



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the third periodic report of Yemen*

A. General information

1. Please provide information on the obstacles to the implementation of the Riyadh and Stockholm Agreements, especially with regard to the political and economic arrangements that are necessary in order for the State party to discharge its obligations under the Covenant.
2. Please provide information on all measures taken by the State party to ensure that its armed forces do not violate economic, social and cultural rights, including measures related to training, operational instructions, monitoring, accountability and remedies for victims. Please provide examples of such measures.
3. Please describe the steps the State party is taking to protect its population from violations of their economic, social and cultural rights by third parties, including as a result of attacks on the infrastructure and institutions critical to the provision of the rights, such as health-care facilities, food storage and production centres, water facilities and schools. Please include information on any steps taken to monitor, investigate and hold accountable those responsible for such violations and to provide effective remedies, including reparations, for victims. Please provide examples of situations in which the State party has exercised due diligence to protect Covenant rights in the context of the current conflict.
4. Please provide information on the implementation of the State party's plan for the reconstruction of areas, buildings and other facilities, and indicate how economic, social and cultural rights are taken into account in specific reconstruction strategies. Please indicate how the rebuilding of destroyed schools, medical facilities and other public infrastructure, including in areas not controlled by the Government, is envisioned.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

5. Please explain how the State party intends to achieve a more equitable allocation of the benefits from the exploitation of its natural resources to the various parts of the country.
6. Please provide information on the impact of the measures taken to promote the sustainable use of natural resources and to address their degradation so as to preserve the livelihoods of farmers, fishers and other persons working in rural areas who depend on natural resources. Please describe the steps taken by the State party to secure the Safer oil tanker and the outcomes thereof. Please provide further information on the impact of the

* Adopted by the pre-sessional working group at its sixty-seventh session (19–23 October 2020).



measures taken to address water scarcity and the insufficient waste management capacity in the State party.

International assistance

7. Please describe the measures the State party has taken to mitigate the effects of the closure of seaports and airports and of road blockades on its population's access to humanitarian aid, including essential food, medicine and fuel. Please inform the Committee about the assurances the State party can make regarding non-interference in the delivery of aid, including quick approval of projects, to ensure that the humanitarian needs of the population are expeditiously and effectively met. Moreover, please clarify (a) the scope and geographical coverage of humanitarian relief overseen by the State party, including through the High Relief Committee; (b) the extent to which coordination by the Committee enables humanitarian needs to be identified and met; and (c) whether the Committee collaborates with the Supreme Council for Management and Coordination of Humanitarian Affairs and International Cooperation, the Houthis' aid coordination agency. Please provide further information on steps taken to ensure that humanitarian aid is delivered without discrimination by all actors involved.

Maximum available resources (art. 2 (1))

8. In order to assess how the State party uses its available resources to the maximum to give effect to the Covenant rights, please provide information, for the last ten years, on: (a) the level of public revenue; (b) the proportion of public revenue that is financed through taxes; (c) public expenditure as a percentage of gross domestic product; and (d) the proportion of military expenditure and the proportion allocated to social rights, including employment, social security, food, housing, water and sanitation, health, education and culture. Please also inform the Committee about new means of mobilizing resources to make up for the loss of public revenue since the beginning of the conflict and about any developments concerning the recovery of stolen assets, as provided by Council of Ministers Decree No. 126 of 2014 convening a special session to discuss the bills on transitional justice and national reconciliation and on the recovery of looted funds.

9. Please provide information on the process of adoption of the public budget by the State party in light of the inability of the parliament to hold regular sessions, and on the system in place for overseeing its implementation. Please also provide information on:

(a) The mechanisms and decision-making procedures for and oversight of the management of public debt;

(b) The impact of measures taken to combat misappropriation of social benefits by State officials and tribal leaders, as raised by the Committee in its previous concluding observations (E/C.12/YEM/CO/2, para. 16);

(c) Investigations carried out by the State party into reports of illicit enrichment through transactions at the Central Bank involving the manipulation of foreign exchange rates;

(d) Investigations conducted into reports of embezzlement of public resources in the Governorates of Ma'rib, Mahrah and Hadramawt and their outcome.

