



Suffering

under violence

A Human Rights Report highlighting victims of gender-based violence



Center for Strategic Studies to
Support Women and Children

2023

[#Justice4yemen](https://twitter.com/Justice4yemen)

Suffering under violence

A Human Rights Report highlighting
victims of gender-based violence

2023



CSWC

Center for Strategic Studies to Support Women and Children

Center for Strategic Studies to support women and children - Yemen, it's non- profit centre target women and children in particular and the community in general, it is enjoying a logical and independent characteristic. It established on 20/12/2018 according to License from the Ministry of Social Affairs and Labor No. (80/M) and its headquarter in Taiz governorate. It leads by a group of specialists and interested in community development through prevention programs, protection, participation, sustainable development for woman and children. And they are working in the field of psychologically, Rights, Legal, and political support and provides the support to the affected categories from war and violence in scientifically and participatory methodology with the individuals and society and conducting the studies and the researches which serve the goals of the centre.



Taiz - Republic of Yemen



+967 4 26 86 64
+967 73 98 100 60

cswcy.org



info@cswcy.org



Contents

Introduction	4
Methodology	11
Executive Summary	14
General Context	21
Legal Background	26
First: Key Concepts	26
Violence	26
Violence Against Women.....	26
Gender	26
Gender-based Violence (GBV).....	27
Discrimination Against Woman.....	27
Right to Equality.....	27
Survivors of Violence	28
Protection.....	28
Armed Conflict	28
Violation.....	28
Monitoring and Documenting	29
Second: Legal mechanisms for protection on GBV	30
International framework for promoting protection mechanisms for victims of GBV.....	31
National legislative framework for promoting protection mechanisms for victims of GBV.....	35
Analysis of violation patterns in report	40
Murder	42
Physical Assault.....	44
Denial of Resources and Abuse	46
Attack on the sanctity of a dwelling, looting and intimidation	48
Death threat, insult and defamation	50
Violating physical integrity	52
verbal & physical violence	54
Results	56
Recommendation	58

Introduction

The issue of gender-based violence affects every part in the world and violence against women and girls is one of the most widespread and grave human rights violations in the world. This violation knows no social, economic or national boundaries, and it is estimated that one in three women worldwide are subjected to physical or sexual harm throughout their lives.⁽¹⁾

According to UNFPA reports, the proportion of abused women in Yemen is increasing day by the day. The proportion of women who have been subjected to violence since the beginning of the conflict in 2015 was approximately 63%. More than 60 thousand Yemeni women were at risk of physical and psychological violence and other forms of violence .⁽²⁾

The promotion of gender equality is not only crucial for the full enjoyment of human rights, but also an indispensable condition for reducing poverty and promoting human development. Gender equality is an integral part of the State's commitment to its citizens and their human development and protection. The norms of international human rights law guarantee to all human beings, on an equal basis and without any discrimination, the right to dignity, physical and psychological integrity, and prevent any violation of these rights.⁽³⁾

In today's world, women's rights represent a priority for international human rights organizations and States alike. s rights", which it seeks to promote and ensure their enjoyment without any discriminatory impediments between men and women. Violence against women is one of the most significant manifestations of gender inequality and an obstacle to its achievements. It closely linked to unequal power relations between men and women, the existing right not to be subjected to violence as well as the inherent and equal dignity of all human beings without discrimination constitutes a basis for human rights. ⁽⁴⁾

(1) Gender justice and law Study in the Arab region in 2019.

(2) <https://yem-now.com/news72799340.html>

(3) Universal Declaration of Human Rights.

(4) *ibid.*

The importance of the present report is in highlighting the patterns and risks of gender-based violence in the Yemeni context, in particular the directorates of Taiz governorate which are included in the report (Al-Qahera, Ash shamayatain, Al-Muddhafer, Salah and Al-Misrakh), which impose barriers that preventing access to gender-based violence response services, and to know how to address violence and how to strengthen protection mechanisms and advocating for the violence victims.

By identifying patterns of violations and conditions in which the victims have subjected in, especially women and girls. known the prevailing causes that causes the spread of violence in society against women both within and outside the family. The impact of absence a specific combating violence against women and girls law, which responses to the forms of violence, deals with protection issues for victims of gender-based violence and determines penalties, that might give the possibility perpetrators to commit further violations.

As the conflict continues, women are remaining to be subjected to various forms of gender-based violation, such as direct murder, direct gunshot wounds, projectiles and mines. It also made them vulnerable to various diseases, such as abortion, trauma, loss of safety and stability, loss of property, displacement, abandonment of homes and displacement, and denial of some of them from inheritance, children and basic rights.

This report, in which its results were prepared during November 2022, calls for the approval of further measures aimed at eliminating gender discrimination, achieving justice for victims, ensuring accountability of all perpetrators of human rights violations and to ensuring that there is no impunity.

To that extent, the protection mechanism must be improved by coordinating with local authority and security actors , as well as known the best ways to deal with survivors of family violence and violations cases .

This report puts us in front of useful statistical data collected during the monitoring and documentation process in the target directorates, on the inequality of opportunity, discrimination and events of gender-based violence and its impact on victims, especially women and girls, during

the conflict in Taiz city. Given the limited reports of this issue, the report highlights the patterns, circumstances and causes of these gender-based violations during the period (from 2015 to 2022).

The report covered five directorates in Taiz city, which is distributed among the countryside and the city (Al-Qahera, Ash shamayatain, Al-Muddhafer, Salah and Al-Misrakh), the partial samples reflect the geographical diversity of those directorates and the common factors of violation type and specificity in those areas.

Map of the districts in Taiz Governorate



Within 10 days, a team of 10 activists (male 5 female 5) was trained and their capabilities built in the field of monitoring, documentation and protection. During the project period, the team worked to monitor and document cases of gender-based violation, in addition to their conducting visits to verify cases of violations and victims of family violence.

This report is based on monitoring data worked on in two ways, the first was according to the field monitoring process through the activists and monitors who verified cases, documented violations and submitted reports about them. And the second way, was through the desk analysis of qualitative data for these cases. Besides that, the report relied on the published information and data by a number of well-known professional sites.

This present report, documents the violations of gender-based abuse and family violence which have been monitored during November 2022. A field visits of 30 cases were conducted, many interviews were conducted too with the Survivors of gender violations from both genders, and with their relatives and their family members. The perpetrators of the violence were found to be either a family member (husband, brother), or security actor, or one of conflict parties (Ansar Allah, the Houthis Group which backed by Iran and the Government's legitimate forces supported by the Saudi-led Arab Alliance) or militant religious groups.

The conflict in Yemen is classified as a non-international armed conflict.⁽⁵⁾

However, a series of violations, a lot of human rights violations and violations of international humanitarian law were committed by the conflict parties. The gender-based violence constitutes a violation of fundamental and universal human rights, For example, the right to life, the right to personal security, the right to equal protection in law, the right to be free from torture and other cruel, inhuman, or degrading treatment.⁽⁶⁾ All victims of such violations should be supported by all kind of means so that they can know the truth, access justice and compensation to ensure accountability and redress.

Here, some critical questions arise about victims' justice mechanisms, and the mechanisms that must be pursued for accountability, sustainable and

(5) Classification of the conflict in Yemen, International Committee of the Red Cross.

(6) Gender-based violence, <https://www.simaetbhatha.com/hc/ar/articles/4404255379735>

inclusive peacebuilding, justice, reconciliation and the restoration of the local fabric community. It was therefore essential to know the perpetrators of such violations and to end impunity, ensure that the perpetrators were held accountable and compensate the victims.

Transitional justice is the system that seeks to do everything necessary for societies to succeed in dealing with such difficult legacies and to develop various tools to that end, as well as to contribute to reconciliation and prevent new violations.⁽⁷⁾

One of the national mechanisms that seeks to ensure accountability and achieve the principle of non-impunity in Yemen, is the National Commission to Investigate Allegations of Human Rights Violations⁽⁸⁾, which is working in monitoring, documenting, investigating and identifying all cases of human rights violations, regardless of the identity of victims or perpetrators of violations.⁽⁹⁾

Impunity in international human rights law means that perpetrators of human rights violations are not brought to justice, and this itself constitutes a denial of victims' right, as well as, the impunity leads to a high rate of violence against women, the accountability is key to ensuring justice, therefore the impunity for conflict crimes and other violations of international law in Yemen has fueled conflict and created a huge human-made humanitarian disaster.⁽¹⁰⁾

The report contains research into national and international legal frameworks, and through research we have found that the legal Yemeni system is somewhat deficient, in contrast with international legal framework for the promotion and protection of human rights.

The Yemen's legal system lacks a special law against violence, which deal

(7) <https://www.ohchr.org/ar/transitional-justice/about-transitional-justice-and-human-rights>

(8) A national mechanism for monitoring and investigating allegations of human rights violations committed on the territory of the Republic of Yemen by all parties was established according to the Republican Decree No. 140 of 2012 and its amendments, in accordance with the provisions of the Gulf Initiative and its executive mechanism, and the Security Council Resolution No. 2051 of 2012 and Resolution No. 2140 of 2014 and relevant Human Rights Council resolutions.

(9) <https://www.nciye.org>

(10) Overview of crises, Office for the Coordination of Humanitarian Affairs, available at the following link : <https://mwatana.org/renew-the-gee/>

with those issues and how to protect victims of gender-based violence. The Yemen's legislative system has many legal gaps that contribute in one form or another in spreading the gender-based violence and family violence . And, the discrimination against women, for example, is deeply entrenched in right-wing legislation. There are provisions in the Penal Code, the Personal Status Code and the Nationality Code that clearly violate international norms prohibiting discrimination on the basis of gender, and some of the practices we find in central restorative is: (The woman after her release or after the expiration of her sentence is handed over only to her guardian), One of the provisions that actually serve to perpetrate and condone family violence is in the article No. 232 of the Penal Code states: (If the husband kills his wife and the person who commits adultery with her, or assaults them, resulting in death or impairment, there's no retribution in that, the husband is punished by imprisonment for a period not exceeding his age or a fine, and the same sentence shall apply to anyone who surprises an asset, his relatives or his sisters in the event of the crime of adultery).

Most women do not resort to the Police Offices in many areas, perhaps as a result of community culture, which considers the shame for women to go to Police Offices, or for fear of blaming relatives and husbands if they know they have filed a complaint. There is a material aspect that pushes most women and prefers not to turn to police stations, which is poor financial resources and fear of lengthy proceedings. Other aspects are the women's fear of being the police is affiliated with the perpetrator of violence, or the women's risk of being sexually harassed when attending police stations to report domestic violence.

