry took part in coordinating and supervising a promising experiment that featured the holding of elections for the children's parliament on 15 April 2004, training for and participation in the first workshop to train and educate the members of the children's parliament 2004 in the Chamber of Deputies. The ministry participated in the committee charged with coordinating efforts to provide juveniles with legal and social protection, its membership comprises the Ministry of Justice, the Ministry of Social Affairs and Labour, the Higher Council for Motherhood and Childhood, Al Salih Charitable Society, UNICEF and the Swedish children's welfare organization Rada Barmen. The ministry participated in preparing the workshop on the comprehensive and complete inter-

national agreement for the protection and advancement of the disabled, and carrying out a number of programmes to raise awareness among male and female pupils of some schools in the capital in coordination with the general directorate for advocacy.

D) Committee on International Humanitarian Law

This committee was established by Presidential decree nr.(408) for the year 1999. It reviews relevant statutes in force to determine the degree of their conformity with the provisions of international humanitarian laws and submits proposals to develop them in order to remain compatible with innovations and changes in international humanitarian law. The committee also approves plans to publicize and diffuse the tenets of international humanitarian law and undertakes to raise legal awareness of its provisions among all segments of society and monitors their enforcement. It determines mechanisms, measures and actions required to implement the terms of international humanitarian law and to actually enforce its provisions. The committee supervises the enforcement of law nr. (43) for the year 1999 regulating the use of the Red Crescent and Red Cross emblems and prevention of their abuse. It holds conferences and conducts all activities related to international humanitarian law at the national level. It participates in relevant international and regional conferences and activities and participates in studying and revising the drafts of international agreements and protocols concerned with international humanitarian law, and submits pertinent proposals on the subject. The committee acts to strengthen cooperation and the exchange of expertise with regional and international organizations working in the field of international humanitarian law and helps relevant government authorities prepare studies and reports required by them. Furthermore, the committee is responsible for coordinating government and international efforts in the domain of international humanitarian law. The second annual report on the implementation of international humanitarian law for the Arab Region for 2004 emphasizes in its section on publicizing the provisions of international humanitarian law that this law has been taught in the faculties of Islamic theology (sharia') and law at the universities of Aden and Tai'az, and is being currently taught at the faculties of sharia' and law in Sana'a and AlHudaydah. At the faculty of medicines, fifth year students attend lectures on international humanitarian law and its implications. The contents and tenets of international humanitarian law have been introduced into the cur-

ricula of these faculties and several orientation workshops have been held in Sana'a in coordination with the International Committee of the Red Cross, the most important of which was a workshop on international humanitarian law attended by judges and members of the prosecution authorities. A children's festival was held in the districts of the Governorate of Ibb and activities included lectures on international humanitarian law. The International Committee of the Red Cross organized a workshop on the charter of the International Court for the members of parliament of the Republic of Yemen.

E) National Committee for Refugee Affairs

The Republic of Yemen gave great attention to problems of refuge stemming from its recognition of the humanitarian responsibility it carries vis a vis refugees. This concern originates in our country's accession to the 1951 agreement and the 1967 protocol on the status of refugees by Presidential decree nr. (24) dated 19 November 1978. The 1967 protocol attached to the 1951 agreement was approved in the document issued by the Deputy Prime Minister and Minister of Foreign Affairs on 1 July 1979. In the year 2000 the Council of Ministers issued decision nr. (64) to create a national committee for refugee affairs in quest of effective implementation of the provisions of the agreement, and to establish an institutionalized mechanism to deal with refugee's problems at the national level.

Several joint programmes were carried out in the framework of existing cooperation between Yemen and UNHCR, such as the programme to register the Somali refugees scattered in all governorates of the Republic and to issue them identification documents. The programme was implemented between mid-year 2002 and midyear 2003 in the course of which (47000) refugees were registered. Action is underway to establish six permanent registration centers in coordination with the Ministry of Interior.

It is worth noting that there are no exact statistics on the number of refugees in Yemen, but estimates indicate the presence of hundreds of thousands of Somali refugees, and this belief is confirmed by the continuing influx. The number of new refugees in the period between 1999 and April 2004 was around (60,857) according to the statistics of the Mayfa'a center alone.

The government and UNHCR strove to educate all staff dealing with refugees on the rights and obligations of refugees. The government, represented by the Ministry of Human Rights, signed a memorandum of understanding with UNHCR in 2003. The memo-

randum was signed a second time in 2004, and many training courses were held encompassing various government authorities dealing with the question of refugee in different governorates. UNHCR signed another memorandum of understanding with the Faculty of Sharia' and Law at the University of Sana'a to teach subjects related to the migration, refuge and human rights. Additionally, the Ministry of Human Rights sent specialized field teams to inspect conditions in refugee reception centers in the district of Mayfa'a in the governorate of Shabwah, the Basateen area in the governorate of Aden and in the region of Kharaz.

