



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined seventh and eighth periodic reports of Yemen*

1. The Committee considered the combined seventh and eighth periodic reports of Yemen ([CEDAW/C/YEM/7-8](#)) at its 1825th and 1826th meetings (see [CEDAW/C/SR.1825](#) and 1826), held on 27 October 2021.

A. Introduction

2. The Committee appreciates the submission by the State party of its combined seventh and eighth periodic reports, which were prepared in response to the list of issues and questions prior to reporting ([CEDAW/C/YEM/Q/7-8/Rev.1](#)). It highly appreciates the presence of the State party's delegation, despite the armed conflict and humanitarian crises in the country, and welcomes its oral presentation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party's high-level delegation, which was headed by Nabil Abdul Hafeedh Maged Ebrahim, Deputy Minister, Ministry of Legal Affairs and Human Rights. The delegation also included the Chairperson of the National Commission for Women, Shafaqa Saeed Abdo Saleh, and representatives of the Ministry of Legal Affairs and Human Rights, the Ministry of Labour and Social Affairs, the Permanent Mission of the Republic of Yemen to the United Nations Office and international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2008 of the State party's sixth periodic report ([CEDAW/C/YEM/CO/6](#)) in undertaking legislative reforms, in particular the adoption of Law No. 25 in 2010 on Amending Law No. 6 of 1990 Concerning Yemeni Nationality.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

* Adopted by the Committee at its eightieth session (18 October to 12 November 2021).



(a) The National Committee to Combat Human Trafficking, in April 2020, by Cabinet decision No. 46 of 2012;

(b) The National Commission of Inquiry to Investigate Allegations of Violations of Human Rights, established by presidential decree in 2012 to investigate allegations of human rights violations that have taken place since 2011;

(c) The 2014 National Dialogue Conference and its outcomes, including the 2015 draft Constitution.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified the Convention on the Rights of Persons with Disabilities, in 2009.

C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Factors and difficulties preventing the effective implementation of the Convention

8. The Committee notes the particularly dramatic effects of political and economic instability in the State party since the onset of the conflict in 2014 and the political control of parts of the country by de facto authorities. It is alarmed by the deteriorating humanitarian crises affecting 80 per cent of the Yemeni population, with 9.6 million on the verge of famine, a situation exacerbated by impeded humanitarian access delaying relief operations and programmes owing to the intensification of hostilities and the coronavirus disease (COVID-19) pandemic. The current situation has led to a drastic regression of women's rights, constituting a serious obstacle to the implementation of rights enshrined in the Convention. The Committee nonetheless considers that the implementation of the Convention, especially during times of conflict, is the most effective safeguard to ensure full respect for and the enjoyment of women's rights. It therefore urges the State party to implement the recommendations contained in the present concluding observations as a matter of high priority for national mobilization and international support, particularly emphasizing systematic and strengthened engagement with the United Nations country team in ensuring the promotion and protection of women's rights without risk of further setbacks. In implementing the present concluding observations, the Committee calls upon the State party to give due consideration to general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations.

E. Parliament

9. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session). It**

invites the Parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

F. Principal areas of concern and recommendations

General context

10. The Committee is appalled by the devastating impact on the civilian population, in particular women and girls, of the ongoing armed conflict in the State party, which is entering its seventh year, creating large-scale social and economic insecurity for the population, resulting in widespread poverty, extreme hunger and the reliance on livelihood assistance, compounded by the COVID-19 pandemic and the cholera epidemic. It is further concerned that the deterioration of the rule of law and massive internal displacement have exacerbated women's and girls' vulnerability to violence, including sexual violence, child and forced marriages, and arbitrary detentions and enforced disappearance perpetrated by all parties to the conflict. It is also concerned at the discontinuance of the mandate of the Group of Eminent International and Regional Experts on Yemen, thereby removing an important mechanism to counter impunity and ensure effective accountability of all perpetrators of human rights violations in Yemen.

