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Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and Reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Liberation, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2012]

* This written statement is issued, unedited, in the language received from the submitting non-governmental organizations.

Proposal for a new draft resolution on human rights situation in Yemen to be adopted by the Human Rights Council**

This proposal was submitted to the Secretariat of the Council before the report A/HRC/21/37 on the situation of human rights in Yemen was issued by the High Commissioner for Human Rights in which we are expecting from the High Commissioner a better reporting of the situation on the ground, especially after the OHCHR mission to Aden last July, and adequately observed and addressed the concerns in Southern people to overcome the failure of the former OHCHR fact-finding mission to Aden last year.

This proposal is based on the key facts already mentioned in the previous documents: A/HRC/19/NGO/8 and A/HRC/19/NGO/7 and A/HRC/20/NGO/17, in which stated the deteriorated human rights situation in the South, in particular reflect the failure of the HRC to adequately follow up the situation.

The crises of the South has gained a regional dimension since the declaration of the GCC foreign ministers, held in 1994 in Saudi Arabia. This declaration reaffirmed that unification must not be imposed by force. The Yemeni crises also gained an international dimension since that the Security Council Resolutions Nos. 924 and 931 in 1994 were issued and affirmed that political differences cannot be solved in the region via the use of force. These two resolutions consequently urged both North and South Yemen to immediately reengage in productive dialogue without preconditions, thus hopefully allowing both sides to reach a peaceful solution to their particular differences.

Due to the ineffective implementation of 924 and 931 Security Council resolutions, gross violations have taken place and increased subsequently, causing severe damages to Southern Yemeni people since 1994. Since 2007, The U.N. Human Rights Council (HRC) has been kept abreast of the situation in South Yemen. According to these missives, the peaceful southern demonstrators faced massive amounts of government-initiated violence, extrajudicial killings. Furthermore, the reports also note hundreds of arbitrary detentions, torture, forced disappearances and kidnappings.

All the above mentioned acts are, in turn, considered a breach and violation of the International human rights instruments and could, in some cases, be interpreted as crimes against humanity and systematic discrimination and Segregation against Southern people as follows:

Crimes against humanity

The Northern Authorities have committed gross violations such as causing the death of some 1020 peaceful protesters belonging to Peaceful Southern Hirak and Thousands of peaceful protesters were injured and subjected to extrajudicial killings, arbitrary detentions, torture, forced disappearances and kidnappings.

Discrimination and Segregation

The Northern Authorities implemented a systematic discriminatory policy against the Southern people, including, the removal of some 566,616 southern public servants, erosion of southern identity and their worldwide recognition by abolishing all southern institutions; destitution of the southern lands to the Northern oligarchy; transferring southern public

** The International Organisation for the Least Developed Countries (IOLDCs), an NGO without consultative status, also shares the views expressed in this statement.

sector institutions into private sector for the benefit of northern oligarchy. Thus, the UN Human Rights Council possess a responsibility to support the genuine international efforts to eliminate the root causes of the crises and the human rights violations and the eradication of all forms of terrorism.

For that reason we suggest that, the Council should take immediate and effective measures by adopting the following Five working paragraphs as a cornerstone of the expected draft resolution on the situation of human rights in Yemen:

- To urge the government of Yemen to abide by the undertakings set out in the international covenants and in the General Assembly resolutions on the right of self-determination of the people of the South.
- To urge the UN Secretary-General to carry out effective measures and to provide a framework for the peaceful settlement of the conflict between South and North and to resume the Geneva negotiations between the two parties held under the UN guidance in accordance with the resolutions of UN Security Council 924 and number 931.
- To appoint International Investigation Commission to investigate the human rights violations against Southerners including against the Southern Peaceful movement "Hirak".
- To designate a Special Rapporteur on terrorism for a mission in Yemen, responsible to report back to the Council the possibilities to eliminate the root causes of terrorism in the country.
- To pave the way for establishing special human rights court to handle, gross human rights violations, terrorist cases, organised political crimes, corruption cases, with a general jurisdiction over all war crimes in both in South and North Yemen.

As the UNHRC members are aware that, their failure to eliminate the root causes of the chronic South North crises and to demand accountability for the alleged crimes has simply encouraged Yemeni authorities to disregard international law and UN mechanisms, for that reason the previous Five proposed paragraphs should be taken into consideration by the Members of the council when adopting the resolution on Yemen.