Yemen is currently engaged in drafting a national refugee law by a specialized technical commission as required by Prime ministerial decision nr. (46) for the year 2003.

F) Higher Committee to Review Conditions of Prisons and Prisoners

The Higher Committee to Review the Conditions of Prisons and Prisoners was formed on 6 December 2000 in line with instructions issued by the President of the Republic. It is chaired by the President of the Supreme Court and the deputy chairperson is the director of the office of Presidency of the Republic. Membership consists of a number of concerned ministries and institutions such as the Ministries of Interior, Justice, Human Rights, Social Affairs and Labour and the office of the public prosecutor. The committee carries out a number of tasks that include studying the conditions and problems of prisoners, proposing suitable solutions and recommend financial assistance to needy inmates.

The committee established a set of criteria for the early release of prisoners, before the end of their sentences, and conducts field visits to prisons. As a result of the committee's work, many prisoners who have served three quarters of their sentences were released and benefited from the assistance ordered by the President of the Republic together with the contributions donated by philanthropists. (2274) prisoners were thus released in 2001, (1500) in 2002 and (2539) prisoners in 2004.

Apart from the formerly mentioned governmental committees, there exist other panels in different government institutions whose functions include strengthening and protecting human rights in general and receiving complaints from individuals and organizations. Prominent among these are:

A-Office of the Presidency of the Republic

The Office of the Presidency of the Republic attaches great importance to complaints submitted by citizens

to the President of the Republic by way of personal appearance, petitions and grievances, because such requests coming from citizens and concerned parties do not only seek justice or guidance, but represent an indicator to evaluate the level of dereliction in the performance of concerned authorities, or determine its non-existence. They also provide indicators to measure the quality of the social and economic situation of citizens and all conditions related to their rights and basic freedoms. The Office of the Presidency of The Republic, in addition to complaints, has at its disposal a general directorate for rights and freedoms charged with carrying out a number of tasks related to public freedoms and rights. The duties and functions of the two directorates are:

• *General Directorate for Rights and Freedoms*

This directorate carries out a number of duties and functions, mainly receiving and following up on reports, notifications and complaints related to issues of rights and freedoms in our country, analyzing these and presenting comments and recommendations as needed, monitoring infractions that infringe public rights and freedoms and other violations of human rights; verifying measures taken against violations; follow up and evaluation of policies, decisions and actions related to human rights problems; presenting proposals and recommendations to help strengthen and invigorate the role of institutions responsible for dealing with these problems and protecting rights and freedoms in general; reviewing incoming periodic reports on the level of implementation of international conventions and agreements concerned with human rights ratified by our country in cooperation and coordination with the departments working with the office of the Presidency. The directorate is also responsible for follow up and evaluation of the quality of relationships between our country and international institutions and organizations concerned with human rights, and commenting on these as needed; studying drafts of legislation, agreements, declarations reports related to rights and freedoms and commenting on them.

• *General Directorate for Complaints*

The most important duties and functions of this directorate are: receiving and reviewing complaints submitted to the President of the Republic, referring these to the appropriate authorities for action in accordance with the established legal norms, responding to the complainants to inform them of measures taken on their behalf; providing citizens with guidance and directions and informing them of the authorities they need to contact to solve their

problems if there is no need to complain directly to the President of the Republic, preparing and submit-

ting a summary of complaints that need to be presented to the President of the Republic.

Table n°. (1): Ratios of Categories of Cases Raised in complaints and appeals during 2003

Category of cases raised in complaints and appeals	Number	Ratio in percent
Sharia Statues	393	22.9
Homicide and vengeance	20	1.2
Theft	5	0.3
Abduction	-	-
Assaults	62	3.6
Imprisonment	24	1.4
Military	135	7.8
Administrative infractions	87	5.1
Financial infractions	26	1.5
Land and Properties	43	2.5
Educational	42	2.4
Partisan	11	0.6
Requests for project contracts	44	2.5
Requests for assistance	390	22.7
Requests for pensions	152	8.8
Requests for indemnities	46	2.7
Miscellaneous requests	228	13.3
Responses by concerned authorities	12	0.7
TOTAL	1720	100

Source: General Directorate for Complaints, Office of the Presidency of the Republic.

