



# CONSTITUTIONAL GUIDELINES ON WOMEN

As per NDC Outcome Document

# Women and Youth Forum

## About Us

- Stems from the keenness of the United Nations to promote the principle of engagement in the decision-making process in line with international conventions and norms.
- Completes the process started with the transition process.
- Expresses the believe the United Nation on the importance of women, youth and civil society participation in planning for building the Yemen of the future from within and outside the framework of the NDC.
- Provides a space for women, youth and representatives of the civil society in Yemen to meet and discuss issues of interest to them.
- Responds to the request of many women and youth to provide a free platform for the expression of various opinions and ambitions in a calm and transparent atmosphere.

## Overall Objective:

To overcome all forms of exclusions, social and political marginalization of women, youth and civil society through support and participation in the dialogue process, post dialogue, constitutional making and the creation of tangible mechanisms to achieve equal opportunities.

## Sub-objectives:

- Support of youth and women participation in the transition to democracy through awareness-raising on economic, social and political rights with the aim of achieving equal citizenship.
- Creation of a space for meetings of different groups of women, youth and civil society representatives who participated in the national dialogue and from outside of the NDC for exchange of expertise.
- Build bridges of communications between youth and women actors.
- Work to develop various mechanisms to create leaderships with a capacity to build a new future for Yemen based on principles of freedom, democracy and social justice.

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2014

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Objectivity

Independence

Equal Opportunity

Non-discrimination

Equality

# CONSTITUTIONAL GUIDELINES ON WOMEN

## As per NDC Outcome Document

“I had the opportunity to meet with the women’s caucus and they informed me of their satisfaction in achieving key objectives in the National Dialogue. Important among these are acknowledgment of and protection for women’s human rights; integration of these rights in the new constitution to ensure equality; and a guarantee for 30 percent women’s representation in the three branches of government. This is quite extraordinary, particularly in a part of the world that suffers from an evident deficit on women’s rights and gender equality.”

Assistant UN Secretary-General and Special Adviser on Yemen,  
Dr. Jamal Benomar - Quotes on Yemeni Women  
Briefing to the Security Council, New York - 27 September 2013

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Ideas contained in this document do not necessarily reflect the views of the United Nations, its members, Women and Youth Forum or the Office of the Special Adviser to the Secretary - General on Yemen.

## Preface..

The constitution is the legal framework for the country. In addition to the political status of women, the constitution defines their economic and social status as well.

The major progress achieved, through the active participation of women in the transition to democracy in Yemen and the process of building a modern Yemeni state has made it all too important that women continue their active role in the constitutional making process.

The Women and Youth Forum of the Office of the UN Assistant Secretary General and Special Adviser on Yemen, by presenting this document to the decision-makers and the various local and international actors in Yemen, hopes that the rights of women will be an integral part of the new constitution of the country; since these rights are in harmony with civil, political, economic and cultural rights included in international human rights treaties and conventions.

In spite of the fact that some governments still believe that it is enough only to mention that women and men are equal in the preamble of the Constitution, experiences of a number of countries have shown that by merely confirming equality or non-discrimination equal treatment of female and male citizens are not guaranteed in reality. This justifies the demands by women movements, especially in Arab and Islamic nations, who are pushing for inclusion of additional provisions in the constitution to guarantee and protect the rights of women.

The constitutional guidelines proposed in this work were drafted from the outcomes of the National Dialogue Conference. Here, they are only being presented as part of a document to facilitate the inclusions of these rights in the constitutions and the laws which will be enacted thereafter, since Yemen is embarking on drawing a new social contract for a modern state: the object of aspiration of the entire Yemeni society in all the political, civic and social constituencies.

This document is being presented in a very important and decisive stage in Yemen's history. It contains a rich content, both in Arabic and English, with the aim of promoting full and effective equality between women and men by removing all signs of discriminations and exclusions. We are hopeful that the constitution of the country doesn't exclude the rights of women who are partners with men in the process of building the modern state of Yemen.

In conclusion, this document is a product of concerted legal and rights expertise of women in Yemen. Therefore, we would like to express our appreciation for the efforts of our friends the legal specialist in the Independent Women Constituency and some members of other women organizations who have volunteered to conduct a legal review of the proposed constitutional provisions.