There may be a weakness in the skills of law enforcement authorities, as well as inadequate knowledge of the legislative frameworks required to respond adequately to complaints of domestic violence. Some police officers' tendency towards women who report domestic violence lacks chastity, and that a decent woman must be patient and afford the abuses committed against her by family members, especially if the husband is the aggressor. In addition to, Some police officers are convinced that men's attacks against women are often the result of misconduct by women, and that men apply sharia provisions if women are misbehavior, as inferred by "Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So righteous women

are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard. But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand.”⁽¹¹⁾

Based on the results of field monitoring, which measured the extent and specificity of violations and the common factors of the project's target directorates, and reflected all of those findings and discussed the most prominent patterns of gender-based violations, both those related to international humanitarian law and international human rights law and the means of protection during war and armed conflict, such as:

(Targeting civilians, extrajudicial killings, attacks on physical integrity, arrests, torture, Attack on the sanctity of a dwelling, intimidating and intimidating parents, attacks on the inviolability of a dwelling, looting of private property, death threats, insult and defamation, denial of inheritance, salary deprivation, education leaking, child labour, deprivation of resources - abuse).

In addition to the obstacles that the survivors faced who are seeking justice and the loss of trust in those providing justice services.

A verification process was conducted to hear the views of survivors of both sexes, and victims' relatives on the causes of the violations to which they were subjected. Hence the analysis of those violations and the characteristics of the victims identified in the cases monitored... Finally, identifying the project's outcomes and make recommendations to improve and raise awareness of protection mechanisms and the effectiveness of local authorities and security actors to reduce events of violence.

(11) Surah Al-Nisa'a, Verse 34

Methodology

The Centre for Strategic Studies to support Women and Children seeks to support and assist women and children by promoting the values of participation, protection, security and community peace in accordance with a strategic vision and systematic work with specialized expertise and competencies to prevent and reduce the effects of violence and violations in order to achieve sustainable peace. The project covers the geographical scope of five selected directorates in Taiz governorate, (Al-Qahera, Ash shamayatain, Al-Muddhafer, Salah and Al-Misrakh). These directorates reflect the diversity between these geographical areas and the uneven effects of the armed conflict. This diversity helps to analyze the nature and prevalence of certain types of violations and domestic violence in accordance with the contexts of the targeted areas and the effects of the conflict in them.

The selection of cases in the report for 5 districts in Ta'izz governorate was not easy, because the team was unable to conduct interviews in traditional ways during the monitoring and documentation process and took random cases from residents of those districts, due to the sensitivity and nature of the violation affecting women, so the coordination was conducted with the persons involved in those areas to facilitate the monitoring and documentation process and ensuring that team members, victims and witnesses are not exposed to any risks.

Cases were selected in consultation with some activists working to document gender-specific violations in the target districts, as well as the use of women lawyers who provide legal support to battered women in the districts.

The cases of gender-based abuse covered in the report are only a partial sample, reflecting the actual presence of each type of violence, but the report provides the most visible patterns of gender-based violence in those directorates during the conflict based on the analysis of the selected cases.

This report is based on monitoring data worked on in two ways, the first was according to the field monitoring process through the activists and monitors who verified cases, documented violations and submitted reports about

them. And the second way , was through the desk analysis of qualitative data for these cases. Besides that, the report relied on the published information and data by a number of well-known professional sites. This present report, documents the violations of gender-based abuse and family violence which have been monitored during November 2022. (Targeting civilians, extrajudicial killings, attacks on physical integrity, arrests, torture, Attack on the sanctity of a dwelling, intimidating and intimidating parents, attacks on the inviolability of a dwelling, looting of private property, death threats, insult and defamation, denial of inheritance, salary deprivation, education leaking, child labour, deprivation of resources - abuse).

The basis for the team work during the monitoring and documentation process was in accordance with monitoring and documentation principles and standards, including (objectivity, transparency, impartiality and professionalism)⁽¹²⁾, through a number of methods and procedures for collecting data on gender-based abuse that ensure access to and analysis of the truth, such as field visit to conduct direct interviews with a number of (Survivor victims, their relatives and witnesses). A Written informed consent was obtained from the responders,⁽¹³⁾ and the responders were being assured that the proceedings were conducted in full confidentiality and that they could retreat any action according to their will.

Interviews with responders from both sexes were conducted, which included open questions that allow them to tell their stories in detail, thereby knowing the patterns and causes of violence as well as its impact and social dimensions, as well as the impact of the current conflict on types of violence, access to available services, protection mechanisms and access to justice in those areas, and it was written to a form dedicated to that task, in addition to visiting the locations of the violation, documenting their statements and preserving their details as legal evidence,

(12) OHCHR , Human Rights Training Manual on Human Rights Monitoring.

(13) Informed/informed consent: By approval , it is intended to get people know to make an enlightened decision, freely and voluntarily. Approval is informed when a person is aware of the consequences of his or her choice, enjoys equal authority and freely chooses to accept or reject the consequences. Having the approval to be informed means that before you share any information with others or make any referral, and to be able to make an informed decision, the survivor must be provided with honest and complete information about possible situations, their implications and the effects of any information. <https://data.unhcr.org/en/documents/download/74448>

and taking into account the confidentiality and safety of survivors and their families and ensuring their privacy. In addition to examining the documents submitted to the monitors team such as: (Identity documents, medical reports, complaints, litigation records, audio recordings, video recordings, memos, orders, posts and photographs) for validation.

Interviews were conducted in the selected directorates during November 2022, and the Monitoring team faced significant challenges in how to access to the family violence, which is usually not be out of the family's scope and goes beyond the wall of the house, unless violence and harm to the victim is escalated, and led to the opening of a criminal case or the filing of a case in the Court. To this end, the team has engaged with the directorates' actors to facilitate monitoring and documentation process.

The Centre for Strategic Studies, within its working methodology, to made use of reports issued by United Nations agencies and reports issued by some organizations concerned with gender-based abuse and domestic violence through statistics and their findings to support the report's findings.

Executive Summary

Many women and girls suffer eight years since the outbreak of conflict increased gender-based violence, increasingly on the usual levels of violence Women and girls“, during the conflict, women and girls were forced to engage in risky hardship, to help provide income for their families, and as their responsibilities increase and their societal roles change, the rate of violence against women has increased.

The results of the team work indicated that violence against women was one of the most important challenges facing efforts to improve women's realities, Due to lack of awareness and social understanding and absence of data and statistics on the issue of violence, and because the women don't have the ability to report or seek the necessary means of support and protection, in addition to their inability to access justice due to women's fear of shame and family ostracism and families' fear of society's perception, all of that helped to increase their vulnerability, their dependence on others and their acceptance of violence.

It was therefore necessary to build civil and legal protection systems well and to enact legislation that would protect women from abuse and deter aggressors, as well as to disseminate culture that promoted the concepts of equality, rights and freedoms.

Yemeni society, which is dominated by male customs and customs relating to women, has allowed parties to the conflict to exploit these norms, To suppress any signs of opposition, as many women and girls in Yemen are confronted during the conflict, A variety of challenges through restrictions on movement based on social norms, conflict, the denial of women's basic services, the loss of security and stability, Increased family tensions, disputes and high levels of domestic violence, owing to distinction between the men and women, as well as because of women's inferiority, and the misuse of religion , the wrong upbringing that gives the man everything and he is the one who decides.. Women appear as a weak creature and they are following the will of the stronger men.

The issue of violence is inherent in Yemen because of poverty, customs and traditions, many of which have been religiously entrenched. Linking it to the notion of defect and honour, as well as to the displacement and societal divisions produced by the conflict that are multisectoral, regional and class. The conflict has also caused women to lose educational and employment opportunities, stress, trauma and traumatic events such as the loss of siblings, parents, children, spouses and other family members due to conflict or illness. Increased financial burdens in the home, as a result of the deteriorating economic situation of families considered particularly acute among women-headed families, as well as displacement due to fighting or shelling, high levels of harassment of women and girls on the streets and various manifestations of gender-based violence, lack of services and insecurity of their children, and loss of society as a result of displacement.

The types of violence to which women are subjected in Yemen include physical violence, sexual and verbal violence, psychological violence, denial of basic rights and services, intimidation, rape, harassment, exploitation, beatings and denial of their entitlements such as education, inheritance and husband's choice. However, through monitoring data, we will work to cover the most important types of violence in the directorates covered by the report during the month of November 2022.

The prominent presence of Yemeni woman in pre-conflict periods was an active and broad participation in leading and organizing the peaceful demonstrations. As well as, her active participation in the National Dialogue Conference and her presence as the first time in the Yemeni history within a preparation Committee for a Draft Constitution of the Country. Despite the all that has been achieved, many women today have lost the privileges that had been achieved during that period. ⁽¹⁴⁾

Violations against women during the conflict have reached an unprecedented level in Yemen, Women's protection values have vanished, many grave forms of violence have been inflicted against women by arbitrary arrest, torture, physical and psychological violence and have become victims of murder through direct sniping, missiles or flight missiles or victims of landmines exploding on the roads or in agricultural land leading to death or permanent disability.

(14) Dr. Nedhal Al-Awlaqi, a member of Yemen's Constitution Writing Committee, she writes the role of women in political transformation [د-نهال-العولقي-عضوة-لجنة-كتابة-الدستور-في-اليمن-تكتب-دور-النساء-في-التحول-السياسي](https://nazra.org/2015/09)
<https://nazra.org/2015/09>

The woman found herself the most painful victim in this conflict, she is either displaced or homeless in camps lacking the least livelihood. or a grieving woman because of losing her son or husband in the fronts, or either detainee or close to a one who is detainee , she is spending the years standing at prison doors demanding his release.

Yemeni woman in general is suffering from violence in all its forms both pre and post- conflict, whether in the family or at the general level, but the difference is that, before the conflict there were protection institutions for woman, whether formal one or civil society such as the Yemen Women Union, which was working to provide protection for women who are subjected to violence. In addition to the real existence of State institutions, judicial bodies and security institutions, which were somewhat constitute a partial protection rather than a full protection, however, the women were able to resort to these institutions to protect them. But during the conflict, these institutions have vanished and their roles has become very weak. This has doubled these violations and led to impunity for those who engage in such violations.

Yemen's legislative system lacks a law dealing with the protection of victims of gender-based violence, as there are many legal gaps that contribute in some way to the prevalence of gender-based and domestic violence.

During the conflict, violent rhetoric against women has emerged and committing against her in an unprecedented manner. on the first of September 2022, Amnesty International published a report on its own website on preventing Houthis from travelling women from areas under their control, without the presence of a man of a family member or a written evidence from one of them . These measures have been in place for a short time, but they have been tightened since April 2022, hindering many Yemeni women's work, especially humanitarian workers who have to travel.⁽¹⁵⁾

Although there is no law requiring the presence of a man of a family member during the movement of women, over the past few years, events of emphasis on the presence of a man of a family member and women's question about him have been repeated on transport during the movement between the governorates controlled by the Ansar Allah (Houthi) group.

(15) <https://yemenfuture.net/researches/11609>

The armed members of the Ansar Allah Group (Al-Houthi) have consistently to question the women travelling alone, and men travelling with women are frequently asked to prove their relationship with women, for example: by presenting a marriage certificate, or Identity cards, if men and women otherwise.⁽¹⁶⁾

The right of movement is inherent in international covenants, covenants and the Yemeni Constitution, and none of them discriminate between a man and a woman. Therefore, the intervention of the State or the authorities is without legal basis, and the issuance of orders or texts like them constitutes a constitutional violation. In early 2021, the Houthi group issued a circular which requires the prohibition of travel of women without a presence of a man of a family member. This restriction is a form of gender-based discrimination and entrenches discrimination faced by women in Yemen on a daily basis.