B- Office of the Prime Minister

The office of the Prime Minister has two directorates, the first of which is responsible for receiving citizens' complaints and deals with these according to prescribed procedures. The second is the Directorate of Civic Society and Human Rights and fulfills a number of functions related to organizations of civic society and human rights.

• Directorate of Complaints

This directorate receives and studies complaints submitted by individual citizens to the Prime Ministry and refers them to the competent authorities in accordance with established legal norms. It monitors

actions taken on their behalf and informs the complainants of the results. The directorate analyzes the trends of complaints to help find solutions to eliminate their causes and channels important complaints to the head of the Prime Minister's office who refers them in turn to the Prime Minister or his deputies to take appropriate action.

• Directorate of Civic Society and Human Rights

It is responsible for a number of tasks related to human rights and organizations of civic society. One of these tasks is keeping abreast of human rights issues and reports prepared by local, regional and international organizations. The directorate presents comments and

briefs on these reports and remains in touch with the appropriate authorities to verify the level achieved in implementing these and relevant instructions issued by the Council of Ministers. It reports on these findings and submits proposals to develop organizations of civic society and strengthen their role.

C- Ministry of Justice

One component of the Ministry of Justice is the Judicial Inspection Authority which is charged with overseeing the proper performance of judges. Consequently, the authority is under the jurisdiction of the general directorate for complaints. It receives citizens' complaints concerning infringements attributed to judges, studies and scrutinizes them to ascertain the veracity of their contents, and submits the results to the head of the authority who refers them in turn to specialized committees that address the judges by way of advisory memoranda. These committees conduct field visits to investigate cases in which the complaints proved to be true and judges refused to abide by the advice received from the authority.

SECOND: Human Rights Committee in the Chamber of Deputies and Consultative Council

A) Chamber of Deputies

The legislative branch, represented by the chamber of deputies, took it on itself to form internal committees to deal with citizens' complaints and grievances and problems of human rights in general. To achieve this objective, two committees were formed: the committee for public freedoms and human rights, and the committee for petitions and complaints. The committee for public freedoms and human rights is composed of (15) members, all parliamentarians, and carries out a number of functions that include reviewing and studying drafts laws and agreements concerned with public freedoms and human rights; reviewing, studying and following up on all that is related to issues pertaining to public and human rights; defending these in accordance with the constitution and current laws; supervising the concerned authorities to ascertain the judicious application of laws pertaining to public freedoms and human rights and that no violations thereof are being committed.

The petitions and complaints committee is composed of (13) members, all parliamentarians, and is in charge of reviewing and scrutinizing complaints and petitions submitted to the chamber of deputies, and reporting on them to the speaker of the house

or a deputy speaker. Its reports include proposals and ideas it considers suitable to treat the problems behind the complaints. The committee also stays in contact with the authorities responsible for the implementation of proposals and recommendations issued by the chamber and its Presidency Council in response to complaints and petitions, and submits periodic reports thereon to the chamber.

B) Consultative Council

Similar steps were taken in the structuring of the consultative council. The constitutional amendments of 2001 included a clause mandating the establishment of a consultative council with (111) members, and its prerogatives were specified in articles (125-127) of the constitution. Law nr.(39) for the year 2002 regulating the internal organization of the consultative council established a number of committees including the committee for human rights, public freedoms and civic society charged with implementing a number of tasks related to human rights and organizations of civic society. In the area of human rights and public freedoms the committee focused on several subjects such as advancing human rights and public freedoms and providing counsel and ideas on strengthening them. It is also responsible for reviewing and documenting human rights as anchored in the constitution and current laws; commenting on their application and the level of adherence to them by official, popular, syndical, private and other institutions. Furthermore, the committee submits proposals and ideas to the appropriate authorities in government for the purpose of strengthening laws dealing with rights and freedoms, and participates in devising remedies to shortcomings that may be inherent in such laws and in their enforcement. It is additionally concerned with the rights of women and children and strengthening women's participation in public life.

As concerns non governmental organizations in civic society, the committee undertakes to promote institutions of civic society and to strengthen their role; and provides proposals on eliminating obstacles that impede the execution of their tasks. It is also responsible for providing comments and opinion on legislation dealing with non governmental organizations, reinvigorating these and contributing to their growth. The committee monitors international, regional and local tendencies in respect of non governmental organizations, analyzes the findings and comments on them. It is responsible for strengthening relationships and exchanges of views with international and regional organizations dealing with non governmental organizations in Yemen.

THIRD: Institutions Concerned with the Rights of Women and Children

There are several specialized committees and higher councils working in the areas of women and children. A brief overview will be presented here since we shall discuss the tasks and achievements of these institutions in detail in the chapter on women's rights.

