



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention**

**Combined seventh and eighth periodic reports of States parties
due in 2013**

Yemen***

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* The present document is being issued without formal editing.
** Annexes may be consulted in the files of the Secretariat-General.



Contents

	<i>Page</i>
Introduction	3
Articles 1-4 — Legislative measures, policies and strategies	4
Article 5 — Cultural and traditional practices hampering women’s advancement in society.	14
Article 6 — Traffic in women and exploitation of prostitution of women	15
Article 7 — Political and public life	18
Article 8 — Representation and participation at the international level	29
Article 9 — Nationality	31
Article 10 — Education	33
Article 11 — Employment	47
Article 12 — Health	59
Article 13 — Economic and social life	69
Article 14 — Rural women	77
Article 15 — Equality of men and women before the law	86
Article 16 — Family and marriage relations	90
Mechanisms for dissemination of the Convention	99
List of Sources and References	104

Introduction

Every four years, the WNC prepares the national report on the Yemeni Government's implementation of the articles and provisions of the Convention on the Elimination of All Forms of Discrimination against Women. The Convention, which Yemen ratified in 1984, includes articles concerned with advancing women's status and empowerment in all fields. It places responsibility for its implementation on governments and on the governmental and civil-society institutional machinery concerned with women's affairs and rights.

This report includes the seventh and eighth national reports prepared by the WNC. It covers the extent of implementation of the Convention during 2006-2012 and evaluates the Government's commitment to the application and implementation of the provisions of the Convention. It explains and makes recommendations to surmount the difficulties and impediments preventing the implementation of some provisions.

A team was formed to collect information for this report from the concerned entities for analysis by a national expert. The team faced a number of difficulties as Yemen lacks a consolidated, updated gender-disaggregated database. Moreover, there is no reference guide that explains the data collection and analysis process for preparing international reports. Hence, the Women's National Committee (WNC) recommends that the international bodies concerned with the Convention issue an introductory reference guide and hold sessions for training national teams in preparing the periodic reports.

This report comes as Yemen is experiencing political, economic, security and social turmoil. This turmoil has weakened the government's performance in a number of areas and its ability to monitor and obtain certain data and information on which the report is substantially based. The team nonetheless made an assiduous effort to obtain such data and information from its sources and to verify it. The committee considers this situation exceptional. The events which Yemen has experienced constitute a qualitative leap in rights and freedoms in the wake of the Arab Spring revolutions, which seek to build a democratic system of government and a true civil state with equal opportunity and rights for all segments of Arab society.

The WNC expresses its gratitude and appreciation to the United Nations Population Fund, which has provided technical and financial support for the preparation, translation and printing of the report. It is also thankful to the governmental and civil-society institutions that provided data and information for the report and to all members of the technical team. The team spared no effort in providing advice and in redrafting the report so that it presents an objective picture and genuine remedies and solutions for empowering women.

The WNC

Report Methodology

The report adopts a descriptive-analytical and statistical methodology. It is based on primary references published by multiple government agencies, particularly the data and information published by the Central Statistical Organization. The report analyzes the data and information on Yemeni women and summarizes difficulties and impediments. It mentions several reasons for deviations that have impeded the implementation of development plans and official strategies adopted by the Government concerning women's issues during the report period.

Articles 1-4: Legislative measures, policies and strategies

Article 1 of the Convention states: "For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field".

Implementation

1.1. Legislative measures

The Yemeni Constitution guarantees equality in respect of rights and duties for male and female citizens. It also guarantees basic rights and freedoms and the building of equal, balanced relationships among all members of society without discrimination. Article 31 of the Constitution states that women are the sisters of men and have rights and duties that are guaranteed and required by the sharia and stipulated by the law.

Article 2

Article 2 of the Convention states:

"States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

"(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

"(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

"(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

"(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

"(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

"(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

"(g) To repeal all national penal provisions which constitute discrimination against women".

Implementation

1.2. Legislative measures

The Yemeni Government continued its efforts to implement the Convention in the area of the achievement of equality in national laws through constitutional, legal and other means. Existing constitutional provisions ensure non-discrimination based on gender in respect of rights and duties and participation in all political, social and cultural realms. The State is responsible for ensuring equal opportunity and protecting motherhood, childhood and youth.

The Government amended a number of laws to render them consistent with the articles of the Convention by eliminating discrimination against women and adding provisions to ensure rights for women in the public social realm, private family realm etc., e.g., the Labour Law, Social Security Law, Nationality Law and Diplomatic Corps Law.¹

1.1.2. Laws amended during 2006-2009

1.1.1.2. Labour Code (Act No. 5 of 1995)

Articles 45 and 47 of the law were amended to the following:

Article 45

1. A female pregnant employee shall be entitled to maternity leave of seventy days with full pay.
2. A female employee may not in any case be employed during her maternity leave.
3. A female pregnant employee shall be given 20 days in addition to the days mentioned in paragraph 1 in the following two cases:
 - a. The delivery is difficult as substantiated by a medical decision.
 - b. She gives birth to twins.

¹ The seventh periodic report on the implementation of the Convention includes the legal provisions and articles that were amended. The same laws are included in the present report because they were not amended during the report period.

4. Under no circumstances may a working woman be dismissed during her maternity achieve.

Article 47

A person who employs women shall display the regulations on the employment of women in a conspicuous area of the workplace and shall set aside a place for women to pray and take the rest breaks specified by law.

The following two new articles were added to the law:

Article 47 bis

Employers shall take such precautions as are necessary to protect working women who are pregnant from any risks to their health or pregnancy. This shall be without prejudice to the right of working women to treatment and compensation. For example they shall be protected from:

1. Risks from machinery or harmful or hazardous emissions.
2. Risks from vibrations and noise.
3. Risks from increasing or decreasing air pressure.

Article 48 bis

Any male or female worker who marries shall be entitled to 15 days' marriage leave on full pay, which shall not be deducted from his or her regular leave entitlement, provided that this is the worker's first ever marriage.

2.1.1.2. Civil Code (Law No. 14 of 2002)

Article 61 was amended as follows:

"The maturity of a boy or girl shall be tested by their guardian or testamentary tutor to determine whether they may manage part of their property, which shall differ depending on the conditions and circumstances. If this is not feasible, they may be tested in a skill in which they are proficient and which is suited to the nature of each one of them".

2.1.1.3. Law No. 26 of 1991 on Social Security (for male and female workers in the private sector)

The age of retirement in article 2 was amended as follows:

"Retirement shall be compulsory for insured men and women when they reach the age of 60 and should be optional for woman at the age of 55".

Article 51 (1) was amended as follows:

"Article 51

"An old-age pension shall be an entitlement in the following cases:

"1. The male or female insured person has reached the age of 60, provided the period of contribution to Social Security is not less than 180 monthly contributions, i.e., 15 years."

Article 57 (a)(1) was amended to the following:

"Article 57(a)

"The General Corporation for Social Security shall pay one-time compensation if the insured person has been paying contributions for one year or more in the following cases:

"1. Where the married, widowed or divorced insured person resigns or requests such a payment, provided the payment is not made more than once.

A new article, article 64 bis, the text of which is as follows was added to the law:

"Article 64 bis

"A husband or wife may combine their retirement pensions, or they may combine a retirement pension with a salary. The husband may not combine his pension with the pension of more than one wife, which he shall be entitled to select".

Article 20 of the Insurance and Pension Law No. 25 of 1991, as amended (concerning public sector male and female workers) was amended to the following:

"Retirement shall be compulsory in the following cases:

"a. The male or female insured person reaches the age of 60 years. Retirement shall be optional for a woman when she reaches the age of 55 years.

"b. The persons covered by the provisions of this law have completed an actual period of employment of 35 years".

A new article, article 60 bis, was added to the law. The text of the new article is as follows:

"Article 60 bis

"A husband or wife may combine their retirement pensions or a retirement pension and a salary. A man may not combine the pension of more than one wife. He may select the pension of only one wife".

2.1.1.4. Law No. 2 of 1991 on the Diplomatic and Consular Corps, as amended:

Articles 82 and 90 of the law were amended as follows:

"Article 82

"The general provisions of the laws that apply to all state employees shall apply to members of the Diplomatic Corps when they retire or when their employment is extended beyond one of the two retirement deadlines when the employee is needed for work".

"Article 90

"a. A husband and wife employed by the Ministry may be appointed to two different missions under the conditions specified in the regulation;

"b. A husband and wife may be appointed to serve in the same position pursuant to a decision of the Minister and with the committee's approval if the expertise of both spouses is needed for the same mission. In this case,

allowances and benefits established for service abroad shall only be given to one of the two spouses.

"c. In either the two cases mentioned in the two preceding paragraphs, the appointment shall only be made in keeping with the priority list for appointments to accredited missions at the Ministry".

2.1.1.5. Law No. 6 of 1990 concerning Yemeni Nationality

Article 3 of the law was amended as follows:

"Article 3

"The following shall enjoy Yemeni nationality:

"a. A person born to a father or mother who possesses Yemeni nationality.

"b. A person born in Yemen to a mother who has Yemeni nationality or a father of unknown or no nationality.

"c. A person who is born in Yemen to a mother possessing Yemeni nationality and whose paternity has not been legally established.

"d. A person born in Yemen whose parents are unknown and a foundling found in Yemen shall be considered to have been born in Yemen unless evidence to the contrary is established.

"e. An expatriate who possessed Yemeni nationality at the time of his departure from the territory of the country and who has not renounced Yemeni nationality according to the law, based on an explicit request from the person, even if the person has acquired the nationality of the country where he resides by force of its laws".

2.1.1.6. Law No. 39 of 2008 on Social Welfare

The provisions and articles concerning social welfare were amended to:

1. Ensure that the poorest groups of the needy and destitute in society obtain social assistance to alleviate their suffering and improve their standard of living.
2. Provide economic assistance for the needy who are able to work to enable them to receive training and become integrated in the labour market to achieve self-sufficiency.
3. Limit the spread of poverty in society and provide a future for children by ensuring their access to education and proper health care as a priority.
4. Provide social welfare to needy groups whose health, physical conditions and age do not permit them to be self-sufficient.
5. Enrol beneficiaries of assistance provided by the fund to training programmes to equip them with the technical and vocational capabilities and skills that will enable them to work.
6. Help individuals and families affected by general and specific disasters and catastrophes to enable them to overcome the difficulties resulting therefrom.

The law covers general rules and requirements for entitlement to social and economic assistance, procedures for obtaining assistance, the regulatory mechanism for providing and disbursing assistance and resources, and financial regulations and penalties for violations the provisions of the law and the final provisions.

2.1.1.7. *Law No. 4 of 2009 on Public Health*

The goals and principles of the law include concern for the health of the mother and child, reduction of their mortality rate to acceptable international levels, combating of endemic and infectious diseases, improvement of health and medical services, development of regulations for the handling of medicines, improvement of the population's quality of life, development of the health insurance system, environmental protection and prevention of malnutrition. Section 4 of the law is entitled "Health of Women and Children".

2.1.1.8. *Law No. 15 of 2009 on Micro-Finance Banks*

The purposes and objectives of the law include: provision of banking services to households, small farmers, and small and micro enterprises in the urban and rural sectors in Yemen; provision of equal opportunities to all target groups; improvement of living standards for members of society; and provision of appropriate financing for the targeted segments by providing financial facilities to the poor to limit unemployment and poverty and promote self-sufficiency, with a focus on poor segments. The law covers labour rules, financial regulations for banks, penalties and the general provisions.

2.1.1.9. *Law of 2009 on The Protection of Society from AIDS and Protection of the Rights of Persons Living with the Virus*

The law includes provisions concerning women in particular, including the following:

- A woman living with the virus is entitled to custody of her child.
- If a person with the virus is a husband, the wife is entitled to petition for dissolution of the marriage for reason of harm, and the judge may adjudicate her petition based on a medical report issued by the competent committee.

2.1.2. *Laws approved by the Council of Ministers*

The following draft laws are currently being amended to render them consistent with the provisions of the Constitution and the Convention and to establish the legal groundwork for guaranteeing the human rights of women.

Table 1
Proposed amendments to laws which were submitted by the WNC, were approved by the Council of Ministers and are still under study by the Council of Representatives

No.	Provision approved by the Council of Ministers
1.	Council of Ministers Decision No. 146 of 2007, approving the amendment of article 90 of the Police Act No. 15 of 2000
	Amendment: Article 158
	a. Conducting interviews with women detainees in police stations and centres.
	b. Searching women in places where precautions must be taken, such as at airports and in other ports of arrival and departure in the Republic of Yemen.
	c. Admission to prison of women sentenced to deprivation of liberty.
	d. Guarding and supervising women prisoners and monitoring their behaviour.
	e. Adoption of measures to deal with female inmates and female inmates who create disturbances or violate prison regulations.
	f. Any other tasks which are assigned to them and which their work requires them to do.
2.	Council of Ministers Decision No. 249 of 2007, approving the draft amendment to several articles of Republican Decree Law No. 12 of 1974 on Offenses and Penalties, as amended
	Article 232: Where a man kills his wife and the person with whom he catches her in the act of having sexual intercourse or where a woman kills her husband and the person with whom she catches him having sexual intercourse, or if either spouse assaults the other causing death or disability, the penalty of retribution (<i>qisas</i>) shall not be applied. The husband or wife who committed the act may face a penalty of 6-12 months and/or a fine of 5000 Yemeni rials. The same sentence may be imposed on a person who comes upon an ascendant, a descendent or a sibling engaging in sexual intercourse outside marriage.
	Article 272: A term of 5 to 10 years' imprisonment shall be imposed on anyone who engages in depravity or prostitution.
	Article 42: Blood Money and indemnities for bodily wounds shall be the same for women as for men.
3.	Council of Ministers Decision No. 250 of 2007, approving the draft amendment to Article 97 of the Civil Pleadings and Enforcement Code No. 40 of 2002
	Amendment:
	Article 97: The court in the place where the respondent or plaintiff resides shall have jurisdiction in the following cases:
	1. Maintenance cases.
	2. Cases concerning dissolution on grounds of failure to pay maintenance.
	3. Cases concerning custody if brought by the mother.
4.	Council of Ministers Decision No. 251 of 2007, approving the draft amendment to the Regulation of Prisons Act No. 48 of 1991, as amended
	Amendment: Article 32, paragraph 6
	1. Prisoners entering prison for the first time shall be separated from those who have previously served time.
	2. Prisoners who have committed particularly serious offenses shall be separated from other prisoners.
	3. Foreign prisoners shall be separated from Yemeni prisoners.
	4. Juvenile prisoners shall be separated from adult prisoners.
	5. Female prisoners shall be separated from male prisoners.
	6. Women imprisoned for religious or civil offenses shall be separated from those imprisoned for criminal offenses.
	Article 29: When children are allowed to remain in institutions with their mothers, measures shall be taken to establish a nursery to provide for their care.

Source: Legal Department, WNC.

2.1.3. *Recommendations for the amendment of some laws*

A number of entities have presented proposals for amending some discriminatory laws, e.g., the proposals submitted by the Supreme Council for Motherhood and Childhood, which cover the Personal Status Code, Law on the Rights of the Child, Juvenile Law and Law on Offenses and Penalties. These proposals are in the process of being presented to Council of Representatives.

The Supreme Council for Motherhood and Childhood also submitted proposals to amend discriminatory provisions in ten laws. The proposals, which are still in the process of being presented to the Ministry of Legal Affairs, are intended to:

- Address inconsistencies in laws by setting the age of childhood consistent with the Convention on the Rights of the Child.
- Provide legal protection to children living in difficult circumstances and address issues of violence against children, e.g., female genital mutilation, early marriage, child labour and the rights of juveniles.
- Strengthen penalties for violators of children's rights.

In the framework of political reform, the WNC has formulated additional proposals to amend constitutional provisions concerning the General Elections and Referendum Law (No. 13 of 2001) (amendment of articles 7, 9, 33 and 58) and Law No. 66 of 1991 on Political Parties and Organizations (amendment of articles 9 and 13). These proposals continue to be studied and discussed with the competent entities in order to arrive at an agreement thereon.

2.2. *Current situation*

The discriminatory practices against women covered in the Convention have affected females working in the areas of civic action, the media, journalism and legal and gender issues. Some forms of institutional violence have been directed against women by individuals and professional colleagues. Such women have exercised recourse to administrative and judicial means of protection. Some of these women have continued to work while disregarding the offensive behaviours. In any case, it is still necessary to promote, and make accessible to women, protection mechanisms for dealing with discrimination against women.

Civil society organizations have organized many activities to discuss and condemn this problem. They have adopted solidarity and advocacy campaigns for the just treatment of women subjected to discrimination and violations of any type.

Article 3

Article 3 of the Convention states: "States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with them".

Implementation

3.1. Current situation

The Yemeni Government is increasingly concerned with empowering women in political, social and economic planning and policymaking. Women's issues, particularly discrimination against women, have been deliberated and discussed in most proceedings of government agencies, as reflected in 18 plans and national and sectoral strategies. The government adopted the following national strategies covering women's issues during 2006-2012:

1. National Strategy for Micro-Finance.
2. National Strategy for Childhood and Youth.
3. National Strategy for Secondary Education.
4. National Strategy for Vocational Education.
5. National Strategy for Higher Education.
6. National Strategy for Reproductive Health.
7. National Strategy for Local Government, 2006-2020.
8. National Strategy for Monitoring and Evaluating, 2006-2010.
9. National Strategy for Guidance to Strengthen the National and Cultural Identity.
10. Fourth Five-Year Plan for Health Development and Poverty Reduction.
11. Social Protection Strategy
12. National Health Strategy, 2010-2025.
13. National Guide to Complete Health Planning at the Governorate Level.
14. Programmes to Support Education for Girls.
15. National Strategy for the Development of Women, 2006-2015.
16. National Employment Strategy, 2010-2015.
17. National Strategy for Medium, Small and Micro Enterprises, 2011-2015.
18. National Strategy for Developing the Agricultural Sector, 2012-2016.
19. National Strategy for Food Security, 2010-2015.
20. Interim Programme for the National Unity Government, 2012-2014.

However, the implementation of these policies and strategies is not occurring as it should. Financial and administrative corruption is a key factor impeding the enforcement of laws and legislation and adjustment of strategies. Financial and administrative corruption has diverted reforms from their proper path into small projects and sectoral strategies far removed from the comprehensive strategic visions of the state that are needed to achieve good governance. We continue to lack an authoritative framework that embraces the principles and goals of sustainable development as a foundation for using domestic resources, loans, grants, and external support in a positive way that serves the needs of society.

Article 4

Article 4 of the Convention provides for:

"1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

"2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory".