11. **The Committee reminds the State party that its obligations under the Convention to eliminate all forms of discrimination, including violence, against women and girls are non-negotiable and continue to apply during conflict situations, as indicated in its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention. It urges the State party to:**

(a) **Comply with its obligations under the Convention as well as under international humanitarian, refugee and criminal law, as indicated in the Committee's general recommendation No. 30, so as to ensure protection for women and girls under these bodies of law, in a complementary manner, highlighting for immediate and urgent implementation the recent recommendations made by the Group of Eminent International and Regional Experts (A/HRC/48/20, paras. 89 and 90);**

(b) **Facilitate the independent access of United Nations entities to all areas, including the Office of the High Commissioner for Human Rights, to enable the monitoring and documentation of the full scale and scope of human rights violations perpetrated against the civilian population, including women and girls;**

(c) **Along with non-State armed groups, to unconditionally and fully cooperate with the United Nations to facilitate rapid, safe and unhindered humanitarian access throughout Yemen, in compliance with Security Council resolutions 2139 (2014) and 2165 (2014) as well as subsequent resolutions and agreements;**

(d) **Effectively combat impunity and comply with its obligation to prevent, investigate, prosecute and punish serious human rights violations and crimes perpetrated against women and girls by both government forces and non-State armed groups, in compliance with international standards.**

12. **The Committee is concerned about the shortage of funding and resources under the United Nations humanitarian appeals for Yemen and calls upon the international community to ensure that all pledges are fully honoured and that**

additional contributions are made to meet the urgent requirements of the affected population, in particular women and girls.

Women and peace and security

13. The Committee welcomes the approval of the National Action Plan on Women, Peace and Security (2020-2022) in accordance with Security Council resolution [1325 \(2000\)](#) and other relevant Security Council resolutions. It is concerned, however, that the Plan is not allocated a budget, lacks inclusivity and has not yet been implemented. The Committee is deeply concerned that Yemeni women are being systematically excluded from formal peace negotiations, noting the representation of women, including the government delegation, has failed to meet the minimum 30 per cent quota recommended under the National Dialogue Conference outcomes. The Committee highlights as critical the meaningful and inclusive participation of women at all stages of peace and reconstruction processes, as well as on transitional justice and national reconciliation mechanisms, to ensure that women's priorities and experiences of the conflict are fully integrated, as required under the Convention and Security Council resolution [1325 \(2000\)](#), to ensure lasting peace.

14. The Committee recalls its general recommendation No. 25 (2004) on temporary special measures and its general recommendation No. 30 and urges the State party to, in cooperation with representatives of women's civil society organizations:

(a) **Ensure the meaningful and inclusive participation of women from diverse backgrounds at all stages of the peace process and in all reconstruction initiatives as well as in transitional justice processes, in particular at the decision-making level, at the national and local levels, and, to that end, adopt temporary special measures, including a 30 per cent quota, in conformity with article 4 (1) of the Convention, and in line with universal periodic review recommendations accepted by Yemen to give due consideration to the application of a quota system in all State bodies as put forward by the national conference for women. In this context, develop capacity-building programmes for women seeking to participate in such processes;**

(b) **Provide opportunities for women's and civil society organizations to contribute to the peace process as independent actors, for example by establishing an effective channel of communication between them and the mediation team to ensure coordination and joint initiatives for the inclusion of women's priorities;**

(c) **Ensure the inclusive participation of women in the implementation of the national action plan to implement Security Council resolution [1325 \(2000\)](#) and the full spectrum of the Security Council agenda on women and peace and security, as reflected in Council resolutions [1325 \(2000\)](#), [1820 \(2008\)](#), [1888 \(2009\)](#), [1889 \(2009\)](#), [1960 \(2010\)](#), [2106 \(2013\)](#), [2122 \(2013\)](#), [2242 \(2015\)](#), [2467 \(2019\)](#) and [2493 \(2019\)](#), including by allocating to it sustainable and sufficient resources and developing indicators for regular monitoring and evaluation of and progress reporting on its implementation, providing for accountability mechanisms;**

(d) **Support governorate-level security committees to consult women leaders, experts and civil society actors on the security-related needs of women and girls in the development of policing and security policy in respective governorates.**

Constitutional framework

15. The Committee is concerned that, although published in January 2015, the first draft of the new Constitution, as the outcome of the National Dialogue Conference, has not been adopted. It reiterates its concerns (CEDAW/C/YEM/CO/6, para. 10) regarding the failures of the State party's Constitution (1991) to enshrine the principle of equality between women and men, particularly drawing attention to its article 31, which undermines women as independent, free citizens with equal rights and duties.