**Women and Youth Forum**

## Introduction..

The realization of democracy and freedom in a just human society where everyone is equal cannot be attained unless a civic state is created. Based on the fact that women rights are part and parcel of civil, political, economic, social, cultural and environmental rights, we the women of Yemen representing the various women groups, coalitions, alliances, women organizations and civil society organization including members of the NDC request the CDC to comply with the constitutional guidelines adopted in the NDC outcome document and integrate them into the draft constitution in the form of binding constitutional provisions. These are as follows:

## Preamble..

"The preamble should be drafted to reflect the constitutional principles in line with the outcomes of the NDC. It shall include equal citizenship, respect for human dignity, the rights of men and women citizens and justice." <sup>(1)</sup>

## Definitions..

The provisions shall include the feminine form to read as "men and women citizens", "citizens - males and females". <sup>(2)</sup>

## Equality..

### **Constitutional Guideline** <sup>(3)</sup>

**Proposed constitutional provision:** "Female and male citizens are equal in rights and duties, equal before the law without prejudices. The State shall guarantee to female and male citizens personal and public rights and freedoms and shall create conditions for a decent life".

(1) See report by the Working Group on State Building (Preamble of the Constitution).

(2) See report by the Working Group on Rights and Freedoms article 49, Working Group on Good Governance article 1, and the working Group on State Building- Constitutional Definitions.

(3) See articles 15 and 32 of the report by the Good Governance Working Groups; article 4 of the State Building Working Group outcomes, article 80 of the Development Working Group outcomes and article 106 of the Report by the Rights and Freedom Working Group.

## Equal Citizenship

### Constitutional Guideline <sup>(4)</sup>

**Proposed constitutional provision:** “Each female and male citizen has the right to vote and candidature provided that they have reached the legal age of eligibility and shall enjoy civil and political rights. The law shall provide measures to ensure equal opportunities for women and men in accessing elected positions”.

## Non-discrimination against women

### Constitutional Guideline <sup>(5)</sup>

**Proposed constitutional provision:** “The state shall prohibit discrimination between female and male citizens due to gender, religion, faith, origin, ethnicity, color, language, disability, social status or political and geographical affiliation or for any other reason. The legislatures shall develop legal provisions to provide for affirmative action to achieve equality. Discrimination and incitement of hatred is a crime punishable by law. The State shall be bound to take required measures to eliminate all forms of discrimination against women. The law shall regulate the establishment of an independent national

(4) See articles 88,111,162 of the report by the Working Group on Rights and Freedoms and articles 3, 13, 77, 163 of the report by the Working Group on Development and article 54 of the report by the Working Group on Sa’adah.

(5) See articles 28 and 188 (constitutional guarantees) and 119 and 96 of the report of the Working Group on Rights and Freedoms and article 52 of the report by the Working Group on Good Governance. Also see article 81 and 4 social development of the report by the Working Group on Development.

## Criminalizing violence against women

### **Constitutional guideline:** <sup>(6)</sup>

**Proposed constitutional provision:** "Harm to physical or moral safety of any person, under any circumstances and by any party -private or public, shall be prohibited. Violence against women in all its forms, marrying the male or female child shall be prohibited.

The state shall commit to provide all kinds of protection to women and to male and female children without discrimination."

## Wmen Quota

### **Constitutional Guideline** <sup>(7)</sup>

**Proposed constitutional provision:** "The State shall be bound to take measures in all relevant laws to ensure representation of women by at least 30% in all legislative, executive and judicial authorities, all appointed and elected bodies and in decision-making positions."

## Economic, Social and Cultural Empowerment of Women

### **Constitutional Guideline** <sup>(8)</sup>

**Proposed constitutional provision:**"The State shall guarantee equality between men and women in all civil, political, economic, social, cultural and environmental rights; it shall work to support and develop such rights. The State shall also guarantee equal opportunities between men and women at all levels of responsibility and in all areas; and the state shall adopt measures to ensure elimination of violence against women in all its forms."