Implementation

4.1. *Current situation*

The WNC and women's rights organizations have promoted the adoption of a quota system in legislation, policymaking and governmental and NGO decision-making. They have also encouraged making this a main talking point in addressing women's political participation in various electoral, administrative, employment and regulatory channels. The WNC has formulated an amendment to the Political Parties and Organizations Law (Law No. 66 1991). The amendment provides for a quota system. It requires political parties and organizations, when submitting nomination applications to the Council of Representatives and the local councils, to designate 15 percent of the nomination applications for women and to notify the High Committee of the districts designated by the parties for women. The amendment requires the High Committee to reject nomination applications submitted by parties in districts designated for women unless the nominee is a woman. We previously mentioned that the internationally required percentage of women in parliament is 30 percent of the seats. We did not mention this percentage in our proposed amendment, but rather only 15 percent, because no party alone can win all seats in Parliament or the 20 local councils, even if it could win by a majority. Rather, the seats must be distributed to more than one party. Accordingly, the nomination applications of all the parties must include the percentage set aside for women. Women will be able to reach the 30 percent or more participation level through elections and competition. The proposed amendment mentions nomination applications. It does not mention nomination lists, because nomination applications are submitted under the Elections Law in effect in Yemen. Nomination applications are not submitted on collective lists. The WNC proposes amending Article 58 of the Elections Law to require that nomination in the name of a party be approved by the head or secretary-general of the concerned party or political organization, or by whomever they officially authorize. This slight amendment to the Elections Law establishes a quota system as a condition for the acceptance of nomination applications submitted by the political parties and organizations.

Article 5 – Cultural and traditional practices hampering women’s advancement in society

Under article 5 of the Convention:

"States Parties shall take all appropriate measures:

"(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

"(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases".

Implementation*5.1. Current situation*

The low The of women in all fields depends on the prevailing economic and social conditions. Yemeni women aspire to play an effective role in various areas of the development process. The media section of the Fourth Five-Year Economic and Social Development Plan for 2011-2015 includes a policy on changing social stereotypes of women. The policy makes it women's development a priority issue in the various, audio and visual media in an effort to change stereotypes of women in the media. Given the events which Yemen experienced in 2011 and the formation of an transitional government, the five-year plan has been replaced by the interim programme of the transitional government. The interim programme does not include clauses about changing stereotypes of women in the media.

The National Strategy for the Development of Women, 2006-2015 includes a media strategy for changing stereotypes of women in the media by giving priority in media programmes to treatment of the problem of the economic, political, social and cultural development of women.

Recommendations

- a. Intensification of awareness-raising and educational programmes designed to change stereotypes of women, and the conduct of analytical studies on trends in the target audience and on the effect of media programmes on awareness and behaviour in society.
- b. Creation of an open channel of communication with civil society organizations to urge them to spread awareness of the importance of promoting the role of women in the development process and of monitoring violations and forms of discrimination practiced against women.
- c. Action to incorporate materials in primary, secondary and university education curricula to spread awareness of the importance of promoting

the role of women in society, women's obtainment of their legitimate, legal rights and rejection of all forms of discrimination against women.

- d. Promotion of laws to enable women to obtain their rights.

Article 6 – Traffic in women and exploitation of prostitution of women

Under Article 6 of the Convention, "States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women".

Implementation

6.1. Legislation

Law No. 12 of 1994 on Crimes and Penalties includes a series of provisions that make it an offense for any person to traffic in prostitution or run an establishment for prostitution and lewdness. The following articles clarify this in detail:

Article 248: It imposes a penalty of imprisonment of up to five years on (1) any person who purchases, sales, gifts or disposes of a human being, and (2) any person who brings in or takes out from the country a human being for the purpose of disposing of the human being.

Article 269: If a legal penalty lapses for any established reason, punishment of seven years' imprisonment shall be imposed on any person who rapes another person, whether male or female, without the person's consent. The penalty shall be imprisonment of two-ten years if two or more persons commit the crime, or the perpetrator is a guardian who supervises, protects, or arranges for the guarding or treatment of the victim, or the victim, because of the offense, sustains harm to his/her body or health or becomes pregnant. The penalty shall be three years-five years if the victim is under the age of 14 or the act results in the suicide of the victim. Rape shall mean any sexual insertion committed against other person, whether a male or female, without that person's consent.

Article 272: A penalty of up to five years' imprisonment shall be imposed on any person who violates the honour of a free person through coercion or deception, or if the victim is a female under the age of 10 years or a male under the age of 12 years or lacks volition or is deficient for any reason, or if the perpetrator is an ascendant of the victim or responsible for the upbringing of the victim.

Definition of prostitution and lewdness

Article 277: Prostitution and lewdness involve the performance of an act that violates honour and the sharia with the intent of corrupting the morals of another person or to gain thereby.

Punishment for engagement in prostitution and lewdness

Article 278: Any person who engages in prostitution and lewdness shall be punished by imprisonment of up to three years or a fine.

Abetment to prostitution and lewdness

Article 279: Any person who abets another person in prostitution or lewdness shall be punished by imprisonment of up to three years. If an offense is committed based

on such abetment, the penalty shall be imprisonment of up to seven years. If the person who is abetted and who commits an offense is a minor under the age of 15, or if the abettor depends for his livelihood on the prostitution or lewdness of the person abetted, the abettor may be punished by imprisonment of up to 10 years. If the two cases are combined, the abettor may be punished by imprisonment of up to 15 years.

Penalty for pandering

Article 280: Any person who consents to the prostitution of his wife – or any of his unmarried close female relatives, or those to whom he is the guardian, or whomever he undertakes to raise – shall be punished by imprisonment of up to 15 years. In the event of a repeat offense, the perpetrator shall be punished by the death penalty, and a woman who consents to her daughters' commission of prostitution shall be punished by the same penalty.

Running of an establishment for prostitution or lewdness

Article 281: Any person who runs a house or establishment for prostitution or lewdness shall be punished by imprisonment of up to 10 years. In all cases, the closure of the house or establishment for up to two years and the confiscation of the furniture, appliances, and other effects that were located therein during engagement in prostitution or lewdness shall be adjudged.

6.2. Current situation

The statistics in Table 1, issued by the Ministry of Interior, show the number of offenses of rape, prostitution and running a prostitution establishment during 2008-2010. The statistics show there were 14 cases of abetment to prostitution offenses during that period. Due to the religious taboo and societal rejection of such practices, these offenses are criminalized under legislation and are currently before the courts for sentencing.

Table 2
Violations against women during 2008-2010

<i>Description</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
Kidnapping of a female	33	26	20
Rape	158	176	200
Attempted Rape	76	91	111
Indecent act with a female	107	112	111
Prostitution and lewdness	1	3	4
Abetment to prostitution	2	3	9
Running of an establishment for prostitution or lewdness	6	1	2

Figure 1
Cases of violations against women during 2008-2010

Key:

1. Kidnapping of a female
2. Rape
3. Attempted Rape
4. Indecent act with a female
5. Prostitution and lewdness
6. Abetment to prostitution
7. Running of an establishment for prostitution or lewdness

In 2012, the Yemeni Ministry of Justice prepared a draft law on combating human trafficking offenses. The law covers criminalization, punishment, scope of application and protection of victims. The Ministry of Justice will submit the law to the Council of Ministers in early 2013 for study, after which it will be submitted to the Council of Representatives for passage.

The following measures were also taken to prevent the smuggling of children to a number of neighbouring countries:

1. A number of consultation meetings were held in Riyadh between Yemen and the Kingdom of Saudi Arabia on combating the smuggling of children. The meetings resulted in the signing of a memorandum of understanding between the two countries, the conduct of a joint study and the establishment of a repatriation mechanism.
2. A national technical committee was formed to combat the smuggling of children under the auspices of the Supreme Council for Motherhood and Childhood pursuant to the decree of the Minister for Social Affairs and Labour.
3. A national action plan for combating the smuggling of children was developed consistent with the National Strategy for Childhood and Youth.
4. Capacity building was provided for 120 employees of the two temporary protection centres for the admission of returning children, and for employees of the other care centres in the governorates (on-the-job training).
5. The government approved draft amendments to laws concerning children. The amendments are consistent with the international conventions and treaties which Yemen has ratified. They include legal provisions criminalizing and punishing the smuggling and exploitation of children.
6. A total of 690 taxi drivers were given training to raise their awareness of the risks of, and legal penalties for, smuggling children between Hudaydah and Harad and between al-Hudaydah, Sanaa, Sa'adah, Hajjah and Ta'iz.
7. Campaigns were conducted to raise the awareness of 2000 police officers. The campaigns helped strengthen surveillance. As a result, police were able to thwart the smuggling of 1050 children, including 454 children in 2000, 440 children in 2008 and 156 children in 2009.
8. Many awareness-raising flashes were broadcast on television and radio to limit the spread of child smuggling.

Article 7 – Political and Public Life

Under Article 7 of the Convention:

"States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

"(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

"(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

"(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country."

Implementation

7.1 Legislation

7.1.1. The right to vote and stand and elections

Among the key rights obtained by Yemeni women under the Constitution and law is the right to vote in and stand for general elections. Women enjoy great attention in political activity. Their presence is most significant in the area of political and media discourse. There is no legal provision that directly obstructs the right of a woman to engage in political activity as a candidate, voter and party member. However, the traditional culture still inhibits the equality of women in respect of political participation, as reflected in the low percentage of women voting in and standing for elections.

Articles 42 and 43 of the Constitution affirm this right:

Article 42: "Every citizen has the right to participate in political, economic, social and cultural life. The State shall guarantee freedom of thought and expression of opinion in speech, writing and photography within limits of the law".

Article 43: "The citizen has the right to vote in and stand for election and to express an opinion on a referendum. The law shall regulate the provisions on the exercise of such right".

The General Election and Referendum Law (No. 13 of 2001), as amended, regulates the constitutional right of women to participate in elections as candidates and voters on a par with men. Under Article 3 of that law, all citizens who have attained to 18 complete calendar years are entitled to vote, excluding a naturalized citizen who has not held Yemeni nationality for the period required by law.

Under Article 7 of the aforesaid law, the High Elections Committee shall take all measures to encourage women to exercise their voting rights and to form women's committees to register female voters in voter rosters and verify their identity when they vote at the electoral centres designated in each electoral district.

Under Article 56 of the aforesaid law, every voter shall be entitled to stand for parliamentary elections in the district of his electoral domicile. A candidate for the House of Representatives must be:

- a. Yemeni.
- b. At least 25 years of age.
- c. Proficient in reading and writing.
- d. Of good character and conduct and must observe religious obligations. He must not have been convicted by a court for any breach-of-trust or honour crime unless he has been rehabilitated.

The law also grants women the right to stand for election to the Presidency of the Republic. Under Article 70 of the aforesaid law, "The candidate who secures an absolute majority of votes in presidential elections shall be deemed the President of the Republic. If no candidate manages to secure this majority, the election shall be conducted again based on the procedures mentioned above between the two candidates who obtained the greatest number of votes. This shall take place within 40 days of the announcement of the election results".

At first blush, these legal provisions may seem to address males alone. However, the law guarantees this right to both male and female citizens.

7.1.2. The right to form and join political parties

The right of individuals to participate in political life independently or within the framework of political parties and organizations is a key, fundamental human right. Under Article 58 of the Constitution, "Citizens in the Republic at large shall be entitled to organize themselves politically, professionally and culturally insofar as doing so does not conflict with the provisions of the Constitution. They shall be entitled to form scientific, cultural and social organizations and national unions that serve the objectives of the Constitution. The State shall guarantee this right. Moreover, all necessary means shall be adopted to enable citizens to exercise this right. All freedoms shall be guaranteed for political, syndical, cultural, scientific and social institutions and organizations".

This right is affirmed by the Political Parties and Organizations Law (No. 66 of 1991). Under Article 5 of that law, "Yemenis are entitled to form political parties and organizations. They are entitled to voluntarily join any political party or organization pursuant to constitutional legality and the provisions of this law.

Under Article 41 of the Constitution, "All citizens shall be equal in respect of general rights and duties".

The Executive Mechanism for the Gulf Initiative deals with the following series of measures concerning the political rights of women:

- Under the clause on early presidential elections, paragraph (b), early presidential elections for the post of President of the Republic shall be held extraordinarily under the administration and supervision of the current High Elections and Referendum Committee based on the current voter register. Any citizen, whether male or female, who has attained to the legal age for elections and can so prove based on an official document, such as a birth certificate or national identity card, shall be entitled [to vote in such elections].
- Under the clause on the National Dialogue Conference, paragraph 19 (c), legal and other means shall be adopted to strengthen protection for, and the rights of, vulnerable groups, including children, and to promote women.

- Under paragraph 26 of the Executive Mechanism for the Gulf Initiative, women are to be represented proportionally in all institutions mentioned in the mechanism (Part 5 of the final provisions).

In early 2012, the committee worked on preparing two analytical studies on the Constitution, Political Parties Law and Elections Law from a gender perspective. The WNC formulated proposed constitutional and legal provisions to boost the representation of women in elected and non-elected bodies to 30 percent. The WNC has resolved to submit the recommendations and results of the two studies to the Constitution Amendment Committee for inclusion in the articles of the new Constitution of the Republic of Yemen. The WNC submitted to the Ministry of Legal Affairs a proposal containing the names of laws that should be included on the agenda of laws that will be discussed and amended at the upcoming National Dialogue Conference.

7.2. Current situation

7.2.1. Right to serve in the judiciary

Article 31 of the Constitution grants women a right equal to that of men to hold all public positions, including in the judiciary: "Women are the sisters of men. They have rights and duties which are guaranteed and enjoined by the sharia and stipulated by the law.

Yemeni women hold the highest positions in the judicial authority. A woman holds the post of vice president of the Supreme Court. Women serve as presidents of the courts of appeal. However, the percentages of women in such positions (3.3 percent) is low compared to men. This is attributed to the low number of women who are qualified to hold senior posts in the judicial authority. This in turn is due to the fact that the High Judicial Institute did not start admitting women until 2005 and to the fact at the institute does not have branches in the governorates. Consequently, very few females enrol in and graduate from the institute (female graduates total 3.1 percent and female enrolees total 5.4 percent). To increase the percentage of females enrolling in and graduating from the institute, the institute must adjust its admission policies and provide special advantages to female students from other governorates wishing to enrol. The same applies to attorneys and members and prosecutors of the offices of the public prosecutor. The gap between males and females continues to favour males, as detailed following table.

Table 3
Members of the judiciary according to sex, 2012

	<i>Grade</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Females (%)</i>
1	President of the Supreme Court	2	-	2	0
2	Vice President of the Supreme Court	83	1	84	1.1
3	Supreme Court Justice	57	-	57	0
4	President of the Court of Appeal	100	4	104	3.9
5	Deputy President of the Court of Appeal	116	3	119	2.5
6	Court of Appeal Judge	65	4	69	5.8
7	President of the Court of First Instance	78	1	79	1.2
8	Judge of the Court of First Instance	112	8	120	6.6

Total	613	21	634	3.3
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Figure 2
Members of the judiciary, 2012

Key:

1. President of the Supreme Court
2. Vice President of the Supreme Court
3. Supreme Court Justice
4. President of the Court of Appeal
5. Deputy President of the Court of Appeal
6. Court of Appeal Judge
7. President of the Court of First Instance
8. Judge of the Court of First Instance

Table 4
Attorneys and members of the public prosecutor's offices, 2012

<i>Grade</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Females (%)</i>
1 General attorney	72	11	83	13.3
2 General attorney (a)	13	1	14	7.1
3 General attorney (b)	43	6	49	12.3
4 Chief of prosecution (first)	55	2	57	3.5
5 Chief of prosecution (a)	76	3	79	3.8
6 Chief of Prosecution (b)	180	9	189	4.8
7 Prosecutor (a)	144	10	154	6.5
8 Prosecutor (b)	166	-	166	0
Total	749	42	791	5.3

Table 5
Graduates of the High Judicial Institute, 2008-2011

<i>Academic year</i>	<i>Class</i>	<i>Number of males</i>	<i>Number of females</i>	<i>Total</i>	<i>Females (%)</i>
2007-2008	14	21	-	21	0
2008-2009	15	78	5	83	6
2009-2010	16	74	3	77	3.9
2010-2011	-	-	-	-	-
Total	-	247	8	255	3.1

Table 6
Students in the Higher Institute of Judiciary from 2008 to 2011

<i>Academic year</i>	<i>Class</i>	<i>Number of males</i>	<i>Number of females</i>	<i>Total</i>	<i>Females (%)</i>
2007-2008	16	79	3	82	3.7
2008-2009	17	77	4	81	4.9
2009-2010	18	100	6	106	5.7
2010-2011	19	86	7	93	7.5
Overall total	-	442	25	467	5.4

Source: Ministry of Justice, 2012.

7.2.2. Women and participation in elections

7.2.2.1. Parliamentary elections

The following tables show the number of voters and candidates of both sexes during three parliamentary sessions. The statistics show that women voters during these sessions increased from 0.5 million in 1993 to 3.5 million in 2003, similar to the rate of increase of male voters, which is a positive indicator of political participation. The statistics also show that the number of who stood for and were elected to the Council of Representatives declined during the three sessions. This somewhat reflects the nature of the elections: In 1993, the elections were more

democratic because of the balance of the political forces, whereas in 1997 and 2002, the elections were pro forma and the results did not reflect the actual situation.

Table 7

Number of voters and candidates of both sexes in three parliamentary sessions

Parliamentary session	Voters			Candidates			Winners		
	Males	Females	Females (%)	Males	Females	Females (%)	Males	Females	Females (%)
1993	2 209 944	478 379	17.8	3 181	42	1.3	299	2	0.6
1997	3 364 723	1 304 550	38.8	3 791	23	0.6	299	2	0.6
2003	4 682 048	3 415 114	42	1 529	11	0.7	300	1	0.3

Source: High Elections Committee.

7.2.2.2. *Elections for the local councils*

Table 8

Number of voters, candidates and winners in local council elections according to sex, 2001-2006

Year	Registered voters			Actual voters			Women who voted (%)
	Males	Females	Registered females (%)	Males	Females	Total	
2001	3 918 430	1 703 380	43%	1 718 726	711 598	2 430 324	41%
2006	5 346 805	3 900 565	42%	3 395 475	2 359 567	5 755 042	41%

Table 9

Number of candidates and winners in local elections, 2001-2006

Year	Candidates			Winners		
	Male	Female	Female candidates (%)	Male	Female	Female winners (%)
2001	28 498	132	0.46%	6914	36	0.5%
2006	20 485	160	0.78%	7291	38	0.5%

Source: High Elections Committee.

7.2.3. *Women in decision-making positions*7.2.3.1. *Political parties*

The following table shows the percentage of women compared to males who hold leadership positions in political parties.

Table 10

<i>Year</i>	<i>Party name</i>	<i>Leadership body</i>	<i>Male</i>	<i>Female</i>	<i>Females (%)</i>	
2004	General People's Congress	General Committee	33	1	2.94%	
		Standing Committee	1 100	80	6.78%	
	Yemeni Congregation for Reform	General Secretariat	-	-		
		Consultative Council	160	11	4.19%	
	Yemeni Socialist Party	Politburo	27	4	14%	
		Central Committee	270	13	4.59%	
	Nasserite Unionist Organization	Secretariat-General	14	1	6.7%	
		Central Committee	74	8	9.8%	
2005-2008	General People's Congress	General Committee	34	5	12.8%	
		Standing Committee	886	89	9.1%	
	Yemeni Congregation for Reform	General Secretariat	15	1	6.3%	
		Consultative Council	130	13	9.1%	
	Yemeni Socialist Party	Politburo	27	4	14%	
		Central Committee	270	13	4.59%	
	Nasserite Unionist Organization	General Secretariat	14	1	6.7%	
		Central Committee	74	8	9.8%	
	2009	General People's Congress	General Committee	34	5	12.8%
			Standing Committee	886	89	9.1%
		Yemeni Congregation for Reform	General Secretariat			
Consultative Council						
Yemeni Socialist Party		Political Bearer	27	4	14%	
		Central Committee	270	13	4.59%	
Nasserite Unionist Organization	General Secretariat	14	1	6.7%		
	Central Committee	74	8	9.8%		

Source: Political parties, 2011.