A) Higher Council for Women

The Council was established by decision nr. (68) of the Council of Ministers for the year 2000 with the objective of improving the situation of women in all domains. It was reconstituted by Presidential decision nr. (35) for the year 2003 and placed under the chairmanship of the Prime Minister. Membership comprises a group of ministers whose departments' functions are generally related to women's issues, such as the Ministries of Planning and International Cooperation, Youth and Sports, Civil Service and Social Security, Education, Social Affairs and Labour, Public Health and Population, and Human Rights. Membership includes additionally the chairwoman of the National Committee for Women who is the council's rapporteur, a representative of the chambers of commerce and six female public personalities.

By this decision the national committee for women became the executive and advisory branch of the Council, enjoying administrative and financial autonomy.

B) National Committee for Women

It was formed in 1996 by decision of the Prime Minister in compliance with recommendations emanating from the Beijing Conference of 1995 which called upon governments to establish specialized national committees for women. The decision establishing the committee specified a number of objectives, the most important of which is participation in preparing and proposing policies, strategies and plans on behalf of women to improve their situation in cities and rural areas and define priorities for development projects directed at women.

C) Higher Council for Motherhood and Childhood

The council was first established under the name "Yemeni Council for Motherhood and Childhood" by decision nr. (53) for the year 1991 of the President of the Republic. It was chaired at the time by the

Minister of Social Security and Social Affairs and its membership included a number of deputy ministers whose functions were related to issues of motherhood and childhood such as the Ministries of Health, Information and Education; as well as the secretary general of the Red Crescent Society and the secretary general of the UNESCO Committee. In 1999 the Council was re-constituted by Presidential decision of 20 December 1999, and its name became "The Higher Council for Motherhood and Childhood". The level of membership was upgraded and the Prime Minister became its chairman. Eight ministers whose departments' functions were related to motherhood and childhood became members, notably the Ministers of Social Security and Social Affairs, Education, Health, Culture, Finance and Information. Membership included also a secretary general for the council, the secretary general of the National Council for Population and four representatives of non-governmental organizations. The Prime Minister issued decision nr. (20) for the year 2000 establishing the legal status and financial autonomy of the council. The decision specified a number of tasks for the council, mainly defining strategies and setting a general policy for dealing with issues of motherhood and childhood in conformity with the constitution, current laws and the government's strategies for human development.

List of treaties ratified or approved by Yemen and date of ratification

	Title of treaty	Date it went into effect	Date of ratification
1	Universal Declaration of Human Rights approved and published in UN General Assembly (UNGA) resolution 8217(3)	10 Feb. 1948	Article 6 of Yemeni constitution, amended on 29 Sept. 1994
2	International Convention on economic, social and cultural rights; approved and presented for signature and ratification by UNGA resolution 82200(21)	Approved 16 Feb. 1966 Became effective 23 March, 1976	29 Feb. 1987
3	International Convention on Civil and Political Rights, approved and presented for signature, ratification and accession by UNGA resolution 82200(21)	A: 16 Feb. 1966 E: 23 March 1976	29 Feb. 1987
4	International Agreement on the eradication of all Forms of Racial Discrimination approved and presented for signature and ratification by UNGA resolution 82106 (28)	A: 12 Dec. 1965 E: 4 Jan. 1969	8 Oct. 1972
5	International Agreement on suppression and punishment of racial discrimination crimes, approved and presented for signature and ratification by UNGA resolution 3068 (64)	A: 30 Nov. 1973 E: 18 July 1976	17 Aug. 1976
6	International Agreement Against Racial Discrimination in sports, approved and presented for signature and ratification by UNGA resolution 40(64)	A: 10 Feb. 1985 E: 3 April 1988	Signed by Yemen on 16 May 1986, but not ratified
7	International Agreement for the prevention and punishment of genocide, approved and presented for signature and ratification by UNGA resolution 8260 (3)	A: 9 Feb. 1948 E: 12 Jan. 1951	9 Feb. 1987
8	Agreement on non-applicability of status of limitations for war crimes against humanity approved and presented for signature and ratification by UNGA resolution 2391 (23)	A: 26 Nov. 1968 E: 11 Nov. 1970	9 Feb. 1987
9	Agreement against torture and other forms of brutal, inhumane and debasing treatment and punishment, approved and presented for ratification by UNGA resolution 39(40)	A: 10 Feb. 1984 E: 26 June 1987	5 Nov. 1981
10	International Convention on the eradication of all forms of discrimination against women, approved and presented for signature and ratification by UNGA resolution 34(180)	A: 18 Feb. 1979 E: 3 Sept. 1981	30 May 1984
11	International Agreement on Political Rights for Women, presented for signature and ratification by UNGA Resolution 640(7)	A: 20 Nov. 1952 E; 7 July 1954	9 Feb. 1987 Yemen rejected last sentence of article 7 and expressed reservations on text of article 9