Non-discrimination (art. 2 (2))

10. Please provide information on the steps taken to collect and generate disaggregated data to assess needs in relation to the enjoyment of the Covenant rights, identify disadvantaged and marginalized groups and develop relevant policies and programmes. Please indicate the extent to which the State party's policies and strategies address discrimination against the Muhamasheen with regard to their enjoyment of the Covenant rights, including their inadequate living conditions and lack of access to decent work.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

11. Please provide information, including statistical data, on the impact of measures taken to provide assistance and compensation to those whose livelihoods, such as farmlands and boats, have been destroyed by the conflict. More generally, please provide information on the impact of the measures taken to counter the loss of employment and livelihoods due to the conflict. Please specify those measures that specifically target young people.

Right to just and favourable conditions of work (art. 7)

12. Please inform the Committee how the salaries and arrears in the civil administration, including for civil servants in areas that are not under the effective control of the Government due to the conflict, are settled so as to ensure their right to just and favourable conditions of work and the delivery of public services. Please indicate the measures the State party has taken to address non-payment of salaries and of severance pay or unfair dismissal by private companies and provide examples thereof. Please inform the Committee whether the State party has adopted a national minimum wage and whether it has taken steps to protect the labour rights of those working in the informal economy.

Trade union rights (art. 8)

13. Please provide an update on progress made towards amending the Labour Code to protect workers' organizations against acts of interference by employers and to allow for the establishment of autonomous trade unions and their federations.

Right to social security (art. 9)

14. Please inform the Committee which social security policies are still ongoing and whether the Social Protection Strategy is still being implemented. Please clarify the content, scope, geographic coverage and beneficiaries of the Strategy and explain to what extent it seeks to address the disruption of social protection mechanisms caused by the conflict. Please provide further details on the implementation of the Transitional Programme for Stabilization and Development to expand cash-based social assistance for the poorest families through the Social Welfare Fund, as well as progress made towards realizing the right to social security with the assistance of bilateral and international donors.

Protection of the family and children (art. 10)

15. Please provide information, including annual statistical data, disaggregated by sex and age group, on the extent of child labour and any other forms of economic and social exploitation of children, including forced and early marriage, in the State party, and on the impact of strategies and programmes to address them.

16. Please provide information on concrete measures taken by the State party to prevent the further recruitment of children into armed forces and armed groups in view of the failure of efforts undertaken hitherto (awareness-raising activities, training courses for task forces, and the implementation of the 2014 action plan for the protection of children in armed conflicts) to protect children therefrom. Please also provide information on concrete measures taken to secure the immediate release of children currently enrolled in the armed forces of any party involved in the conflict, and to provide recovery and reintegration services to former child soldiers. In particular, please provide information, including statistical data, on former child soldiers who have benefited from psychological, medical and social support.

17. Please inform the Committee about investigations carried out into reports of sexual harassment and rape, including of young boys, among displaced communities and on the outcome thereof. Please indicate what steps have been taken to encourage reporting of sexual violence and to ensure the effective prosecution of perpetrators.

18. Please indicate the measures taken to ensure that all children, including those in parts of the territory not under the control of the Government, are registered at birth and receive a birth certificate free of charge, thus ensuring the universality of birth registration.

Right to an adequate standard of living (art. 11)

19. Please inform the Committee about the measures in place to counter and regulate the rising prices of food and fuel to ensure that basic and essential goods, including foodstuffs and water, remain available and affordable to everyone, including the most disadvantaged and marginalized groups. Please also inform the Committee about measures taken to urgently rebuild damaged public and private food production, storage and distribution infrastructure and water and sanitation facilities. Please provide specific information regarding the measures adopted to combat mass malnutrition, hunger and starvation resulting from the conflict.

20. Please provide information on the extent of damage to civilian habitation and land for agricultural production since the beginning of the conflict, and on measures adopted to provide accommodation and/or compensation to those whose land and housing have been destroyed by air strikes or through the placement of landmines.