(6) See articles 94, 63, 167, 77, 99, 106, 119 and 160 of the reports by the Working Group on Rights and Freedoms. Also see articles 7, 39 and 45 of the Reports by the Working Group on Development.

(7) Article 11- of the report by the Working Group on Independent Bodies and Para (sixth) of the report by the Working Group on the South and article 129 of the report by the working Group on Good Governance.

(8) Article 42,161,86, recommendations of the Working Group on Rights and Freedoms, Working Group on Army and Security article 17, article 1 of the State Building Working Group, articles, 13, 36,110 and 82 of the Report by the Working Group on Development- Education and Human



### **Constitutional Guideline** <sup>(9)</sup>

#### **Proposed constitutional provision:**

A) The family is the basic units in society based on religion, ethics, human values, respect for mankind and patriotism. The State shall afford legal, social and economic protections of the family by virtue of the law, in a manner that ensures unity, stability and maintenance of the family unit”.

B) The State shall commit to the development and activation of disability- centered policies addressing the needs of persons and groups of disability. For this purpose, it shall guarantee of the following:

- Address the vulnerability of women such as women heads of households, divorced and widowed, disabled, the elderly and needy women as well as mothers and children and to prevent such vulnerabilities”.
- Rehabilitation of women prisoners, reintegrate them in social and civil life and facilitation of their enjoyment of recognized rights and freedoms afforded to all people. The State shall commit to the establishment of special prisons for women.”

### **Constitutional Guideline** <sup>(10)</sup>

#### **Proposed constitutional provision:**

A) “The State shall commit to the provision of welfare and protection for motherhood and childhood and the establishment of a State’s body for this purpose. It shall activate medical examinations before marriage”.

B) The State shall commit to empowerment of women to access their special rights pertinent to pregnancy and childbirth and to consider the reproductive functions a social one, the burden of which shall be borne of both parents and the State’s institutions.”

(9) See articles 10, 11, 20, 21, 60, 61, 62, 63, 83, 95.156,162 of the report by the Working Group on Rights and Freedoms; article 4 of the Report by the Working Group on State Building; articles 11,22,24,44 (38, 44 Health) 30m 40 (Social Development) of the report by the Working Group on Development; articles 159, 164, 220 of the report by the Working Group on Rights and Freedoms and article 85 of the Working Group on Development. (10) See articles 157, 146, 158 and 175 in the Report by the Working Group on Rights and Freedoms; article 51 of the Report by the Working Group on development.

## Education

## The Yemenis State's commitment to international treaties and conventions

### Constitutional Guideline <sup>(11)</sup>

**Proposed constitutional provision:** “Basic education is a child’s rights and is an obligation of the family and the State. The State shall commit to ensure access to free education in all stages of education. It shall seek the provision of needed resources to achieve educational quality and the establishment and dissemination of a human rights culture. The State shall adopt legal measures to make education mandatory and to spread education amongst males and females on equal footing, as well as, to scale it up to cover all people in urban and rural areas.”

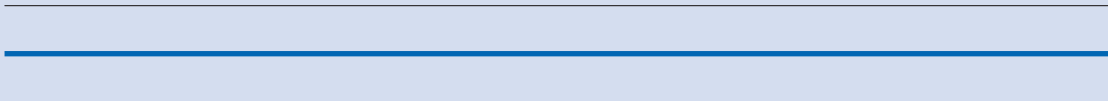
### Constitutional Guideline <sup>(12)</sup>

**Proposed constitutional provision:** “The Federal Republic of Yemen shall comply with United Nations and Arab League’s Conventions, the Universal Declaration of Human Rights and international treaties and conventions to ensure their enforcement at the national level and shall commit to the harmonization of all legislations with them.”  
A) International agreements, when ratified by Yemen and within the scope of the Constitution, immediately on publication, shall supersede national legislations and work shall be done to harmonize such legislations with the ratification requirements.”

(11) See articles 48 and 192 of the report by the Working Group on Rights and Freedom and articles 48, 62, 75, and (4, 6, 60, 33, 43 and 81 Education and Human Development) of the report by the Working Group on Development.