12	International Convention on the Rights of the Child, presented for signature, ratification and accession by UNGA resolution 640(7)	A: 2 Nov. 1989 E: 2 Sept. 1990	1 May 1991 Yemen accepted on 3 April 1997 the amendment of paragraph 2 of article 34 approved by the conference of member states on 12 Feb. 1995
13	Agreement on consent to marriage, minimum age and registration of marriage, presented for signature and ratification by UNGA resolution 81763(17)	A: 7 Nov. 1962 E: 9 Dec. 1964	9 Feb. 1987
14	The 1926 Agreement on slavery, amended by the protocol of 1953. signed in Geneva in 1926 and went into effect in 1927. Amended by protocol of 7 Dec. 1953	A: 25 Sept. 1926 E: 9 March 1927	9 Feb. 1987
15	Agreement on prevention of trade with human beings, exploiting and lending of persons, approved by UNGA resolution 317(4)	A: 2 Dec. 1949 E: 25 July 1951	6 April 1989
16	Agreement on status of refugees of 1951, approved by the UN commissioners for refugees and stateless persons	A: 28 July 1951 E: 22 April 1954	18 Jan. 1980
17	Protocol relevant to Agreement on Status of Refugees, approved by Economic and Social Council in resolution 1186(41) and noted by UNGA in resolution 2198(21) of 16 Dec. 1966	A: 18 Nov. 1966 E: 4 Oct. 1967	16 July 1970
18	Geneva Convention on improving conditions of wounded and sick members of armed forces in the field, approved by the diplomatic conference to draft an international agreement on the protection of war victims held in Geneva in August 1949. It also approved the three agreements that follow hereunder	A: 12 Aug. 1949 E: 21 Oct. 1955	16 July 1970
19	Geneva Convention on improving conditions of the wounded, sick and drowned members of armed forces on the sea	A: 12 Aug. 1949 E: 21 Oct. 1955	16 July 1970
20	Geneva Convention on the treatment of prisoners of war	A: 12 Aug 1949 E: 21 Oct. 1955	16 July 1970
21	Geneva Convention on the protection of civilians in time of war	A: 12 Aug 1949 E: 21 Oct. 1955	16 July 1970
23	Second complementary protocol attached to Geneva Conventions on protection of victims of non-international Armed conflicts..These two protocols were adopted in the diplomatic conference to re-emphasize international humanitarian law.	A: 8 June 1977 E: 7 Dec. 1978	17 April 1990
24	Agreement no. 14 on weekly rest in industrial plants (International Labour Organization – ILO) A: 1921	E: 19 June 1923	29 July 1976

25	Agreement no. 15 on the minimum permissible age for employment of adolescents as stokers or assistant stokers – ILO	A: 1921 E: 20 Nov. 1922	14 April 1969
26	Agreement no. 16 on mandatory medical examination of children and adolescents employed on ships – ILO	A: 1921 E: 20 Nov. 1922	14 April 1969
27	Agreement no. 19 on equal treatment of native and foreign workers in compensation for work accidents – ILO	A: 1925 E: 8 Sept. 1926	14 April 1969
28	Agreement no. 29 on forced Labour – ILO	A: 1930 E: 18 May 1932	14 April 1969
29	Agreement no. 58 on minimum age for employment of adolescents in maritime work (amended)	A: 1936 E: 11 April 1939	14 April 1969
30	Agreement no. 59 on minimum age for employment of adolescents in maritime work (amended)– ILO	A: 1937 E: 21 Feb. 1941	14 April 1969
31	Agreement no. 64 on regulating employment contracts for native workers – ILO	A: 1939 E: 8 July 1948	14 April 1969
32	Agreement no. 65 on penalties for violations of employment contracts for native workers – ILO	A: 1939 E: 8 July 1948	14 April 1969
33	Agreement no. 81 on work inspection – ILO	A: 1947 E: 7 April 1950	29 July 1976
34	Agreement no. 86 on employment contracts (native workers) – ILO	A: 1947 E: 13 Feb. 1953	14 April 1969
35	Agreement no. 87 on freedom of labour unions and protection of syndical rights – ILO	A: 1948 E: 4 July 1955	29 July 1976
36	Agreement no. 94 on protection of wages – ILO	A: 1949 E: 20 Sept. 1952	14 April 1969
37	Agreement no. 95 on protection of wages – ILO	A: 1949 E: 24 Sept. 1952	14 April 1969
38	Agreement no. 98 on application of principles of the right of organization and collective negotiations – ILO	A: 1949 E: 18 July 1951	14 April 1969
39	Agreement no. 100 on equality of male and female workers in wages for equal work – ILO	A: 1951 E: 23 May 1953	22 Aug. 1969
40	Agreement no. 104 on exemption of penalties for violations of employment contracts by native workers – ILO	A: 1955 E: 7 June 1958	22 Aug. 1969
41	Agreement no. 105 on abolishment of forced labour – ILO	A: 1957 E: 17 Jan. 1959	14 April 1969
42	Agreement no. 111 on discrimination in employment and profession – ILO	A: 1958 E: 17 Jan 1960	22 Aug. 1969
43	Agreement no. 122 on labour policy – ILO	A: 1964 E: 15 July 1966	30 Jan. 1989

