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Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Iraqi Development Organization, 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.

[22 August 2019]

* Issued as received, in the language(s) of submission only.



The recognition of the Hadi government impedes the right of the Yemeni people to self determination and the efforts seeking accountability for the human rights violations, abuses and crimes committed against them

IDO, together with Americans for Democracy & Human Rights in Bahrain, and Arabian Rights Watch Association, reiterate the position that continues to question the recognition given to Hadi's government by the international community as it impedes the political right of the Yemeni people to self-determine and form a government by consensus. This position centers on the fact that Hadi came to power as a transitional president without achieving consensus among the main political groups since his appointment was not accepted at that time by either the Ansar Allah faction or the Southern Hirak. Consequently, we stood witness to Hadi fleeing from the northern governorates controlled by the Ansar Allah faction and their allies. We also stood witness to his government's inability to maintain presence in the southern governorates as Hadi himself only managed to be there for about six weeks in the past five years. And as we witnessed in recent events, whatever small presence his government had in Aden and governorates like Abyan were taken over by the Southern Transitional Council this past month with the support of the United Arab Emirates and the lack of a strong response by Saudi Arabia, both leading members of the diminishing Coalition. With the support offered to the Southern Transitional Council, the Coalition has done away with the false pretext of restoring the legitimate Hadi government and is now working with several armed militias to continue to compromise the territorial unity of the Republic of Yemen.

Reasons to question recognition given to Hadi government

In addition to not having continuous presence in Yemen, there is a list of additional reasons that support our concerns about the international legitimacy offered to Hadi's person. The Saudi and UAE led coalition seeks to re-install as president, a person who a) has insignificant support among the Yemeni population, b) had resigned, c) had a term that expired pursuant to a GCC initiative that brought him to power, d) had clung on to power despite term expiring, e) allegedly called on a coalition of states to seriously impede ongoing political negotiations at the time between all Yemeni factions, f) cheered on Coalition airstrikes that killed and maimed over 60,000 civilians - a third of whom were women and children - without holding accountable those who ordered and conducted the unlawful airstrikes, g) cheered on a Coalition blockade that has resulted in the death of over 200,000 children without holding or even attempting to hold any of the perpetrators accountable, h) continues to support the blockade that employs starvation as a weapon of war against millions of Yemeni civilians despite being informed by UN Special Rapporteurs and the Group of Eminent Experts in no uncertain terms that the blockade was unlawful and must be lifted, i) cheers on the unlawful flight ban to and from Sanaa International Airport that has resulted in the death of over 40,000 civilians who required medical treatment abroad, j) has withheld salaries of about 1.5 million public sector employees for three years and counting directly impoverishing 7.5 million civilians and last but not least and in fact very concerning is that he k) has appointed U.S. Treasury Specially Designated Global Terrorists as government officials, negotiators, and clerics.

Recognition hampers accountability

Over the course of the last four years, the National Commission set up by Hadi on 7 September 2015 - and supported by a UN Human Rights Council resolution adopted later in that same month - to investigate human rights violations in Yemen has continued to fail with respect to impartiality, transparency and meeting international standards and continued to leave millions of Yemenis without a credible venue for an opportunity to be heard and obtain legal redress. Instead, the National Commission, like the Joint Incidents Assessment Team set up by the Coalition, acted to absolve the Coalition from any culpability by

concluding all civilian targets were what they alleged to be legitimate military targets. It is this same Coalition that worked to block previous resolutions calling for an International Commission of Inquiry, and who unsuccessfully attempted to end the mandate of the Group of Eminent Experts (GEE) in the hopes of covering up the crimes the GEE exposed in its written report submitted to the Council back in August 2018. The Coalition, however, was successful in blocking entry of the GEE team by not issuing them visas forcing them to investigate remotely this past year all so that impunity reigns, crimes continue and accountability is evaded making justice out of reach for millions of victims in Yemen.

Recommendation

This dire human rights situation in Yemen calls on us to urge the Council in the upcoming 42nd session to reconsider the recognition and support provided to the Hadi government and its National Commission and to set up an international commission of inquiry under item 4 as this situation not only requires the attention of the Council but also calls the Council to make a recommendation to the Security Council to transfer the case to the International Criminal Court given the gravity of the crimes committed are within the Court's jurisdiction.

We also call on the member states to place the requisite pressure on the parties to implement the humanitarian agreement brokered in Stockholm nine months ago in the hopes that it will help alleviate the suffering faced by millions of Yemeni civilians and ultimately bring an end to the war.