Another restriction is recently emerged in the areas of Houthi control (Ansar Allah, Hawththis Group), where they have come to impose restrictions on women's clothing, has forced women's clothing shops to only sell the long black cloaks,⁽¹⁷⁾ and the Yemeni society has faced this restriction with social media advocacy campaigns in rejection of such restrictions (identity-right).⁽¹⁸⁾

According to UNFPA reports, the proportion of abused women in Yemen is increasing day by the day. The proportion of women who have been subjected to violence since the beginning of the conflict in 2015 was approximately 63%. More than 60 thousand Yemeni women were at risk of physical and psychological violence and other forms of violence, As traditional roles within the family are changing, women's protection mechanisms are unable to improve and protect them from violence.⁽¹⁹⁾

(16) Moments from hell , March 2022 <https://mwatana.org/undermine-women/>

(17) Women's Human Rights Organization.

(18) A campaign carried out by young social media activists through Hashtag entitled "Yemeni Identity" in rejection of Houthis' practices against women.

(19) Geneva Christine (2019) Care Analysis of Gender and Conflict in the governorates of Taiz and Aden, Care International Organization, page 25.

The results of an online survey conducted by Yemen Information Center in the beginning of January 2022, on gender issues in Yemen showed that the causes of gender-based violence due to: 4.1% of the law, 46.6% of ignorance, 32.9% of social and cultural norms, 1.4% of conflict, 11% of poverty, 1.2% of physical pressures faced by men, 2.4% of all reported. The results of the survey on the most obstacles to “reducing discrimination against women”, 21.6% revealed the absence of a national mechanism to reduce discrimination, 71.6% community customs and traditions, 2.7% community classes, 1.4% sex, while 2.7% of opinions responded “I don’t know”.⁽²⁰⁾

In response to the evolution of women’s roles, society has shown a state of violent resistance in the face of this evolution. Violence against women does not stop at the limits of their beatings, rape, replacement, inheritance and bodies education“, but it also extends to deprivation of education and child marriages and forcing them to wear only specific costumes and a long list of manifestations of violence that, unfortunately, are still in right-wing society by men and women who consider them to be ordinary, acceptable or culturally specific, Women’s and girls’ opportunities for food and education have decreased, and forced marriages have increased, Girls as young as 12 years of age are forced into marriage to relieve their families’ economic pressures. This explains the increasing incidence of domestic violence.

There is a great lack of data and statistics on manifestations of violence, especially gender-based violence. UNWomen tells us that 37% of Arab women are victims of at least one form of violence during their lives.⁽²¹⁾ Indicators are likely to be higher in Yemen. A research study indicates that the rate of domestic violence in a society is 26% still coherent with all that cultural and community heritage, while the proportion of families where violence is prevalent is 30%.⁽²²⁾

Yemen is on the threshold of the third decade of the third millennium, Among Yemeni members of community, “disciplining” his wife by beating, mitigating or demeaning him remains an internal matter. Society continues

(20) Results of an online survey conducted by Yemen Information Center <https://sawt-alamal.net/2022/02/15>

(21) Prevalence rate of violence in Arab countries (“Arab Barometer” network, research study).

(22) *ibid.*

to convince itself and the oceans that Yemeni society is the most preserved and protective of women from other societies, through withholding, prohibition and grants. Males in the family have the right to treat the issue of violence as an internal matter and males have the right to deal with women and girls according to the tribal customs that still prevail today.

This is explaining, why we can not find statistics on the type or magnitude of violence to which women are subjected. We find that police stations do not monitor cases of violence that they reach in their records. Most of these cases are returned to the family because, as mentioned, it is an internal matter, they are resolved without regard for women's interests, in addition to women's inability to access them, and we also find that the courts do not have access to most of these cases, and that the cases reached and documented with official records are not published, and therefore it is difficult to predict the statistics of these cases.

The purpose of monitoring and documenting violations in the targeted districts in Taiz governorate is part of a process aimed at redress for victims, highlighting the most prominent systematic violations against women, raising community awareness and creating a one opinion on women's issues to which they are exposed and winning society's support for accountability and prevent the impunity for perpetrators.

To this end, the Centre for Strategic Studies to Support Women and Children is seeking a mechanism to work with the local authority, the judiciary and civil society organizations to fulfil women's and girls' right to feel safe at home, on the street and everywhere.

Gender-based violence is one of women's most serious violations which is subjected to in accordance with the laws, conventions and treaties, they must be protected and their rights safeguarded, which stipulate all rights guaranteeing their freedom and protecting their rights from loss, and do actions to address all forms of violence and take preventive action to prevent the recurrence of such practices to ensure respect for women's rights and dignity, protect victims of violence and identify services that must be provided to help them overcome the harm and risks they have suffered.

Despite the gloomy picture of the level of violence against women and girls in Yemen during the conflict, there is much to be built on. Progress in women's rights in recent Yemeni history has far outweighed women's rights in other parts of the Gulf, despite much greater Gulf wealth ⁽²³⁾, and women's attitudes against violence against women. Progress in women's rights is not limited to the efforts of humanitarian organizations, but includes modernist social trends in Yemen, political, constitutional and legal entitlements contained in the outcomes of the national dialogue and the draft constitution. Together, they can be used to reduce gender-based violence.

(23) Afra Nasser, Yemen's Women Confront War's Marginalization, Middle East Research and Information Project, In: 289 (Winter 2018) <https://merip.org/2019/03/yemens-women-confront-wars-marginalization/>

General Context

In recent years, Yemen has become the world's greatest human tragedy. Almost all of the Yemeni people face a dire challenge over time, suffering the harsh conditions as the country's extreme hunger worsens⁽²⁴⁾, owing to a series of internal wars that passed through Yemen, the latest of which was the armed conflict that began in September 2014 when the Ansar Allah Group (Houthis) and forces loyal to former President Ali Abdullah Saleh took over the Capital City "Sana'a" by force. This armed conflict has become increased in March 2015 when the Arab coalition led by Saudi Arabia began its military operations in support of the internationally recognized legitimate Government.

Events have developed dramatically in several regions on political, tribal and regional backgrounds and resulting in the killing of many citizens and the displacement of hundreds of thousands of them. Violence and hostilities intensified as a result of the conflict and human rights violations increased in Yemen, where all conflict parties committed violations of international humanitarian law and international human rights law, which in turn has led to an environment where impunity is widespread and perpetrators are not held accountable, with systems and services disrupted or destroyed.⁽²⁵⁾

During this time, women and girls faced greater risks of human rights violations. Gender-based violence has significant and long-lasting impacts on various aspects of women's and girls' and their families' lives as well as on the local community.

As the conflict enters its eighth year, UN-Women's latest estimate in 2021 indicates that about 50 thousand people are currently living in famine-like conditions, hunger is intensifying in conflict-affected areas where nearly 21 million people, more than 66% of the total population, require humanitarian assistance and protection.⁽²⁶⁾

(24) The International Committee of the Red Cross (ICRC).

(25) National Commission of Inquiry to investigate Alleged Violations to Human Rights.

(26) <https://www.hrw.org/ar/world-report/2022/country-chapters/yemen>

The impact of the situation on women and girls has been greater as they have been displaced from their homes, deprived of food and other resources, as well as their seeing to acts of violence, the killing of loved ones in front of them, and the loss of property. All these things are a severe shock to them, and the psychological repercussions and physical effects of such ordeals can persist for long periods even after conflict has ended.

Displaced families in the camps suffered from a lack of potable water, and the health sector suffered a significant deterioration throughout Yemen as a result of weak infrastructure and the continued blockade, which has had a negative impact on the population in general, as well as on the provision of health services to the population and displaced persons in homes and camps.⁽²⁷⁾

Owing to the persistence of the conflict in Yemen and the failure of all peace initiatives to end it, the conflict has produced multiple suffering across all tracks of life and has had a direct impact on women's lives, in the light of the deterioration of the living conditions , the basic components of human dignity and the absence of protection and empowerment programs.

Women's roles and experiences have shifted during the conflict in Yemen, and this has affected the deteriorating security situation. Increased difficulties and reduced women's opportunities at the social , political and economic levels community , where the Yemeni society is described as a closed tribal society in most of its regions, which imposes limited roles on women. For example, in the social aspect, women are restricted to home work and child-rearing only, and are allowed to work in the fields of education and nursing.

The continuation of the conflict has given rise to new patterns and forms of gender-based abuse, where a new transformation of Yemeni society has formed , resulting in the forming of checkpoints throughout the country and restricting freedom of movement and preventing women from travel except with a member of their family , and this has contributed to the destruction of the fragile improvement in women's conditions and the decline in the means of protecting women and girls from violence, Yemen is no longer heard except with several followed terms like: extreme hunger, asylum, displacement, destruction, armed conflict, disease and victims.

(27) <https://www.scmcha.org/ar/scmcha8474.html>

United Nations agencies expect the humanitarian situation in Yemen to worsen between June and December 2022, with a record 19 million people likely to be unable to meet their minimum food needs in that period. ⁽²⁸⁾

Several reports referred to the escalation of violence against women during armed conflict, accompanied by the collapse of formal and community protection institutions, to which women can usually resort, exacerbating conflicts and instabilities of pre-existing patterns of discrimination against women and girls' rights and exposing them to violations.

It is worth mentioning that Yemen's Ministry of Social Affairs and Labour has previously indicated that among its five-year plan (2011-2015) It is developing 5 new women's shelters in 5 governorates , protection from violence through several resolutions and activities, However, work was interrupted by the conflict in the country in September 2014, which was likely to limit the escalation of this phenomenon and its severe consequences for the country's society in general. ⁽²⁹⁾

"Conflict may result in the acceptance of higher levels of violence against women and girls, including indiscriminate killings, torture, early marriage, physical abuse. Women and girls are mainly and increasingly targeted in various forms of gender-based violence, including as a method of conflict. Although women and girls are generally subjected to violence, men and children have also been victims of such violence". ⁽³⁰⁾

According to the results of an online survey conducted by the Yemen Information Center in the beginning of January 2022, on gender issues in Yemen, 69.9% of respondents believe that gender-based violence in Yemen is directed towards women 15.1% girls, 8.2% men and 6.8% boys. ⁽³¹⁾

Indicators from the Office for the Coordination of Humanitarian Affairs (OCHA) also showed the gloomy picture of women and girls in situations of armed conflict, where women and children constitute 73% of about 4 million displaced persons, and 30% of displaced families currently support women, compared with 9% before 2015. ⁽³²⁾

(28) <https://news.un.org/ar/story/2022/03/1096242>

(29) <https://iranwire.com/ar/reports/100274/>

(30) <https://www.ohchr.org/ar/women/womens-human-rights-and-gender-related-concerns-situations-conflict-and-instability>

(31) <https://sawt-alamal.net/2022/02/15>

(32) <https://www.khuyut.com/blog/vaw>

These indicators show that the rate of displaced women and girls is rising, thus increasing their need for protection with the collapse of societal, institutional, legal and family protection walls. As a result, many women are forced to adopt mechanisms to adapt to survival, including child marriage, begging, human trafficking, child labour, etc.⁽³³⁾

For example, forced and early marriage prevails in Yemen, with very high rates of child marriage, and sometimes marrying girls at an early age provides financial benefits to poor families. It is a strategy for many families affected by conflict. A survey conducted in 2013 showed that 15.5% married women aged between 15 and 49 were married before the age of 15 and that 43.6% were married by the age of 18.⁽³⁴⁾

There is a significant difference in the early marriage before the age of 15 between girls with no education and those with basic education (21% without education and 7% only if they have basic education) with a similar gap for married women before the age of 18 (64.4% among girls without education compared to only 34.7% in basic education).⁽³⁵⁾

As for the phenomenon of human trafficking, Yemen is a corridor and destination for trafficked women and children. The 2017 United States Human Trafficking Report described the situation of human trafficking in Yemen as follows:

“The ongoing conflict, the lack of the rule of law and the deteriorating economy are likely to disrupt some patterns of trafficking and other aggravations. Before the conflict, Yemen had been a transit point and destination for women and children, especially from the Horn of Africa, who had been subjected to sex trafficking and forced labor. Ethiopians and Somalis voluntarily travelled to Yemen in hopes of working in the Gulf States, but some of these women and children may have been exploited in sex trafficking or domestic slavery in Yemen”.