7.2.3.2. Government institutions

Table 11 shows a decline in the percentage of women participating in decision-making in government institutions. This decline stems from a lack of clear criteria for making appointments and from administrative corruption, which has been a major factor in the absence of qualified male and female staff in decision-making posts.

Table 11
Number of women in decision-making posts, 2007 and 2011

Post	2007			2010			2011		
	Males	Females	Females (%)	Males	Females	Females (%)	Males	Females	Females (%)
Vice-Minister	45	1	2.1	3	-	-	4	-	0
Deputy Minister	26	4	13.3	23	2	8.0	29	3	9.3
Assistant Deputy	8	3	27.2	12	-	0	9	-	0
Advisor	No data	No data	-	45	21	31.8	44	3	6.3
General Director	51	4	-	255	26	-	186	8	-

Source: Yemeni Council of Ministers and Ministry of Legal Affairs, 2012.

Figure 3
Percentage of females in decision-making positions in government institutions

7.2.4. Decisions issued on women's political participation in 2012

7.2.4.1. National unity government

A national unity government was formed of 30 ministers, including three female ministers. Two women hold posts in the Ministry of Human Rights and Ministry of Social Affairs and Labour and one is the Minister of State for Cabinet Affairs. Thus, women now constitute 9 percent of the government. Although women run ministries that are not sovereign or revenue ministries and are more concerned with social services, the presence of women constitutes progress in the empowerment of women through decision-making posts.

7.2.4.2. Convocation of a national conference for women

The WNC has made major efforts to strengthen the presence and participation of women in the National Dialogue Conference. In 2012, the WNC organized a national conference for women in cooperation with the Ministry of Human Rights. The conference brought together Yemeni women from all Yemeni governorates and different political orientations as well as independents. The conference issued a list of demands concerning the needs of women during the transitional stage. The list was conveyed to the President and Prime Minister for inclusion in the Government's plans and policies. The key demands on the list include:

1. Political and legislative empowerment: the establishment of a minimum 30-percent quota for the participation of women in all committees emanating from the Executive Mechanism of the Gulf Initiative; and representation of women in the legislative, executive and judicial authorities of the state.

2. Economic empowerment: the encouragement of women to acquire and manage enterprises pertaining to women and to incorporate the needs of women in the general government budget framework.

3. Health: improvement of health services for mothers and newborns, provision of means of contraception and enhancement of societal awareness of their importance.

4. Education: establishment of mechanisms and programmes for implementing the Compulsory Education Law, and the allocation of 30 percent of teaching positions to female teachers in rural areas.

5. Armed conflicts: support and development of a detailed database of the number of women harmed by armed conflicts, and the rapid fulfilment of the needs of women in camps for displaced persons. A number of women also recommended adding water, the environment and the Transitional Justice Law to the matrix of demands.

7.2.4.3. *Presidential communication committee*

Presidential Decree No. 13 of 2012 was issued to form a communication committee tasked with communicating with the concerned parties regarding participation in the National Dialogue Conference. This committee includes eight members, including two women.

7.2.4.4. *Technical committee to prepare for the National Dialogue Conference*

Presidential Decree No. 30 of 2012 was issued to form a technical committee to prepare for the National Dialogue Conference. The committee comprises 29 members, 17 percent of whom are women. It has instituted 30-percent representation for women in all national dialogue constituencies.

7.2.4.5. *Appointment of a female adviser to the President of the Republic*

The President of the Republic also issued Republican Decree No. 55 of 2012 to appoint a woman to serve as an advisor for women's affairs (the first decree of its type in Yemen's history).

7.2.4.6. *High Elections Committee*

In late 2012, Presidential Decree No. 63 was issued to appoint two female judges to serve on the High Elections Committee. The committee comprises nine judges, 22 percent of whom are women. This is a major achievement in the struggle of Yemeni women, led by the WNC, to participate in politics and decision-making. It is a modest entitlement compared to the leading role played by Yemeni women in calling for changes in various spheres and their extraordinary sacrifices, which have amazed the world.

7.2.5. *Women in unions*

The following table shows the percentage of women participating in selected unions.

Table 12
Percentage of women in unions in 2010

<i>General Unions in the General Federation of Worker's Trade Unions of Yemen</i>				<i>Ratio of females to males %</i>
	<i>Male</i>	<i>Female</i>	<i>Total</i>	
1 General Transportation Union	693	24	717	3.46
2 General Union for Health, Medical and Technical Professions	247	86	513	34.81
3 General Union for Oil and Chemical Workers	522	24	546	4.59

4	General Union for Construction and Timber Workers	213	28	241	13.14
5	General Union for Municipal and Housing Workers	264	24	288	9.09
6	General Union for Workers in Agriculture, Food Industries and Fishing	324	30	354	9.26
7	General Union for Workers in Trade, Banking and Insurance	554	92	646	16.61
8	General Union for Electricity and Energy Workers	345	13	358	3.77
9	General Union for Water and Environment	198	19	217	9.59
10	General Union for Administrative Services	376	80	456	21.27
11	General Union for Textile and Leather Industry Workers	59	31	90	52.54
12	General Union of Vocational and Technical Training Workers	235	53	288	22.55
13	General Union for Education Professions	37	8	45	21.62
Total		4 247	512	4 759	12.06

Source: General Federation of Worker's Trade Unions of Yemen.

The above table indicates that the representation of women in labour unions remains limited compared to men, even though labour activity opens broad horizons for women to enter various fields of public life. The statistics show that women account for only 12 percent of the general membership in unions. The above table shows that women constitute 52.5 percent of the members of the General Union for Textile and Leather Industry Workers, 34.8 percent of the General Union for Health, Medical and Technical Professions, 22.5 percent of the General Union of Vocational and Technical Training Workers and only 3.5 percent of the General Transportation Union.

7.2.6. Women in civil society

Civil society organizations have helped empower women in a number of fields. Women's participation in establishing associations and organizations has been a major factor in the establishment of women as a target group for the programmes and activities of civil society organizations and associations. The following table shows the number of associations and the type of services provided to women according to governorate.

Table 13
Number of women's civic and cooperative associations and organizations in the governorates of Yemen

<i>Governorate</i>	<i>Charitable</i>	<i>Institution</i>	<i>Social</i>	<i>Club</i>	<i>Union</i>	<i>Agricultural</i>	<i>Handicrafts</i>	<i>Total</i>
1 Ibb	27	-	13	-	1	4	-	45
2 Abyan	4	-	26	-	1	2	-	33
3 Secretariat of the Capital	57	-	31	-	1	-	-	89
4 General Diwan	2	21	7	3	-	-	-	34
5 Bayda'	-	-	2	-	1	-	-	3
6 Ta'izz	4	-	20	-	1	-	3	28
7 Jawf	3	-	4	-	1	-	-	8
8 Hajjah	9	-	41	-	1	-	-	51
9 Hudaydah	9	-	28	-	1	1	-	39
10 Hadramawt/Mukalla	7	-	7	-	1	1	-	16

11	Dhamar	10	-	5	-	1	-	-	16
12	Shabwah	-	-	7	-	1	-	-	8
13	Sa'adah	1	-	1	-	1	-	-	3
14	Sanaa	5	-	6	-	1	3	-	15
15	Aden	4	-	20	-	1	-	-	25
16	Lahij	18	-	1	-	1	-	-	20
17	Ma'rib	1	-	1	-	1	-	-	3
18	Mahwit	30	-	2	-	1	1	-	34
19	Mahrah	1	-	5	-	1	-	-	7
20	Amran	58	-	-	-	1	1	-	60
21	Dali'	1	-	3	-	1	-	-	5
22	Hadramawt/Say'un	5	-	6	-	-	-	-	11
23	Say'un	1	-	-	-	-	-	-	1
Total		257	21	236	3	21	13	3	554

Source: Ministry of Social Affairs and Labour, 2011.

The above table indicates that there are 554 women's civil society associations and organizations in Yemen out of a total of 5 600 associations registered with the Ministry of Social Affairs and Labour as of end-2010 (9.9 percent of the total). These associations are concentrated primarily in the main governorates, namely Ibb, Hudaydah, Mahwit, Aden and Ta'izz. This is due primarily to the evolution of women's activity in these governorates and to the presence of the highest percentage of educated women in these governorates. Also, most civil society organizations direct some of their activities to meeting the needs of women even if they are not specifically oriented to women, such as the Islah Charitable Social Association, SOUL for the Development of Women and Children, Yemen Family Care Association, Salih Development Foundation, Zahra' Foundation, Abu Musa al-Ash'ari Association, Reachout Association for Humanitarian Development, Wedian Association and other organizations that support development efforts in the country.

Article 8 – Representation and participation at the international level

Under Article 8 of the Convention, "States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations".

Implementation

8.1. Current situation

8.1.1. Diplomatic Corp

Only a small percentage of the diplomatic Corps comprises women, as shown in Table 14.

Table 14
**Number of males and females holding diplomatic posts according to records for
 2007 and 2012**

<i>Post</i>	<i>2007</i>			<i>Total</i>	<i>2012</i>			<i>Total</i>
	<i>Males</i>	<i>Females</i>	<i>Females (%)</i>		<i>Males</i>	<i>Females</i>	<i>Females (%)</i>	
Ambassador	116	2	1.7	118	110	3	2.7	113
Plenipotentiary	106	3	2.8	109	91	9	9	100
Counsellor	112	9	7.4	121	75	6	7.4	81
First Secretary	115	9	7.3	124	60	5	7.7	65
Second Secretary	27	2	6.9	29	71	11	13.4	82
Third Secretary	73	11	13.1	84	29	11	27.5	40
Diplomatic Attaché Secretary	33	6	15.4	39	28	5	15	33
Administrative Attaché	332	59	15.1	391	253	45	15	298
Total	914	101	10	1 015	717	95	11.7	812

Source: Ministry of Foreign Affairs, 2012.

Figure 4
The gender gap in diplomatic posts

In 2007, 914 males held diplomatic posts compared to 101 females (10 percent). The percentage of females rose in 2012 to 11.9 percent, despite the reduction in the number of male and female Diplomatic Corps employees.

The participation of women in international organizations is extremely low, with only one woman holding the post of regional director for United Nations Development Programme in the Arab States and one women in the regional office of the United Nations Food and Agricultural Organization.

8.1 .2. *Participation of women in public policymaking in the country*

Recently, Yemeni women have been able to participate in developing public policies and general plans for the country following the issuance of Council of Ministers Decree No. 107 of 2010. The decree requires including women from the women's directorates of ministerial departments and government agencies and the chairwomen of WNC branches in the governorates in the preparation of plans and budgets for their agencies and inclusion of the gender component in plans, programmes and projects.

During 2010 and 2011, the WNC monitored gender mainstreaming in government policies, programmes and projects. It analyzed gender policies in 28 ministries, finding that an empowerment-of-women component was added to the Fourth Five-Year Plan for Economic and Social Development and Poverty Reduction for 2011-2016. The component covers four issues: economic empowerment of Yemeni women, combating of violence against women, strengthening of women's political participation and monitoring of legislative amendments to eliminate discrimination against women.

The WNC also reviewed gender policies, programmes, projects and investment programme in the draft Fourth Five-Year Plan for 2011-2016. It found that 86 percent of the gender policies submitted by the various concerned entities were incorporated in the plan, as were 48 percent of the gender programmes submitted by the committee and 11 ministries (particularly the Ministries of Industry and Trade, Agriculture and Irrigation, Legal Affairs, Justice, Health, Housing, Water and Environment, Youth and Sports and Social Affairs and Labour). The percentage of female employees in the Civil Service will be increased from 18 to 30 percent under the plan. Most of the ministries' policies demonstrated an orientation toward hiring more females, with rates varying between 5 and 20 percent.

However, the incidents in Yemen during 2011 have delayed the implementation of some of these policies. A two-year urgent rescue programme was developed under the heading "Interim Programme for Stability and Development, 2012 – 2014". The programme includes an empowerment-of-woman component covering three main issues: social empowerment (education, health and rights), economic empowerment and political empowerment.

The Yemeni Government supports only three of the eight projects which the WNC developed to implement the policies for this component. The aforesaid programme also includes policies for developing Yemeni women in several other

sectors (agriculture, industry and trade, water and environment, youth and social welfare).

Article 9 – Nationality

Under article 9 of the Convention:

"1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

"2. States Parties shall grant women equal rights with men with respect to the nationality of their children. "

Implementation

9.1. Legislation

The right of citizens to acquire nationality is fundamental and linked to the state's sovereignty. It is an absolute right which may not be conceded, denied or extinguished.

Under article 44 of the Yemeni Constitution, "The law shall regulate Yemeni nationality. No Yemeni may be deprived of his nationality. Once Yemeni nationality is acquired, it may be withdrawn solely pursuant to the law".

This provision is reflected in the Nationality Law (No. 6 of 1990). Under article 17 of that law, "No Yemeni may be deprived of his nationality under the Constitution. Notwithstanding that, under the provisions of this law, nationality may be withdrawn from a person who has acquired it".

The Nationality Law includes provisions concerning a Yemeni woman and her children. Article 3 of the law grants Yemeni nationality to the children of a Yemeni father married to a foreigner. It makes no reference to the acquisition of Yemeni nationality by the children of a Yemeni mother married to a foreigner, which prejudices the children's right. In addition, article 10 of the Nationality Law extinguishes the nationality of a Yemeni woman who marries a foreigner if she so desires. Under that article, a Yemeni woman who obtains the nationality of her Muslim husband's country retains her Yemeni nationality, unless she wishes to renounce it and proves her desire to do so upon or during marriage, and the law of her husband's country grants her his nationality. However, article 14 of the law restores her right to Yemeni nationality, stating that a Yemeni woman who forfeits her Yemeni nationality under articles 10 and 11 of the Nationality Law may regain her Yemeni nationality upon terminating the matrimonial relationship if she so requests.

The WNC played – through a member of the Council of Representatives – a major role in amending the Nationality Law to grant Yemeni nationality to the children of a Yemeni woman based on the principle of equality among citizens. The provision in effect appears in article 3 of Law No. 25 of 2010 amending Law No. 6 of 1990 on Yemeni Nationality, amended by Law No. 17 of 2009. Article 3 is as follows:

"Yemeni nationality shall be enjoyed by:

"1. (a) Any person who is born inside or outside the Republic to a father or mother who enjoys Yemeni nationality.

"(b) A person born to a Yemeni mother and foreign father before the effective date of this law may declare to the Minister his desire to enjoy Yemeni nationality within the three years of the effective date of this law and shall be considered a Yemeni upon the issuance of a decision by the Minister or upon the lapse of one year from the date of the declaration.

"(c) The enjoyment of Yemeni nationality by a person born to a legally married Yemeni mother and foreign father before the effective date of this law according to the provisions of paragraph (b) of this article shall result in that person's minor children enjoying Yemeni nationality by way of affiliation.

"(d) A person whose foreign nationality is established in addition to Yemeni nationality under paragraph (a) of this article may declare to the Minister his desire to renounce Yemeni nationality within one year of reaching the age of majority. In the case of a minor, declaration of such desire shall be made by the father or mother, or, in the absence of the mother or father, by the minor's guardian. The implementing regulations shall specify the procedures to be followed to carry out the provisions of this paragraph.

"2. A person who is born in Yemen whose parents are unknown. A foundling found in Yemen shall be considered to have been born in Yemen unless evidence to the contrary is established.

"3. An expatriate who possessed Yemeni nationality at the time of his departure from the territory of the country and has not renounced such citizenship under the law, based on an such person's explicit request, even if the person has acquired the nationality of the country where he resides by force of its laws".

Article 10 – Education

Under article 10 of the Convention:

"States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

"(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

"(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

"(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

"(d) The same opportunities to benefit from scholarships and other study grants;

"(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

"(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

"(g) The same Opportunities to participate actively in sports and physical education;

"(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning".

Implementation

10.1. Legislation

Under article 22 the Constitution, "Education, health and social services are the mainstays of the social structure and social progress and are provided by society and the State".

Under article 54 the Constitution, "Education is a right of all citizens. The State shall guarantee education in accordance with the law by building various schools and cultural and educational institutions. Primary education is compulsory. The state shall act to eradicate illiteracy and shall be concerned with expanding technical and vocational and, in particular, with youth and protection of youth from deviance. It shall provide youth with religious, mental and physical education and shall create appropriate conditions for the development of the aptitude youth in all fields".

Under article 18 of the General Education Law No. 45 of 1992, "Primary education is unified public education for all students in the Republic. Its duration shall be nine years. It shall be compulsory. Students shall be enrolled in primary education from the age of six. In such education, the orientations and proclivities of students shall be identified and their personal capabilities shall be developed. Primary education shall seek to achieve the following objectives", etc.

Article 33 of the aforesaid law stipulates the following regarding who may enrol in technical education:

"a. Persons who have obtained a unified basic level certificate, upon completion of five years of study.

"b. Persons who have obtained a general secondary certificate, academic division, upon completion of two-three years of study".

Under Article 26 of the same law, "University education is open to the enrolment of persons who have obtained a general secondary or specialist certificate or an intermediate technical diploma *summa cum laude*, so that they may continue their specialized theoretical and applied studies, at the end of which, they shall be awarded a university degree according to the regulations of the university".

Under Article 29, "The Ministry of Education and Ministry of Labour and Vocational Training, in coordination with the concerned entities, shall establish non-formal education to provide educational opportunities for large numbers of citizens, both young people and adults, who have not completed or have dropped out from formal education".

Under article 4 of Law No. 23 of 2006 on Technical Education and Vocational Training, "Technical education and vocational training is intended: ... 9. To provide technical education and vocational training opportunities for women consistent with their capabilities and to contribute to the development of their skills".

Under Article 17 of General Education Law No. 45 of 1992:

"a. Preschool education shall include nursery school and kindergarten. Children shall be admitted thereto from the age of three to the age of six.

"b. Kindergarten shall aim to instil in the child a love of knowledge, prepare the child for subsequent educational levels, inculcate high values and good positive habits, and educate the child to be sound from a health and social standpoint and to like cooperating with other children".

Article 9 of the Ministry of Education Regulations No. 28 of 1993 requires the ministry's organizational structure to comprise the following sectors and divisions: "a. The general education sector: It shall comprise a number of general departments, including a General Kindergarten Department".

10.2. *Current situation*

10.2.1. *General indicators*

Table 15 below concerns general education indicators in Yemen. The indicators provide information on the situation, level and development of education, particularly education for females. The data showed that illiteracy among females declined steadily from 76 percent in 1994 to 60 percent in 2006, reflecting the success of efforts to promote education among females.

The improvement in the educational situation of females is confirmed by the relative distribution of females ten years and older according to educational level. The percentage of females who completed primary or higher education during 1994-2006 rose. Female enrolment in the 6-14 and 6-15 age groups during 1994-2006 clearly rose, underscoring the improvement in the education of females.

