**A/HRC/30/L.4**

**Draft resolution by The Netherlands, 24 September 2015**

**“Situation of human rights in Yemen”**

**Agenda item 2**

**United Nations Human Rights Council**

*The Human Rights Council*

(1) *Guided* by the Charter of the United Nations and the Universal Declaration of Human Rights and the relevant human rights treaties,

(2) *Recalling* Security Council resolutions 2014 (2011) of October 2011, 2051 (2012) of June 2012, 2140 (2014) of February 2014, and Human Rights Council resolutions 18/19 of 29 September 2011, 19/29 of 23 March 2012, 21/22 of 27 September 2012, 24/32 of 27 September 2013 and 27/9 of 25 September 2014,

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

(4) *Recognizing* that the promotion and protection of human rights are key factors in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability for the country, [27/19 pp3]

(5) *Welcoming* the acceptance of Yemeni political Parties, to complete the political transition process, based on the Gulf Cooperation Council Initiative and its Implementation Mechanism, and *emphasizing the need for* the implementation of the recommendations made in the National Dialogue Conference outcome document, and to complete the drafting of the new Constitution,

(6) *Welcoming* commitments to find a political solution of the conflict in Yemen on the basis of the GCC initiative, the outputs of the National Dialogue Conference and UN Security Council resolution 2216, and the efforts of the Secretary-General of the United Nations and his Special Envoy for Yemen,

(7) *Recalling* its call for an investigation into all cases of violations and abuses of human rights and of violations of international humanitarian law and relevant calls by the High Commissioner for Human Rights,

(8) *Noting* Presidential Decree No. 13 of 7 September 2015 by which the members were appointed of the National independent commission of inquiry to investigate allegations of human rights violations in and since the year 2011, in line with Human Rights Council Resolutions 19/29, 24/32 and 27/19,

(9) *Aware* of reports by the Office for the Coordination of Humanitarian Affairs that the existing humanitarian emergency affects the enjoyment of social and economic rights, and aware of the appeal by Emergency Relief Coordinator USG O’Brien that the parties to the conflict must ensure that humanitarian aid is facilitated and not hindered,

(10) *Noting* the temporary interruption of the provision of technical assistance and capacity building in the field of human rights due to the deterioration of the political and security situation in Yemen,

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the human rights situation in Yemen and calls on all parties to address the recommendations of the report;

*1bis Takes note* of the debate held during the thirtieth session of the Human Rights Council, as well as the statement and comments by the Government of Yemen on the report and takes note with appreciation of its willingness to cooperate with the United Nations and Office of the High Commissioner;

1. *Expresses deep concern* about reports of serious abuses and violations of International Human Rights and violations of International Humanitarian Law in Yemen by all parties, including indiscriminate attacks resulting in the killing and injuring of civilians, and expresses deep concern specifically at the role of militias, including in the continued recruitment of children contrary to international law, abduction of political activists, detaining of journalists, the cutting of electricity and water supplies, and attacks on hospitals and ambulances;

*2BIS Expresses deep concern* at the ongoing armed violence in Yemen, and in particular the recent escalation of violence nearing Sanaa;

1. *Calls upon* all parties to respect their obligations under international human rights law and humanitarian law, to stop immediately attacks on civilians, to ensure humanitarian access to the affected population nationwide, and to allow commercial imports to all Yemeni ports;
2. *Calls upon* the Government to take measures to protect the civilians, and to take appropriate measures to ensure the effective investigation, in accordance with international standards and with a view to ending impunity, into all cases of violations and abuses of human rights and of violations of international humanitarian law, including cases of violence against journalists and the detention of journalists and political activists, while securing the viability of such investigation;
3. *Calls upon* all Yemeni parties to enter into a political process in an inclusive, peaceful and democratic way, ensuring women are part of the political and peace-making processes, also calls upon all Yemeni parties to fully implement the relevant Security Council resolutions, the implementation of which will contribute to the improvement of the human rights situation, and notes that Security Council resolution 2216 (2015) contains specific concerns and/or places particular demands on Saleh and Houthi-led militias, including to safely release political prisoners and journalists;
4. *Demands* that all parties to the conflict end the recruitment and use of children and release those who have already been recruited, and calls upon all parties to cooperate with the United Nations for their reintegration into their communities, taking into consideration the relevant recommendations made by the Secretary-General in his report on children and armed conflict;
5. *Reiterates* the commitments and obligations of the Government of Yemen to promote and protect human rights, regarding all individuals within its territory and subject to its jurisdiction and in this connection recallsthat Yemen is a party to CERD, CEDAW, ICCPR, ICESCR, CAT, CRC (and two Optional Protocols), CRPD and Convention on the Status of Refugees (and the 1967 Protocol); and *looks forward* to the Government furthering its efforts to promote and protect human rights;
6. *Expresses deep concern* about the deteriorating humanitarian situation in Yemen, *expresses its appreciation* to donor states, and organizations working on the ground towards improving the humanitarian situation, and *calls upon* the international community to provide financial support for the Yemen humanitarian response plan of 2015, and to fulfill their pledges to the UN humanitarian appeal;
7. *Invites* all bodies of the United Nations system, including the Office of the High Commissioner, and Member States to assist the transitional process in Yemen, including by supporting the mobilization of resources to tackle the consequences of the violence and the economic and social challenges faced by Yemen, in coordination with the international donor community and according to the priorities set by the Yemeni authorities;

*10. Requests* the High Commissioner to provide technical assistance and to work with the Government of Yemen, as needed, in the field of capacity building and to identify additional areas of assistance to enable Yemen to fulfill its human rights obligations; and specifically *requests* the Office of the High Commissioner for Human Rights to assist the National Independent Commission of Inquiry in meeting international standards and to collect information on violations and abuses of human rights and on violations of international humanitarian law since September 2014**;**

*11. Requests* the Office of the High Commissioner for Human Rights to dispatch a mission, with assistance from relevant experts, to monitor and report on the human rights situation in Yemen, on violations and abuses of human rights and on violations of international humanitarian law since September 2014, and to collect and conserve information in order to establish the facts and circumstances of such violations, while stressing the need to ensure the safety and security of mission personnel;

*12.Requests* the Office of the High Commissioner to present to the Human Rights Council, at its 33 rd session, a progress report on the situation of human rights in Yemen, on the follow-up to the present resolution and previous Council resolutions,and to present an oral update at its 31st session**.**