The National interministerial Technical Committee to Combat Human Trafficking drafted special legislation to combat human trafficking in 2013, including articles on forced marriage. This legislative draft was adopted

(33) Office for the Coordination of Humanitarian Affairs, Humanitarian Update (October 2021) <https://www.unicef.org/mena/media/14701/file/Yemen%20Humanitarian%20Update>

(34) Justice of Gender and Law in Yemen [عدالة_النوع_الاجتماعي_والقانون_في_اليمن](https://profilbaru.com/ar/عدالة_النوع_الاجتماعي_والقانون_في_اليمن) <https://profilbaru.com/ar/>

(35) Arab Human Development Report 2016.

by the Ministry of Human Rights. This report was issued in areas under the control of Ansar Allah “Houthi”. A law on combating trafficking in human beings was promulgated in January 2018.⁽³⁶⁾ While it was not promulgated in the legitimate government areas and may be due to the failure of the parliament. We find that the Children’s Rights Act criminalizes commercial sexual exploitation of children.⁽³⁷⁾

A report by OHCHR noted that the ongoing conflict had exacerbated inequalities faced by women and girls in Yemen, resulting in increased vulnerability to gender-based violence. The collapse of formal and informal protection mechanisms⁽³⁸⁾, coupled with large-scale displacement, has also led to negative strategies to address gender-based violence, particularly child marriage. The Office of the United Nations High Commissioner for Human Rights (OHCHR) reported that more than two thirds of Yemeni women were married 18 years ago, compared with 43 percent before the conflict.

In the absence of indicators and figures on the prevalence of gender-based violence among relevant stakeholders at the national level. Therefore, there are no accurate statistics explaining the causes and motives of this phenomenon, which is due to the victim’s non-disclosure. and the failure to report sexual and gender-based violence due to stigma and risks associated with reporting and considering that as the secrets and affairs of the family. This is shared by most societies, especially Arab societies, despite the existence of victims and those affected.

Gender-based violence constitutes a violation of fundamental and universal human rights, for example: the right to life, the right to personal security, the right to equal protection in law, the right not to be subjected to torture and other cruel, inhuman or degrading treatment. Women’s rights are part of the human rights protected under international law and should also be protected under the laws of each State and harmonized with international conventions protecting women, such as the Convention on the Elimination of All Forms of Discrimination against Women, which was an action map for ensuring women’s equal enjoyment of their human rights.

(36) 1-2018 ye.pdf (ilo.org).

(37) International Organization for Migration (IOM) and Colburn International Consulting, experimental study of Tourism Marriage in Yemen (2014).

(38) <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/107855/133000/F-123612460/1-2018%20ye.pdf>

Legal Background

Before the commencement of international laws and treaties on the violation of gender-based violence, particularly during armed conflicts, the report's most important concepts and terminology had to be included.

First: Key Concepts

■ Violence

Violence is defined as: all harmful behavior to others whether physical or psychologically or verbally, occurring as a result of the intentional use of force and physical violence threats or actual abuse against oneself, or against another person or against a group or society, and violence may or may lead to injury, death, psychological damage, poor development or deprivation, and violence can be economic, and may be direct or hidden.⁽³⁹⁾

■ Violence Against Women

Violence against women is defined as: deliberate violent behavior directed towards women and takes several forms either moral or physical. It is any behavior that is subjected against women and motivated by sexual nervousness, and leads to suffering and harm in physical, psychological and sexual sides. Threats of any form, deprivation and limitation of women's freedom in their private or public life are considered violence against women.⁽⁴⁰⁾

■ Gender

The World Health Organization defines gender as: "socially constructed characteristics of women and men, such as customs, roles and male-female relationships. They also vary from society to society and can be changed.

That is, the concept of gender relates primarily to the social roles of males and females in society, and how local culture views them. Meaning: the differences that society poses between the sexes, what allows and what prevents them, each.⁽⁴¹⁾

(39) What is violence ? <https://mawdoo3.com/>

(40) United Nations definition under the 1993 Declaration on the Elimination of Violence against Women.

(41) <https://hunalibya.com/dammawashadda/gbv/8831/>

The word “social” is the entry point for the concept of gender, that is, gender is closely linked to society, its customs and traditions, and how male and female are perceived. So the word Gender was translated in English into a social genre.⁽⁴²⁾

■ Gender-based Violence (GBV)

Gender-based violence is defined as any mischievous act committed against a person’s will. It is based on differences between males and females attributable to their existence for social reasons⁽⁴³⁾, so it is therefore based on social roles between males and females, as perceived by local culture, and although the great majority of victims of gender-based violence in different cultures are girls and women; However, it is not only female, but also male, which was at the heart of its difference from the term violence against women.

It is to force a person to do something against his will through violence, coercion, threats, deception, cultural pressure or economic means, which we see as rooted in gender-based inequality and abuse of power and harmful customs. It is considered life-threatening, health-threatening and a human rights violation, requiring urgent protection for those affected.

■ Discrimination Against Woman

is defined as any distinction, exclusion or restriction based on sex that has the effect or purpose of impairing or frustrating women’s recognition, enjoyment and exercise of human rights and fundamental freedoms in all fields, irrespective of their marital status, and on a basis of equality between men and women.⁽⁴⁴⁾

■ Right to Equality

The right to equality is one of the most important human rights, it is also a fundamental principle in all States of the world, and a fundamental right in positive international law; Being enshrined in different formats in regional and global human rights instruments, the right to enjoy all

(42) *ibid.*

(43) Inter-Agency Standing Committee IASC Guidance for Integrating Interventions in Gender-Based Violence Issues into Humanitarian Action, 2015.

(44) Convention on the Elimination of All Forms of Discrimination against Women.

other rights and freedoms on an equal basis with others; That is, all persons are equal in law and have the right to equal protection against any discrimination, and the principle of equality and non-discrimination must apply to all aspects of individual and community activity, which is a general right with respect to other human rights.⁽⁴⁵⁾

■ Survivors of Violence

Survivors of violence refer to anyone who has experienced sexual or gender-based violence. It is similar in meaning to the word “victims”, but it is generally preferred because it includes resilience.⁽⁴⁶⁾

■ Protection

All means and activities aimed at obtaining full respect for the rights of all individuals without discrimination in accordance with the relevant laws and frameworks, both during and after armed conflicts.

■ Armed Conflict

Use violent methods to express a political view or change the Government’s policy.⁽⁴⁷⁾

■ Violation

The concept of human rights violation: a term used to describe the position or situation that occurs when a non-State violates or exceeds a fundamental provision of international human rights instruments and treaties in the international system; such as the Treaty of the Universal Declaration of Human Rights, or international humanitarian law, under human rights law, no act that abuses others or violates others’ rights is entitled to do so.⁽⁴⁸⁾

(45) Maisa>a AbdulKarim Abu ISleeh, Right to Equality in International Human Rights Law, p. 7.

(46) <https://ijnet.org/es/node/13259>

(47) Conflict is divided into two parts: international armed conflict which is, a situation in which armed force is used between two or more States, regardless of the cause or severity of the conflict. Non-international armed conflict which is a protracted armed confrontation occurring between the Government’s armed forces and those of one or more armed groups, or between such groups established on a State’s territory. We would like to point out here that the classification of our country’s conflict falls within a non-international armed conflict.

(48) Report on the Monitoring of Cases of Violations, Gender-based Violence and Damage to Women, prepared by the Women’s National Committee in collaboration with the United Nations Office for Women-Yemen, July 2016, p. 13.

It is an act that leads to an infringement of any human right, economic, social, political, cultural and treating certain persons as worthless and without rights in society, often as a result of Governments' inability to protect their citizens.

■ Monitoring and Documenting

Monitoring: A structured enquiry process to obtain correct, verified and substantiated information, which is a broad term describing the active work in the collection, verification and immediate use of information to address human rights violations.⁽⁴⁹⁾

Documentation: The process of systematizing or investigating the results of the fact-finding process with a view to regulating this information in such a way as to make it easier to retrieve it when needed, for example through a pre-equipped form.⁽⁵⁰⁾

(49) Human Rights Observatory.

(50) *ibid.*

Second: Legal mechanisms for protection on GBV

Ensuring women's protection from violence as a legal right requires all States to take account of its causes, Emphasize the responsibility of the State to enact legislation and measures that will achieve justice, equality, order and security to ensure women's right to a life free of violence in accordance with an approach based on respect for rights and freedoms and the determination of duties and responsibilities in various fields s rights and the obligation of the international community itself to protect the rights, dignity and dignity of an individual man by multiple treaties, Women's right to physical integrity and freedom is undoubtedly a fundamental human right. States recognized its importance, while their national constitutions and legislation provided for its protection and punished acts of unlawful confiscation state of affairs “, refers to the continuing violations committed by State authorities, Abuse and violence are often committed in violation of these laws' provisions.⁽⁵¹⁾

Protection of women affected by armed conflict requires their best assistance, As a matter of knowledge and understanding of the legal provisions that protect them, international human rights law, international humanitarian law and asylum law all set out specific provisions for addressing women's needs during conflict. These provisions remain (simply written rights on paper), as not all parties to the conflict have adhered to the general and special protections provided by the laws to women.

This has led the international community to intervene and develop many legal norms to safeguard this right in time of peace and war. Here, we will try to identify the most prominent international and national efforts to protect women from various forms of discrimination in order to ensure accountability and impunity for violators of these violations through the various international instruments signed and ratified by our country.

(51) Sawsan Tamarkhan Bakka, Crimes against Humanity in the Light of the Provisions of the Statute of the International Criminal Court, First Edition, Halabi Rights Publications, Lebanon, 2006, p. 446.