Table 15
General education indicators

	1994 census (%)	2004 census (%)	Multi-Purpose Household Budget Survey (%)
Male and female illiteracy rate	55.8	45.3	40.7

Male illiteracy rate	36.5	29.6	21.3
Female illiteracy rate	76.2	61.6	60.0
Literate males and females	26.7	31.5	33.6
Literate males	36.7	37.3	41.0
Literate females	16.1	25.4	26.3
Total males and females with primary education or the equivalent + pre-secondary school diploma	12.7	12.0	13.0
Males with primary education or the equivalent + pre-secondary school diploma	19.2	17.0	18.8
Females with primary education or the equivalent + pre-secondary school diploma	5.8	6.8	7.4
Males and females with secondary education + post-secondary diploma	3.5	8.2	8.7
Males with secondary education + postsecondary diploma	5.5	12.0	12.8
Females with secondary education + postsecondary diploma	1.4	4.4	4.7
Males and females with a first university and higher degree	1.1	2.3	2.3
Males with a first university and higher degree	1.7	3.5	3.6
Females with a first university and higher degree	0.4	1.0	1.1
Enrolment in education (6-14 years)	55.2	63.5	65.7
Male enrolment rate	70.3	71.4	75.1
Female enrolment rate	38.5	54.9	55.5
Education enrolment rate (6-15 years)	54.9	62.2	63.9
Male enrolment rate	70.7	70.8	73.9
Female enrolment rate	37.4	52.9	53.1

Source: Central Statistical Organization, Statistical Yearbook for 2010.

10.2.2. Statistical indicators of illiteracy eradication and adult education

Despite official efforts to incorporate a gender approach in planning for educational development projects, which have grown in recent years, an ensemble of social, economic, cultural and other factors have continued to impede the achievement of rapid, integrated educational progress that meets the development needs of the whole person. These factors have resulted in the persistence of large gaps between males and females in respect of enrolment in primary education and the ability to stay in school.

Illiteracy remains widespread among women at very high rates by contemporary standards, reaching 40 percent in urban areas and 74 percent in rural areas.

The following two tables show continued high illiteracy, particularly among women:

Table 16
Numerical distribution of literacy centres and classes during 2007-2010

Province	2007/2008		2008/2009		2009/2010	
	Number of	Number of classes	Number of	Number of classes	Number of	Number of classes

	<i>centres</i>				<i>centres</i>				<i>centres</i>			
	<i>Male</i>	<i>Female</i>	<i>Total</i>		<i>Male</i>	<i>Female</i>	<i>Total</i>		<i>Male</i>	<i>Female</i>	<i>Total</i>	
Total literacy centres and classes	3 276	440	5 862	6 302	3 650	435	6 705	6 840	3 884	379	7376	6 949

Source: Central Statistical Organization, 2010.

Table (17)
Numerical distribution of persons enrolled in literacy centres according to gender during 2007-2010

<i>Indicator</i>	<i>2007-08</i>				<i>2008-09</i>				<i>2009-10</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>%</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>%</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Total enrolees	9 580	157 330	166 910	94	8 864	167 842	176 706	95%	6 849	161 166	16 815
Primary level 1	503	8 144	8 648	94	391	71 537	7 544	95	288	68 764	71 653
Primary level 2	213	4 155	4 368	94	273	58 007	6 073	96	168	49 287	50 975
Continuing education	129	2 309	2 438	94	127	27 060	2 833	96	141	32 854	34 270

Source: Central Statistical Organization, 2010.

Figure 5
Preparation of students in literacy centres

There are continuing concerns about high illiteracy. Despite the appreciable developments that have occurred in literacy and adult education programmes in recent years, the following impediments persist:

1. The literacy centres and classes in many governorates are not permanent, although the number of centres generally in the governorates of Hadramawt and Shabwah increased in 2007-08 and 2008-09, and they have remained stable in the other governorates.

2. Generally, there are challenges posed by a large percentage of children in the 6-14 age group not attending school, particularly in rural areas in Yemen. Children, particularly females, drop out in the early education years.

10.2.3. Kindergarten

According to the figures in Table 18, which cover 2001-2010, there are 575 kindergartens (governmental and private) in Yemen for children age two through six in which 26,000 students were enrolled. Each year, about 10 kindergartens are added and 2000 new students enrol. Females account for 47 percent of total kindergarten enrollees, indicating a slight gender gap. Nonetheless, enrolment rates for both sexes are low.

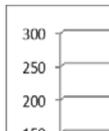
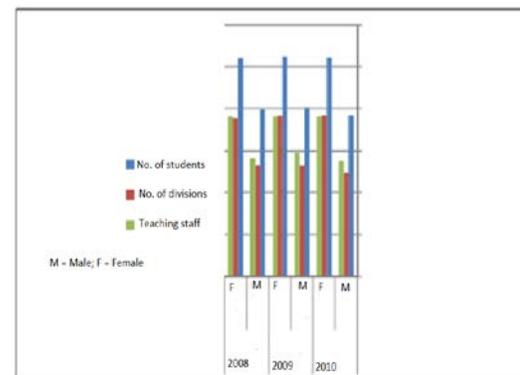


Table 18
Number of nurses schools and enrolees according to sex, 2001-2010

	Academic year	Number of schools		Number of children		Total	Females (%)
		Public	Private	Male	Female		
2-6 age group	2001/2002	46	126	6 588	5 917	12 505	47
	2002/2003	53	168	7 813	6 958	14 771	47
	2003/2004	62	182	8 336	6 968	15 304	46
	2004/2005	74	233	9 903	8 090	17 993	45
	2005/2006	76	282	11 438	9 600	21 038	46
	2006/2007	96	312	11 956	10 069	22 025	46
	2007/2008	80	365	13 710	1 661	25 371	45.9
	2008/2009	89	414	13 685	12 208	25 893	47.1
	2009/2010	95	480	14 121	11 923	26 044	46

10.2.4. Primary and secondary education

10.2.4.1. Statistical indicators

The general development goal is to register 100 percent of the population in the age group entitled to education.

The following table shows that, in 2010, 76 percent of females of primary education age were enrolled in primary education compared to 65 percent in 2008 (an improvement of eleven points, whereas 90.9 percent of males of primary education age were enrolled compared to 84 percent in 2008, an improvement of seven points).

Table 19
Relative distribution of primary education enrolees in Yemen during 2007-2010

2008		2009		2010		Total
Male	Female	Male	Female	Male	Female	
84.0%	65.0%	88.1%	70.1%	90.9%	76.0%	83.6%

The following table shows the number of primary and secondary boys, girls, and coeducational schools.

Table 20
Number of government and private primary and secondary schools in Yemen according to gender for academic year 2009-10

Primary				Primary/secondary				Secondary			
Male	Female	Coeducational	Total	Male	Female	Coeducational	Total	Male	Female	Coeducational	Total
739	612	10 466	11 817	351	414	2 744	3 509	128	45	125	325

The above table shows that, in academic year 2009-10, there were:

- 11 817 primary schools, including 739 schools for boys (6.3 percent), 612 schools for girls (5.2 percent) and 10 466 coeducational schools (80.5 percent).
- 3 509 primary/secondary secondary schools, including 351 schools for boys (3 percent), 414 schools for girls (8.11 percent) and 2744 coeducational primary/secondary schools (78.2 percent).
- 325 secondary schools, including 428 schools for boys (39.4 percent), 45 schools for girls (13.8 percent) and 152 coeducational secondary schools (48.8 percent).

It can thus be seen that coeducational schools constitute a majority of the primary and secondary schools. Most of the coeducational schools are concentrated in rural areas. Enrolment of girls in rural areas is thus very low due to customs and traditions that prohibit the mixing of girls and boys.

The following table shows the number of students enrolled in primary and secondary education in government and private schools during academic year 2009-10 according to gender. The percentage of females in primary education was 42.7 percent, compared to 57.3 percent for males (gap of 14.6 percent favouring males). The percentage of females in secondary education was 36.8 percent compared to 63.2 percent for males (gap of 26.4 percent favouring males).

In 2007-08 through 2009-10, 26 percent of the 15-17 age group was enrolled in secondary education. Thus, approximately 70 percent of this age group (more than 1 million persons) was not in school.

Table 21

Number of students in general primary and secondary education (government and private) according to gender in Yemen during academic year 2009-10

<i>Primary</i>			<i>Secondary</i>		
<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2 522 886	1 879 793	4 402 679	363 316	211 583	574 899

Source: Central Statistical Organization, 2010.

10.2.4.2. Key reasons for the expansion of the development gap between males and females in primary and secondary education

The key reasons for the expansion of the gender gap at various levels and in various areas of general education and for the rate of illiteracy among women and girls include the following:

1. In 2007-08, only 24 percent of primary school teachers were women, whereas 76 percent were men, a gender gap of 52 percent.
2. There is a lack of private primary and secondary schools for girls, particularly in rural areas.
3. There is a lack of institutions and ancillary services for expanding primary and secondary education in rural areas in Yemen based on equal and equitable opportunities for both sexes.

4. The early marriage of Yemeni girls.

5. Poverty, particularly in rural areas.

6. The view in Yemeni society that it is not necessary to educate girls, and the material conditions of households, which are satisfied to educate only boys and do not wish to mix girls with boys in coeducational schools.

10.2.5. Educational workforce

The following table shows a clear gender gap with respect to staff. During 2003-2010, staff growth was higher among females than males, with female administrators increasing by 15 percent (57 staff members) compared to a 5.5 percent increase in male staff members. During this period, female teachers increased by 5.3 percent compared to 1.27 percent for males, and females in services increased by 5.3 percent compared to 2.8 percent for males.

Table 22
Ministry of Education Staff

	Academic year	Staff number		Annual growth rate	
		Male	Female	Male	Female
Administrative staff	2002	23 325	4 612		
	2003	23 443	5 188	0.51	12.49
	2004	24 035	5 921	2.53	14.13
	2005	26 359	6 480	9.67	9.44
	2006	27 244	6 623	3.36	2.21
	2007	30 375	9 043	11.49	36.54
	Annual growth rate			5.51	14.96
Teaching staff	2002	134 757	3 5671		
	2003	135 371	36 025	0.46	0.99
	2004	136 547	37 721	0.87	4.71
	2005	137 589	39 316	0.76	4.23
	2006	146 041	43 751	6.14	11.28
	2007	152 378	49 892	4.34	14.04
	2008	145 505	45 957	-4.51	-7.89
	2009	151 152	51 875	3.88	12.88
	2010	148 447	53 002	-1.79	2.17
	Annual growth rate				
Services	2002	4 432	1 434		
	2003	4 245	1 410	-4.22	-1.67
	2004	4 220	1 436	-0.59	1.84
	2005	4 328	1 418	2.56	-1.25
	2006	5 059	1 485	16.89	4.72
	2007	5 025	1 825	-0.67	22.90
	Annual growth rate			2.79	5.31

Source: Central Statistical Organization.

10.2.6. Statistical indicators of technical and vocational education

Technical education and vocational training are essential to developing skilled and semi-skilled human resources. Expansion in these areas is assured through education and training programmes delivered at technical and vocational education centres and institutes.

However, the data appearing in the following table indicate:

- There are 71 technical and vocational institutes in Yemen. The number of such institutes in each governorate varies from one governorate to another. Some governorates have no such institutes.
- Enrolees in vocational training during academic year 2009-10 totalled 6 925 male and female students in 32 institutes. The number of female enrolees was only 74, which is 1.1 percent of the total compared to 98.9 percent for males.
- Enrolees in technical institutes to obtain a technical diploma certificate totalled 10 981 male and female students in 39 technical institutes, including 9 047 males (82.4 percent) and 1 934 females (17.6 percent).
- There are 33 specialized secondary vocational institutes that train vocational workers and award a vocational certificate in the areas of industry, agriculture, veterinary science and commerce. The period of study is three years after primary education or one year for persons who have obtained a vocational training diploma. Enrolees in academic year 2009-10 totalled 2 970, including 2 558 males (86.1 percent) and 412 females (13.9 percent).

Table 23

Number of technical vocational and training institutes, and number of enrolees therein during academic year 2009-10

Governorate	Number of technical and vocational institutes	Two-year vocational diploma			Two-year vocational diploma			Vocational secondary (three years)			
		Male	Female	Total	Male	Female	Total	Number of institutes	Male	Female	Total
Ibb	8	723	0	723	123	73	196	2	84	12	96
Abyan	4	355	12	367	18	14	32	2	86	4	90
Secretariat of the Capital	10	1 338	53	1 391	1 782	296	2 078	7	1 008	115	1 123
Bayda'	1			0	101		101				0
Ta'izz	13	1 223	2	1 225	3 225	957	4 182	7	437	95	532
Hajjah	4	99		99	530	174	704	1	12		12
Hudaydah	5	768		769			0	5	301	66	367
Hadramawt	4	512		512	597	84	681	3	306	62	368
Dhamar	4	448	7	455	836	132	968	2	114		114
Shabwah				0			0				0
Sa'adah				0			0				0
Sanaa	1			0			0				0
Aden	6	829		829	1 149	142	1 291	1	122	52	174
Lahij	2	113		113	31		31	2	73	6	79

Governorate	Number of technical and vocational institutes	Two-year vocational diploma			Two-year vocational diploma			Vocational secondary (three years)			
		Male	Female	Total	Male	Female	Total	Number of institutes	Male	Female	Total
Ma'rib	1	52		52			0				0
Mahwit	2	47		47	150		150				0
Mahrah	2			0	72	32	104				0
Amran	1	172		172	52		52				0
Dali'	2	116		116	381	30	411				0
Raymah	1	15		15			0	1	15		15
Jawf				0			0				0
Total	71	6 811	71	6 885	9 047	1 934	10 981	33	2 558	412	2 970

The following table of statistical indicators concerning health colleges shows:

- There only 20 health profession colleges in Yemen.
- Enrolees in these colleges in academic year 2008-09 totalled 6 039 male and female students, including 30.8 percent female compared to 61.5 percent male. The highest rate of females in technical education and vocational training can be found in the health professions, as society prefers this type of education for females.

Table 24

Number of health colleges and enrolees therein during academic year 2008-09

Governorate	Number of institutes	Male	Female	Total
Ibb	1	297	220	517
Abyan	1	76	110	186
Secretariat of the Capital	1	477	454	931
Bayda'	1	140	63	203
Ta'izz	1	557	264	821
Hajjah	1	87	102	189
Hudaydah	1	251	206	457
Hadramawt	2	483	259	742
Dhamar	1	254	103	357
Sa'adah	1	101	38	139
Sanaa	1	90	51	141
Aden	2	290	140	430
Lahij	1	20	37	57
Ma'rib	1	14	9	23
Mahwit	1	29	90	119
Mahrah	1	151	20	171
Amran	1	261	58	319
Dali'	1	135	102	237
Shabwah				0

<i>Governorate</i>	<i>Number of institutes</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Raymah				0
Jawf				0
Total	20	3 713	2 326	6 039

In the three-year community colleges, these statistical indicators for academic year 2009-10 indicate the following:

- Enrolees totalled 4 940 males and females, which is similar to the number in academic year 2008-09 (4 932 male and female students).
- Males totalled 3 909 (79.1 percent) compared to 1 031 females (20.9 percent).

Table 25

Students enrolled in community colleges according to specialty and gender in academic years 2008-09 and 2009-10

	<i>2008-09</i>			<i>2009-10</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Preparatory year	403	78	481	561	146	707
Computer engineering and electronics technology	213	26	239	341	24	365
Internet technology	102	46	148	91	39	130
Small enterprise management	174	53	227	117	40	157
Graphics design technology and media	132	70	202	119	64	183
Computer programming	652	176	828	397	102	499
Information technology	179	61	240	306	88	394
Marketing and advertising	186	37	223	307	30	337
Accounting	293	112	405	323	137	460
Computer engineering	169	10	179			0
Health sciences (nursing)	160	83	243	204	113	317
Laboratory sciences	230	75	305	253	76	329
Anaesthesiology	35	2	37	33	1	34
Medical equipment engineering	52	6	58	39	6	45
Fashion design	2	52	54	1	61	62
Office management and secretarial skills	11	8	19	7	10	17
Refrigeration, air-conditioning and heating technology	197		197	186		186
Automobile engineering	134		134	107		107
Information systems	62	23	85	45	4	49
Construction engineering	120		120	140	2	142
Hotels and tourism	23		23	20		20
Interior design	21	11	32	18	6	24
Business management	269	72	341	33	17	50
Advanced technical education	31	10	41			0
Quality control	14	1	15	22	12	34
Landscape design	1	2	3	6		6

	2008-09			2009-10		
	Male	Female	Total	Male	Female	Total
Electronic trading	14	2	16	36	5	41
Computer network engineering	32	5	37			0
Administrative sciences			0	187	41	228
Marketing management			0	10	7	17
Total	3 911	1 021	4 932	3 909	1 031	4 940

Source: Central Statistical Organization, 2010.

Centres for the disabled

Educational institutions have opened five centres for the disabled in which 597 disabled females and males are enrolled (22.4 percent female). The number of students with special needs in the schools totals 2 095 of whom 50.17 percent are female.

10.2.7. Statistical indicators of higher education

Table 26

Number of public and private universities and male and female students therein in academic years 2007-2010

	2007-08	2008-09	2009-10
Number of public universities	8	8	8
Number of students in public universities	188 145	193 371	193 371
-Male	128 942	131 749	131 749
-Female	59 203	61 622	61 622
Ratio of male students to total number of students	68.53%	68.13%	68.13%
Ratio of female students to total number of students	31.47%	31.87%	31.87%
Number of private universities	15	16	16
Number of students in private universities	54 365	62 754	62 754
-Male	40 201	46 64	46 64
-Female	14 164	16 113	16 113
Ratio of male students to total number of students	73.95%	74.32%	74.32%
Ratio of female students to total number of students	26.05%	25.68%	25.68%

Figure 6
Number of students and faculty in Yemen universities during 2009

The above table shows the following:

- There are eight public universities located in eight Yemeni governorates. In 2010, there were 16 private universities. The average percentage of female students in the universities and colleges rose from 26 percent in 2006 to 30.4 percent in 2010, while males constituted 69.6 percent of the total, for a gap of 29.2 percent favouring males.
- Male and female applicants who failed to gain admission to the universities and colleges in 2010 totalled 108 815. Only 7 000 of them (6.4 percent) were absorbed into vocational education.

Scholarships for study abroad were given to 7 678 male and female students, including 557 females (7 percent). Of students who received grants for study in Yemen, 85 percent were female and 15 percent were male.

10.2.8. *Female primary school dropouts*

Primary education remains significantly unbalanced in its coverage and spread. It is predominantly male and urban. The problem of primary education in Yemen is thus a problem of educating girls, rural girls in particular.

The rate of female dropouts from primary education relative to female enrollees is high, 17.77 percent, compared to 9.88 percent among boys. Female and male enrollees in primary education constitute 65 percent and 84 respectively of the 6-14 age group, a gender gap of 16 percent favouring males.

Table 27
Primary education enrolment and dropout rates, 2010

	<i>Urban</i>		<i>Rural</i>		<i>Total</i>		
	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Gap</i>
Percentage of dropouts in primary education relative to total enrollees	2%	5%	11%	14%	9.88%	12.77%	3 points
Enrolment rate of the total population of relevant age group (6-14 years old)	78.73%	73%	86.82%	61.67%	84%	65%	19 points

Source: Central Statistical Organization, 2010.