(12) See articles 153, 59, 150, 192 of the report by the Working Group on Rights and Freedoms and article 3 of the Report by the Working Group on Good Governance, as well as, article 19 of (the political, social and cultural development) in the report by the Working Group on Development and article 8 (Political Foundations) of the report by the Working Group on State Building.

# Appendix..



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## 1) The preamble..

### Working Group on State Building: (Preamble):

"The preamble shall be drafted so that the constitutional principles would reflect the outcomes of the NDC. The principles shall consist of the principles of equal citizenship, guarantee and dignity of Yemeni male and female citizens, social justice and rule of law under a civic and democratic State."

## 2) Definitions..

The following working groups prescribed the following definitions:

### Working Group on Rights and Freedoms:

- **Article (49)** "Maintenance of rights of both females and males on the same basis of equality; therefore, the expression male citizen or female citizen shall inflect its meaning and this includes female and male."

### Working Group on State Building: On Constitutional Definitions..

The expression "citizen" shall be stated in the constitution as representing every Yemeni citizen - male or female."

### Working Group on Good Governance: On definition..

The expression "citizen" shall be defined to represent every Yemeni (male and female)".

## 3) Equality in Law..

### Working Group on Rights and Freedoms:

- **Article 106-** states that..  
"Citizens are equal before the law. Discrimination due to gender, ethnicity, language, color, origin, vocation, social or economic status, faith, creed, ideas, opinions or disability shall be criminalized."

### Working Group on Good Governance:

- **Article (15)** "the Constitution shall provide for equality before the law."
- **Article (32)** "the Constitution shall provide that the Constitution is the highest (noblest) expression of the will of the nation and that everyone is equal in the law."

#### 4) Non-Discrimination

##### Working Group on Development:

- **(Article 80-A)** “Male citizens and female citizens are equal before the law and equal in public rights and duties. There shall be no discrimination between them on the basis of religion, creed, opinion, ethnicity, lineage, gender, color, class, vocation, or social and economic status.”

##### Working Group on State Building:

**Article (4)** states that: “Citizens are equal before the law in rights and duties without discrimination due to gender, ethnicity, origin, color, religion, creed, faith, opinion or economic and social status.”

##### Working Group on Rights and Freedoms:-

- **Article 119** “All types and forms of violence against women shall be criminalized.”
- **Article 96** “The State shall take legislative measures to protect specific groups such as the marginalized, women, children, persons with disability or impairments due to discrimination against them and for improving their conditions.”
- **Article 28:** “Prohibition of all forms of discrimination in State’s institutions.”
- **Article 163:** “Lifting all barriers restricting freedom and women rights, especially those relevant to the misinterpretation of the intents of the Islamic Shariya’ah.”
- **Article 188:** “Rights and freedoms are guaranteed by the constitution and shall not be subject to obstruction and no law shall introduce any restrictions upon them or undermines their spirit and essence.”

##### Working Group on Development:

- **Article 81:** “Dignity is a right for every human being, the respect and protection of which, shall be guaranteed by the State and society. It’s criminal to enslavement anyone. Under no circumstances, There shall be no offense against anyone or disdain against or detraction of their humanity. All forms of discrimination, racism and social segregation shall be prohibited. All forms of forced labor shall be prohibited. It’s unlawful to confine anyone in arbitrary manner.”
- **Article 4 (Social Development):** “Working to combat all forms of social discrimination based on religion, sects, denominations, regions, race, gender, color, job, class, or social or economic status by creating fair social policies and the implementation of

reforms and suitable and sustainable economic plans. Legislation should be promulgated to ensure integration of the most marginalized groups, known as “Akhdams”, into society in order to achieve social equality and equal opportunities.”

### Working Group on Good Governance:

- **Article 52:** “The Constitution shall provide a restriction of the legislature’s powers to promulgate laws that detracts or underestimate rights and freedoms.”

## 5) Equal Citizenship

The Rights and Freedoms Working Group adopted the following decisions:

- **Article 88:** “The State shall guarantee all civil rights for women and equal opportunities for all citizens politically. It shall commit to empower women to exercise all their equal citizenship rights.”
- **Article 111:** “Male citizens and female citizens shall have the right to effectively participate in political life through candidacy and voting in presidential, parliamentary and local elections and referenda. The State shall register all male citizens and female citizens in an electoral register when they meet conditions for voting rights.”