■ International framework for promoting protection mechanisms for victims of GBV

- The Republic of Yemen is a party to a number of regional and international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention against Torture, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (1990) ratified without reservations, as well as the Optional Protocol on the involvement of children in armed conflict, as well as the Optional Protocol on the sale of children, child prostitution and child pornography, without reservations to the Protocols
- The Republic of Yemen is not a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol: Three treaties adopted by the United Nations to supplement the 2000 Convention against Transnational Organized Crime: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Protocol against the Smuggling of Migrants by Land, Sea and Air, Protocol against the Illicit Manufacturing of and Trafficking in Firearms).
- Besides these conventions, we find United Nations resolutions and declarations on protection against violations and violence against civilians, especially women. Through the texts of these conventions, we find that they have created provisions that address women's issues, such as the four Geneva Conventions and the Protocols thereto.⁽⁵²⁾
- The first Geneva Convention to improve the situation of wounded and sick members of the armed forces in the texts.
- Second Geneva Convention for the Improvement of the Situation of Wounded, Sick and Ship Survivors of drowned members of the armed forces at sea.

(52) International Legal Protection of Human Rights in Armed Conflict, United Nations publication, New York and Geneva 2012, p. 12.13.

- Third Geneva Convention relative to the Protection of Prisoners of War.
- Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.
- Additional Protocol (I) to the Geneva Convention relating to the Protection of Victims of Armed Conflict.
- Additional Protocol (II) to the Geneva Convention relating to the Protection of Victims of Non-International Armed Conflicts.

■ Classification of conflict in Yemen

International humanitarian law applies to all situations of armed conflict, by virtue of which (Yemen) is a party to the four Geneva Conventions of 1949, as well as to Additional Protocol I and Additional Protocol II to the Geneva Conventions of 1949, it is clear that the armed conflict currently under way in Yemen is regarded in accordance with the aforementioned Conventions as a non-international armed conflict. They are the common provisions of article III of the four Geneva Conventions and Additional Protocol II to the Geneva Conventions.

It should be noted that Yemen has not yet ratified the Rome Statute of the International Criminal Court.

All parties are also bound by customary international humanitarian law applicable to non-international armed conflicts. This fundamental part of the Act contains certain rules concerning, inter alia, the principle of discrimination, the treatment of civilians and persons unable to fight and methods and means of combat, and the status of protected persons and objects.

■ Security Council resolutions

Security Council resolutions are binding on all Member States, including Security Council Resolution No. (1325) of 2000. This resolution urges Member States to take the necessary measures in matters relating to women's participation in decision-making and peaceful processes gender mainstreaming in training, peace-keeping and women's protection in addition to integrating gender into all United Nations reporting systems and program implementation mechanisms, This and other resolutions face the disproportionate and unique impact of armed conflict on women.

One of the most important provisions of the resolution is to request that all parties to the conflict fully respect international law applicable to women's and girls' rights and protection, especially as civilians.

- Call on all parties to armed conflict to take special measures to protect women and girls from gender-based violence in situations of armed conflict, in particular rape, and other forms of sexual abuse.
- Emphasize the responsibility of all States to end impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including crimes related to sexual and other forms of violence against women and girls, and emphasize in this regard the need to exclude such crimes from amnesties and, where possible, relevant legislation.
- Calls upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements and to take into account the special needs of women and girls, including the design of camps and settlements.
- Affirms the readiness of the Security Council, whenever measures are taken under Article 41 of the Charter of the United Nations, to consider the possible impact of such measures on the civilian population, taking into account the special needs of women and girls, in order to consider granting appropriate exemptions.
- Security Council resolution 1820 (2008) states: "To condemn all acts of sexual and other forms of violence against civilians in armed conflict, in particular against women and children".
- Security Council resolution 1888 (2009) called upon all parties to armed conflict to cease all acts of sexual violence fully and immediately and demanded that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, Measures such as enforcement of appropriate military disciplinary measures and adherence to the principle of command responsibility and the training of troops in the absolute prohibition of all forms of sexual violence against civilians, Expose misperceptions that fuel sexual violence and investigate candidates for national military and security forces to ensure the exclusion of those associated with serious violations of international humanitarian law and international human rights law, including sexual violence.

- Security Council resolution 1889 (2009) affirms: “The need for women’s full, effective and equal participation at all stages of peace processes in view of its vital role in conflict prevention, In its resolution and in peacebuilding, it reaffirms the key role women can play in rebuilding the fabric of a recovering society and implementing post-conflict strategies, Stresses the need to involve them in the development and implementation of post-conflict strategies to take into account their views and needs and noting that, despite progress, obstacles to women’s participation in conflict prevention remain and resolution and peacebuilding, and concern is expressed that women’s capacity to participate in public decision-making and economic recovery is not sufficiently recognized or funding in post-conflict situations, and emphasizes that funding for women’s early recovery needs is vital to increasing women’s empowerment peacebuilding“, which could contribute to the effectiveness of post-conflict peacebuilding.
- Security Council resolution 2106 (2013) stipulates: “The political, social and economic empowerment of women, the achievement of gender equality and the participation of men and boys in efforts to combat all forms of violence against women are essential in the context of long-term efforts to prevent and implement sexual violence in armed conflict and post-conflict situations. 1325 for 2000, while acknowledging the ongoing work on the development of a set of indicators for the implementation of resolution 1325 and subsequent resolutions on women, peace and security, and recognizing the role of UN-Women in this area“.
- Through some international conventions and resolutions, the international community has endeavored to develop binding legal mechanisms aimed at protecting women, preventing them from being subjected to violence and various violations during a period of conflict, and these international conventions, resolutions and declarations can be used as terms of reference that contribute to reducing violence.⁽⁵³⁾

(53) Note : Yemen has ratified most international conventions and instruments, and Security Council resolutions are binding on all Members and Yemen is a Member of the United Nations .

■ National legislative framework for promoting protection mechanisms for victims of GBV

Basic laws relating to gender justice are:

■ Constitution of 1991

At the Union of Northern and Southern Yemen in 1990, the Constitution of the Republic of Yemen was ratified by popular referendum on 16 May 1991.⁽⁵⁴⁾ Article 27 of the 1991 Constitution states: “All citizens are equal in law and are equal in public rights and duties, there is no discrimination between them on grounds of sex, color, origin, language, occupation, social status or creed.” This article was deleted in 1994.⁽⁵⁵⁾

■ Constitution of 1994

The 1994 Constitution is valid (taking into account the amendments made in 2001). Article 3 stipulates that Islamic law is the source of all legislation. Article 6 of the Constitution affirms Yemen’s adherence to the Charter of the United Nations, the Universal Declaration of Human Rights, the Charter of the League of Arab States and the principles of international law.

The 1994 Constitution influenced the Personal Status Code and the Penal Code by repealing article 27 and introducing articles 31 and 41. Article 31 stipulates that: “Women are the sisters of men and have the rights and duties guaranteed and required by law.” Article 41 states that “all citizens are equal in public rights and duties”. Thus, discrimination on the basis of sex is no longer prohibited, and women’s and girls’ rights must be based on Islamic principles.

Article 25 of the Constitution affirms that Yemeni society is based on social solidarity based on justice, freedom and equality in accordance with the law.

(54) https://ar.wikipedia.org/wiki/عدالة_النوع_الاجتماعي_والقانون_في_اليمن

(55) *ibid.*

Article 26 stipulates that the family is the foundation of society, based on religion, morality and patriotism, which preserves its identity and strengthens its ties.

Inheritance The Constitution affirms the right to inherit for all Yemenis and for women a well-known share of inheritance. Article 23 of the Constitution stipulates: “The right to inherit is guaranteed in accordance with Islamic law.”

■ Draft Constitution of 2015

The events of the Arab Spring and the political transition process under the auspices of the National Dialogue Conference were finalized in 2015, but have not yet been ratified because of the outbreak of the armed conflict, which stipulated that:

The draft guarantees equality before the law (art. 74), non-discrimination on grounds of sex or belief (art. 75), prohibition of physical and sexual exploitation (art. 77) and prohibition of human trafficking (art. 78). The draft also sets the legal age of marriage for both men and women at 18 years (art.124).⁽⁵⁶⁾

■ policy framework

The National Women’s Commission⁽⁵⁷⁾ prepared the National Strategy for the Development of Women 2006 - 2015. Its objectives include: “To achieve universal basic education by 2015, to have gender equal access to education at all levels and to reduce the illiteracy rate of women and girls to half its rate s economic empowerment “, expanding women’s access to adequate health care, and promoting women’s economic empowerment s effective exercise of their human rights guaranteed by Islamic law, national legislation and international law, and the elimination of all forms of discrimination against women “. ⁽⁵⁸⁾

(56) <https://www.mofa-ye.org/Pages/امسودة-دستور-اليمن-الجديد/>

(57) The Women’s National Committee of the Supreme Council for Women’s Affairs is the government body with a mandate to work on women’s empowerment. The Committee was established in 1996 in implementation of the resolutions of the Beijing Platform for Action (1995) and is responsible for reporting on Yemen’s progress on the CEDAW process and demanding legislative and regulatory changes related to women’s rights.

(58) Gender Justice and Law in Yemen https://ar.wikipedia.org/wiki/عدالة_النوع_الاجتماعي_والقانون_في_اليمن

■ Protection against domestic and sexual violence

There is no specific legislation to combat domestic violence in Yemen. In 2014, a bill to combat violence against women and girls was prepared by the National Women's Commission and other legal professionals under the supervision of the Ministry of Human Rights. It was submitted to Parliament, but was discontinued due to the conflict. ⁽⁵⁹⁾

■ Penal Code 1994

- The Penal Code provides for a series of attacks of different degrees. Rape is punishable by a term of up to seven years' imprisonment. A penalty of not less than two to ten years' imprisonment is imposed if the offence is committed by two or more persons, if the victim is under the protection of the offender or the victim suffers serious harm or pregnancy of a child because of the offence. The penalty shall be imprisonment for a term of not less than three years and not more than 15 years if the victim is under 14 years of age or the act results in the victim's suicide.
- The Penal Code criminalizes the commission of an "Obscene act" with a female. The law defines "indecent act in life" as any act contrary to public morals or modesty, such as nudity, deliberate disclosure, rhetoric and indecent and immoral reference. The perpetrator of such an offence shall be liable to a term of up to one year's imprisonment or fine if it was without consent .
- The Penal Code also criminalizes the "indecent act of indecency against public morals", which is used to justify the detention of a woman found in the company of a man other than her relatives.
- In cases where a woman is killed, the financial compensation or blood money for the murdered woman is half of the murdered man's money.
- Honor killings, the Penal Code provides for a reduced penalty for honor killings: If the husband kills his wife She and whoever weighs her when they wear adultery, or assaults them, resulting in death or impairment, the husband shall not be punished by imprisonment for a term not exceeding one year or a fine. The same sentence shall apply to anyone who surprises one of his assets, branches or sisters in the event of adultery.

(59) <https://alwaalalyemeni.com/news1302.html>

- These provisions provide for discrimination against women, or permit violence against her, including provisions on honor-based violence, which must be addressed and such provisions repealed.