Government spending on education

The government has allocated large appropriations for the various levels and types of education. Spending on education in 2007 totalled 231 billion Yemeni rials, of which the lion's share, 160.6 billion rials or 14.2 percent of the general government budget, went to public education. Nonetheless, education continues to require additional support because of Yemen's rapid population growth.

10.2.9. Outcomes according to statistical indicators

A number of conclusions may be made regarding education based on a statistical analysis of the data. During 2002-03 through 2009-10, female attendance was higher than that of males in primary, secondary and university education. This is a positive indicator of gender equality in educational enrolment. Despite the higher rates of enrolment among females, World Bank reports on the general educational situation in Yemen indicate the following:

- Rates of female enrolment in primary and secondary education were much lower than the average in the low-income and fast-track countries.
- Teachers have inferior qualifications. The labour force of teachers in public education is large. Most the teachers are male and unqualified. About 35 percent of the teachers do not meet Ministry of Education requirements.
- Regarding preschool (three-six age group), the Ministry of Education Law of 1992 includes preschool among the educational levels. The law requires the provision of schools, staff and curricula. However, the data show low numbers of kindergartens and kindergarten staff and a lack of schoolbooks. This indicates that the law is neither being implemented nor promoting education. The provision of kindergartens as required will help enable women to continue their university studies and enter the labour market.
- The number of students in basic and secondary education has increased by 20 percent, while the number of schools and teachers has increased by only 4 percent. This points to the absence of a proper education strategy. The educational strategies for increasing female enrolment in education focus on increasing the number of schools, teachers, universities and technical colleges to absorb the increase in enrolment.
- The law deals with the need for school athletic and cultural activities for students of both sexes without exception. However, the reality is not so. The infrastructure needed for athletic activities for both sexes exists in cities, but not in rural areas. There is also a lack of teachers who are specialized in these areas. Many schools in rural areas lack teachers for most subjects, let alone culture and art.
- Curricula and teachers are lacking for health subjects and home economics. Few urban schools teach these subjects, which are absent from the rural schools.
- University education indicators indicate low university enrolment. This reflects not so much a lack of desire to study at university but rather a lack of capacity in the universities. The same applies to technical colleges, which are limited in number and cannot absorb the large numbers wishing to enrol, as stated in a study on "Education Indicators in the Republic of Yemen for 2009-

10". The study concludes that the persistence of this situation in the long-term will adversely affect the educational process, including primary education.

- Quality is also lacking in university education due to the lack of the necessary faculty and infrastructure (laboratories, research centres and academic libraries). Consequently, education outcomes are poor, which is reflected in the quality of primary education, health and labour.

10.3. Recommendations

- Full, in-depth coordination between the Ministry of Education, Ministry of Technical Education and Vocational Training and Ministry of Higher Education in developing strategies and plans to ensure that the technical colleges and universities can fully absorb public education students, provide them with quality education and keep pace with current developments.
- Action to close gender development gaps at all educational levels.
- Reduction of the dropout rate, specifically among females, by acting to solve problems that contribute to girls dropping out from school.
- Employment of female teachers in rural areas.
- Qualification and training of staff to correct the development path in Yemen.
- Intensification of programmes that raise awareness of the importance of education, specifically education for girls.

Article 11 – Employment

Under article 11 of the Convention:

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

"(a) The right to work as an inalienable right of all human beings;

"(b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

"(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

"(d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

"(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

"(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

"2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

"(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

"(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

"(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

"(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

"3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

I. Right to work

Implementation

11.1. Legislation

Islam grants women the right to work. The verses of the noble Koran are among the greatest, clearest indications of equality between men and women in respect of work: "Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions" (16:97), and "The Believers, men and women, are protectors one of another: they enjoin what is just, and forbid what is evil: they observe regular prayers, practise regular charity, and obey Allah and His Messenger. On them will Allah pour His mercy: for Allah is Exalted in power, Wise" (9:71).

Under the Constitution, article 29, "Work is a right, an honour and a necessity for society's progress. Every citizen has the right to engage in the work of his choosing within the law. No citizen may be compelled to do any work except within the law and to perform a public service in exchange for a fair wage. The law shall regulate union and professional activity and the employee-employer relationship."

Under Civil Service Law Number 19 of 1991, article 12 (c), which affirms this right, "The filling of a public position shall be based on the principle of equal opportunity and equal rights for all citizens without discrimination. The State shall provide means of supervision for the application of this principle". Labour Law No. 5 of 1995 contains the following articles, which regulate the employment of women and grant women rights that take into account their reproductive and social circumstances:

Article 42: "Women shall be equal to men in respect of all employment terms, rights, duties and relations without discrimination. The achievement of equality

between women and men shall be required in respect of employment, promotion, wages, training, qualification and social security. The requirements of job or vocation specifications shall not be considered discrimination."

Article 43 establishes the work hours of women as follows:

"1. The daily hours of a pregnant woman shall be set at five hours once she is in her sixth month of pregnancy. The daily hours of a nursing woman shall be set at five hours until the end of the sixth month. This period may be reduced for health reasons based on a certified medical report.

"2. A nursing woman's hours shall be calculated from the day following the end of her maternity leave until the end of the following six months".

Article 44: "A woman may not be employed to work overtime hours during the six months following the start of her sixth month of pregnancy and during the six months following her commencement of work after completion of her maternity leave."

Article 45:

"1. Working women who are pregnant shall be entitled to 60 days' maternity leave on full pay.

"2. Under no circumstances may a working woman be employed during maternity leave.

"3. Working women who are pregnant shall be given 20 days, in addition to the number of days mentioned in paragraph 1, in the following cases:

"(a) Where the delivery was difficult, as attested by a medical decision.

"(b) Where the woman gives birth to twins".

Article 46:

"(a) It shall be prohibited to employ women in hazardous and arduous industries and in activities that are socially and medically harmful. Dangerous activities shall be specified by decree of the Minister for the purpose of this paragraph.

"(b) Women may not be employed at night except in the month of Ramadan in activities specified by decree of the Minister".

Article 47: "A person who employs women shall display the regulations on women's employment in a conspicuous area of the workplace".

The WNC has made major efforts to amend discriminatory laws. As a result, the aforesaid articles were amended under Republican Decree No. 15 of 2008 as follows:

"1. Working women who are pregnant shall be entitled to 70 days' maternity leave on full pay.

"2. Under no circumstances may a working woman be employed during maternity leave.

"3. Working women who are pregnant shall be given 20 days, in addition to the number of days mentioned in paragraph 1, in the following cases:

"(a) Where the delivery was difficult, as attested by a medical decision.

"(b) Where the woman gives birth to twins".

"4. Under no circumstances may a working woman be dismissed during her maternity leave".

Article 47: "A person who employs women shall display the regulations on women's employment in a conspicuous area of the workplace and shall set aside a place for women to pray and take the rest breaks specified by law".

Article 47 bis:

"Employers shall take precautions as are necessary to protect working women who are pregnant from any risks to their health or pregnancy. This shall be without prejudice to the rights of working women to treatment and compensation. For example they shall be protected from:

"1. Risks from machinery or harmful or hazardous emissions.

"2. Risks from vibrations and noise.

"3. Risks from increasing or decreasing air pressure".

Article 48 bis: "Any male or female worker who marries shall be entitled to 15 days' marriage leave on full pay, which shall not be deducted from his or her regular leave entitlement, provided that this is the worker's first ever marriage.

The WNC also added an article to Labour Code No. 5 of 1995 as amended by Law No. 25 of 2004, namely article 45 bis, which requires public and private establishments employing 50 female workers or more in one establishment to establish or maintain a nursery to accommodate the children of female workers based on the requirements and conditions set by the Minister.

11.2. Current situation

11.2.1. Employment situation of women in the Yemeni economy

The data indicate that Yemeni women continue to participate in the labour market at a low rate and delay their entry into the market. During 2004-2010, the rate of participation of female workers in the labour market was 8 percent, and female workers increased by 76,000, at a rate of 10,000 annually.

Table 28

Total workers and participants in economic activity (excluding unpaid workers)

	2004	2005	2006	2007	2008	2009	2010
Males	3 244 390	3 790 459	3 896 172	4 021 411	4 143 485	4 262 987	4 393 207
Females	310 971	314 328	345 228	356 397	366 498	376 541	387 411
Females (%)	8.75	7.66	8.14	8.14	8.13	8.12	8.1
Gap (%)	90.42	91.71	91.14	91.14	91.15	91.17	91.18
Total	3 555 360	4 104 787	4 241 400	4 377 808	4 509 983	4 639 528	4 780 618

Source: Central Statistical Organization, Statistical Yearbook for 2010.

11.2.2. *Women and employment opportunities in the government and private sector*

Yemeni female state workers and employees in salaried and specialized positions account for 17 percent of total government employees. In 2010, the government employed 94 091 females, which points to gender inequality in the distribution of government jobs (for every 100 males, only 21 females are employed) and provides a measure of the government's commitment to the elimination of gender discrimination. The percentage of female employees in government positions has remained static at 17 percent of since 2000. During 2011, the Yemeni Government employed more than 50,000 employees. To date, we have been unable to obtain statistics to calculate the increase in the employment of both sexes. The static percentage of women employed by the government throughout previous years provides a primary reason and logical explanation for the rapid rise of unemployment among women while unemployment among men has been falling.

Table 29

Numerical and proportional distribution of permanent employees in the administrative and judicial apparatus of the state and in the public and mixed sectors according to sex during 2007-2010

<i>Year</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	<i>Females (%)</i>	<i>Percentage of males</i>
2007	414 361	85 103	499 466	17 %	20.5%
2008	434 066	89 239	523 312	17.1%	20.6%
2009	451 217	94 592	545 817	17.3%	21%
2010	452 647	94 092	546 732	17.2%	20.8%

Source: Central Statistical Organization, Statistical Yearbook for 2010.

Figure 7

Numerical and proportional distribution of permanent employees in the administrative and judicial apparatus of the state and in the public and mixed sectors according to sex during 2007-2010

The data for 2010 indicate that women alone hold 59.8 percent of the positions in education, making the Ministry of Education the largest employer of women in Yemen, followed by the Ministry of Health (17 percent). The large concentration of women in one sector or ministry in fact limits employment opportunities for women and could lead to unemployment if demand in this sector or profession declines.

Female workers account for 3.7 percent of total workers in the private sector. A large portion of employed females are concentrated in the education sector, which does not attract male workers for a number of reasons, including low wages. This situation reflects a decline in women's participation in other ways in the wage-earning labour force and the fact that women do not deviate from the traditional division of labour between men and women. The effects of marriage and motherhood continue to be a primary obstacle to any change in the traditional image of women as wives and housewives. This is particularly so given the absence of conditions that help working women – e.g. day care and other facilities in workplaces – and men's refrainment from sharing household responsibilities.

11.2.3. *Commercial activity of Yemeni women*

In 2009, 300 women were registered in the commercial registry, which is a very small number compared to the number of men engaged in commercial and investment activity. Women's commercial activities are concentrated in general commerce, sewing, beauty salons and training centres. Women are not involved in large enterprises or in all economic sectors.

Table 30

Commercial activity of Yemeni women

<i>Activity</i>	<i>Number</i>
General commerce	98
Contracting	7
Beauty salons	29
Schools	10
Training centres	15
Sewing	32
Advertising	11
Telecommunications	10
Other	88
Total	300

Source: Report on the Situation of Yemeni Women, WNC, 2010.

10.2.4. *Unemployment among women*

Official data indicate high unemployment rates among women in Yemen as shown in the following table.

Table 31
Unemployment among women

	2004	2005	2006	2007	2008	2009	2010
Males	13.0%	11.9%	12.1%	11.8%	11.5%	11.3%	11.0%
Females	39.6%	46.3%	42.2%	41.5%	40.9%	40.2%	39.5%
Total	16.2%	16.0%	15.7%	15.3%	15.0%	14.6%	14.3%

Source: Central Statistical Organization, Statistical Yearbook for 2010.

Figure 8
Unemployment among women (%)

Educational opportunities for females in urban areas facilitated the employment of females in the public and mixed sectors. Female unemployment is concentrated largely in rural areas.

According to official statistics for 2005, the female unemployment rate was extremely high, 46.3 percent compared to 11.9 percent for males. In 2010, female unemployment totalled 39.5 percent, which was five times higher than male unemployment at 11 percent.

11.2.5. *Women's participation in economic activity*

Women's participation in economic activity is defined as women's share of economic activity, i.e., the ratio of the female labour force (total working and unemployed females) to total female power (females age 15 and higher).

Table 32
Evolution of female participation in economic activity (%)

	2004	2005	2006	2007	2008	2009	2010	Average
Males	68.4	77.4	76.6	75.6	74.7	73.7	72.9	74.19
Females	9.6	10.8	10.6	10.4	10.2	9.9	9.7	10.17
Total	39.2	44.5	44.0	34.4	42.8	42.2	41.8	42.56

Source: Central Statistical Organization, Statistical Yearbook for 2010.

The above table shows that the economic participation rate of women is eight times lower than that of men. During 2004-2010, the economic participation of men was 74.19 percent, compared to 10.17 percent for women, which points to a low rate of economic participation for women in Yemen.

Table 33
Numerical and proportional distribution of permanent employees in the administrative and judicial apparatus of the state and in the public and mixed sectors according to economic activity and sex during 2008-2010

Economic activity	Year	Males	Females	Total	
				Number	%
Agriculture, hunting and forestry	2008	13 575	1 462	15 037	2.87
	2009	14 806	1 784	16 590	3.04
	2010	13 456	1 431	14 887	2.72
Fishing	2008	2 754	357	3 111	0.59
	2009	3 101	370	3 471	0.64
	2010	2 898	381	3 279	0.60
Mining and quarrying	2008	3 598	300	3 898	0.74
	2009	3 650	303	3 953	0.72
	2010	3 607	304	3 911	0.72
Manufacturing	2008	15 475	2 120	17 595	3.36
	2009	17 137	2 943	20 080	3.68
	2010	15 864	2 459	18 323	3.35
Electricity and gas supply	2008	16 463	865	17 328	3.31
	2009	22 942	930	23 873	4.37
	2010	22 699	926	23 625	4.32
Construction	2008	18 033	1 552	19 585	3.74
	2009	19 810	1 712	21 522	3.94
	2010	17 769	1 547	19 316	3.53
Wholesale and retail trade	2008	9 950	742	10 692	2.04
	2009	10 219	828	11 047	2.02
	2010	9 820	750	10 570	1.93
Hotels and restaurants	2008	20	4	24	0.00
	2009	25	4	29	0.01

<i>Economic activity</i>	<i>Year</i>	<i>Males</i>	<i>Females</i>	<i>Total</i>	
				<i>Number</i>	<i>%</i>
	2010	23	4	27	0.00
	2008	26 194	3 819	30 013	5.74
Transport, storage and communications	2009	28 697	4 048	32 745	6.00
	2010	25 294	3 362	28 656	5.24
	2008	17 786	2 476	20 262	3.87
Financial brokerage	2009	18 606	2 535	21 141	3.87
	2010	18 528	2 544	21 072	3.85
	2008	71	21	92	0.02
Real estate and lease activities	2009	76	21	97	0.02
	2010	73	21	94	0.02
	2008	43 247	5 901	49 150	9.39
Public administration	2009	38 416	6 335	44 752	8.20
	2010	46 392	6 508	52 900	9.68
	2008	221 262	52 827	274 094	52.38
Education	2009	226 477	55 295	281 777	51.62
	2010	229 192	56 306	285 499	52.22
	2008	36 841	15 313	52 154	9.97
Health	2009	38 037	15 925	53 963	9.89
	2010	37 747	15 965	53 712	9.82
	2008	8 797	1 480	10 277	1.96
Personal and social services	2009	9 218	1 559	10 777	1.97
	2010	9 278	1 583	10 861	1.99
	2008	434 066	89 239	523 312	100
Grand total	2009	451 217	94 592	545 817	100
	2010	452 640	94 091	546 732	100

Source: Central Statistical Organization.

11.2.6. Statistical analysis indicators

1. Workers in the government agricultural sector total 14,000. Of this number, 15 percent are qualified staff and 32 percent and 53 have intermediate and preparatory educational attainments respectively. Only 3 percent of Yemen's total land area is used for agriculture. The agricultural sector (both crops and livestock) is dependable. Yemen is the only country in the Arabian Peninsula and Gulf region that possesses the true constituents of an advanced agricultural production base. More government and private investments are needed to expand the development of all agricultural products, which are popular in the markets of the neighbouring countries.

The standard of living of poor and low-income groups has been adversely affected by the withdrawal of government living standard support and the gradual elimination of subsidies as real per capita income declines. Per capita calories declined 9 percent between 1980 and 2003. Reliance on food imports increased

from 24.9 percent in early 1970 to 66 percent in 1980 and 73 percent in 2000 due to declining agriculture and high population growth. The wheat and sorghum deficit totalled 90 percent in 2005, and agriculture's share of GDP fell by 14.27 percent in 1970-1990 and 3.7 percent in 1990-2004.

Regarding the labour force, the agricultural sector's share of employment fell from 73.4 percent in 1970 to 35.5 percent in 1990 and 30.5 percent in 2004 according to the 2004 census, amid a significant decline in agriculture. The cultivated area declined from 94 percent of arable land in 1975 to 65 percent in 2003. In 1975-1990 and 1990-2004, the area sown with cereals fell by 36 percent and 22.5 percent respectively. In the same two periods, cereal output fell by 22.5 percent and 42 percent respectively, and the area cultivated with fruit and vegetables increased by 64 percent and 29 percent respectively.

2. The industrial sector, accounts for no more than 15 percent of GDP. The public and mixed industrial sector currently has 26 public industrial enterprises, most of which have multiple problems and are currently undergoing privatization. Private sector industrial enterprises in Yemen totalled 33,284 in 2000, including small enterprises employing less than five workers (95 percent), medium enterprises employing less than 10 workers (4 percent), and large enterprises employing more than 10 workers (1 percent). The industrial sector, particularly manufacturing, is operating below capacity due to the lagging educational system, lack of training, inadequate institutional structure (laws that regulate industry and supervisory agencies that enforce the laws) and weak management.

Economic growth can be boosted by using economic resources more efficiently. For example, the efficiency of the agricultural and fishing sector can be increased by creating a clear, integrated mechanism for providing infrastructure to increase output and marketing and provide farmers and fishermen with modern means and equipment. In this way, it will be possible to increase output at minimal cost to thereby boost economic growth and create jobs. It is clear that Yemen's agricultural land is being inefficiently exploited. A large portion of it is used to cultivate qat and other non-food crops. More importantly, the Yemeni agricultural sector continues to be affected by such problems as obsolete production methods, low output, lagging domestic and foreign marketing mechanisms and low investments.

3. Yemen's economic growth rate can be boosted significantly by the industrial sector through the exploitation of unused resources or the more efficient exploitation currently used resources. This can no doubt be achieved by increasing investments.