### Working Group on Development:

- **Article 77 (Midterm Report):** that “Participation of male and female citizens in public life is a national duty. For each male and female citizen the right to vote and nomination and expression of their opinion through referendum; the law shall regulate these rights directly. The State shall commit to register the names of each male and female citizen in a voter’s database without a request as long as the voter meets voter’s eligibility criteria.”

### Working Group on Sa’adah:

- **Decision number 54** stated that “The Constitution shall provide that all male and female citizens are equal in rights and duties and have the right to nominate themselves to access power without discrimination on the basis of ethnicity, color, creed, lineage or region.”

## 6) Criminalization of Violence

### Working Group on Development:

- **Article 13:** “The State shall guarantee all civil, political, economic, social and cultural rights for women. It shall commit to empowerment of women to exercise all equal citizenship rights, remove all forms of discriminations and protection of women from violence and all inhuman practices. It shall enact the legislations needed to realize that.”
- **Article 3** “ The State shall guarantee the welfare of women and youth, their spiritual, moralistic, cultural, scientific, physical, psychological, social and economic rehabilitation and development and to empower them to effectively participate in politics.

### Working Group on State Building:

- **Article 1:** “The State shall guarantee equality and equal opportunities for all citizens, political, economic, social and cultural and shall enact laws to realize that.”
- **Article 5 (Social Foundations):**- “The State shall adopt all legal measure that empowers women to exercise their political rights and positive participation in public life in accordance with the Constitution.”

### Working Group on Rights and Freedom

- **Article 94:** “Criminalization of the attack on the physical integrity (FGM), sexual harassment and exploitation of women in commercials in a manner considered degrading to their dignity and trafficking.»
- **Article 63:** “A body shall be established with a mandate to protect women and children from domestic and social violence.”
- **Article 167:** “The Minimum age of marriage for girls shall be eighteen and anyone in violation of this rule shall be punished.”
- **Article 77:** “The State shall undertake to protect children from all forms of sexual exploitation.”
- **Article 99:** “Forced labor, slavery and all forms of subjugation, slave, women, children and sex trade and human trafficking.”
- **Article 119:** “All forms of violence against women shall be criminalized.”
- **Article 160:** “Women refugees trafficking and sexual and physical exploitation shall be criminalized.”

## 7) Women Quota

### Working Group on Development:

- **Article 7** (Health development): “The State shall guarantee the protection of the right to health and safety of the body for all citizens without discrimination from any violation or harmful health or social practices and shall guarantee the minimum...”
- **Article 39:** “ Establish a set of legislation and adoption of social measures and policies that secures legal, humane, health and social protection of the children pursuant to the following:

A) Inclusive protection and welfare and that they shouldn't be exploited for any purpose or be subjected to violence or abuse or any act that maybe harmful to their safety, health and education.”

- **Article 45:** “Acceleration of the adoption of legal provisions that criminalizes harmful health practices to children, specifically female gentile mutilation. Doctors working in the medical professions shall be monitored to determine the extent of their contribution to enriching these practices, raising of awareness of society on the risks involved in this phenomenon and the adoptions of effective awareness approaches and engagement of all sectors of society and religious leaders.”

### Working Group on Good Governance:

- **Article 20:** “Women shall be represented by at least 30% and youth by at least 20% in all three branches of government.”
- **Article 129:** text in the law on the inclusion of gender Budgets in the state main budget.

(A): Empowerment of women in the different bodies of political parties and organizations by at least 30%.

### Working Group on Rights and Freedoms:

**Article 82:** “The State shall abide by the representation of women in a manner that would enable women to effectively participate in all bodies and authorities of the State and elected or appointed councils by at least 30%.”

### Working Group on Development:

- **Article 78:** “Women shall be politically empowered by at least 30% in various political decision-making positions and elected bodies.”



### Working Group on Independent Bodies:

**Article 1.1 para c:** “Women shall be represented in independent bodies by at least 30%; provided that they meet required criteria.”