■ Personal Status Act, No. 20 of 1992

- The minimum age for marriage: The Personal Status Code and its amendments do not specify the minimum age for marriage. The Personal Status Code stipulates that a girl's marriage is valid, but she may not be sent to her husband if she is unfit for intercourse even if she is over 15 years of age. The boy's marriage is valid only if it is proven to have an interest.
- Divorce in accordance with the Personal Status Law: A man can unilaterally divorce his wife by avoiding the contract without giving a reason (divorce), while women have the legal right to file divorce cases, in contrast to men, they have to provide a justification for divorce, such as a defect in the marriage contract or in the husband, whether it exists before marriage or occurs after marriage, or there is damage as a result of prolonged absence, imprisonment or non-payment of maintenance, or the existence of hatred.

■ Nationality Act 1990

- Passports Act No. 7 of 1990 did not require the consent of the woman's guardian to obtain the passport. Every citizen woman who has attained 16 years of age has the right to obtain a passport without the husband's or guardian's consent. Women have the right to an identity card and passport. Women travel without a Mahram . In practice, the Prime Minister's directive was issued on 2/2022 to the Minister of the Interior in accordance with the Passports Act and the removal of all measures and obstacles preventing Yemeni women from obtaining a passport document, without conditions other than those provided by law applicable to men and women.

■ Civil Pleadings and Enforcement Act 2002

- Article 16 of the Civil Procedure and Enforcement Act No. 40 of 2002 stipulates that litigants are equal in the exercise of the right to litigation. A judge is obliged to enforce the principle of equality of litigants in this right, in accordance with the provisions of the Islamic sharia and the laws in force.

■ Labour Code of 1995

- The Labour Code provides that “women may not be employed for overtime from the sixth month of pregnancy and during the six months following the commencement of work after the maternity leave”. Employers are required to take precautions to protect pregnant workers from any risks that may harm their health or pregnancy while retaining the worker’s right to treatment and compensation.
- Sexual harassment in the workplace does not include a specific prohibition of sexual harassment in the workplace. Furthermore, there is a general prohibition on harassment of women in the Penal Code (the offence of “blatant act with a female”).

Analysis of violation patterns in report

Through field visit in November 2022, to target areas to monitor and document the violation of gender-based violence, The most prominent patterns of such violence have been identified during the period of armed conflict since 2015 to 2022, In the process of monitoring and documenting of 30 cases, during interviews with violence survivors of both sexes, victims' relatives or witnesses.

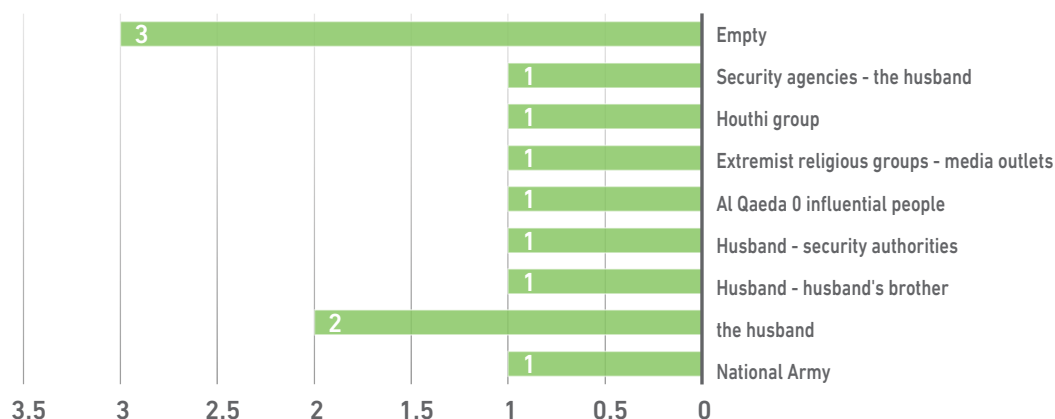
We found the violence patterns in targeted geographical areas are similar and different in the same time (Al-Qahera, Ash shamayatain, Al-Muddhafer, Salah and Al-Misrakh), in addition to identifying the offenders at both private and public levels.

These directorates reflect the diversity of these geographical areas and the uneven effects of armed conflict, which helps to analyze the nature and prevalence of each type of violation. In this section, we will analyse 15 cases that have been monitored, documented and verified and we will also show the specificity of each type based on the review of data collected by the Panel, in accordance with the methodology and procedures followed during the identification of selected cases "taking into account the specificity and sensitivity of such a violation and ensuring the safety of survivors of violence as well as witnesses heard who were present at the time of the act, who saw or heard the violation, and we will analyze the most prominent of these types of violation, which follows according to the table below:

The most prominent patterns of gender-based violence monitored and documented in the illustrative table are the 15 cases classified as follows:

Classification	Number of Incidents	Victims	Date of Incident	Perpetrators
Murder	2	2 Women 1 Child	25.08.2021 18.12.2021	Husband
Physical Assault	2	5 Women 13 Children	06.2021 10.05.2022	Security Actors Husband
Denial of Resources & children labor	3	1 Man 10 Women 10 Children	2018 2019 2022	Husband Husband's Brother
Abuse	2	1 Man 7 Women	05.2017 09/09/2021	Husband Security Actors
Attack on the sanctity of a dwelling, looting and intimidation	2	2 Man 3 Women 16 Children	04/2016 10.05.2022	Al-Qaida Gunmen
Death threat, insult and defamation	1	1 Woman 3 Children	18.04.2022 07.2022	Religious Militant Groups Media Actors
Assault on physical integrity	1	1 Woman 2 Children	10.2016	Houthi Group
Detention of liberty	1	1 Woman	14.08.2020	National Army
verbal & physical violence	1	1 Woman	03.2021	Husband

Number of incidents by perpetrator



Refer to the table above, Gender-based abuse has not been limited to women and girls; children and men have all been subjected to various forms of violence and the victim may have been subjected to compound abuse, but women always remain the most vulnerable link to discrimination and violence during the period of armed conflict.

■ Murder

Two cases of murder of women during the armed conflict were monitored and documented in the Directorate of Saber Al-Missrakh, and the attempted killing of a child. In both cases, the immediate perpetrator was the husband, during 2021, the victims were tortured, threatened and intimidated for long periods before being murdered .

Murders are often the last phase of attacks and torture. The murder was the final event in the victim's series of complex violations. The conflict in Yemen is not the only cause of murder, the causes are many and the crime is one. In the country's deteriorating situation and its material, psychological and moral consequences, killings are almost common.

Murder is generally defined as the wrongful termination of a human life by another human being. ⁽⁶⁰⁾

The perpetrator's criminal intent may exist by planning in advance and insisting on the commission of the crime during the armed conflict", as in the two cases monitored, and the pattern is attributable to poor economic conditions during the armed conflict and increase the cost of living and the inability of couples to provide life requirements, and the husband's commission of such crimes is justified by the fact that he was under severe psychological pressure silence and lack of reaction to these acts led to repeated events in the same directorate. Although such crimes were also committed prior to the conflict, there is little justification for the perpetrator.

Violent crimes against women cause sterile social debate, in which opinions differ unilaterally, and do not lead to a result as a large segment continues to blame the victim.

The victim's flogging and blame is one of the oldest methods the perpetrator may deal with to justify his criminal conduct. The problem here is that we are not in front of a single perpetrator who might persuade himself not to be responsible for what he commits only against women, Rather, it is before a whole society that denies itself this responsibility and claims that it is women who have brought themselves to a stage where they are vulnerable to repeated violations, and therefore do not have to blame anyone.

(60) Crime Murder, its factors and its social effects <https://wadaq.info/جريمة-القتل-عواملها-آثارها-الاجتماعي/>

Images of women who have gone victims of violence remain testimony to the criminality of an entire society rights“, continues to deny women the enjoyment of their most basic human rights, a society that lacks awareness and continues to secure inferiority, lack of equality with men, and religious mindset rooted in the most basic legal details and deprives it of the right to life, or may grant it to it on the condition that it is imprisoned within the custom and tradition free will, and these crimes remain compelling evidence of conviction without judgement. and trying to frame the subject in detail that gives the actor a mitigating excuse, or often impossible, and it must be borne in mind that, in most cases, many of the crimes committed remain outside the statistics because they are not beyond the walls of the house. Because the victim's relatives were not informed of her absence, especially if they were the perpetrators. “the length of the proceedings lost evidence during the investigations due to the negligence of the state organs and the judiciary to pursue such cases, in order to prevent inflation and avoid social problems that may be out of control.

Time: 18/12/2021
Location: Maqbana Directorate
Perpetrator: Husband
Type of violation: Murder

Event Description: (M.M.P.) is a 27 years old, she is married and has 4 children, her husband is working in the military service. As a result of his participation in the current armed conflict, he showed aggressive behavior towards his wife and children. The wife complained about her husband's actions to her parents and tried more than once to return to her father's house. However, the family returns her to the matrimonial home without redress and one day the husband tortured his wife in front of her children and then he used an automatic weapon to kill his wife and he tried to kill one of his children, who was subsequently rescued.

Fact Analysis:

This pattern in this case, which has been monitored, confirms that this species has gone through several stages. where the murder of the wife and the attempted murder of her child were the last occurrence in a series of vehicle violations s home, she was married at an early age and thus have been deprived of many rights, such as the right to choose life and marriage, Education and other rights, to torture, threat and murder, and to escape punishment We find that such cases are often conceded to reconciliation because of the longevity of the conflict or the concession of a blood guardian and the solemnity, Article 41 of the Criminal and Penal Code states: "Half of men's blood money". This provision is one of the discriminatory legal texts that is unfair and unproductive of women and that must be pressed to change it.

■ Physical Assault

Two cases of physical Assault were monitored and documented, 5 women and 13 children were subjected to this type of gender-based Assault during 2021, in which the perpetrator were security actors in addition to the husband.

This pattern is common in most of the cases monitored, because this violence is one of the most widespread human rights violations and occurs every day over and over again everywhere in the world, despite the amount of its impact on the lives of individuals, families and society as a whole. In a tribal society governed by customs and traditions, many families still believe that such acts and acts are an internal matter in which no one has the right to interfere. A husband has the right to discipline his wife and in the way he sees fit, according to a legacy of tribal or religious customs and traditions.

Even when women report to the security services, it is often regarded as a husband's right, and it is incumbent on women not to consult men, because they know the interests of women. Due to this physical violation, repeated threats, and the loss of a sense of security on various sides, they lost the courage to prevent the harm to which they were subjected. Physical abuse is the most obvious form of domestic violence and may include beatings slapping, kicking, punching, breaking bones, tightening hair, pushing, strangulation, burning, and the victim may be deprived of food or sleep, weapons such as rifles or knives may be used to threaten or attack the victim.

One in three of the world's women, some 736 million, experienced physical or sexual violence during their lifetime, according to a recent analysis by the World Health Organization.⁽⁶¹⁾ This type of violence against women is one of the most widespread and persistent human rights violations perpetrated by the offender against the victim, as well as her inability to deter the offender, to file a complaint against him or to seek help from others to save her life, and this type of pattern is not confined to women only but also happens to children.