II. The right to social security

Implementation

11.3. Legislation

Insurance and Pension Law No. 25 and Social Insurance Law No. 26 of 1991 grant working women full retirement pensions in the cases specified in article 19 of the Insurance and Pension Law, as follows:

"The insured person shall be entitled to a retirement pension in one of the following retirement cases:

- "1. The insured person has completed 35 years of actual service.
- "2. The insured person retires, based on his request, after 30 years of actual service in the case of a man and 25 years of actual service in the case of a woman, regardless of the age of the insured.
- "3. The insured person retires, based on his request, after 25 years of actual service in the case of a man who has reached the age of 50 years, and after 20 years of actual service in the case of a woman who has reached the age of 46 years.
- "4. The insured person retires due to attainment to the age of 60 years in the case of a man whose actual service totals 15 complete years, and attainment to the age of 55 years in the case of a woman whose actual service totals 10 complete years.
- "5. The insured person completes 25 years of actual service if employment is terminated by a disciplinary decision or legal judgment.
- "6. The insured person is medically unfit due to a work injury resulting in total permanent disability pursuant to a decision issued by the competent medical authorities, regardless of the insured person's period of service.
- "7. The insured person is medically unfit due to a non-work injury resulting in total disability pursuant to a decision issued by the competent medical authorities, regardless of the insured person's period of service.
- "8. The insured person dies due to any cause, regardless of the insured person's period of service."

The retirement age for females is 55 under the Social Insurance Law, article 2, which defines the retirement age as follows: "Retirement age: the male insured person's attainment to the age of 60 years, and the female insured person's attainment to the age of 55 years".

Under the Insurance and Pension Law, article 20, retirement is compulsory in the following cases:

- "(a) The insured person reaches the age of 60 in the case of a man and 55 in the case of a woman.
- "(b) The persons covered by the provisions of this law complete a period of actual service of 35 complete years."

The WNC has sought to amend the aforesaid provisions of Law No. 26 of 1991 on Social Insurance amended by Law No. 16 of 2008, to read as follows:

Article 2: "The retirement age shall be the age at which a male or female insured person is pensioned off. Retirement shall be compulsory when the male or female insured person reaches the age of 60 and voluntary for a female insured person who reaches the age of 55".

Article 57 (a): "If the insured person has been paying contributions for one year or more, the Institute shall pay compensation in a single instalment in the following

cases: where a married, widowed or divorced woman resigns and requests such a payment, on condition that the payment is not made more than once".

The following new article covering the retirement pension of a husband and a wife was also added:

"Article 64 bis

"A husband or wife may combine their retirement pensions, or they may combine a retirement pension with a salary. The husband may not combine his pension with the pension of more than one wife, which he shall be entitled to select".

Insurance and Pension Law No. 25 of 1991 was amended by Law No. 17 of 2008, so that article 20 reads as follows:

"Retirement shall be compulsory in the following cases:

"(a) An insured person reaches the age of 60 years in the case of a man and 55 years in the case of a woman.

"(b) The persons covered by the provisions of this law complete a period of actual service of 35 complete years."

A new article, article 60 bis, was added to the law. The new article stipulates the following:

"A husband or wife may combine their retirement pensions or a retirement pension and a salary...".

11.2 Current situation

Regarding implementation, the following two tables show the number of insured males and females who have received social security.

Table 34

Total registered insured persons according to governorate during 2006-2010

	<i>Year</i>	<i>Number</i>
Total registered insured persons	2006	223 871
	2007	245 556
	2008	265 902
	2009	285 609

Based on the foregoing, the following can be concluded:

- Development gaps remain high in the area of employment in the public and private sectors.
- Infrastructure services in women's sports remain inferior and unavailable.
- The rate of spread of lending programmes in Yemen is not comprehensive and subject to requirements which customers, particularly females, cannot fulfil.
- Field studies that measure the effect of lending programmes on beneficiaries from a gender perspective are inadequate.

- Data and information are not classified according to gender in many state sectors and facilities
- Social security is limited to retirement, death or disease benefits. It is unavailable in such cases as unemployment.
- Legislation and laws treat the need to provide kindergartens and provide for occupational health and safety. However, kindergartens are lacking in most government and private establishments, as are occupational health and safety measures, which are provided in legislation but not enforced. Moreover, there are no data on work injuries.

11.3. Recommendations

- Review of current employment policies by the Government with a view toward adopting practical measures to increase the employment rate of women and reduce unemployment, especially among women.
- Encouragement of the private sector to establish large investment projects to help reduce unemployment and development gaps between the sexes.
- Implementation of new legislation and policies to regulate and develop small and micro enterprises, encourage the micro financing industry in Yemen and ensure that a high percentage of poor women benefit from such enterprises, particularly in rural areas.
- Development of infrastructure in all governorates, particularly facilities for athletic, recreational and cultural activities for women.
- Preparation and qualification of women in all areas of athletic and cultural activity (administration, training, refereeing, qualification, information and awareness raising).
- Classification of data and information according to gender by all state agencies and facilities.
- Establishment of nurseries in government and private workplaces.

Article 12 – Health

Under article 12 of the Convention:

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

"2. Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation."

Implementation

12.1. Legislation

Under article 55 of the Constitution, "Health care is a right for all citizens. The State shall guarantee this right and expand health care. The law shall regulate the

profession of medicine, the expansion of free health services and the spread of health awareness among citizens".

Under Law No. 60 of 1999 on Private Medical and Health Establishments, article 11, "Private medical and health establishments – hospitals, clinics and medical centres – must participate effectively in providing primary health care services, including care for mothers and children and health education, and in enhancing the level of their medical and health staff".

Under Ministerial Decree No. 43/3 of 2006, article 1, family planning services must be provided at no charge in hospitals and health centres and units under the Ministry of Health.

12.2. Current situation

Healthcare is essential and must be provided to women and men equally. Health services are provided through hospitals, health centres and health-awareness raising programmes. The statistics on hospitals and health centres in Figure 10 shows that the number of health facilities providing reproductive health services has increased significantly, while the number of other facilities has increased slightly. Generally, the statistics show that the increase in health facilities is not commensurate with population growth, whereby the anticipated population increase of 800,000² over the three-year period is not matched by a corresponding increase in health services.

12.2.1. Labour force in the health field

The number of health workers has increased. Women participate in managing health services as decision-makers and service providers. For example, a woman holds the post of Deputy Minister for Health for the Population Sector, and women manage a number of hospitals in Yemen and participate in providing all components of health services.

Table 35

Percentages of specialized health labour force in 2010-2011 in the government sector

<i>Specialists and holders of bachelor's degrees</i>			<i>Administrators</i>						<i>Technicians</i>									
2010			2011			2010			2011			2010			2011			
<i>Males</i>	<i>Females</i>	<i>%</i>	<i>Males</i>	<i>Females</i>	<i>%</i>	<i>Males</i>	<i>Females</i>	<i>%</i>	<i>Males</i>	<i>Females</i>	<i>%</i>	<i>Males</i>	<i>Females</i>	<i>%</i>	<i>Males</i>	<i>Females</i>	<i>%</i>	
6 977	3 069	31	303	61	17	7 666	1 626	17	448	58	11	15 003	9 346	38	20 264			

Source: Central Statistical Organization, 2010.

The data in the above table shows that the percentage of females in 2010 was higher than the percentage of females in 2011.

² Population Projections for Yemen, 2005-2025.

12.2.2. Health services for women

12.2.2.1. Childbirth

Figure 36 shows the number and recipients of obstetric services and types of parturition. The statistics indicate an increase in the number of women who received obstetric services during 2006-2009, whereby 116 840 women gave birth in health facilities in 2009, up 50 percent from 2006. The statistics also show that the maternal mortality rate in 2009 totalled 210 per 100,000 live births. There are no maternal mortality rate statistics for 2007 and 2008 in the annual reports of the Ministry of Health. However, the reports contain statistical projections based on the 2004 census, the 2006 Household Survey and World Health Organization estimates for 2010. This information indicates that the maternal mortality rate fell from 366 to 210 per 100,000 births. The infant mortality rate totalled 68/1 000 live births.

12.2.2.2. Family planning services

The data in Figure 9 indicate that the number of women who received family planning services in 2007-2009 increased by 200 percent compared to 2007 and by 150 percent compared to 2008. The percentage of women who use contraceptives increased from 14 percent in 2004 to 28 percent in 2007 according to the Health Cluster Survey data. The percentage of women who receive health care during pregnancy improved slightly from 45 percent in 2004 to 47 percent in 2008. The foregoing reflects a decline in the fertility rate of women from 6.2 in 2004 to 5.2 in 2008. The committee was unable to obtain the latest data on reproductive health services, because the conduct of the 2011 Household Health Survey was delayed by events in the country. The survey is expected to be conducted in early 2013.

Figure 9

Number of beneficiaries of family planning services

Table 36
Number of beneficiaries of obstetric services

	<i>Childbirth</i>		<i>Diagnosis</i>		<i>Delivery type</i>			<i>Outcome</i>		<i>Infant status</i>	
	<i>Facility</i>	<i>Home</i>	<i>Haemorrhaging</i>	<i>Fluid retention</i>	<i>Normal</i>	<i>Assisted</i>	<i>Caesarean</i>	<i>Delivered</i>	<i>Death</i>	<i>Alive</i>	<i>Stillborn</i>
2009	116 143	69 318	2 732	2 891	166 704	4 525	116 704	2 073	190	180 066	6 628
2006	87 508	58 033	1 691	1 764	132 530	5 507	7 504				

12.2.2.3. *Services of epidemiological surveillance programmes*

Table 37

Epidemiological surveillance programme data on medical conditions

<i>Disease</i>	<i>2010</i>			<i>2011</i>		
	<i>Males</i>	<i>Females</i>	<i>Females (%)</i>	<i>Males</i>	<i>Females</i>	<i>Females (%)</i>
Tuberculosis	9 050	-	-	1 639	1 496	47%
Typhoid and paratyphoid fever	16 106	24 936	71%	13 372	20 168	60%
Neonatal tetanus	54	39	50%	34	15	31%
Rabies	1 195	553	37%	882	409	32%
Dengue fever	4 925	3 907	44%	537	335	38%
Yellow fever	0	0		0	0	
Chickenpox	1 890	1 479	74%	1 629	1 415	46%
Measles	825	681	45%	941	808	46%
Rubella	143	156	52	190	203	52
Acute hepatitis A	2 238	2 001	47%	2 197	1 855	46%
Hepatitis B and C	1 270	823	39%	697	407	37%
Schistosomiasis	4 205	1 940	32%	3 582	1 639	31%

Source: Central Statistical Organization, 2010.

The data in the above table show infectious diseases that are prevalent in several governorates. The disease with the highest incidence among women is typhoid and paratyphoid fever (71 percent in 2010 and 60 percent in 2011), followed by chickenpox and acute hepatitis A. This, despite major efforts made by the Primary Care Sector and Epidemiological Surveillance Department in the Ministry of Health.

12.2.2.4. *AIDS*

The AIDS issue enjoys the concern of the entire international community at all levels in view of its global trans-border nature.

At the national level, the Yemeni Government has adopted many measures to deal with this problem, including the development of plans, policies and strategies. The Third and Fourth Five-Year Health Plans covering 2006-2010 and 2011-2015 respectively and the national population policy recognize the need to focus on combating HIV/AIDS. However, the financial resources allocated for this purpose remain small.

The establishment of a Ministry of Human Rights in 2001 affirms the government's commitment to human rights issues. Issues relating to HIV/AIDS are expected to receive their share of that ministry's concern.

The government issued Law of 2009 on the Protection of Society from AIDS and Protection of the Rights of Persons Living with the Virus. This represents a leap in combating the epidemic and protecting the rights of those living with the disease. The law aims to:

1. Provide the medical treatment and care required by all persons living with HIV/AIDS.
2. Coordinate official and popular efforts to limit the spread of HIV/AIDS.
3. Educate society regarding the rights and duties of persons living with the virus and develop health awareness among members of society.
4. Establish the necessary regulations to ensure that donated blood and organs are HIV/AIDS free.
5. Protect members of society from the transmission of the virus.
6. Improve the quality of life of persons living with HIV/AIDS by:
 - guaranteeing the rights of persons living with the virus without diminishment or discrimination because of their affliction.
 - acting to mitigate the effect of the affliction on persons living with the disease and their relatives through psychological and social support.
7. Urge society – through the various media, mosque preachers and civil society organizations – to uphold spiritual values.

The law also takes into consideration the special nature of women in respect of family matters and grants women living with the virus the right to custody of their children.

If a woman's husband is living with the virus, she is entitled to petition for dissolution for reason of harm, and the judge may adjudicate the petition based on a medical report issued by the competent committee.

The Ministry of Health formulated a National Strategy to Combat HIV/AIDS. The Government approved the strategy in November 2002 and updated it in 2009.

Twenty-two centres concerned with combating the disease were established in nine governorates under the National Programme to Combat AIDS to provide support and counselling services.

A number of field and office studies were conducted. Some of the studies focus on women; they analyze current AIDS policies from a gender perspective and propose new policies that meet the needs of women and include those needs in the government's general plan. Other studies focus on the disease in general and the most vulnerable groups with a view toward containing and preventing the spread of the disease.

The national programme and many government entities are conducting extensive information and awareness-raising campaigns. These entities include the WNC in all Yemeni governorates. For this purpose, all educational means and clerics are employed to create societal awareness regarding the disease and avoidance of discrimination and stigmatization of persons living with the disease. The programme has a hotline and female constitute more than 68 percent of the beneficiaries of the service it provides.

Nonetheless, the HIV/AIDS problem continues to grow in Yemen. According to data of the Ministry of Public Health and Population, the number of persons with HIV/AIDS increased from 1 in 1987 to 3 502 in 2011, of whom 35 percent are female. Cases discovered among blood donors during 1998-2010 rose from 0.04

percent to 0.19 percent according to data available to the National Programme to Combat AIDS from the central health laboratories.

12.2.2.5. *Malaria*

The Yemeni Government has adopted many measures to combat, prevent and control the spread of malaria in Yemen. The government realizes that malaria is an extremely fatal disease, particularly among women and children. The measures adopted include development of a national strategy to combat malaria and the establishment of a national programme to serve as an institutional mechanism for implementing the strategy. The combating of malaria was included among the development priorities for which donors have allocated support to cover financing gaps which the Government could not fund. The Government conducted a national survey of malaria indicators in 2010 with support from the World Health Organization. The survey showed that the incidence of malaria at the national level was 1.5 percent during 2010. The number of recorded cases declined from 800 000-900 000 in 2006 to 265 074 cases.

The [National Malaria Control] Programme distributed mosquito nets to more than 3 million citizens in many Yemeni governorates. The ministry has updated its anti-malarial drug policy by approving and using a new pharmaceutical compound, distributing 366 514 treatment doses and 183 000 test strips to public health facilities in the governorates.

The Global Fund to Fight AIDS, Tuberculosis and Malaria provided 50 million American dollars in aid to Yemen, including 25 million rials to support the fight against malaria. The goal is for Yemen to be able to declare itself free of malaria by 2015. To reach this goal, efforts must be intensified to combat this disease, which affects males and females almost equally, as shown in the following table.

Table 38
Clinically-diagnosed and laboratory-confirmed malaria cases in Yemen in 2010 and 2011

<i>Disease</i>	<i>2010</i>		<i>2011</i>	
	<i>Males</i>	<i>Females</i>	<i>Males</i>	<i>Females</i>
Malaria	57%	43%	53%	47%

Source: Central Statistical Organization, 2010.

12.2.2.5. *Nutrition*

The Yemeni Government is well aware that the groups most vulnerable to malnutrition diseases are children, especially young children, and pregnant or nursing women. Underweight and stunted children below the age of five are a significant problem that is spreading in Yemen and a key challenge threatening the survival of children.

Malnutrition due to lack of food security (lack of protein) produces children who are underweight and stunted relative to a healthy child. Such children lack energy and suffer from night blindness and anaemia. The data indicate that one third of the population of Yemen suffers from a lack of food security, 46 percent of Yemeni children below the age of five are underweight, and 58 percent of children

are malnourished or stunted. Therefore, the Yemeni Government has developed a food security strategy that provides for rapid interventions and remedies to solve this problem, including:

- Expanding emergency food assistance and activities in areas with a high prevalence of acute malnutrition.
- Entrenching and supporting nutrition information and surveillance systems (including nutrition assessments and analysis of surveys).
- Supporting all aspects of nutrition, including supplemental and therapeutic nutrition, improving nutrition practices and changing behaviour
- Linking the above-mentioned interventions to the national social security network which is being implemented by the Social Care Fund or Social Fund for Development.
- Creating a national body to coordinate nutrition under the national food security umbrella (with the necessary technical support).
- Promoting breastfeeding, the addition of micronutrients and adequate consumption of fortified foods in the family.

The Ministry of Health, in coordination with the World Food Programme and World Health Organization, has conducted a number of surveys in several poor Yemeni governorates with a view toward adopting urgent measures and conveying food assistance to target groups. However, new data on the number of mother and child beneficiaries of food assistance are unavailable. The Ministry of Health also issued a decision on a national policy to encourage and protect breast-feeding. Under the policy, health institutions will urge breast feeding alone until the end of the child's sixth month and continued breastfeeding until the age of two years with supplementary nutrition. They will also educate pregnant mothers in the benefits and methods of breastfeeding.

12.2.2.7. *Female genital mutilation*

The government has adopted a number of legal measures, which may be summarized as follows:

- The Minister for Health and Population issued Decree No. 1/3 of 2003 prohibiting the practice of female genital mutilation by employees in government health centres and facilities. The government also adopted other measures concerning national strategies and plans. The National Strategy for the Development of Women (2006-2015) includes the issue of female genital mutilation under the heading of violence against women. Likewise, the National Strategy for Childhood and Youth (2010-2015) deals with female genital mutilation under the heading of countering of violence against women.
- In August 2008, the WNC prepared a plan for implementing the recommendations arising from the discussion by the Committee on the Elimination of Discrimination against Women of the sixth periodic report of Yemen on the implementation of the Convention. One of the recommendations concerns the practice of female genital mutilation. The Council of Ministers issued Decree No. 55 of 2009 approving the implementation of the aforesaid recommendations by the concerned entities, each within its purview.

- The Woman's National Committee disseminated the recommendations widely in meetings with journalists, legists, members of the Consultative Council and Parliament and various women in leadership roles. Some of these meetings were attended by ministers. Members of the international organizations operating in Yemen also participated in the meetings.
- The WNC attempted to obtain the issuance of a religious ruling prohibiting the practice of female genital mutilation. However, it did not succeed owing to the difference of religious opinion on this practice among the various sects. Consequently, the issuance of a religious ruling was not feasible. The committee and various other entities then sought to draft a law prohibiting this practice. The committee submitted to draft to the General Secretariat of the Supreme Council for Motherhood and Childhood in the framework of the rights of the child. A legal provision criminalizing this practice has yet to be promulgated.

Other measures include the adoption by the Supreme Council for Motherhood and Childhood of the National Action Plan for 2008-2012 with the support of UNICEF. The plan aims to reduce female genital mutilation to 30 percent in 2012. The concerned government agencies have started to implement the plan with the support of several civil society organizations. The plan aims to promote policies and decisions to abandon the practice of female genital mutilation. The plan provides for the conduct of national field studies on the magnitude of the phenomenon. The first of these studies, an "Analytical study on female genital mutilation in Yemen", was completed by the Centre for Gender Studies and Research at Sanaa University in cooperation with the Yemen Women's Union. The results of the study were announced in 2008. They include the following:

- Female genital mutilation is practiced in five of Yemen's 22 governorates. The population of these governorates affirm that it is an important part of their lives because of its close connection with religion and culture.
- Support for the continuation of the practice was higher among women (71.4 percent) than men (48 percent). Illiterate women are more supportive of the practice than women with a secondary or higher education.
- The prevalence of the practice in urban centres, such as Sanaa, remains high (45.5 percent).

