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**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 the Organisation internationale pour les pays les moins avancés (OIPMA), 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.

[15 May 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human Rights Based Approach and Conflict Prevention, Post-conflict Peacebuilding in Yemen

Yemenis suffer today because of the conflict, which entered its third year of scarcity of their basic rights, including the right to life, where they are subjected to death, terror and other grave violations of human rights. The figures issued by international organizations show that a humanitarian catastrophe is threatening Yemen.

The number of victims killed and wounded has exceeded tens of thousands, and the current conflict has caused poverty, hunger, epidemics and the termination of services; in addition to the risk of famine that affects millions of people. Chaos has replaced the rule of law. The trend of recruiting children became extensive beside the death of thousands of them due to the high proportion of malnutrition that reached 150%; while humanitarian aids remain a relatively temporary solution that helps to alleviate the suffering of Yemenis.

In light of the sufferings of the Yemenis that are intensified by the current war, it is not easy to stop the conflict and achieve a genuine political settlement in a state that is in a total collapse which is under complicated and multifaceted situations that have caused gross violations of human rights.

In the North Yemen, there is a conflict between two parties; each of them is composed of forces, groups and political entities with multiple ideologies, doctrines and objectives. This is an obstacle to accomplish a political settlement where violations of human rights have been carried out on the people of the provinces of Hodeida and Taiz, and the rest of the North during the history of the former state of North Yemen.

The struggled parties for power in the North continue to carry the same mentality of abolishing others by force through relying on their own military power to achieve a military victory; and then force the other party(s) to surrender. This results in further human rights abuses, the spread of violence and chaos.

In spite of the war between the parties in the North, they all use all means to continue the Northern control of the South through “United Yemen”. However, these parties are not ready to build a civilized state and a state of system and law which encourages stability and development.

While the Southerners have sufficient evidences that the declaration of unity, signed by the Secretary-General of the ruling party in the South with the Northern President in 1990 without a referendum, was illegitimate declaration, the Southerners stress that the unity did not actually take place because all institutions of the two previous states remained the same until the 1994 war that resulted in the occupation of the South followed by serious violations of human rights over the past twenty-five years.

The Southerners have affirmed over the past decades in peaceful marches that their cause is not a dispute over authority as it is the case in the North, but to their sovereign state. The main motivation of the Southerners is to restore their state; that is why the Southern Resistance was able to defeat the Houthi militias and the forces of the former president Saleh, IN 2015.

In 2017, with the support of the United Arab Emirates and the United States of America, the Southern Resistance managed to eliminate al-Qaeda and ISIS, which existed in some areas of the South,. Currently, they are working to eliminate the sleeping cells of terrorist groups.

The Southerners are leading the scene in the South, and that can be seen in a gathering of various groups of the South attended by hundreds of thousands in Aden. In that gathering, Southerners authorized the former governor of Aden Mr. Aydaroo Al-Zubaidi to form a Southern transitional council, which was announced on May 11, 2017, in order to manage and represent the South; and directly negotiate for the recognition of the South a sovereign state or call for a referendum of the people of South Yemen.

With this complicated situation, the “Organisation internationale pour les pays les moins avancés (OIPMA)” considered that the lack of awareness to the essence of the conflict and its roots, the absence of a comprehensive vision of a comprehensive and lasting solution, and failure to deal with the crisis on the basis of human rights based approach have

led to a decline in the chances of success of the mission of the U.N. Special Envoy. The organization also concluded that any future negotiations carried out with the same manner of the previous ones would be fragile. As a result, the war could develop from its current situation to new and multiple ones that could lead Yemen to join the countries of intractable crises.

For that reason, the OIPMA has conducted a comprehensive survey and study of the root causes of the Yemeni crisis, and deployed its volunteers on the ground to look deeply at the complexities and ways to stop the conflict and resolve the crisis in a comprehensive and lasting manner based on human rights based approach.

In this regard, OIPMA reminds the Human Rights Council, the UN Security Council and the Special Envoy that, conflict resolution and post-conflict peace-building in Yemen can only be achieved through a human rights-based approach, and we recommends that the relevant United Nations bodies take the following actions:

Firstly: Since Yemen is currently under the 7th Chapter of the UN Charter, the SC should carry out its mandate by forcing all parties to cooperate with the Secretary-General's envoy to resume the cessation of hostilities and to coordinate an effective and a sustained ceasefire. Also, by deterring the perpetrators of the conflict through freezing and isolating them, and threatening to take them to the International Criminal Court; including those included in the boycott list of the SC resolution, and others such as the leadership of the Islah Party (the Muslim Brotherhood) to enable the Special Envoy to achieve a cease-fire as a first step, followed by achieving post-ceasefire arrangements based on human rights based approach.

Secondly: Dealing with the Southern Transitional Council to enable it to manage the southern governorates, and develop a timed action plan to deal with the effects of previous and current wars, including compensation for individuals and public and private institutions; also to develop a comprehensive plan for reconstruction and establish the ideal foundations for sustainable development. As well as preparing for the declaration of the establishment of a federal state in the former South Yemen with a new name according to the characteristics of its regions, and we suggest three regions as follows:

1-Aden Province: includes Aden governorate, the current governorate of Lahj (not including Radfan and Yafa), Dali governorate (including Radfan and Yafa), and Abyan governorate (not including the eastern directorates).

2-Shabwah Province: includes the governorate of Ataq which includes the directorate of Ataq, the directorate of Saeed, the directorate of Jardan and Aramah, the directorate of Talh and Dahr, the directorate of Naseeb and Markha, and the directorate of Hateeb. The governorate of Meef'ah which includes directorate of Meef'ah, directorate of Habban and the costal directorates. The governorate of Duthaina which includes directorate of Al-Khadaira, directorate of Lauder, directorate of Makiras, directorate of Alwadeea', directorate of Modiyah, directorate of Mahfad, directorate of Ahwar, and directorate of Jishan. Finally, the governorate of Bayhan which includes the current directorates of Bayhan.

3-Hadramout Province: It includes the current governorates of Hadramout, Al-Mahra, and Socotra.

Thirdly: forming a transitional council to manage the Northern governorates and establish a timed action plan to deal with the effects of previous and current wars, including compensation for individuals and public and private institutions. Also to develop a comprehensive plan for reconstruction and establish the foundations for sustainable development; in addition to manage the transition from the central state to a federal state in the former North Yemen in accordance with its injustices. We suggest three regions as follows:

Azal Province: includes Sana'a governorate, Amran governorate, Saada governorate, Al Jawf governorate, Marib governorate, Dhamar governorate with Radaa and Hajjah governorate.

Janid Province: includes Taiz governorate, Ibb governorate, Al-Bayda governorate without Radaa.

Tihama Province: includes Hodaidah governorate, Raymah governorate and Mahweet governorate.

To agree to form a joint committee representing the two transitional councils to work on a draft for declaring a confederation union between the two Federal states of the North and South.

Fourthly: To agree to form a joint committee representing the two transitional councils to work on a draft for declaring a confederation union between the two Federal states of the North and South.

Fifthly: After the establishment of the two states then the establishment of the confederation system between them, the two states should be part of the membership of the Gulf Cooperation Council (GCC). This because the North and the South are essential parts of the geographical, cultural and historical component of the Arabian Peninsula, and both contribute positively to the GCC countries performance in the different fields such as economic, political and social aspects; and also contribute to the promotion of security and peace in the region.