44	Agreement no. 131 on setting minimal standard of wages (with special reference to developing countries) – ILO	A: 1970 E: 29 April 1972	30 Jan. 1976
45	Agreement no. 132 on paid vacation – ILO	A: 1970 E: 30 June 1973	1 Nov. 1976
46	Agreement no. 135 on providing protection and facilities to workers' representatives in enterprises– ILO	A: 1971 E: 30 June 1973	29 July 1976
47	Agreement no. 138 on minimum age for employment – ILO	A: 1973 E: 19 June 1976	Approved by Council of Ministers on 15 Feb. 2000, but ratification procedure by Chamber of Deputies not completed yet
48	Agreement no. 144 on consultations to improve enforcement of international work standards– ILO	A: 1976 E: 16 May 1978	29 Jan. 2000
49	Agreement no. 156 on workers with higher responsibilities - ILO	A: 1981 E: 11 Aug. 1983	13 March 1989
50	Agreement no. 158 on termination of employment by employer – ILO	A: 1982 E: 23 Nov. 1985	13 March 1989
51	Agreement no. 159 on vocational habilitation and employment of disabled persons – ILO	A: 1982 E: 2 June 1985	18 Oct. 1991
52	Agreement no. 182 on prevention of the worst forms of child labour – ILO	A: 1999 E: not yet	28 Dec. 1999
53	Special agreement on status of refugees	A: 18 July 1951 E: 22 April 1954	18 Jan. 1998
54	Charter of the United Nations	A: 26 June 1945 E: 24 Oct. 1945	Article 6 of the constitution of the Republic of Yemen
55	Convention on prevention of use, storage, production and transportation of anti-personnel mines, and their destruction	A: 3 Dec. 1997 E: 31 Sept. 1989	12 Aug. 1998
56	Agreement on prevention of manufacture and storage of chemical weapons and regulation of their destruction	A: 13 Jan. 1993 E: --	5 July 2000
57	Facultative protocol attached to the convention on the eradication of all forms of discrimination against women	A: 6 Oct. 1999 E: 22 Dec. 2000	Dec. 2000

FOURTH: Non-Governmental Organizations (NGOs) Working in the Field of Human Rights

Recent years witnessed an increase in the number or organizations of civic society and a growing role of many qualified associations working in the field

of human rights. These carry out activities to raise awareness among various social groups in their economic, social, political, civic and developmental rights. Some of them play an important role in monitoring the degree to which government services respect the basic elements of human rights. In addition to their role in spreading the culture of human rights, they monitor violations by official services or semi-

official institutions or even by individuals. Parallel to the growing role of human rights organizations, some newspapers owned by political parties have begun allocating permanent sections to report cases of individual and social human rights violations. Stimulated by international and governmental trends to encourage partnership between the state and civic society, the effectiveness of these organizations grew in the areas of strengthening human rights and opposing violence against women in particular. There was an expansion in the scope of activities aimed at the advancement of women in all fields, securing their active participation in institutions working on their behalf, and improving laws crafted to protect their rights. All this occurred in an atmosphere of relative freedom and independence of organizations of civic society. And it is in this atmosphere that they fulfill their allocated tasks in spreading the culture of rights by conducting training sessions, workshops, meetings, lectures, studies and field research; and producing working papers, periodic publications and reports; including internal reports submitted to United Nations human rights committees with comments on official reports presented by the government to the UN.

The work of some of these organizations grew to the limit of undertaking activities of regional Arab and international character, going beyond the boundaries of national interests as a form of solidarity with issues of human rights in any part of the world. Many activities were organized dealing with human rights in occupied Palestinian territories, modernizing the Arab Convention on Human Rights, the consequence of the events of 11 September on the situation of human rights, the fall-out of the Iraqi regime's collapse and its effects on rights and freedoms in the Arab world, condemning the torture and heinous crimes inflicted on detainees in Guantanamo and Abu Ghoreib prisons, and requesting countries to ratify the basic Rome document on the International Criminal Court.