Time: 06/2021
Location: Al-Misrakh Directorate
Perpetrator: Husband
Type of violation: Physical Assault

Event Description: (M.S.M.) A woman in her third decade, she is married and has 5 children. Due to the conflict and salary stopped that led to low the economic conditions and increased living costs. The husband began to physically assault his wife and children repeatedly, beating her more than once, as well as beating and torturing children in front of her, once stabbing her with a sharp machine in her right hand, and once again, he breaks her left hand and breaks her teeth. When he wants to hurt her further, he beats her children and deprives them of their most basic rights. This led her to flee from the governorate where the husband lived to another governorate for fear of finding her, and to protect her.

Event Analysis:

The pattern in this case, which has been monitored, in many cases that the woman is the weakest link in it, and although she is subjected to such violence, she endures these persistent abuses by the abused husband for her children or fears of stigma.

In the absence of protection mechanisms, fear of reporting and lack of equity, this type of violence results in physical injury, psychological problems, social isolation, job loss and financial difficulties, and may lead to death.

(61) <https://www.bbc.com/arabic/world-56316166>

in order to protect the victim herself and her children from such violence, having consumed all available protections to her, she preferred not to file any complaint with the security authorities, for fear of taking her children. She took the route of escape as the husband was in an area under Ansar Allah (Houthi authority). and stayed in an area under the control of legitimacy, as a means of protecting its security in defiance of society and its customs and traditions s authority within and outside the family.

Torture is prohibited according to the article No. 47 of the Yemeni Constitution, article 6 of the Code of Criminal Procedure and articles 166-168 of the Penal Code. However, the Constitution does not contain a detailed definition of torture. Criminal provisions on torture are imposed in an irregular and conflicting manner on the ground.

■ Denial of Resources and Abuse

Five events subjected to two men, 10 women and 10 children were monitored and documented.

The conditions of conflict and the lack of political stability over a decade have contributed significantly to the prevalence of such violence in Yemeni society. The escalation of armed violence in large parts of the country has increased gender-based violence and weakened State agencies to provide protection to victims of violence.

In attempting to understand and analyse these patterns in all their aspects and branches, it is clear that the deterioration of the poor economic and living conditions resulting from the armed conflict is a result of this violence, and it is clear why the situation has led her and her children to escape her husband and his treatment of her. The armed conflict had led to the disintegration of many families, increased rates of violence within the family, discrimination, threats and beatings were practised in high proportions within the family, and a decline in the quantity and quality of basic services. Abuse and ill-treatment are a general description, including ill-treatment , ugly words , deeds and refers to the abuse of a person's powers or responsibility to carry out disgraceful acts, Whether physically, sexually, emotionally or economically, or a combination of any of them, which may cause death, serious bodily or psychological harm, or substantial loss of a person's property which is punishable by law.

The increased risk of gender-based violence results in barriers to access to gender-based violence response services, recovery, inclusion, meaningful participation and security. Strategies must be in place to provide life-saving activities to prevent violence, mitigating it for women, girls and children at risk and ensuring survivors' access to quality services in the area of gender-based violence.

Time: 05/2017
Location: Al-Hodaidah Governorate , then Moved to Ash Shamayatain Directorate
Perpetrator: Houthi Group
Type of violation: resource deprivation and abuse

Event Description: S.M.S. is a child whose father works in Hodeidah governorate in a metal shop, when the conflict became worse, Ansar Allah group "The Houthis" tried to use this shop, when he refused , they imprison the father, they practice torture in prison on him . Days after , he was released and leaving the prison, and died due to torture. The family lost the source of income and moved to the countryside of Ta'izz, forcing the child (M) to work in the Al-Turbbah City because he is not the only one who will provide all the necessary things of his family. He is working in carrying goods by the hand cart , this is why the child (M) is discontinued from attending school frequently , he has a brother years younger than him working in another governorate to help them support the family and he is also disconnected from school.

Event Analysis:

The patterns found in this case, which has been monitored. Women and children are the most vulnerable and affected link to this violation. These patterns occur as a result of a series of interrelated violations, which in turn perform a form of gender-based violence. such as resource deprivation, which is an inevitable consequence of the country's situation during the armed conflict or ill-treatment as a result of a person's poor psychological stress. He is obliged to abuse, either with or without intent, through which he deprives the victim of his most basic rights and has

psychological effects and special consequences for the woman and the child. As many families were denied material support, salaries were cut, and many children were denied their most basic rights, such as maintenance. Children took it upon themselves to support their families and work at an early age, which in turn led to diversion and interruption of education as a result of deteriorating economic conditions.

The State institutions and civil society organizations must therefore support prevention and protection projects that respond to survivors' protection needs by providing livelihood promotion programmes against gender-based violence, including public protection and child protection.

If, as a result of the ongoing conflict, some families resort to children to work at a young age and be deprived of education, or to marry their daughters at an early age, as a result of food insecurity, loss of livelihoods, housing, property and poor living conditions.

Projects to promote livelihoods must be implemented in all regions and districts, both in cities and in rural areas, to protect against the risks of gender-based violence.

■ **Attack on the sanctity of a dwelling, looting and intimidation**

Two cases of Attacking against the sanctity of the dwelling and intimidation of the inhabitants were monitored and documented in addition to the looting of the house, which is one of the fundamental rights provided for in the laws and human rights.⁽⁶²⁾

Attack on houses in order to intimidate and loot them is a human rights violation. The victims of this violation are not only men, but also women and children. The consequences of this violation belong to all members of the family, given the customs and traditions of the Yemeni society. Such actions are stigmatized with stigma and black disadvantage, and the perpetrator must be punished. and is held accountable in accordance with the law that increased the punishment of persons who infringe the inviolability of housing.

(62) Article 17 of the Arab Charter on Human Rights <https://www.refworld.org/docid/3ae6b38540.html>

Time: 10/05/2022

Location: National Army gunmen

Perpetrator: Houthi Group

Type of violation: Attack on the sanctity of a dwelling, looting and intimidation

Event Description: Z.A.N. is a woman who owns a piece of land in Osaifra area below Jabal Jarra, her son built in a part of her land and left the rest of the floor as a garage for his home, after the family settling down and staying home for years, the husband and his children decided to travel to work in Saudi Arabia, leaving his wife (Z) as well as her daughter, who has 4 children at home and one year after the husband and his male sons' travel, one of the gunmen took advantage of the absence of the head of the family and his sons, attacking on the sanctity of a dwelling and intimidating people in the house, in addition to beating the wife as well as her daughter's children, that attack caused a spinal pain of the mother. The criminal investigation complaint was lodged and a court case was filed, but to no avail, despite a compulsory arrest warrant and the fact that the accused was an executor and belonged to the army, the authorities were unable to remove the damage to the victim and her children.

Event Analysis:

This violation is often linked to several other violations, and each violation has psychological and physical effects that destroy the victim at the long level, always making him feel insecure, making him feel guilty, or responsible towards the children, for fear of exposing them to risks, which may seem greater later. The perpetrator tries to violate the victim's right, and the subordination and humiliation of the authority of the violator, especially if a complaint is lodged without remedy by the security authorities, in some cases the violator belongs to the army. The security authorities cannot stand with the victim for fear of the violator's exploitation of influence. The proceedings are prolonged and victims continue to be subjected to threats against the violator and to other forms of violations resulting from such actions.

This type of violation has recently been widespread as a result of the armed conflict, which in the past has been negligible in a Yemeni society which considers such acts to be contrary to its nature.

■ Death threat, insult and defamation

One case was monitored and documented of a woman and three of her children, who were threatened with death, the victim, a university doctor, and a political activist with a place in society.

The perpetrator's violations against the victim are a series of violations and show only the most significant violation, if it may be addressed on social media and thus focused on a violation alone. This devastating conflict continues to ravage all components of society and its impact on women's lives. As a result, Yemeni women's roles, which they played prior to the conflict, have changed. It has begun to narrow even further, and the conflict has created a bitter reality for women. social phenomena in society, for example the call not to leave the home Women suffer from a loss of their civil rights, and women are subjected to cruel and discriminatory treatment.

life-long psychological effects among women and girls with a sense of pain and social oppression s rights", despite the existence of international conventions and treaties aimed at protecting women in war and armed conflict. However, the international organizations concerned remained largely absent from exercising their role in providing protection and support to women inside or outside Yemen.

Time: 18/04/2022
Location: Social Media
Perpetrator: militant religious groups – media
Type of violation: Death threat, insult and slander

Event Description: Z.(O.M.A) said that her son had been kidnapped outside Yemen and subjected to beat up due to his mother's human rights activities. She had also received threat calls from religious extremist groups, even Mosque preachers had even instigated against her because of her feminist publications and writings in humanitarian and human rights. She had also

been instigated through Yemeni newspapers and articles by a number of writers, as Al-Ayyam newspaper due to her activity in the field of human rights, with a campaign of “a passport without guardianship”, and from men belonging to the diplomatic corps outside Yemen. Although she filed a complaint against those persons, but she did not find no one to do justice her.

Event Analysis:

We find this pattern in this case, which has been monitored , the most vulnerable are women who are active in society , where these groups seek to intimidate these women and their families in order to force them to leave their societal actions in order to help society, mitigate the impact of conflict and defend the vulnerable in order to make society live under ignorance, make women bow to the power of men and the arena continue to be led solely by men, and practice the wrong mobilization of society weighed down by the worries of the conflict.

Protection mechanisms continue to be unable to protect women human rights defenders, if there is no institutional entity working to defend them, and society continues to believe that these women do not represent the Yemeni society and are seeking to break down the morals of many women and girls, in a society perceived as conservative.

Nowadays, it is a shame if the Women work in organizations. Campaigns against the work of women within organizations have emerged in society, extending to coastal areas because of the influence of hard religious discourse and the use of platforms to campaign against women defenders of women's rights. In society's view, such violations remain moral, and such acts and all possible forms of violence must be practiced to deter women and force them from working for such infidel organizations, as described by these militant religious groups. The repression, exposure and abuse of women activists and human rights defenders is permissible, and women are threatened and intimidated by various means to force them to step back from their work and their rights activity.

Such violence does not directly affect targeted women, but sends a message to other women that such violence will await you.

■ Violating physical integrity

One case was monitored and documented in which a woman and two children were sniped. This type of gender-based violation is one of Yemen's most significant human rights violations against civilians, especially women and children.

The Ministry of Human Rights documented cases of injuries and attacks on physical integrity in 2014 to the end of 2020, amounting to 34,519, including 5,748 children and 4,979 women. ⁽⁶³⁾

The right to integrity of the body is one of the sacred rights established by a person's mere existence, such as the right to life, liberty and equality. It is therefore called the rights inherent in the personality. It is decided to preserve the human self. Without it, man is not safe for his life, integrity, freedom and activity.

Such violence is widely perpetrated during armed conflicts and is often seen as an inevitable consequence of war, from life-threatening practices, and health, requiring the immediate protection of survivors. Victims' safety is often seriously compromised while trying to access health-care services, including those who have to travel long distances in an unsafe environment, seeking assistance and, perhaps after all the trouble, the disappearance of health structures and services due to conflict.

Humanitarian workers may also face significant challenges in reaching out to victims to provide them with the necessary care and support, as a result of the complex nature of armed conflict, despite the physical integrity accorded to all, women are always most affected by gender-based violence.