16. Recalling articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere, the Committee recalls its previous recommendations (CEDAW/C/YEM/CO/6, paras. 11, 31, 39 and 41) and further recommends that the State party, within a set timeline:

(a) **Resume the constitutional drafting process, ensuring the provisions of the 2015 draft are harmonized with the Convention, and ensure its speedy adoption with transparent and participatory procedures, taking into account the views of all women and girls, including those holding divergent opinions;**

(b) **Immediately repeal article 31 of the Constitution (1991).**

Definition of discrimination against women and discriminatory laws

17. The Committee notes with concern the absence of a legal definition of discrimination against women, covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination. It remains concerned about the absence of a specific legal framework addressing the rights of women and notes the persistence of laws that are discriminatory towards women, including Penal Code (1994) articles regarding adultery, stoning to death, the payment of "blood money" and lenient punishment for so-called "honour crimes". It further notes discriminatory provisions in the Personal Status Law (No. 20 of 1992 and amendments), with regard to guardianship, child marriage, divorce, polygamy, inheritance and restricted freedom of movement. While noting that the State party's legislation is derived from the sharia, the Committee considers that diversity of opinion and juridical concepts exist within other Muslim jurisdictions to enable legislative reform and address discriminatory provisions.

18. Recalling its previous concluding observations (CEDAW/C/YEM/CO/6, paras. 19 and 39) and the links between articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, the Committee recommends that the State party:

(a) **Intensify its efforts to raise awareness about the Convention among women, men and traditional and religious leaders, in particular by disseminating information on good practices of other Muslim countries with regard to the application of sharia in line with the Convention;**

(b) **Adopt a definition of discrimination against women that is in accordance with article 1 of the Convention, encompassing direct and indirect discrimination, as well as intersecting forms of discrimination, in both the public and private spheres;**

(c) **Repeal all legislative provisions that are discriminatory towards women, including those in the Penal Code (1994) and the Personal Status Law (No. 20 of 1992 and amendments);**

(d) Adopt specific and comprehensive legislation to combat all forms of discrimination against women in all areas covered by the Convention.

Gender-based violence against women

19. The Committee is highly concerned:

(a) About the impact of conflict on the pre-existing high levels of gender-based violence, including sexual and domestic violence, experienced by women and girls in Yemen, which has been exacerbated by displacement, poverty, indiscriminate violence and the limited functioning of support structures for survivor protection and rehabilitation, including shelters;

(b) That cases of gender-based violence against women remain underreported, and perpetrators continue to enjoy impunity owing to factors such as the cultural acceptance of domestic violence and the absence of a systematic gender-sensitive response by first-line responders (social workers and health professionals) and law enforcement officers (police officers, prosecutors and judges), who often lack awareness of and training in relation to dealing with such cases;

(c) About reports that the national criminal justice system has collapsed and that complaints of gender-based violence are not being investigated and prosecuted.

20. **In line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and general recommendation No. 33 (2015) on women's access to justice, the Committee recalls its previous recommendation (CEDAW/C/YEM/CO/6, para. 17) and further recommends that the State party:**

(a) **Seek the technical support of relevant international organizations and establish a specialist court to prosecute human rights violations, as announced by the Government of Yemen at the forty-fifth session of the Human Rights Council (2020), including those referred by the National Commission of Inquiry;**

(b) **Criminalize all forms of gender-based violence against women, including sexual harassment, including in the workplace, domestic violence and marital rape, without exemptions, ensuring that all acts of rape are considered as a grave offence triggering adequate punishment of perpetrators;**

(c) **Finalize the draft law on violence against women and girls and ensure its implementation through an adequately resourced national plan of action;**

(d) **Secure adequate State funding for inclusive and accessible shelters for women who are victims of violence throughout its territory and strengthen medical and psychological support services for victims, ensuring that those services are properly funded, accessible, delivered by trained staff and regularly monitored, and inform women about these services;**

(e) **Facilitate the reporting of complaints by lifting restrictions on non-governmental organizations to advocate for victims, establishing special sections in police stations to receive and register women's complaints, and by establishing a protection programme for women and witnesses;**

(f) **Increase the number of women judges, prosecutors and police officers, ensuring the capacity-building of all justice personnel on the strict application of criminal law provisions for gender-based violence against women and on gender-sensitive investigation and trial procedures, and introduce mandatory training for medical personnel;**

