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Human rights situations that require the Council's attention

Written statement* submitted by Organisation internationale pour les pays les moins avancés (OIPMA), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[02 February 2020]

* Issued as received, in the language(s) of submission only.

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The decisive solution to conflict prevention post-conflict and peace-building in Yemen

As far as Organisation Internationale Pour Les Pays Les Moins Avancés (OIPMA) is concerned with Yemen as one of the LDCs, where the situation of human rights remains fragile and the absence of the fundamental rights across the country, including, and the absence of children and women rights, the absence of the rule of law and the right of security and live, and the spread of famine and diseases due to the ongoing war, it gives highest priority to the root causes of the armed conflict and provides an accurate insight and verified facts on the last developments.

Ignorance and illiteracy paved the way for political Islam to spread and foster intolerance and hatred among people, as well as provide fertile ground for spreading terrorism in Yemen. In addition, the emergence of violent extremist groups has made Yemen a platform from which Al Qaeda is able to launch attacks that greatly threaten security and stability at local, regional, and international levels.

The Two catastrophic elements in present are the Houthis and the legal government Yemen led by the Islah Party (Muslim Brotherhood) they are the cornerstone factors that fuel and sustain the conflict.

The current campaigns of intolerance, extremism and terrorism being pursued in Yemen by both, the Houthis and the legal government led by the Islah Party (Muslim Brotherhood) including brainwashing among children and the youth in schools and mosques have given rise to acts of violence. Other strategies involve the use of media and charities to create chaos, spread terror which led to outbreaks of civil and sectarian strife being witnessed today.

On 18 January 2020, 113 people were killed in a training camp belong to the Presidential Guard by an explosion most of them are child soldiers. This event expressed that the Islah Party on its part as well, continues to brainwash the youth to belief in jihad with the aiming of establishing an Islamic caliphate, and recruiting children under the umbrella of the legal government which has opened training camps not only for ISIS and al-Qaeda militants, but also has engaged in recruitment of the children reformist of whom are between the ages of 15 and 17.

Despite the conflicting of interests and ideologies between the two parties to the conflict (the Houthis and the legal government led by the Islah Party, they cooperate clandestinely to defeat the Southern Transitional Council to achieve and impose the hegemony of the north over the south in the name of unification.

These Houthis and the Islah Party-led campaigns have in effect revived the unresolved, long-standing conflict of 1994 with the South, where the Southern Transitional Council (STC) is struggling to restore the sovereignty of the Southern state, and made a great efforts side by side with United Arab Emirates in eliminating al-Qaeda and ISIS in the south and implementing the comprehensive United Nations (UN) strategy to combat terrorism within the international anti-terrorism coalition.

Therefore, Organisation Internationale Pour Les Pays Les Moins Avancés (OIPMA) draws the attention of the President and members of the Human Rights Council, the President and members of the United Nations Security Council and the Special Envoy of the United Nations Secretary-General for Yemen, to the nature, the root causes and the military escalation of the multiple conflicts being fought in Yemen and proposals to be taken in to consideration:

- The neglectation of the root causes of the emerged conflicts in Yemen has resulted in the failure of achievement of a comprehensive and lasting solution. This has also limited all chances of success in past, present of the United Nations Special Envoys of the Secretary General to Yemen, and will hamper future negotiations of the current the United Nations Special Envoy of the Secretary General to Yemen.
- Recommends that it should be acknowledged that, the continuation of existence of the current legal government of Yemen would be dilemma, especially with the presence of Al-Qaeda and ISIS factions within the Yemeni armed forces, mainly within the military brigades in the governorates of Mareb, Shabwa, Abyan and Hadramout.

- The UN Human Rights Council, should recommends the UN Security Council and the United Nations Special Envoy of the Secretary General to Yemen, provide a framework to establish a Northern Transitional Council (NTC) as in the case of the Southern Transitional Council (STC), thereby facilitating the rebuilding of institutions, restoring the Two former states, and achieving national reconciliation in conformity with human rights approach.
- The Council should put the pressure on the stake holders to respect of the peremptory norms of general international law and other International Human Rights Instruments, including, the 1969 Vienna Convention on the Law of Treaties and the first article in the two international covenants which stated: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development".
- Recommends respect by the international community of Article 60 of the 1969 Vienna Convention on the Law of Treaties which states: "1. A material breach of a bilateral treaty by one of the parties entitles the other to invoke the breach as a ground for terminating the treaty...", violated by Yemen by its declaration of the war against the South in 1994. The resultant action was the declaration of re-restore of the former Republic of the South by President Ali Salem Albidh. His attempt was failed due to the northern armed forces occupation the South in 1994.
- The successful pursuit of conflict prevention post-conflict and peace-building will require a maximum of two years, especially if the stake holders realize that, the shortest and surest way to ensure peace and achieve security and stability in Yemen and in the region will require concerted effort in order to restore the situation to the pre-May 1990 status.
- The international community to recognize, support and assist the two would-be States in their efforts to provide a framework for establishing a confederation system between the two independent states, and bring about their respective membership of the Gulf Cooperation Council in order to ensure the elimination of the root causes of terrorism and extremism, prevent future conflicts, enable peace building, stability and promotion of human rights in the region and ultimately at the international level.