Some organizations also enlarged the range of persons participating in training and discussions sessions by organizing regional activities encompassing male and female participants from the Arab world and various other countries. One of these was the first regional conference on the Full Integration and Better Life for the Disabled, which was conducted by the Arab Organization for Human Rights and included workers and experts in the field of disability from numerous Arab countries. In the course of a few years the Information and Training Center for Human Rights organized Arab sessions on human rights with large participation from various Arab countries. The Arab "Shaqa'eq" Forum for Human Rights organized a

regional workshop on the rights of women prisoners under the slogan "for an effective support of human rights." Many human rights experts and researchers from nine countries took part. In December 2004 the Forum held the "First Democratic Gathering for Arab Women's NGO's" which focused its attention on the topic of "Women's Political Empowerment- A Necessary Step Toward Political Reform in the Arab Homeland". The participants were a distinguished group of female leaders active in civic society organizations from many Arab countries.

The activities of local executive organizations became diversified and expanded beyond the national bounds. Following the 1993 elections, the members of the Civic Society Forum contributed their experience in local supervision of elections for the benefit of other Arab countries. They also took part in Arab and international training courses on modern means and methods of local supervision of elections, civic education and women's participation. In a pioneering experiment in this field, the Information and Training Center for Human Rights organized two regional events, one in Cairo on the project of modernizing the Arab Convention for Human Rights, and the other in Amman on the use of small arms. New forms of cooperation emerged between local organizations and their foreign counterparts, like participation in preparing studies on the right of a woman to give her nationality to her children from an alien husband, and the importance of her obtaining documents of identification (identity card) and their uses. Also participating was the Center for Support of Women's Issues, a subsidiary of the Institute for the Advancement of the Democratic-Civic Trend-"MADA".

The types of relationships between various non-governmental organizations and international and regional organizations vary in form and character. Some of these Yemeni organizations are affiliated, in terms of membership, with some national networks with regional and international outreach, hence their membership in the Union of Arab NGO's in Cairo. Two associations were able to obtain consultative status in the Economic and Social Council of the United Nations (ECOSOC). Many Yemeni non-governmental associations and organizations participated effectively in most regional and international conferences, especially those related to women's issues and human rights⁹. Some of these organizations obtained international respect and acclaim and were nominated to fulfill coordination tasks in the Arab world and the regional sphere.

⁹ An Analytical Reading into the Status of Yemeni NGO's, Dr. Fouad Al Salahi, p.9.

Organizations were founded and they played tangible roles in defending rights and freedoms. They conducted field monitoring through prosecution services and courts to record arbitrary arrests outside the bounds of the constitution and laws. The National Association for the Defense of Rights and Freedoms (HOOD) stood out as an efficient organization working in this domain.

Other organizations emerged and carried out tasks related to the most important political events in our country. Since the elections of 1997 and until the last elections of 2003, the Yemeni Institute for the Advancement of Democracy has been monitoring elections, and has published a book on its experience under the title "Democratic change in the Republic of Yemen". And, in interaction with issues of reform, the institute organized a national conference in which more than (120) activists, parties and civic organizations presented their national views on reform and methods of achieving it.

Numerous organizations were established to focus largely on childhood related issues, so the Democratic School organized in March 2004 elections for the children's parliament, in the second experiment of its kind for the children of Yemen and (30,000) boys and girls took part. The political leadership attached great importance to the creation of a mechanism to work and cooperate with the organizations of civic society dealing with human rights. The Ministry of Human Rights held numerous meetings with organizations of civic society and political parties to define priorities of joint action, and identify obstacles and means to overcome them. The Sana'a Conference on Democracy and Human Rights and the Role of the International Criminal Court held on 11-12 January 2004 with a massive participation of organizations of civic society, stated in its declaration that a pre-requisite for a healthy democracy and respect for rights is ensuring the right to the freedom of forming organizations of civic society, joining them and providing the legal framework and suitable environment for their work in order to strengthen the principle of partnership and participation; and to organize effective social action, provided that civic society fulfills its role responsibly in the boundaries of democracy and respect for human rights.

