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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review*

YEMEN

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

* The present document was not edited before being sent to the United Nations translation services.

Replies of the Republic of Yemen to the recommendations deferred for examination which were presented in the framework of the universal periodic review (11 May 2009)

Recommendation 1

The Republic of Yemen does not intend at the present time to become a party to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It is still in the process of translating the Convention, which it ratified in May 1984.

Recommendation 2

The Republic of Yemen accepts this recommendation in the framework of its Constitution and laws, which grant equality of treatment in education to all citizens without discrimination.

Recommendation 3

In accordance with the relevant constitutional norms, the Republic of Yemen is deferring a decision on this recommendation until the matter has been considered by national institutions. At present, it views this recommendation as one which is essentially not accepted, pending a final decision based on an examination of the matter.

Recommendation 4

This recommendation is not accepted at the present time, and it will be considered in the future.

Recommendation 5

The Republic of Yemen does not intend at present to ratify the individual complaints procedures. The Republic of Yemen has a number of national institutions and mechanisms which receive complaints from individuals and groups and which operate at the Ministry of Human Rights, the House of Representatives, the Advisory (*Shura*) Council, the Office of the President of the Republic, the Office of the Prime Minister and the Ministry of Justice. They deal with complaints in a diligent manner, in conformity with the Constitution and prevailing laws. The domestic courts have sole competence for deciding on the merits of a complaint.

Recommendation 6

The Republic of Yemen accepts this recommendation in the context of a recent decision of the House of Representatives approving the raising of marriageable age from 15 to 17 years. In future, consideration will be given to the possibility of raising the marriageable age to 18 years.

Recommendation 7

The Republic of Yemen accepts this recommendation in the framework of the Constitution and of the laws in effect which classify all forms of discrimination against women as offences.

Recommendation 8

The Republic of Yemen does not currently intend to issue a standing invitation to all special procedures of the Human Rights Council. This request will be considered in the future by the legislature (the House of Representatives).

Recommendation 9

The Republic of Yemen accepts this recommendation. The Government has set up a national committee to ensure that domestic legislation is consistent with the international treaties which Yemen has ratified.

Recommendation 10

The Republic of Yemen accepts this recommendation, subject to the norms of Islamic law.

Recommendation 11

The Republic of Yemen accepts this recommendation. The fact that the House of Representatives agreed to change the minimum age for marriage to 17 years is confirmation of Yemen's determination to apply this principle in practice.

Recommendation 12

The Republic of Yemen accepts this recommendation. It should be noted that the Yemeni Constitution and all relevant laws classify all forms of violence against women or girls as offences which carry severe penalties. What the recommendation refers to as "honour crimes" do not exist. All offences carry appropriate legal penalties, based on the principle of the individualization of penalties.

Recommendation 13

The Republic of Yemen accepts this recommendation. What the recommendation calls "spousal rape" does not exist. All marriages are concluded based on consent between the two partners, and a wife who wishes to separate from her husband on her own motion is entitled to file for divorce and for dissolution of the marriage in accordance with the Islamic sharia and the applicable Personal Status Act.

Recommendation 14

The Republic of Yemen accepts this recommendation. Under the regulations on visits to prisons and to penal and correctional facilities, the Ministry of Human Rights, civil society organizations and the International Committee of the Red Cross (ICRC) can all visit prisons at any time and check up on prisoners.

Recommendation 15

The Republic of Yemen accepts this recommendation.

Recommendation 16

The Republic of Yemen accepts this recommendation. It is a leading State when it comes to the protection of freedom of opinion, freedom of expression and press freedom. There are constitutional safeguards in place for the protection and promotion of this freedom, as clearly reflected in the Press and Publications Act No. 25 of 1990.

Recommendation 17

The Republic of Yemen accepts this recommendation. There is nothing in the Constitution or the law that impedes the work of the press or the activities of the media or any member of the media. Indeed, the President of the Republic issued a decree three years ago prohibiting the imprisonment of journalists in cases where freedom of opinion and of expression is at issue.

Recommendation 18

The Republic of Yemen accepts this recommendation, which is being implemented in full on the ground.

Recommendation 19

The Republic of Yemen accepts this recommendation, on which action has been taken over the past 19 years: the Yemeni Constitution provides explicit guarantees on the protection and observance of freedom of expression and grants all Yemenis, without distinction, the right to form human rights defence associations in keeping with the international standards clearly laid down in the Constitution.

Recommendation 20

The Republic of Yemen accepts this recommendation and does everything possible to disseminate the principles of the United Nations Declaration through the Yemeni media and through public education channels.

Recommendation 21

The Republic of Yemen accepts this recommendation and confirms that all legislation on fighting terrorism complies with international standards of protection of human rights and fundamental freedoms. None of the legislation in force authorizes any form of torture. Indeed, perpetrators of torture are classified as offenders and are subject to appropriate penalties for the offences that they commit.