Time: 10/2016
Location: Al-Shaqab , Saber Al-Mawdam
Perpetrator: Ansar Allah (Al-Houthi Group)
Type of violation: Assault on physical integrity

(63) Yemen's Minister of Human Rights for Sputnik Net <http://alyoumalrabeaneews.net/2020/01/05/-وزير-حقوق-الإنسان-اليمني-لسبوتنيك-نت>

Event Description: (A.A.A) is a 28-year-old woman. She was quadriplegic as a result of being shot by a sniper due to a result of the armed conflict, she is living in one of Saber's directorates and living with her family safely and with all their food and drinking needs from their land and needing no one. She moved to an area close to their area when the group of Ansar Allah "The Houthis" bombed their house and their relatives' homes with explosive devices. The reason for the bombing was that they were going out of their homes to fetch water and basic materials. The victim spoke of the terror and fear that she and her family were living before the displacement and the bombing of their house. She went to take treatment at a health centre outside the area to which she was displaced to, and on her way back, she was targeted by a sniper inside the vehicle in which she was travelling and caused by quadriplegic. The victim also spoke that her husband suffered from a slide in the spine and fragments in the head caused by a shell falling near him. In addition to all that this family has suffered, the victim states that she has two children, aged 11, and an 8-year-old girl, because of displacement and deteriorating economic conditions, who have denied her children's education.

Event Analysis:

This type of violation of the right to life and physical integrity is a crime against humanity "human rights", if it directly affects the fundamental rights of the human person, and most of these violations highlight the recent occurrence of the violation family", although the violation is a series of complex violations where the family lost its primary source of income, They were denied shelter by blowing up their home, which is a flagrant violation of human rights violations.⁽⁶⁴⁾

Displacement itself is another violation as the armed conflict continues. The family has been deprived of most of its rights, as stipulated in international conventions and treaties, many consequences of such violations for all members of the family: everyone, men, women and children disadvantaged by the armed conflict, several of them were deprived of their source of income. In the light of deteriorating economic conditions, which have led

(64) The right to housing is a human right of the Special Rapporteur on the right to adequate housing <https://www.ohchr.org/ar/special-procedures/sr-housing/human-right-adequate-housing>

to the denial of children's right to education and living in an environment other than it. The absence of organizations working to provide health and psychological support, Providing protection to the family and facilitating the family's access to the services it needs, such as families who have suffered complex violations and continue the armed conflict.

■ verbal & physical violence

One case was monitored and documented against a woman from the marginalized group, who is the group most vulnerable to this violation from both the family and the community.

Verbal violence is a common form of speech and gestural violence, encompassing a range of behaviors including false accusation, persistent blame, verbal threat, silencing, and constant public criticism. Verbal violence is the most important form of gender-based violence, and bullying is often associated with other forms of violence, such as physical and psychological violence.

There are significant institutional and community deficiencies in responding to the needs of victims and survivors of this gender-based violence as practicable and flawless in a society whose moral values have all been broken down by conflict, And the lack of control role when reporting such violence and neglect of such complaints, as there are more significant complaints of such violence For such violence, it is practiced by conflict, but increased in the conflict period and find that whoever speaks to victims anywhere, even on social media.

Its effects may at first glance seem invisible, but this may lead to depression and sometimes lead the victim to die. Physical violence is very painful, the effects of its bruises and physical injuries are visible, but verbal violence causes eye wounds that are invisible. Its psychological, behavioral and mental effects persist with the victim over the course of a lifetime.

Time: 03/2021
Location: Chamaitin Directorate
Perpetrator: Husband
Type of violation: verbal and physical violence

Event Description: (F-M-A) is a marginalized woman who fled her husband's house during the conflict two months after her marriage because of the violence of the husband and his family, she has physical and verbal violence, to force her to beg and steal, and not to steal it, she was begging. And most of the time it was a small amount, which prompted the husband and his family to assault her by beating, insulting, slandering and hurling every time she returned home. When she goes to her father's house, the husband threatens her that he will kidnap her, If she returned, she decided to escape her husband and move away from him to a rural area so that he could not reach her.

Event Analysis:

This violation is widespread in most societies, and in Yemeni society it was widespread before the conflict at all levels. It is widespread especially in the absence of protection mechanisms for women to file complaints. This violation of verbal and physical violence leads to fear. Victims are victims of such violence and prefer to move away from the perpetrator. This is what happened in the case where I preferred to stay away from the perpetrator and not report him for fear of committing another crime. As a result of the conflict, the protection mechanisms to which the situation may be resorted were absent, and I preferred to escape and move away from the perpetrator in the farthest place so that he could not access it. Many women and girls will continue to be subjected to this type of violation, most often the perpetrator being the husband. When a woman tries to inform that she is blamed and not interacting from society as well as the security actors she turns to, many cases have to escape.

Results

- To highlight the patterns of violations identified in cases investigated: murder physical assault, deprivation of resources, ill-treatment, attacks on the inviolability of the home, looting and intimidation of the population in addition to the threat of death, an attack on physical integrity and, finally, freedom, most of which the victim is subjected to complex violations, In the victim's view, the occurrence and spread of these facts are due to the impact of the conflict.
- The violence against women is not reported as an internal matter. Therefore, there is no real statistical of cases of domestic violence, and sometimes the victim's perceptions and knowledge of the methods of filing complaints or communications are communicated. and with knowledge of the request for services provided by relevant organizations or institutions to victims of violence when women are educated, Some facts, such as murder, are often unreported right“, unless the reality resonates with society and the media.
- The perpetrator of the violation of gender-based violence, in the cases documented, is a family member of either the husband or a member of the family, in some cases the perpetrator was the perpetrator of the security services and then the religious militant groups, and then the parties to the conflict.
- Most cases of domestic violence are not known and are treated as a private family affair that should not be talked about. As a result of the masculine culture of society, which considers that a man has authority and must not stand up to him, or because of their fear and belief that the violence to which they are subjected is not a violation and must be patient or because of the customs and traditions acquired by Yemeni women, to sanction and preserve matrimonial life for children despite being threatened or beaten.
- One of the reasons for women's access to justice is their ignorance of their rights, the methods to be followed to file complaints, as well as the existence of legal gaps in other legal provisions, customary practices and misconceptions about women within disciplinary institutions during the filing of complaints.

- Impunity and the lack of accountability of perpetrators are the predominant feature in most cases of violation of documented cases, even the most serious of which is intentional killing. Psychological stress is invoked, the impact of the conflict on perpetrators and an inevitable consequence of the weak role of the police and judicial authorities.
- In order to access and enforce justice, promote gender equality and protect women and girls from all forms of gender-based violence, Yemen should include reforms to ensure full and effective implementation of legislative provisions against violence by reviewing all legislation and ensuring that follow-up mechanisms, specific penalties and remedies for violations are provided for by law. Ensure that persons subjected to violence have the right to seek legal redress, access effective remedies and ensure legal assistance by adopting further measures to eliminate discrimination on the basis of sex, achieve justice for victims, hold accountable all perpetrators of human rights violations and ensure that there is no impunity, in line with international law and best practices.

Recommendation

■ Recommendations for the government

- The Constitution should ensure the right to equality and non-discrimination in accordance with its obligations under international human rights law.
- Promote a law of violence against women and girls that addresses all forms of violence and ensures impunity.
- Review existing legislation or legal texts and make the necessary amendments to ensure that these laws comply with international best practices dealing with women's rights.
- Review, repeal or amend discriminatory laws and legal provisions against women and bring them to the parliament at its first meeting to protect victims of violence from the loss of their rights and thereby prevent the perpetrator from escaping punishment.
- All parties to any post-conflict transition process must integration of gender concepts at all stages of post-conflict preparation and planning, Mainstreaming the principles of equality and non-discrimination in all peacebuilding and post-conflict reconstruction initiatives and ensuring women's effective participation in planning and political dialogue peace and disarmament negotiations, transitional justice and compensation programs , In the review bodies of the Constitution and the building of State institutions to ensure women's relative representation.
- The rule of law must be restored and the rule of law restored and promoted by safeguarding human rights and respect for international human rights law, in particular respect for, protecting and fulfilling the right to equality and non-discrimination among groups in society, especially women and girls.
- Principles of equality based on non-discrimination and affirmative action must be integrated into comprehensive policies to address gender-based violations of the past, including those committed prior to the current conflict.

- Ensure that victims of past violations have fair, effective and prompt access to justice and ensure adequate, effective, prompt and adequate remedies, including compensation.
- Ensure that perpetrators of gross human rights violations, including murder, torture, sexual violence and other discriminatory ill-treatment, are brought to justice.
- Yemen must ratify the Rome Statute of the International Criminal Court which ensures that all those involved in human rights violations are brought to justice.
- Implement the national plan contained in UN Resolution 1325 and coordinate its efforts with civil society and international organizations to strengthen protection mechanisms.

■ Recommendations to the Local Authority

- The Office of Social Affairs and Labour should establish shelters for women and provide psychological and social support and legal assistance services.
- Support police stations with a female cadre to encourage women to report violations and perpetrators' impunity.
- Issuance of regulations at all executive offices that include an end to all discriminatory practices against women.
- Integrate the preventive aspect of reducing violations and gender-based violence into humanitarian interventions, to be an integral part of assistance and interventions, and to take into account the sensitive needs of women and girls in right-wing society.
- Ensure effective access to remedies and penalties for gender-based violations.
- Intensify efforts among different actors to provide basic services to survivors of violence, such as shelters, hotlines, consultations and all forms of support to survivors of gender-based violence, that are accessible to all.

■ **Recommendations to civil society organizations**

- **Advocacy campaigns for lobbying to change discriminatory laws against women.**
- **Society's awareness of gender-based abuse must be raised through intensive programs, courses and awareness-raising seminars targeting all relevant segments of society without exception.**
- **Establish and physically support women's institutions, initiatives and entities in all directorates to strengthen protection mechanisms for gender-based violence issues.**
- **Ensure that associations, organizations or other legal entities with a legitimate interest in the realization of the right to equality can participate, either on behalf of or support persons seeking redress, with their consent or on their own behalf, in any judicial and/or administrative proceeding providing for the enforcement of the right to equality.**
- **Redouble efforts to support and support women, especially women who have been subjected to violence in all its forms and types, and focus on victims of violence during displacement or asylum, ensuring that women victims of conflict receive assistance, such as medical, psychological and social services that victims of violations can resort to both in the host community and in displacement camps.**
- **Integrate the preventive aspect of reducing violations and gender-based violence into humanitarian interventions, to be an integral part of assistance and interventions, and to take into account the sensitive needs of women and girls in the community Yemen.**
- **In the absence of real statistics on the prevalence of gender-based violence, quantitative and qualitative studies and research are carried out to monitor and document forms of violence in order to seek ways to protect victims of such violence.**
- **Lobbying for the establishment of an international commission of inquiry for access to justice, accountability and reconciliation.**

- Listening to and documenting the stories of survivors of violence and sharing their stories through various media to encourage victims to break the barrier of fear and enhance victims' self-confidence.
- Ensure that the special needs of vulnerable and marginalized groups are taken into account during post-conflict needs assessments and planning processes and transformed into subsequent programs by State and non-State actors.