### Working Group on the Southern Issue:

**Article 10:** “There is a necessity that the federal constitution shall provide for the activation of all State’s governments and institution in the Federal Republic of Yemen on the basis of the principle of equality and through the promulgation of legislations and actions that will ensure actual steps to achieve women representation by at least 30% in leadership, elected bodies and civil services structures.”

### Working Group on State Building:

**Article 6** (Electoral System):

1) Political constituencies shall comply, in arranging their electoral lists, a share that would ensure that at least 30% of women win elected councils seats. Candidates, both males and females, shall be arranged in electoral lists as follows:

- At least one woman in three candidates. No electoral list will be accepted from political constituencies if they violate this rule.
- 3) (National Legislative Elections System).
- (b) Women shall be represented in competing list for the legislative body’s seats by at least 30%
- (c) Every citizen, male and female who has reached the age of 18 has the right to exercise their voting rights.
- 3) Women shall make- up at least 30% of the seats in the elected legislative councils.

### Working Group on Rights and Freedoms:

- **Article 161:** “Women’s right to investment and protection thereof and the provision of facilities and access to interest free loans...”
- **Article 42:** “ For every citizen, male and female, the right for the state to provide them, through the national income and international cooperation, the right to social welfare and economic and social rights necessary for the maintenance of their dignity and personality growth.”
- (Recommendations) 3: “ Engagement of rural and coastal women in the planning, implementation of agriculture and fisheries projects and the provision of lending and marketing facilities to them as well as the development of the role of agricultural and

fisheries extension services and other home household income generating activities.

- (Recommendations)2: “Protection of the positions of women in the agricultural and fisheries sector in respect to the labor market mechanism in the agricultural and fisheries sector, especially wages, working day and other rights.”
- **Article 86:** “ The State shall guarantee rural women participation in the development and implementation of development plans at all levels and shall facilitate the flow of information, advice and services to them and access to all types of training and education including those relevant to functional literacy and access to economic opportunities, credit, agricultural loans and appropriate technology.”

### Working Group on Development:

- **Article 3** The State shall guarantee the integration of women in various rural development programs with the aim of improving the living standards of women and the household and enablement to access required funding for productive projects, facilitation of needed information for agriculture and livestock production in a manner that would enable women to carry out their duties in the development of the nation.”
- **Article 95:** “ Establishment of a strong social safety net in social security, pensions, health insurance, disability insurance, liabilities insurance and vulnerable groups such as orphans, women and the low income and those with special needs with the participation of the State, the private sector, civil society organizations and individuals.”
- **Article 110:** “Women have an effective role in economic and social development. The State has the responsibility of empowering women to access investment opportunities and economic development projects either individually or through private organization or those they are engaged in. Support and care should be provided to promote their participation in various areas and the private sector should make a contribution to that.”
- **Article 11:** “Due care for the cultures relevant to social groups such as women, children, youth, the marginalized, emigrants and persons with special needs. All means that would ensure their development and growth including the need to create a welcoming legal environment and moral and material support in all its forms and types should be provided.”

### Working Group on Army and Security:

- **Article 17:** “Empowerment and expansion of women participation in work in the army, security and intelligence institutions. This should be regulated by law.”

## 9) Social Right

### Working Group on State Building:

- **Article 25 (Economic Foundations):** The right to inheritance is guaranteed in accordance with the Islamic Shariya'ah. It shall be enacted into law.

### Working Group on Good Governance:

- **Article 144:** "The Constitution shall provide for facilities to women and businesswomen as well as youth in lending."

### Working Group on State Building:

- **Article 3:** "The State shall nurture motherhood and childhood and nurtures adolescence and youth and protection thereof from social and economic exploitation."
- **Article 4:** "The family is the basic unit of society founded on religion, morality and human values and respect for human rights and patriotism. The law shall maintain this unit and shall strengthen all it ties."