(g) **Facilitate women's access to all justice facilities by abolishing the requirement, both in law and practice, to be accompanied by a male guardian,**

by reducing fees and documentation requirements, by providing procedural accommodations and accessible measures when needed and by increasing the public awareness, transparency and speed of legal procedures;

(h) **Collect data on all forms of gender-based violence against women, disaggregated by age, region, disability, and relationship between the victim and perpetrator, and on the number of cases reported but not prosecuted, the number of convictions and type of punishment ordered, the number of acquittals and the amount of compensation awarded to survivors.**

National machinery for the advancement of women

21. The Committee is concerned that, as a result of the ongoing conflict, the National Commission for Women is operating with severely limited capacity and in Aden only, and that the operation of the Supreme Council for Women's Affairs has been suspended. It is further concerned that the National Commission of Inquiry does not have a referral system in place for victims of gender-based violence, including to services, such as legal aid, shelters, protection services or grants, or a system for protecting witnesses.

22. **In line with target 5.A of the Sustainable Development Goals, the Committee recommends that the State party restore the full operations of the National Commission for Women and the Supreme Committee for Women's Affairs, as well as the branches of the general directorates for women's affairs in each governmental institution, through the allocation of adequate human, technical and financial resources to enable the full implementation of their mandates to promote and protect women's rights and advance gender equality in Yemen. It further recommends that the State party, with the engagement of women survivors, establish a gender-responsive referral system for the assistance and protection of victims of gender-based violence, as well as protection measures for witnesses.**

23. **Accelerate the adoption of the draft law establishing an independent national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), ensuring modalities for its cooperation with women's civil society organizations in the monitoring and treatment of human rights complaints.**

Discriminatory stereotypes and harmful practices

24. The Committee is concerned about persistent harmful practices in the State party, noting in particular the increase in cases of child marriage as a negative coping mechanism of families linked to the conflict and enabled by the absence of a legal minimum age of marriage, and the widespread practice of female genital mutilation, the act of which is not criminalized without exception.

25. **Reiterating its previous recommendations (CEDAW/C/YEM/CO/6, paras. 15, 31 and 35) and joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee urges the State party to:**

(a) **Eliminate these practices and underlying cultural justifications through raising awareness among the general public, parents, religious and community leaders and the media, in collaboration with civil society and women's organizations, on the harmful effects of such practices on the education, health and development of girls;**

(b) **In line with the 2014 National Dialogue Conference outcome, adopt the draft constitutional provision setting the minimum legal age for marriage at 18 years of age for both women and men, ensuring harmonization with any revisions to the 2014 draft law on Childhood and Safe Motherhood and the draft Rights of the Child Act;**

(c) **Criminalize both child marriage and female genital mutilation, without exception, prosecuting and punishing any offenders.**

Trafficking and exploitation of prostitution

26. The Committee notes with concern:

(a) The increase in cases of trafficking in women and girls in the State party due to the extreme personal and economic insecurities caused by the conflict;

(b) That migrant women and girls are vulnerable to extortion and exploitation often at border entry and exit points, are exposed to desperate living conditions and increasingly forced into bonded domestic labour;

(c) The absence of any systematic response, such as early identification and referral mechanisms, to assist and protect victims and the absence of any data being collected on the extent to which the crime is being perpetrated;

(d) That despite its prohibition in law, the egregious practice of slavery continues.

27. **In line with its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee urges the State party to:**

(a) **Develop a standard operating procedure for all first-line responders, targeting in particular border officials, those working at camps for internally displaced persons, medical staff, law enforcement officials and social workers, to provide the early identification and referral of trafficking victims to gender-appropriate assistance and protection services;**

(b) **Collect and analyse data, disaggregated by sex, age, nationality, ethnicity and disability, on the prevalence of trafficking in persons within and from the State party, the number of criminal proceedings initiated, and the sentences imposed on perpetrators of trafficking-related crimes;**

(c) **Engage with neighbouring countries to reach bilateral or regional agreements and other forms of cooperation to prevent women and girls from being trafficked;**

(d) **Expedite the adoption of the draft anti-trafficking law and ensure it is effectively implemented, including through the elaboration of an adequately funded national plan;**

(e) **Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;**

(f) **Prosecute and adequately punish any person perpetuating slavery, thus ensuring enslaved women and girls are immediately freed, issued identification documentation and provided with long-term rehabilitation services.**

28. The Committee is concerned that women in prostitution are subject to criminal prosecution for the act of soliciting in public, whereas those who exploit women in prostitution are rarely prosecuted.

