



# General Assembly

Distr.: Limited  
22 September 2017

Original: English

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## Human Rights Council

### Thirty-sixth session

11–29 September 2017

Agenda item 10

### Technical assistance and capacity-building

**Egypt:\*** draft resolution

### **36/... Technical assistance and capacity-building for Yemen in the field of human rights**

*The Human Rights Council,*

*Guided by the purposes and principles of the Charter of the United Nations,*

*Reaffirming* the Universal Declaration of Human Rights and relevant human rights treaties,

*Recognizing* the primary responsibility of States to promote and protect human rights,

*Reaffirming* its strong commitment to the sovereignty, independence, unity and territorial integrity of Yemen,

*Recalling* Security Council resolutions 2014 (2011) of 21 October 2011, 2051 (2012) of 12 June 2012 and 2140 (2014) of 26 February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013, 27/19 of 25 September 2014, 30/18 of 2 October 2015 and 33/16 of 29 September 2016,

*Recalling also* Security Council resolution 2216 (2015) of 14 April 2015,

*Recognizing* that the promotion and the protection of human rights are key factors in ensuring a fair and equal justice system and, ultimately, reconciliation and stability for Yemen,

*Welcoming* the commitment of Yemeni political parties to completing the political transition process on the basis of the Gulf Cooperation Council initiative and its implementation mechanism, and emphasizing the need for the implementation of the recommendations made in the outcome document of the National Dialogue Conference, and to complete the drafting of a new Constitution,

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\* On behalf of the States Members of the United Nations that are members of the Group of Arab States.

GE.17-16640(E)



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*Welcoming also* the positive engagement of the Government of Yemen in the peace talks, its handling of the proposals made by the Special Envoy of the Secretary-General for Yemen, and encouraging it to continue its efforts to achieve peace and stability in Yemen,

*Recalling* its call for an investigation into all cases of violations and abuses of human rights, and the relevant calls made by the United Nations High Commissioner for Human Rights, while noting in this regard the release of an interim report by the National Commission of Inquiry in August 2017,

*Noting* that the National Commission of Inquiry will submit its in-term results of investigations to the Yemeni public prosecution and judiciary to complete judicial proceedings for achieving justice and to hold those responsible of abuses and violations accountable as soon as possible,

*Aware* of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and calling upon the parties to the conflict to ensure that humanitarian aid is facilitated and not hindered,

*Concerned* by the allegations of violations of international humanitarian law and violations and abuses of human rights law in Yemen, including violations and abuses against children, attacks on humanitarian workers, civilians and civilian infrastructure, including medical facilities and schools, the prevention of access for humanitarian aid, the use of import and other restrictions as a military tactic and the severe restrictions on freedom of religion or belief,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the situation of human rights in Yemen<sup>1</sup> and of the debate held by the Human Rights Council at its thirty-sixth session, and also takes note of the statement and comments made by the Government of Yemen on the report;

2. *Calls upon* all parties in Yemen to respect international human rights law, as applicable, and international humanitarian law, to stop immediately attacks on civilians and to facilitate humanitarian access to the affected population nationwide;

3. *Condemns* the ongoing violations and abuses of human rights and violations of international humanitarian law, including the continued arbitrary detentions and enforced disappearances of political activists in Yemen;

4. *Calls upon* all parties in Yemen to implement fully Security Council resolution 2216 (2015), which will contribute to an improvement in the situation of human rights, and encourages all parties to reach a comprehensive agreement to end the conflict;

5. *Emphasizes* the commitments and obligations of the Government of Yemen to ensure respect for the promotion and protection of the human rights of all individuals within its territory and subject to its jurisdiction, and in that connection recalls that Yemen is a party to 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 International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Optional Protocols thereto on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography thereto, the Convention on the Rights of Persons with Disabilities and the Convention relating to the Status of Refugees and the Protocol thereto, and looks forward to the Government continuing its efforts to promote and protect human rights;

6. *Expresses deep concern* at the deteriorating humanitarian situation in Yemen, and expresses its appreciation to donor States and organizations working on improving that situation, and their pledges to provide financial support for the Yemen humanitarian response plan for 2017;

7. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

8. *Acknowledges* the difficulty of the circumstances under which the National Commission of Inquiry operates, and that the continuation of the armed conflict and the continued violations and abuses of international human rights law and violations of international humanitarian law necessitate the continuation of the Commission's mandate, and the intensification of its work according to presidential decree No. 50 of 23 August 2017, and urges that its tasks be completed professionally, impartially and comprehensively;

9. *Requests* the High Commissioner to continue to provide substantive technical assistance and advice, including in the areas of accountability and legal support, to enable the National Commission of Inquiry to complete its investigatory work, including to ensure that the Commission investigates allegations of violations and abuses committed by all parties to the conflict in accordance with international standards, and to submit its comprehensive report on alleged human rights violations and abuses in all parts of Yemen, as soon as it is available, and encourages all parties to the conflict in Yemen to extend full and transparent access and cooperation with the National Commission of Inquiry and the Office of the High Commissioner;

10. *Also requests* the High Commissioner to present to the Human Rights Council, at its thirty-ninth session, a report on the implementation of the present resolution, and on technical assistance for and capacity-building in Yemen.