### Working Group on Rights and Freedoms:

- **Article 61:** "The State shall work to nurture the family and stability given that it's the natural and fundamental cell in society. The State shall seek to facilitate suitable conditions for marriage, ensures availability of a decent housing for each family and provide the minimum level of income to protect the dignity of its individuals."
- **Article 60:** "Establishment of competent courts to consider family affairs and personal status cases. It shall be regulated, defined, mandated and procedures to be followed by such courts by a special law."
- **Article 62:** "The State shall nurture the family entity and maintenance its coherence."
- **Article 95:** "Activation of medical examination before marriage."
- **Article 159:** "The State shall commit to the provision of special prisons for women and shall work to establish rehabilitation and welfare centers for women prisoners after serving their sentences. ( Special rights for women)"
- **Article 164:** "Acceleration of enforcement of sentences on women convicted of any crime. The law shall criminalize the inhuman or immoral exploitation of women prisoners."
- **Article 165:** "The imprisonment and confinement of women in non serious crimes shall be prohibited unless after a final court"

judgment. Required bail should be secured to investigation in due consideration of the nature of Yemeni society.”

- **Article 220:** “Provision of a shelter under the control of the State for released women prisoners and homes for senior citizens and the homeless.”
- **Article 10:** “The State shall commit to the development of effective policies to nurture motherhood and childhood.”
- **Article 11:** “The State shall guarantee protection for motherhood, childhood and old age. It shall nurture adolescence and youth and provide suitable conditions to develop their talents and capacities.”
- **Article 20:** “The State shall work to support the family and protection of motherhood and childhood.”
- **Article 21:** “The State shall support the family and protect motherhood and childhood.”
- **Article 83:** “The State shall guarantee the right of divorced woman in housing in case she has custody of children.”
- **Article 63:** “Establishment of a body with a mandate to protect women and children from domestic violence.”
- **Article 156:** “Increase the amount of social security for divorced women and widows.”
- **Article 162:** “A disabled or the elderly women have the right to full social services.”

### Working Group on State Building:

**Article 3:** “The State shall nurture motherhood and childhood and shall nurture adolescence and youth and protection thereof from economic and social exploitation.”

### Working Group on Development:

- **Article 22:** “The State shall guarantee protection of childhood and motherhood and provision of health services free of charge, especially in rural and remote areas.”
- **Article 11:** “The Individual is the foundation of society, the family and is the social unit founded on religion, morality, noble human values and respect for human rights and patriotism.”
- **Article 24 (Health):** “Commitment to allocations of sufficient resources for the implementation of health and awareness programs aiming at family planning, safe motherhood and the strengthening and promotion of public facilities providing reproductive health services to ensure good quality of the services provided and capacity building of staff workers in these areas, especially women cadre to cover the needs of women in marginalized and rural communities.”
- **Article 30:** “Scaling up of motherhood and childhood centers, provision of needed resources and outreach to women and children

in rural areas, priority for deprived areas and the adoption of a policies that would lead to family planning, promotion of its benefits: health , educational, social and economic benefits of this matter and its impact on the individual, family and community.”

- **Article 44 On the necessity of:** “adoption of all appropriate measures to prevent pregnancy at an early age and provision of information and suitable extension programs to increase community awareness on the risks of early pregnancy on the health of the mother and the child.
- **Article 42:** “Enactment of a family law which includes human and social rights for women and protection thereof from all forms of discrimination, violence and inhuman practices. These should include human rights of children and youth from social coercive paternal and family practices, which often times, lead to the development of a delinquent character that is unproductive for society. The law referred to should include provisions to guarantee the rights of women in inheritance, their right to choose a life partner. Provision of humanitarian, legal, moral and compensatory protection for divorced and widowed women and appropriate provision that would lead to the elimination of the phenomenon of inflated dowries.”

## 10) Health..

### Working Groups on Rights and Freedoms

- **Article 157:** “Women’s right to a childcare leave for one full year with full pay and another year for half pay.
- **Article 146:** “Working women in any organization of the State’s institutions have the right to optional retirement following 25 years of service.”
- **Article 158:** “Women have the right to enjoy privacy relevant to pregnancy and giving birth and consideration of the reproductive function as a social function; the burden of which shall be borne jointly by the parents and the State.”
- **Article 175:** “The State shall commit to establishing a suitable leave for working women in respect of lactation and nursing to ensure the best interest of the child.”