29. **The Committee recommends that the State party:**

(a) **Repeal article 278 of the Penal Code to ensure that women in prostitution are not subject to criminal arrest, protect them from gender-based violence and abuse and provide them with alternative income-generating opportunities, educational programmes and exit programmes.**

Equal participation in political and public life

30. The Committee welcomes the notable representation of women in the 2013-2014 National Dialogue Conference and in the elaboration of the 2015 draft Constitution. It regrets, however, the deep regression of women's representation currently in all decision-making positions in political and public life, noting the absence of women ministers in the Government and their extremely low representation in the parliament, local councils, the judiciary and diplomacy.

31. **In line with article 4 (1) of the Convention and the Committee's general recommendations No. 23 (1997) on women in political and public life and No. 25, the Committee recalls the State party's acceptance of universal periodic review recommendations to pursue efforts to ensure the representation of women at all levels of the political process and their participation in public life without discrimination and recommends that the State party:**

(a) **Conduct campaigns for political, traditional and religious leaders, the media and the general public to raise their awareness of the fact that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full enjoyment by women of their human rights and for achieving political stability and economic development;**

(b) **Undertake capacity-building programmes, targeting all relevant State officials and employers, on the non-discriminatory nature and importance of temporary special measures for achieving substantive equality between women and men;**

(c) **Amend Act no. 66 of 1991 on Political Parties and Organizations, as per the outcome of the National Dialogue Conference (2014), to raise the minimum quota to 30 per cent for the representation of women in decision-making bodies at the national, provincial and local levels, including in the Government and at high levels of decision-making, in parliament, the judiciary, including through appointment of women judges in the Supreme Judicial Council, and all levels of courts, decentralized regional bodies and the civil service;**

(d) **Adopt legislation requiring political parties to have women account for a minimum of 25 per cent of their candidates for election, as a first step, provide financial incentives for the nomination of women candidates, provide capacity-building programmes for women candidates on campaigning and political leadership and negotiation skills, raise awareness of their participation in decision-making and protect women candidates during the electoral process from gender-based violence, threats and unethical campaigns;**

(e) **Collect disaggregated data on the participation of women in decision-making positions in all sectors and at all levels.**

Nationality

32. The Committee is concerned that, despite the revision of the Nationality Law (No. 6 of 1990 amended by Law No. 25 of 2010), women are denied equal rights with

men and continue to face numerous restrictions in conferring nationality to their children or foreign-born spouse and in retaining their nationality upon marriage or divorce. Women are also subject to restrictions in practice on obtaining or renewing official identity documents, requiring the accompaniment of a male guardian (mahram). The Committee is gravely concerned that persons with disabilities are disqualified from acquiring Yemeni citizenship through naturalization. The Committee notes that these discriminatory provisions, the mass displacement in the State party and difficulties in attaining official documentation all contribute to women becoming stateless.

33. In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:

(a) Repeal the discriminatory sections of the Nationality Law to ensure that women and men enjoy equal rights, in law and in practice, to acquire, transfer, retain and change their nationality, in line with article 9 of the Convention, including the right to transmit it to their children, as naturalized Yemeni citizens, and with respect to non-national spouses, ensuring this includes full retroactive implementation of the law and the abolishment of any additional requirements placed on Yemeni women to acquire prior ministerial approval with respect to nationality;

(b) Repeal article 4.B of the Nationality Law, which discriminates against children with disabilities;

(c) Issue directives to officials issuing official identity documents that women do not require the accompaniment of a male guardian to access the services;

(d) Expedite procedures to provide civil documentation to all groups in a situation of disadvantage, including internally displaced persons, and step up efforts to raise awareness among that population of their human rights and their right to access public services;

(e) Collect disaggregated data on the extent of statelessness in the State party;

(f) Consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Education

34. The Committee:

(a) Expresses grave concern at the level of disruption in the provision of basic services impacting girls' access to education during the conflict, noting that over 2 million Yemeni children are out of school – a number likely to double owing to teaching shortages, given the withholding of teacher's salaries;