Numerous obstacles impede the progress of work of organizations of civic society in the area of human rights, such as the lack of adequate training of their staff in order to become better qualified to realize objectives for which they were founded. Other obstacles are the absence of a coordinating mechanism among them to streamline their work and facilitate the exchange of information, the lack of genuine

and precise specialization in some organizations that would have enabled them to exploit their full potential, narrow the tendency of many organizations to work in areas such as poverty and women's welfare in imitation of others, without clearly defined objectives for their work. This affects the quality and diversity of the efforts which encompass all areas and reflect the organizations' capability to perform. Most organizations focus their attention on the cities and neglect rural areas, and there is a general lack of action for the sake of social development as organizations of civic society concentrate their efforts on traditional areas; and even duplicate their work in the same restricted residential framework. The character of non-governmental work and attachments of an organization or association are a reflection of the leader's personality, and this results sometimes in conflicts among the leaderships and shows an absence or weakness of democratic practice inside the organizations¹⁰.

¹⁰ Op.cit., p.26.

Some activities implemented by various organizations of civic society working in the field of human rights in Yemen in 2003

1	Institute for the Advancement of the Democratic – Civic Trend "MADA"	Implementation of the project of monitoring parliamentary elections, April 2003, with the participation of 9000 male and female volunteers	2003
		Project for electoral advocacy, guidance and education	2003
		Training workshops to upgrade capacities and improve skills of local councils	
		Programme of support to female candidates for parliamentary election in 2003	Jan. – May 2003
		Meeting with the committees of rights and freedoms in the Chamber of Deputies and Consultative Council	2003
2	Arab Org. for Human Rights	Workshop on obstacles and challenges facing women candidates for elections and how to overcome them	Jan. 2003
		Awareness raising in primary schools on rights of the disabled	Jan. – May 2003
		Training workshop for journalists on rights and problems of the disabled	April 2003
		First regional conference (full integration and better life for the disabled)	Oct. 2003
3	Democratic School	Project of monitoring parliamentary elections with participation of 1000 male and female volunteers	2003
		Establishment of local children's Council (Tahrir Province)	July 2003
		Preparing the inauguration of elections for children's parliament 2004	2003
		Organizing drawing competition for children on subject of environment and peace in cooperation with general post directorate, and commemorating winning works on post stamps	
4	Center for information and training on human rights, Ta'az	Panel discussion on women and political participation – Aden	23 March 2003
		Fourth training course for police officers on human rights	3-5 Sept. 2003
		Special workshop on programmes and activities of organizations of civic society	9 Sept. 2003
		Special workshop on re-constitution of Amnesty International's networks. Workshop on: (For a Yemen Free of Torture)	21-23Sept. 2003
		Panel discussion on International Criminal Court	1 Nov. 2003
		Third Arab session on human rights – Sana'a	6-12 Dec. 2003
		Issuing periodical (HUQOUQOUNA) – our rights – dedicated to strengthen awareness in human rights	2003

5	Yemeni Institute for Advancement of Democracy	Monitoring parliamentary elections of April 2003	2003
		Implementation of programme for awareness raising on civic rights in cooperation with UNDP and the Higher Committee for Elections	2003
		Holding national conference on reform and methods of its achievement	
6	Civic Society Forum	First training session on rights in family and society (upgrading skills of local activists), Sana'a	21-24 July 2003
		Second training session on rights in family and society (upgrading skills of local activists), Ta'az	26-29 July 2003
		Third training session on rights in family and society (upgrading skills of local activists), Aden	31 July – 4 Aug. 2003
		Publishing monthly magazine (AL QISTAS) concerned with legal education and judicial reform, and the annual report on justice in Yemen which monitors the independence of the judicial authority and the legal profession	2003
7	Women's Forum for Studies and Training	Training workshop in capacity Building	May – June 2003
		Workshop for journalists on women's rights	29 June 2003
		Third conference on liberation from poverty	4-6 Aug. 2003
		Workshop under the title: (civic education is the basis for the school of the future)	29-30 Sept. 2003
		Inauguration of national campaign on women's participation in elections	
8	"AL SHAQAEQ" Arab Forum on Women's Rights	Holding the first legal meeting	15 Jan. 2003
		Public information event on occasion of international women's day	11 March 2003
		Panel discussion on consequences of US-UK occupation of Iraq and its effect on human rights	29 April 2003
		National conference on peace and war	18-19 May 2003
		National workshop for training of women in the legal professions	16-18 June 2003
		Conference on current challenges facing Arab movement for human rights after events of 11 September, in cooperation with Center of Information and Training for Human Rights	11-12 Oct. 2003
9	National Institute for Defense of Human Rights (HOOD)	Panel discussion against torture)	20 May 2004
		Panel discussion on preparing the committee for the support of Guantanamo detainees	June 2004
		Field monitoring to register arbitrary arrests outside the bounds of constitution and law, through prosecution authorities and courts	Whole year