## 11) Education..

### Working Groups on Development:

- **Article 51:** “The State shall guarantee the provision of facilitation services for women to be able to manage home responsibilities with duties at work and shall enact legislations that guarantee the health and family particularity of women.”
- **Article 38:** “Endorsement of the law on pre-marriage medical examination for inherited diseases to ensure that the partners in marriage are free from any inherited or contagious diseases which may affect the lives of their offspring, health or capacity.”
- **Article 44:** “Adoption of necessary appropriate measures to prevent early pregnancy, and provision of information and suitable extension programs to increase community awareness on the risks of early pregnancy on the health of mother and child.

### Working Group on Rights and Freedoms

- **Article 48:** “Attention to girls education in health aspects and provide them with an opportunity to enroll in such education. The State shall encourage rural girls to enroll in this area.”
- **Article 192:** “Inclusion of human rights principles and culture and values of tolerance and acceptance of other in school curricula, curricula for police colleges and institute and military institutes and deletion of any matter that conflicts with the principles of human rights and freedoms.”

### Working Group on Development

- **Article 48:** “The government should be bound to provide sufficient incentives and the appropriate climate to ensure girls education.”
- **Article 62:** “Every citizen- male and female- shall have the right to high quality education, free in all various stages and in all State’s educational institutions. It shall be compulsory in the basic education stage. The State shall take all measures to extend the mandatory measure to other stages of education and shall have oversight over all types of education. The State shall be responsible for technical and vocational education and promotion thereof. All public, private and domestic educational institutions and others shall comply with the State’s educational plans and objectives. These all should contribute to the achievement of linkage between education and the needs of society and development.”
- **Article 81:** “The State and the government should support the provision of specialized vocational training for women and persons with disabilities.”
- **Article 75:** “The State shall commit to the development of a comprehensive plan for the elimination of illiteracy, dry out its

12) State's  
Commitment to  
International Treaties  
and Conventions

sources for all ages, males and females, in urban and rural areas. It shall assume implementation of such a plan through community participation during a medium timeframe starting the effectiveness of the new social contract.”

- **Article 4:** “The State shall commit to provide sufficient incentives and the appropriate climate to guarantee girls education.”
- **Article 60:** “Allocation of a share of enrollment in medical and health educational institutions for rural and remote areas with due consideration to equity between males and females.”
- **Article 6:** (Educational and Human Resources Development): “The State shall commit to nurturing and development of early childhood.”
- **Article 33 (Educational and Human Development):** “Development of advanced educational curricula to achieve comprehensive development of students, and enable them to contribute to building their society through: through the last sub-item: (Including in the educational curricula texts about women’s constitutional, social, and economic rights.”
- **Article 43:** “The State shall commit to supporting and encouraging rural girls to enroll in mid-level specialized institutes and university education by at least 10% of all student admission.”

### Working Group on Rights and Freedoms

- **Article 153** “The State shall abide by provisions of all international conventions and agreements on human rights, ratified by the State in accordance with the Constitution.”
- **Article 187:** “The State shall abide by the principles of human rights and public and personal freedoms in a manner that doesn’t contravene the Constitution, It shall develop a national strategy to protect and prevent any diminution of them.”
- **Article 59:** “The State is obliged to include the principles of human rights in education curriculums for all stages.
- **Article 150:**” The subject of rights and freedoms shall be taught in all colleges, institutes and military academies.

### Working Group on Good Governance:

- **Article 3:** The State shall adhere to respect of the UN Charter and the Charter of the Arab League as well as the Universal Declaration of Human Rights and international covenants and agreements which Yemen has signed in a manner that doesn’t contravene the Constitution.

### **Working Group on Development:**

**Article 19 ( Political, social and cultural development):** “ The State shall adhere to work with the Arab League’s Charter, The Universal declaration of Human rights and international treaties, conventions and agreements relevant to human rights which have been ratified by our country.”

### **The Working Group on State Building:**

**Article 8 (Political Foundations):** ‘ The State shall adhere to the UN Charter, the Arab League Charter and to work with the Universal declaration of Human Rights and International treaties and Conventions and rules of International Law which have been ratified by the Legislative Authority in Yemen. It shall be responsible for harmonization of all legislations with these conventions.”