Islah Charitable Social Association also conducted a study of customs, trends and practices in three governorates of Yemen where female genital mutilation is prevalent, namely Mahrah, Aden and Hudaydah. The study was conducted in the framework of a programme to promote abandonment of the practice in those governorates.

Incidence of cancer

According to the Household Budget Survey of 2005-2006, the incidence of cancer among women and men is 49/thousand and 32/thousand respectively. These rates reflect known cases among individuals. They do not include hidden or undiagnosed cases. Cancer is the second leading cause of death among women after heart and blood vessel diseases. The most common forms of cancer affecting women are breast and ovarian cancer. A number of government agencies and civil society organizations have adopted measures to fight cancer. A National Alliance for

Fighting Breast Cancer was formed. Early breast cancer detection information and awareness-raising campaigns have been conducted. The Family Welfare Association provides early breast cancer detection services through its mobile clinics in more than nine governorates.

12.2.3. Health accomplishments of civil society

Civil society and private-sector organizations participate in health programmes. Some of them have made strides in this area. The most important civil society organizations providing health services are the Yemeni Family Welfare Association, Islah Charitable Social Association, SOUL for the Development of Women and Children, Yemeni Women's Union, National Alliance for Safe Motherhood, Association of Yemeni Midwives and the Zahra' Association. Following is a survey of the accomplishments of these associations in the field of women's health.

12.2.3.1. Accomplishments of the Yemeni Family Welfare Association in 2011 in providing reproductive health services

The Association focuses on providing information, health education and services relating to motherhood, reproductive health and family planning.

It implements its projects from its main office in Sanaa and its branches in seven governorates (Aden, Ta'izz, Hudaydah, Mukalla, Ibb, Bayda' and Hajjah). The Association has seven mobile clinics that operate in rural areas. It provides medical services pertaining to reproductive health, spreads health awareness in the community, collaborates with a number of government and nongovernmental organizations in joint activity, and has a large number of male and female volunteers who help achieve its objectives.

The Association has been able to provide access to health services in remote areas otherwise deprived of such services. It currently manages seven mobile clinics that provide high-quality services in more than 100 population concentrations in nine governorates.

It has a number of reproductive health centres in a number of governorates. These centres provided services to more than 135 094 women in 2011.

The Association has a hospital specializing in safe motherhood. The hospital began operating in 2004 with joint funding from the British Community Fund and the Family Welfare Association.

In 2011, this hospital was amazingly successful, capping five years of not recording a single maternal death. The hospital admitted 26 241 cases, including 2 549 natural births and 471 caesarean births. It also admitted 3 481 cases for medical examination and pregnancy follow-up. The hospital's annual statistics also indicate that 3 001 children were treated in the paediatric department and 311 newborns were treated in the neonatal unit immediately after being born for follow-up of their medical condition.

12.2.3.2. Health programme activities of the Yemeni Women's Union

The Yemeni Women's Union is especially concerned with health programmes based on its desire to assist in the areas of family welfare, motherhood and

childhood, raising awareness of the importance of family planning and the health risks stemming from negative phenomena in society (e.g. the marriage of minor girls) and enabling of rural and urban women to obtain health services. Key projects of the union in these areas include the following:

- A project to raise health awareness of reproductive health issues targeting more than five governorates.
- A project to raise awareness of the risks of the marriage of minor girls.
- A project to raise health awareness of reproductive health issues.

12.2.3.3. Accomplishments of Islah Charitable Social Association

The association has a more than nine hospitals and more than 16 health centres and units located in most of the Yemen's governorates. As of 2009, more than 2 million patients had benefited from the mother and child care services provided in all of the association's health facilities. The facilities have more than 1000 health workers. They provide services relating to care for pregnant women, family planning, safe birth and women's diseases. The association has also begun to bring health convoys to remote rural areas. The convoys provide comprehensive health and health education services. The association also manages a number of projects to care for renal failure patients, Sowda-onchocerciasis patients, Somali refugees and persons living with AIDS. The association implemented a special programme to promote abandonment of the practice of female genital mutilation.

12.3. Challenges and difficulties

A statistical analysis of the data underscores the following key health challenges:

1. A lack of health facilities compared to the population, as reflected in a lack of health services and the poor health situation in general.
2. There is only one general hospital per 0.5 million of the population. General hospitals are able to provide semi-integrated services. A lack of such hospitals causes major difficulties in obtaining such services when necessary.
3. The general hospitals are located only in the main cities, while more than 60 percent of the population live in rural areas. This poses major economic burdens for the majority of the population. In addition, the medical equipment in the hospitals in the directorates do not allow for the provision of complete health care.
4. Health services for women, especially obstetric services, are not free. Services for difficult births are available only in the main cities, and it is difficult for rural women to travel to the cities due to the poor road networks.
5. Health services are not free, which entails real difficulties for poor families, especially as much as the poverty rate is high (35 percent).
6. The ongoing growth of the population is not being matched by the development of clear plans and strategies for providing medical services and facilities.

7. Inoculation services for women in the past three years have covered only 20 percent of the targeted percentage. This is inconsistent with the constitutional provision requiring the provision of health care for all.
8. The Convention requires the provision of complete nutrition for women during and after pregnancy. However, the Central Statistical Organization has not issued statistics on services that provide nutrition to women during and after pregnancy, and there is no legislation in this regard.
9. There are no data or studies assessing the quality of health services.

12.4. Recommendations

1. Improvement of the quality of the health services provided, rehabilitation of existing health facilities and introduction of new facilities to ensure the comprehensive provision of health services throughout Yemen to the entire population.
2. Expansion of emergency obstetric services to serve all regions of Yemen, especially rural and remote regions.
3. Promotion of laws and decrees on health, particular concerning free obstetric services, and approval of a legal provision criminalizing the practice of female genital mutilation.
4. Boosting of family planning coverage, and provision of family planning services at no cost to poor segments of the population.
5. Redistribution and employment of qualified human resources, particularly women.
6. Development of prophylactic policies to counter the spread of infectious diseases.
7. Encouragement of the participation of the private sector and civil society in the provision of health services, especially safe motherhood services.

Article 13 – Economic and social life

Under article 13 of the Convention:

"States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

"(a) The right to family benefits;

"(b) The right to bank loans, mortgages and other forms of financial credit;

"(c) The right to participate in recreational activities, sports and all aspects of cultural life".

Implementation

a. Family benefits

13.1.a. Legislation

Islam grants women the right to inherit. It establishes a fixed inheritance share for women and does not restrict the right of inheritance to one sex, as God the Sublime said: "From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large, a determinate share" (Koran, 4:76).

The Constitution, article 23 affirms this right: "The right of inheritance is guaranteed according to the Islamic sharia and shall be promulgated by law".

Thus, the legislator has drawn from the Koran and Sunna of the Prophet in formulating this provision.

According to the Personal Status Code, article 299, an inheritance consists of the transfer of property and rights belonging to the deceased to the heirs of the deceased. Article 307 of the law provides for six categories of persons entitled to the estate:

Heirs with determinate shares (first in precedence):

1. Daughters, daughters of a son and descendents thereof.
2. Sisters.
3. Sisters of a father.
4. Mother
5. Sisters of a mother.
6. Husband and wife
7. Grandmother of the father and grandmother of the mother.
8. The father, his father and ascendants thereof in the case of article 321 of the Personal Status Code.

Heirs entitled to the remainders of the shares (second in precedence):

1. Males (son, son of a son and descendents thereof, father, father's father and ascendants thereof, brother, brother of a father, son of a brother and descendents thereof, son of a brother of the father and descendents thereof, paternal uncle, paternal uncle of the father, son of the paternal uncle and thereafter son of the paternal uncle of the father and anyone thereafter).
 2. Females (daughters, daughters of the son and descendents thereof, sisters, and sisters of the father if they are all connected to an agnate).
- Dhu al-Arham (daughter's children, sisters' children, aunts from both sides, maternal uncles and other females).

- Self-declared kin (a person of unknown lineage who declares that he is the brother, paternal uncle, or grandson of the deceased in the absence of evidence of lineage).
- Legatees and creditors.
- Public Treasury.

Depending on the case, the inheritance of a woman may differ from or be equal to that of a man, and it may exceed that of a man or be less than that of a man. In certain cases, a woman inherits, but a man does not.

Cases in which a woman's inheritance is equal to that of a man include the legacy of the sister of a mother with the sisters of the mother and the legacy of a mother with the father in the event of a son who is an heir.

Cases in which a woman receives more than a man are many, including the case of the inheritance of women based on the determinate-share method (i.e., the sharia-determined percentage). If a woman dies leaving a husband, two sisters from the same mother, and two brothers, each sister from the same mother receives double the portion of the brother, even though he is closer to the deceased. Regarding this provision, it should be understood that the greatest percentage under the determinate-share method is two thirds, which pertains to women alone.

Among cases in which a woman inherits but her male counterpart does not is grandmothers. Frequently, grandmothers inherit, but grandfathers do not. If a person dies leaving a father of a mother and a mother of a mother, the mother of the mother inherits, and the father of the mother does not.

The following articles of the Personal Status Code No. 20 of 1992, as amended by Act No. 27 of 1998, highlight the rights of women:

Article 18 guarantees a woman the right to recourse to the judiciary if her guardian refuses to marry her off. Under article 18 (2), "If a woman's guardian prevents the woman from marrying, the judge shall order him to marry her off. If he refuses, the judge shall order the next-in-line guardian to marry her off. If the guardians cannot be found or if they refuse, the judge shall marry her off to a person who is commensurate with her for a dowry which is commensurate with her".

Under Article 33, which concerns the dowry, "(1) A dowry shall be given to the betrothed woman according to a proper, mutually agreed contract that designates permitted ownership and benefit. In the event of incorrect or forgotten, unknown designation, a commensurate dowry shall be required. (2) the dowry shall be the property of a woman. She may dispose of the dowry however she wishes. No condition to the contrary may be entertained".

Article 34 permits the advance or deferred provision of all or part of the dowry. Under the aforesaid article, the delay of provision of the dowry by the woman's guardian does not bar the woman from claiming the dowry if the deferral was undertaken without her consent.

Article 39 permits a woman, before consummation, to refrain from consummation until a dowry is designated for her and handed over to her unless the dowry is deferred with her consent. If it is deferred for a fixed period, she may not refuse consummation before the end of the period, subject to article 34 of the law.

Under article 42, which concerns "the rights of the wife", "(1) The legal residence which a man must provide for his wife must be separate. The wife must feel safe therein in respect of herself and property. The husband's situation, the dwellings of his peers, the custom of the country, and the non-practice of polygamy shall be taken into account in providing the wife's residence. A husband may live with his wife and his children from her and from another woman, even if such children are adults, his parents and his close female relatives if he is duty-bound to house them, provided the dwelling is expanded to accommodate them and polygamy is not practiced unless stipulated otherwise in the contract. (2) A husband shall not be entitled to house with his wife a second wife in a single dwelling unless both wives consent thereto and are entitled to retract their consent whenever they wish".

Article 51 entitles the wife of an insolvent husband who is perverse to earning a livelihood even though he is capable of working or is disabled to annul the marriage if the husband refuses to divorce.

Under article 52, "(1) The wife of a husband who is absent in an unknown place or outside the country is entitled to annul her marriage contract after the lapse of one year in the case of a husband who does not provide maintenance or after the lapse of two years in the case of an absent husband who continues to provide her with maintenance, provided the court appoints the next closest relative to declare, in a known location within one month, through any means, that the husband is absent. (2) The wife of a person who has been sentenced conclusively to a punishment of imprisonment of at least three years may petition to annul her marriage contract only after the husband has been imprisoned for at least one year".

Under article 137, "A nursing mother shall be entitled to sustenance and clothing on equitable terms for up to two years from the time of birth; this shall be as a debt, which shall lapse only upon payment or quittance."

Under article 150, "Maintenance for the wife shall be an obligation of the husband in the manner that it was so at the time of the contract if stipulated or on the date of the wedding. Maintenance shall cover food, clothing, housing, furniture, medical treatment and services, taking into account the situation of the husband, be it prosperous or difficult. The wife's maintenance shall have priority over other expenditures.

Under article 153, "A wife's right [to maintenance] in the past and future shall not lapse through quittance. The expediting of maintenance for the wife shall be considered a conveyance to her. It shall be considered payment of maintenance in the amount which she receives. The wife may release the husband from the maintenance to which she was entitled in the past. If a person contributes to the maintenance of the wife, the maintenance obligation shall not lapse unless the maintenance was donated on the half of the husband".

Notwithstanding the clear legislative provisions in the Constitution and the Islamic sharia concerning the family rights of women to inheritances and housing, the prevailing customs and traditions in certain rural areas deny women such rights. This requires awareness and the imposition of the rule of law.

b. *The right to bank loans mortgages and other forms of financial credit*

13.2 .b. *Current situation*

13.2.1. *Social Fund for Development*

The Social Fund for Development continues to support the development of the small and micro financing industry in Yemen. The fund is the only government entity that supports lending programmes. These programmes are present in most Yemeni governorates. Several national banks also make efforts in this area. However, the loans they offer are subject to conditions that customers cannot fulfil. Thus, the percentage of beneficiaries of such loans, specifically women, remains slow. The main banks that provide loans include the Central Bank of Yemen, Commercial Bank and Agricultural Cooperative Lending Bank.³

The efforts of the Social Fund for Development have yielded many positive results in this area, including the issuance of the Microfinance Law, establishment of the Amal Microfinance Bank, establishment of the Yemen Microfinance Network and the private sector's injection of national capital into microfinance. The number of borrowers increased by more than 50 percent from 42 000 active borrowers at end-2009 to more than 66 000 at end-2010, declining in 2011 to 63 568, of whom females constituted an estimated 75 percent.

Table 39

Details of borrowers during 2010 and 2011

<i>Programme</i>	<i>Total borrowers in 2010</i>	<i>Women (%)</i>	<i>Total borrowers in 2011</i>	<i>Women (%)</i>
1 Amal Microfinance Bank	14 730	51	15 939	56
2 National Microfinance Corporation	13 421	93	11 683	91
3 Nama Microfinance Programme	7 198	40	5 119	33
4 Self-Help Savings and Loan Project - Abyan	5 729	100	7 238	100
5 Aden Microfinance Foundation	5 560	98	7 595	98
6 Tadamun Microfinance Bank	4 810	50	4 901	84
7 Awael Microfinance Company	4 752	90	3 391	43
8 Sana'a Microfinance Programme (Azal)	3 462	64	2 691	63
9 Small Industries and Enterprises Development Fund	2 833	14	2 483	26
10 Social Enterprise for Sustainable Development	2 395	90	783	60
11 Hadramawt Valley Finance and Savings Programme	1 295	32	1 424	14
12 Alkuraimi Islamic Microfinance Bank	234	0.9	330	1
Total	66 419		63 568	

Source: Annual Report of the Fund for Social Development, 2011-12.

The fund has adopted many new initiatives, including the use of mobile phone technology in microfinance services to target a larger segment of society – particularly in rural areas, specifically rural women – and to surmount the difficulties posed by Yemen's geography and the great distances between its scattered population centres.

³ The banks do not have data on loan beneficiaries classified according to gender.

13.2.2. National Microfinance Corporation

The National Microfinance Corporation was established in October 2003 upon the initiative of a number of social leaders and domestic institutions. They wanted to provide savings and loan and other financial services to help boost income and improve the standard of living of the target groups.

The corporation actually commenced its microfinance activity in January 2004 by taking over a project that had been started by the Social Fund for Development in June 2002. It extended to the services offered by the project, covering a number of regions and becoming one of the largest corporations active in microfinance in Yemen. The corporation provides diverse financial services, including training and education, for low-income persons, particularly women. Table 40 below shows that women constitute close to 90 percent of the corporation's staff and 94 percent of its beneficiaries.

Table 40

Percentage of female beneficiaries of the activities of the National Microfinance Corporation

<i>Year</i>	<i>Female employees of the corporation (%)</i>	<i>Female beneficiaries of the corporation's activities (%)</i>
2006	95	99.9
2007	95	99
2008	91	99
2009	90	96
2010	90	94
2011	90	94

The Small Enterprise Development Unit (SEDU) was established with joint financing from the Yemeni Government, Dutch Government and United Nations Capital Development Fund as a trial project subject to evaluation by the donor entities in 1993 and 1997. The programme outcomes were positive and encouraging. Based on the outcomes, the funding parties and other parties advocated substantive changes in the institutional structure and regulatory and legal structure. This was coordinated with strategic plans for the establishment of a specialized agency to provide credit services to small investors. The Small Industries and Enterprises Development Fund was established by Republican decree in 2001. It performs the following functions:

- Finances small and medium enterprises. This is the fund's primary activity. The fund provides loans and credit facilities of various terms to enterprises for various purposes (new enterprise, replacement, expansion and development and financing of operating capital).
- Develops and upgrades credit and banking products and services, especially those pertaining to small enterprises.
- Monitors enterprises funded by the fund to ascertain deviations in investment costs or project implementation, and helps address any technical, financial or administrative bottlenecks during operations consistent with the individual conditions of each enterprise.

c. *Right to participate in sports*

Implementation

13.1.c. *Current situation*

Women's sports in Yemen truly took off in 2005 when the Minister for Youth and Sports issued a ministerial decree forming the Women's Sports Federation. In addition, the Council of Ministers issued Decree No. 1 of 2005 approving the Women's Sports Support Project, which enables Yemeni girls to engage in sports with full freedom consistent with the Islamic religion. Special athletic facilities were built for women. The facilities are equipped with all requirements for women's sports and are run by female staff. The Women's Sports Federation, which includes many athletic and housing facilities for female athletes, opened a headquarters. Female students began to enrol in physical education colleges, which have graduated two classes. In 2012, a number of female employees of the Ministry of Youth and Sports were promoted. For the first time, two women were appointed to the post of assistant deputy minister. Another woman was appointed to serve as the advisor for women's affairs to the Minister for Youth.

The General Department for Women's Sports in the Ministry of Youth and Sports⁴ has also been keen to implement a number of activities and festivals to entrench participation in recreational activities, sports and cultural life, targeting such groups as schoolgirls and girls with special needs (blind and deaf girls). It has implemented many training courses for female trainers and referees in basketball, chess, table tennis and volleyball. Women have achieved many gains in this field, including the following:

- Women have participated in sports federation elections. They have been appointed to federations and branches of the federations in the governorates.
- 20 percent of the board of directors and general assembly of the Olympics Committee are women.
- The first women's sports club was established in Yemen. It has an enclosed world-class sports facility in Sanaa.
- The ministry has developed a plan to build a number of enclosed facilities in more than five governorates. The plan is included in the Interim Stability and Development Programme for 2012-2014.

Nonetheless, these achievements are still modest, and women's participation in sports remains low. Table 41 below shows that women's sports clubs are very few in number and located only in the capital. Female athletic staff is very low compared to the number of men. Women hold 20 percent of the leadership posts in sports, which heralds an improvement in women's sports activity. The following table shows details in this regard.