(b) Remains deeply concerned that parties to the conflict use schools for military purposes, rendering them military objects subject to attack, causing the closure of schools and exposing the children, including girls, to recruitment by armed groups;

(c) Is informed that many children leave school to support their family after their parents or guardians were killed, disappeared or displaced;

(d) Further notes the persistent cultural and financial barriers to keeping girls in school, particularly in rural areas, owing to reasons that include a shortage of

female teachers, child marriage and pregnancy, alongside traditional attitudes and beliefs that girls should not be educated;

(e) Notes with concern the disproportionately high rate of illiteracy among women and girls.

35. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote the importance of girls' education at all levels as a basis for their empowerment and:

(a) Allocate specific budgets to rebuild schools affected by conflict and disburse without delay and in full the salaries of teachers;

(b) Condemn all attacks on schools, strengthen measures to ensure the demilitarization of schools and that perpetrators targeting students for recruitment are promptly investigated, prosecuted and punished;

(c) Encourage girls' enrolment, attendance and retention in schools and their reintegration if they drop out, particularly at the secondary and tertiary levels, and with a focus on girls living in poverty, girls living in rural areas, pregnant girls and adolescent mothers, by eliminating the direct costs and reducing the indirect costs of education and recruiting more female teachers;

(d) Raise awareness among parents, teachers, traditional and religious leaders and girls and boys of the importance of educating girls for their economic empowerment, personal development and autonomy.

Health

36. The Committee is deeply concerned about the collapse of the health system, with severe shortages in medicines, equipment and staff, together with the increasing lack of adequate access to clean water, sanitation and hygiene, leading to catastrophic consequences, including the outbreak of diseases such as cholera and dengue. Two million Yemeni women are reported to be at risk of famine and over 1 million mothers are already suffering from acute malnutrition, which leads to numerous health complications. It notes that the State party's inability to adequately assist and support the population in need, especially in rural and remote areas, has a disproportionate impact on women's health, affecting in particular women's ability to access sexual and reproductive health-care services and information, including maternal and child health services, thereby exacerbating the country's rate of maternal mortality, which is the highest in the world. It further notes with concern:

(a) The lack of access to health-care and psychological services for women and girls who are victims of sexual and gender-based violence, including emergency contraception and safe abortion services. In this context, the Committee is further concerned that abortion is legal only when the life of the mother is at risk;

(b) The requirement to have women travelling and visiting health facilities accompanied by a male guardian, whose permission is required at times to purchase birth control, which further limits women's autonomy to make choices and decisions in relation to their sexual and reproductive health;

(c) The disproportionate lack of access to COVID-19 treatment and vaccination, attributed to women's restricted access to health services, digital registration and public information and due to cultural and economic constraints;

(d) Women's restricted access to HIV treatment owing to social stigma and a general lack of trust in health workers in terms of maintaining confidentiality.

37. **In line with its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:**

(a) **Reinforce the health sector to prevent a further reduction of the already limited health infrastructure by allocating sufficient budgetary resources to ensure the availability of affordable and adequate health services, ensuring sexual and reproductive health services, in particular prenatal and postnatal care and emergency obstetric services provided free of charge and by skilled birth attendants throughout the territory of the State party;**

(b) **Inform all health workers that that government policy does not require male accompaniment for women seeking health care, including obstetric care, regardless of age;**

(c) **Educate women and girls, and men and boys, on sexual and reproductive health and rights, including family planning and responsible sexual behaviour, and ensure that affordable and modern contraceptives are available throughout the country, without permission required of any male attendant;**

(d) **Increase women's access to COVID-19 treatment and vaccinations by information campaigns targeting women, particularly in rural areas, on accessing those services;**

(e) **Expand the coverage of the National HIV/AIDS Prevention and Control Programme to ensure universal coverage for HIV testing and free antiretroviral drugs, paying particular attention to pregnant adolescents in rural areas, pregnant mothers with HIV and children born to mothers with HIV, and seek technical assistance from, inter alia, the Joint United Nations Programme on HIV/AIDS, United Nations Population Fund and United Nations Children's Fund.**