21. Please provide information on the impact of measures taken to provide internally displaced persons with a livelihood, housing and access to education. Please inform the Committee about measures taken to facilitate their safe and sustainable voluntary return to their home communities and the provision of durable solutions enabling them to enjoy the Covenant rights, especially with regard to housing, employment, health care and education. Please provide further information on mechanisms in place to ensure land and property restitution or compensation to internally displaced persons. In this regard, please provide information on progress achieved in the implementation of the recommendations from the National Dialogue Conference with regard to restitution, including the return of seized land, the restoration of confiscated property and compensation.

Right to physical and mental health (art. 12)

22. Please inform the Committee about the number and location of health-care facilities that are still being used for military purposes by any party to the conflict and the number of military targets placed close to health-care facilities. Please provide information on the impact of the measures taken to ensure the provision of services to respond to critical health-care issues such as outbreaks of communicable diseases and increasing maternal and newborn mortality. Please provide further information on the measures taken and any plans formulated to restore the facilities and overall capacity of the public health system damaged by the conflict, including in terms of investment in human and financial resources.

23. Please explain to what extent the services provided by the public health system have been adapted to and are able to meet the needs arising from the conflict, particularly with regard to injuries and mental health. In particular, please provide detailed information on the methods and tools used to assess casualties and deaths directly or indirectly related to the conflict, including victims of landmines and other unexploded devices. Please also provide information and statistical data on assistance, including medical care, afforded to victims.

24. Please inform the Committee about the measures in place to contain the spread of coronavirus disease (COVID-19) in the country, the tools and methods used to monitor the prevalence of COVID-19, and the services rendered to patients and affected communities. Please explain how the provision of personal protective equipment for health personnel and the adequate capacity of health facilities are ensured so that patients are not turned away or refused treatment.

25. Please explain how the State party intends to uphold the commitment it made in 2019 at the Nairobi Summit on the International Conference on Population and Development to provide protection and reproductive health services for women and girls affected by the conflict and to mobilize and invest the necessary resources to that end.

26. Please describe the measures adopted to prevent profiteering on hygiene products and essential medicines and supplies during the conflict. Please comment on the extent to which such measures have been effective in keeping these products available and affordable for all, including in parts of the territory not under the control of the Government. Please provide concrete information on methods used to identify abuses in this regard and to sanction them.

Right to education (arts. 13–14)

27. Please provide information on the impact of the measures taken to ensure the effective exercise of the right to education, including for girls, and to counter the rising trend of school dropout since the beginning of the conflict, particularly as a result of the recruitment of children into the armed forces, of children joining the informal labour market and of girls entering into child marriages. Please describe the plans in place to ensure the continuity of education and access when schools are damaged or closed due to the COVID-19 pandemic. Please provide further information on the measures taken to ensure the safety of students, teachers and educational staff, access to schools and educational facilities. In particular, please inform the Committee about the number and location of health-care facilities and schools that are still being used for military purposes by any party to the conflict and of military targets placed close to educational facilities.

28. With reference to the Committee’s previous recommendations (E/C.12/YEM/CO/2, para. 30), please provide information on the results of the measures taken to eradicate illiteracy and alleviate its causes.

Cultural rights (art. 15)

29. Please provide concrete and detailed information on attacks on cultural sites that have occurred since the State party submitted its last report. Please inform the Committee about how destructions of cultural sites in the context of the conflict are surveyed and monitored and what steps are taken to protect cultural sites from further attacks and looting. Please also inform the Committee about the measures that are in place to prevent trafficking of looted cultural objects and to identify, prosecute and sanction the perpetrators.

30. Please provide information on how the cultural rights of the various groups making up the State party’s population are incorporated in post-conflict reconstruction and transitional justice processes. Please inform the Committee about the steps taken by the State party to ensure the full realization of cultural rights by diverse sections of the population, including the steps necessary for the conservation, development and diffusion of culture and science.