38. **Unsafe abortion is a leading cause of maternal mortality and morbidity. As such, States parties should legalize abortion at least in cases of rape, incest, threats to the life and/or health of the pregnant woman, or severe foetal impairment and provide women with access to safe abortion and post-abortion services, especially in cases of complications resulting from unsafe abortions. States parties should also remove punitive measures for women seeking abortions. States parties should further organize health services so that the exercise of conscientious objection does not impede their effective access to sexual and reproductive health services, including safe abortion and post-abortion services.**

Economic empowerment of women and social benefits

39. The Committee is particularly concerned at the prevalence of poverty, given the economic situation in the State party, compounded by the non-payment of government salaries for essential public workers. The Committee notes its impact on women who have become de facto heads of household and primary providers for their families as a result of the conflict and their lack of income-generating opportunities and ensured provision of social benefits.

40. **The Committee recalls its previous recommendation ([CEDAW/C/YEM/CO/6](#), para. 27) and further recommends that the State party, without delay:**

(a) **Pay the salaries in full of its public sector workers;**

(b) **Guarantee a minimum of 14 weeks paid maternity leave, in line with the Maternity Protection Convention (Revised), 1952 (No. 103) of the International Labour Organization;**

(c) **Provide women affected by the conflict, in particular those who are heads of households, with sustainable economic opportunities and the provision of social benefits, ensuring their inclusion in the development of economic recovery strategies which promote gender equality as a necessary precondition for a sustainable post-conflict economy.**

Rural women

41. The Committee is concerned at the precarious situation of rural women and girls in Yemen who, despite performing the majority of agricultural labour and livestock rearing, go unpaid and experience severely restricted access to education, health care, water and sanitation, with limited access to formal justice mechanisms. The conflict has further deprived them of their rights to productivity, livelihood and access to land owing to unlawful seizures and forced displacement, and the isolation of rural communities has impeded the delivery of humanitarian aid.

42. **In line with its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Consider the negative impact of the conflict on rural women and girls and ensure that their specific needs are addressed by prioritizing the delivery of humanitarian aid to these communities, including by investing in the construction of roads and communication networks;**

(b) **Establish health centres in rural areas, offering sexual and reproductive health services and staffed equally by female health professionals;**

(c) **Facilitate access for rural women and girls to education, health care, clean water and sanitation and other basic services, as well as to formal justice mechanisms and legal aid to pursue complaints of discrimination and strengthen the response of police, including through training, to gender-based violence against women in rural areas;**

(d) **Design specific interventions to protect women who work in agriculture with respect to ensuring they are paid for work performed and can leverage further opportunities for their economic empowerment, including by facilitating access to financial and technological support and access to social security.**

Internally displaced and migrant women

43. The Committee is concerned that:

(a) There are still approximately 4 million internally displaced persons in the State party facing extreme risks in the light of the breakdown of formal and informal protection mechanisms, which disproportionately affects women and girls, including through exposure to a heightened risk of sexual and gender-based violence and the rise of negative coping strategies, such as child and forced marriage;

(b) Owing to border closures in response to the COVID-19 pandemic, migrants stranded in Yemen, in particular those in an irregular status, are in an especially precarious situation, with reports of mass detentions and mistreatment, sometimes leading to death.

44. **In line with its general recommendation No. 32 and general recommendation No. 30, the Committee recommends that the State party:**

(a) **Provide internally displaced women and girls who are victims of gender-based violence, including child marriage and trafficking in persons, with free and immediate access to medical services, legal assistance and a safe**

environment, as well as to female health-care providers and services, such as reproductive health care and counselling;

(b) Address the specific risks and particular needs of migrant women, who are subject to multiple and intersecting forms of discrimination, ensuring their access to basic services without fear of detention on the basis of irregular migration status;

(c) End the arbitrary detention and forced movement of migrants;

(d) Ensure border police and immigration officials are adequately trained, supervised and monitored for gender-sensitivity and non-discriminatory practices when dealing with women migrants, with the support of relevant agencies.

Women in detention

45. The Committee is concerned about reports of the arbitrary detention throughout the State party of women and girls awaiting trial on allegations of so-called immoral, difficult to prove and most likely fictitious charges, as a tactic of intimidation, including to silence human rights defenders, and that women can be imprisoned for crimes committed against them owing to negative gender ideologies. The Committee is concerned that women detainees are deprived of their basic needs, including access to health care, food and hygiene, including for their accompanying children, and are subjected to overcrowding, ill-treatment and torture.

46. **The Committee recommends that the State party:**

(a) Strictly apply due process guarantees, especially in situations in which women and girls face charges of vaguely defined crimes and other gender-based accusations such as adultery, prostitution or so-called “honour” crimes;

(b) Implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, and facilitate independent monitoring of detention facilities;

(c) Immediately release women who have served their sentence and build on previous efforts to provide suitable shelters for released women whose families refuse to accept them;

(d) Publish transparent information on the number of women in detention, disaggregated by age, nationality, ethnic group, criminal charges, date of arrest and date of conviction.

Disadvantaged groups of women

47. The Committee is concerned that the conflict has exacerbated the precarious situation of:

(a) Women and girls with disabilities in Yemen owing to the stoppage of basic services and forced displacement without required support;

(b) The Muhamasheen women and girls, who experience severe forms of discrimination, harassment and abuse, social marginalization, racism and restricted access to education and basic public services and are often without birth certificates.

48. **The Committee recommends that the State party:**

(a) Prioritize the delivery of assistance to women and girls with disabilities, in particular by protecting them against violence and ensuring their access to education, employment, health and social security services and effective access to justice;

(b) **Raise awareness among the general public of the rights of the Muhamasheen community, ensure they are issued national identification, including birth certificates, with which they can access unrestricted public services equal to other Yemeni citizens and strictly penalize all acts of discrimination committed against them.**

Marriage and family relations

49. The Committee is concerned that the conflict has exacerbated women's and girls' subordinate role in Yemeni society, which is legalized through provisions of the Personal Status Law, that discriminates against women in relation to freedom of movement and residence, marriage, divorce, custody of children and inheritance. In this context, it notes:

(a) The increase of child and/or forced marriages, under the pretext to better protect girls and to reduce the financial pressure of families, further enabled by legal provisions which do not require a woman's consent to marriage in all circumstances, nor her physical presence to conclude a marriage contract;

(b) Difficulties faced by married women whose husbands have gone missing to escape from conflict-affected areas together with their children owing to child custody restrictions not allowing them to travel with their children without the consent of their father or guardian.

50. **The Committee reiterates its previous recommendations (CEDAW/C/YEM/CO/6, paras. 39 and 41), and urges the State party, in line with its general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, to:**

(a) **Criminalize forced marriage, annulling any marriage entered into without the women's full consent and establish protection measures for affected women and any of their children;**

(b) **Urgently take measures to facilitate women's travel with their children without the permission of the father or guardian and ensure that women do not face bureaucratic obstacles in that regard.**

Data collection and analysis

51. The Committee is concerned about the general lack of statistical data disaggregated by sex, age, ethnicity, disability, geographical location and socioeconomic background, which are necessary to accurately assess the situation of women, determine the magnitude and nature of discrimination, develop informed and targeted policies and systematically monitor and evaluate progress achieved towards the realization of substantive equality between women and men in all areas covered by the Convention.

52. **The Committee calls upon the State party to develop capacity-building measures and establish a programme for funding gender-related activities to improve the collection of data disaggregated by sex and other relevant factors, which are necessary to assess the impact and effectiveness of policies and programmes aimed at mainstreaming gender equality and enhancing the enjoyment by women of their human rights. In this regard, the Committee draws attention to its general recommendation No. 9 (1989) on statistical data concerning the situation of women.**

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

53. The Committee encourages the State party to ratify, as soon as possible, the Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

54. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the implementation of the Convention in the context of the 25-year review of the implementation of the Declaration and Platform to achieve substantive equality of women and men.

Dissemination

55. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, Parliament and judiciary, to enable their full implementation.

Technical assistance

56. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Ratification of other treaties

57. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

Follow-up to concluding observations

58. The Committee regrets the State party's failure to submit information on the measures taken to implement the specific recommendations identified for immediate action in its last concluding observations and requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 11 (c), 14 (a), 18 (a) and 50 (b) above.

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Preparation of the next report

59. **The Committee requests the State party to submit its combined ninth, tenth and eleventh periodic reports, which are due in November 2025. The reports should be submitted on time and cover the entire period up to the time of their submission.**

60. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).**