⁴ The department has 12 branches in the governorates, including in: the Secretariat (Sanaa), Aden, Abyan, Lahij, Ta'izz, Hudaydah, Ibb, Dhamar, Mahwit, Hajjah, Ma'rib and Hadramawt (valley and desert).

Table 41
Number of sports clubs and federations in 2009

	<i>Females (%)</i>	<i>Females</i>	<i>Males</i>
Sports Clubs	0.3	1	332
Sports federations	3.3	1	29
Graduates of colleges of physical education		89	
Staff	9.3	41	376
Leadership positions	20	10	50

Source: Ministry of Youth and Sports, 2009.

d. Cultural life

13.1.d. Current situation

Yemeni women participate in all areas of creativity, art and thought. They participate in many domestic and foreign activities, seminars, conferences and workshops. More than 20 exhibitions of fine art produced by women were held during 2010. A number of departments of fine arts, crafts, art and music were established in several Yemeni universities, such as Hudaydah University, Ibb University and Aden University. There are more than four specialized colleges in this area. However, statistics classified according to gender are not available concerning the graduates of these departments and colleges. Women accounted for 32 percent and 13.7 percent of participants in domestic and foreign training respectively and 11.5 percent of recipients of foreign study scholarships arranged by the Yemeni Ministry of Culture during 2007-2010. These percentages point to the incorporation of women in trainings, although the participation rates of men are higher. During 2010-2012, the ministry printed more than 1000 book titles and publications. However, statistics are not available on women's share thereof, as the ministry's data are not classified according to gender. There is modest support for the appointment of women to leadership positions in the Ministry of Culture. A woman holds the post of deputy for the Popular Arts and Theatre Sector. Two women hold the post of director-general. One woman is a deputy director-general. Women also participate in the cultural weeks held abroad in all areas of creativity (e.g., poetry, stories, dance, and folk costumes, etc.). The ministry encourages women and the purchase of their cultural and handicraft products at favourable prices. The ministry also protects the property artistic rights of female artists from exploitation by concluding contracts with producers.

Regarding recreational activities, such as theatre and cinema, there are buildings in the large cities, but they do not present programmes or activities for both sexes. Gardens and parks are limited to the cities and are absent in rural areas.

Table 42
Number of participants in domestic and foreign trainings and foreign study missions arranged by the Ministry of Culture during 2007-2010

		<i>Scholarships</i>			<i>Training abroad</i>			<i>Domestic training</i>		
		<i>Females (%)</i>	<i>Females</i>	<i>Males</i>	<i>Females (%)</i>	<i>Females</i>	<i>Males</i>	<i>%</i>	<i>Females</i>	<i>Males</i>
1	2007	10	1	9	0	0	11	50	2	4
2	2008	18	2	9	21	4	15	37.5	15	25
3	2009	0	0	5	15	3	17	25	19	56
4	2010	0	0	0	0	0	1	33	87	175
Total		11.5	3	23	13.7	7	44	32	123	260

Source: Ministry of Culture.

Article 14 – Rural women

Under article 14 of the Convention:

"1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

"2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

"(a) To participate in the elaboration and implementation of development planning at all levels;

"(b) To have access to adequate health care facilities, including information, counselling and services in family planning;

"(c) To benefit directly from social security programmes;

"(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

"(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

"(f) To participate in all community activities;

"(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

"(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications".

Implementation

14.a-g. Current situation

During 2012, the Council of Ministers approved the National Strategy for the Agriculture Sector (2012-2016). The strategy analyzes the current situation and challenges of the agricultural sector and specifies strategies for the sector's components (orchard crops, field crops, livestock and water resources). It includes a section on women's participation in agriculture. The section is designed to strengthen the participation of rural women in agriculture, increase the incomes and productivity of rural women, improve food security, regulate the possession of agricultural land and improve women's participation in policy development issues.

There are ongoing efforts on the part of multiple parties – including funds, organizations and government departments – that contribute to the provision of community and extension services. These efforts seek to enable rural women to participate effectively in developing the agricultural sector in which they work. Among the funds that provide services to rural women are the following:

14.1.1. Activities implemented by the Agriculture and Fisheries Production Promotion Fund

The fund finances many projects in the areas of plant and livestock activities, irrigation and marketing in rural areas.

14.1.2. Agricultural Cooperative Federation

The Federation undertakes a number of activities to support rural woman, including:

- Assistance for women's associations in marketing their products.
- Holding of training courses in food processing for 1 500 rural women in 10 governorates.
- Training of women to operate cooperatives through the specialized women's cooperative associations.
- During 2006-2010, the federation and the cooperative agricultural associations implemented a number of agricultural production projects concerning the storage, preservation and processing of agricultural products and marketing of agricultural products domestically and abroad through new channels. These diverse projects were carried out in different areas. They include: Azan Agricultural Cooperative Centre Project to preserve and prepare food and vegetables for domestic marketing with an annual output capacity of 20 000 tons; Fath al-Rahman Farm in al-Waza'iyah, Ta'izz, for the breeding and fattening of 300 head of sheep; and Marsah Farm in Harib, Dhamar for the breeding and fattening of 150 head of sheep.

14.1.3. CARE International

This organization undertakes a number of activities to support rural women in several governorates. Below are the services provided by the organization to Yemeni women in several governorates:

14.1.3.1. Governorate of Hajjah:

1. Empowerment of women to participate solving development problems in an effective, sustainable way.
2. Establishment and inauguration of 28 local women's associations.
3. Implementation of income-generating projects, including 27 household gardens and 16 biogas production units; and holding of 58 training courses in preserving and processing food products.
4. Improvement of food security sustainability in 28 villages.
5. Establishment of 28 income-generating projects involving 15 head of livestock per association.
6. Purchase of 416 head of livestock (sheep and goats) for distribution to 27 women's associations for establishing income-generating projects. Most of the associations observe a policy of equal sharing of newborns between the association and the targeted women.
7. Implementation of training courses in preparing and preserving food products for 1000 women in 20 villages.
8. Establishment of 28 household gardens that use drip irrigation methods.
9. Implementation of 16 household gardens planted with various vegetables for own use and to improve household income. Households were also introduced to the importance of controlling water usage.
10. Establishment of 48 biogas production units using livestock excrement.
11. Maintenance of 55 hectares of agricultural terraces in the governorate of Hajjah, benefiting 235 agricultural households.

14.1.3.2. Governorate of Mahwit

The projects undertaken in the governorate of Mahwit have aimed to strengthen water security in the western heights in Yemen through:

1. The establishment of 11 projects for water collection and the improvement of springs through the provision of tanks and water distribution pools for 18 villages and 5 350 beneficiaries.
2. Establishment of an administrative body for each project and provision of the necessary training to these bodies in cooperation with the local council of the governorate, directorates and the general rural water authority in the governorate.
3. Implementation of a health education programme focusing on the uses of water in each village and the training of women and children in precautionary procedures in dealing with water in cooperation with the local community, office of education, schools, mosques, clerics and the Social Fund for Development.

14.1.4. International Fund for Agricultural Development (IFAD)

1. IFAD finances four integrated rural development projects and helps finance the Rainfed Agriculture and Livestock Project.

2. IFAD finances the Nama Training Program to train trainers and trainees in the agriculture sector.

14.1.5. General Department for the Development of Rural Women

The General Department for the Development of Rural Women implemented a number of activities during 2006, 2007, 2009 and 2010. Following is a brief presentation of these activities:

1. Training of 700 female farmers in five governorates in yogurt production. The training was provided by 15 rural female trainers.
2. Implementation of a household garden project on the island of Socotra with French funding..
3. Supervision of the projects being implemented by the fund in the area of the household breeding of sheep and goats.
4. Participation in a marketing exhibition for rural women's products at the regional conference of the Food and Agriculture Organization.
5. Supervision of the distribution of sheep and cattle to 100 poor agricultural families in the governorate of Hudaydah.

14.1.5.2. Activities carried out in 2007

1. Holding of a training course in agricultural information and extension services for 20 women in Ma'rib-Jawf.
2. Holding of training in household gardens on the island of Socotra for 20 women.
3. Holding of training in extension service planning and communication for 20 women.
4. Training in food industries and food awareness for 30 female trainees.
5. Training abroad for seven participants in the areas of food industries, cotton, empowerment of women and intensive agriculture in India, China, Egypt, Japan and Oman.
6. Conduct of 285 field visits concerning home economics in the governorate of Hudaydah.
7. Holding of 93 extension service meetings and 124 field demonstrations.
8. Implementation of 159 field visits concerning livestock production and veterinary services, and the holding of 113 extension service meetings and 31 field demonstrations.
9. Implementation of the Household Programme, which included the distribution of 188 irrigation networks for the reuse of grey water in households.
10. Implementation of eight extension service evening programmes dealing with water conservation.

14.1.5.3. *Activities carried out in 2009*

1. Preparation of a study on combating violence against rural women.
2. Attendance and participation at training courses in olive pickling, community leadership, management skill development, agricultural transactions under non-traditional agricultural systems and raising of awareness of water and environmental issues in rural areas.

14.1.5.4. *Activities carried out in 2010*

1. Seven women's agricultural cooperative associations were established and joined the federation. Follow-up was conducted to announce a new women's agricultural association on the island of Socotra.
2. Establishment of the nucleus for a permanent exhibit for the promotion and sale of specimens of the products of the women's and mixed cooperative agricultural associations in the main building of the federation.
3. Implementation of on-site visits concerning training for women in rural cooperatives in food processing. The training involved 15 courses for 279 trainees.
4. Establishment of a training course on Socotra for developing handicraft skills.
5. Implementation of a pioneering project to reduce poverty in the governorate of Hudaydah 490 farmers. Three villages in three directorates benefited from the project and were given three plows.
6. Establishment of a biogas unit in the governorate of Lahij in the area of Fayyush and a water harvesting unit in Ta'izz.

14.1.6. *Cooperative and Agricultural Credit Bank*

The bank provides multipurpose loans. The following table shows agricultural loan activity and multipurpose facilities.

Table 43

Agricultural loan activity and multipurpose facilities in 2009 **[thousands of rials]**

<i>Loan type</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>Increase (%)</i>
Long term	853 018	4 900	12 985	3 900	3 000	-99.6
Medium term	3 169 752	171 588	184 573	83 397	57 788	-98.2
Short term	2 562 881	64 040	1 182 519	54 256	14 834	-99.4
Total	6 585 651	242 534	1 382 084	143 561	77 631	

Long-term agricultural loans declined from 853 018 000 rials in 2005 to 3 000 000 rials in 2009 (a 99.6 percent drop). Medium-term loans fell from 3 169 752 000 rials in 2005 to 57 788 000 rials in 2009 (a 98.2 percent drop). Short-term loans fell from 2 562 881 000 rials in 2005 to 14 834 000 rials in 2009 (a drop of 99.4 percent). The ongoing decline in agricultural lending shown in the preceding

figures is attributed to the bank's deviation from its objectives and a shift in its activities from agricultural to commercial lending.⁵

14.1.7. Social Welfare Fund

The Social Welfare Fund subsidizes payments to the poor. Figure 10 below shows the number of social security recipients of both sexes. It also shows the percentage of female beneficiaries from the social security programmes in comparison to males during 2006-2009. Figures 11 and 12 indicate fewer female recipients of training and loans than males.

Table 44

Number of recipients of social security according to gender

<i>Year</i>	<i>Females</i>	<i>Males</i>
2006	440 208	503 460
2007	483 318	560 760
2008	484 019	553 806
2009	472 846	548 119

Figure 10

Number of Social Security recipients

⁵ Data on agricultural loans broken down according to gender are unavailable.

Table 45
Number of recipients of Social Security from the Social Welfare Fund

<i>Year</i>	<i>Females</i>	<i>Males</i>
2005	2 846	750
2006	1 818	883
2007	5 244	7 078
2008	1 489	2 415
2009	3 437	2 438

Figure 11
Recipients of training programmes from the Social Welfare Fund

Table 46
Number of recipients of loans from the Social Welfare Fund

<i>Year</i>	<i>Females</i>	<i>Males</i>
2007	1 383	1 890
2008	462	540
2009	44	49

Figure 12
Recipients of loans from the Social Welfare Fund

14.1.8. Analytical indicators

1. A statistical analysis of the Small Industries Fund Programme shows that 12 144 small enterprises benefited from loans between the establishment of the fund in 1991 and 2010. These industries employed 60 720 workers. The fund facilitated the establishment of 12 144 small industrial enterprises with five employees per enterprise on average. This underscores the fund's importance in job creation. However, the fund lacks data on the extent to which these enterprises cover the population's basic needs, most of which are imported, and the extent to which they export. Other developing and less developed countries were examined for comparative purposes. For example, according to key industrial indicators for Palestine (from the 1998 Industrial Survey), there were 13,853 industrial enterprises, including 1.6 percent in mines and quarries, 81.06 percent in manufacturing, and 16.08 percent in electricity, gas and water supply. These enterprises employed 80,000 workers (17 percent of the total workforce). They accounted for 35 percent of all industrial enterprises managed and operated by the owners thereof without use of wage workers. These manufacturing industries covered 82.4 percent of the population's basic needs, accounting for 17.6 percent of industrial output for export. The key feature of the Palestinian industrial sector is that it comprises small enterprises in terms of average number of workers, which range on average from 5.8 in the extraction industries and mining sector to 4.8 in the manufacturing industries and 1.44 in the electricity, gas and water supply.

2. The statistics also show that the Social Welfare Fund and the Finance Corporation [National Microfinance Corporation?] provided 65,000 loans worth 2.5 billion rials. The extent to which such loans have boosted output to cover market needs remains a question. The current low economic growth rate and the expectation of a significant decline in economic growth in the future means that poverty will expand. The current poverty rate of 35 percent earns Yemen a ranking of 155 out of 177 countries in respect of poverty. Any increase in poverty could presage a social disaster. True, the Yemeni economy is still young and possesses growth-boosting resources. However, the economy is unfortunately not growing at high rates currently. Regardless of what the statistics say, the tangible reality does not agree with the statistics. Any economic growth rate that exceeds the population growth rate should be reflected positively in the lives of the people or at least some of them. Yemen faces a number of development challenges, the most salient being the growth of poverty. The World Bank reports for 2007 state that 7 million Yemenis (35 percent of the population) live below the poverty line at income of less than one dollar per day, and 73 percent of the population live in rural areas where poverty is high. The reports state that the poorest governorates are Sanaa, Ta'izz, Hudaydah, Ibb, Dhamar and Hadramawt. They further state that poverty fell from 40 percent in 1998 to 35 percent in 2005. The decline occurred in the urban areas due to commercial activity, but there was no improvement in the rural areas. The reports state that high food prices (e.g., of wheat, which is the main staple, especially in rural areas) in 2007 contributed to the increase in poverty in rural areas, despite the government's boosting of wages, social security payments and the number of social security recipients and its undertaking of several development projects in cooperation with international supporters. However, price increases outstripped the government's efforts, boosting poverty significantly, especially in rural areas, where 35.5 percent of the population live on less than two dollars per day according to World Bank estimates. Poverty is concentrated in rural areas, where the majority

population live. In 2000, Yemen was ranked 72 among 85 countries in respect of human poverty indicators. The situation is exacerbated by high unemployment (37 percent of the total labour force of 4.2 million).

14.2. Recommendations

1. The state must play a primary role in economic activity by developing the infrastructure or by making investments and developing the structure of the Yemeni economy.
2. Social security payments do not cover the increases in the prices of staple foods and medicines resulting from the government's policy to eliminate subsidies. Plans must therefore be adopted to enable poor families to obtain basic food items and health care at prices commensurate with social security payments.
3. Data on the outcomes of funds, loans and training should not be limited to the number of loan and training recipients. It should also include the extent to which these measures improve domestic product.
4. Concern with the infrastructure for alleviating the burdens on rural and urban women.

14.2.1. Recommendations

Based on the presentation and appraisal of trends in the environment in which Yemeni woman live, the following recommendations can be made:

1. Conduct of specialized water studies to ascertain the availability of water in various areas and current and future needs to identify water deficits, the remedies required and the anticipated cost thereof.
2. Incorporation of the results of academic studies in development plans, mobilization of financial support required to implement proposed projects for providing drinking water, and the linkage of implementation with a specific timetable that is consistent with available resources.
3. Urging of the competent agencies to implement drinking water projects according to a balanced plan that covers the needs of urban and rural areas based on priorities and available resources.
4. Preparation of a comprehensive, detailed plan for meeting electricity needs in various urban and rural regions for incorporation in development plans.
5. Revision of the price of electricity to the consumer to ensure that it is compatible with the income levels of citizens and with geographical and seasonal increases or decreases in consumption in different regions.
6. Development of a comprehensive plan to provide gas for household uses in various rural and urban regions at favourable prices.
7. Formulation of an integrated concept of residential sewerage requirements in different urban and rural regions.
8. Incorporation of the necessary sewerage projects in the development plan.

Article 15 – Equality of men and women before the law

Under article 15 of the Convention:

- "1. States Parties shall accord to women equality with men before the law.
- "2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.
- "3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.
- "4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile".

Implementation*15.1. Legislation**15.1.1. Right to litigate*

Based on the principle that "the right to litigate is guaranteed to every male or female citizen, whether the citizen is the accused or the victim", the Yemeni Constitution article 51, affirms the fundamental right of a citizen to "resort to the judiciary to protect his rights and legitimate interests and submit complaints, criticisms and recommendations to the agencies and institutions of the State directly or indirectly."

The word "citizen" refers to a male and a female. Both are covered within the scope of the provision. Thus, under article 51 of the Constitution, a woman is fully entitled to resort to the judiciary to protect any of her rights.

Under article 1 of the Evidence Law, "an action is a plaintiff's channel to the judiciary to obtain a right which he claims vis-à-vis a defendant, and evidence is legal means of proof for establishing or denying a disputed right".

Civil Procedure Code No. 40 of 2002 provides for the following:

- Article 16: "The litigants shall be equal in the exercise of the right to litigation. The judge shall observe the principle of equality among litigants in respect of this right, adhering to the provisions of the Islamic sharia and laws in effect".
- Article 17: "The right of prosecution and defence before the judiciary are guaranteed under the provisions of the law".
- Article 70: "An action is a legitimate, legal means for any plaintiff or defendant who submits the action to the judge for a decision thereon according to the sharia and laws".

15.1.2. *Right to procedural protection*

Each male or female individual in society shall enjoy procedural protection of his/her basic rights and freedoms. A woman shall enjoy, on a par with a man, procedural guarantees, whether in the investigation or trial phase.

Code of Criminal Procedures No. 13 of 1994 establishes a number of guarantees that protect the basic rights and freedoms of a woman, including:

- The right of a female defendant to a fair trial: Under article 9, the right to a defence is guaranteed. The defendant may handle his own defence. He is also entitled to the assistance of a representative to defend him in any stage of a criminal case, including the investigation stage.
- The State shall provide a defender for an insolvent or poor person from among authorized attorneys. The Council of Ministers shall issue, based on the recommendation of the Minister for Justice, regulations on the provision of an authorized attorney to defend an insolvent or poor person.
- Every female defendant is innocent until proven guilty. Under article 4, "A defendant is innocent until proven guilty. Any doubts are to be interpreted in favour of the defendant. Punishment shall not be adjudicated until after a trial which is conducted according to the provisions of this law and in which freedom of defence is preserved".
- A woman may not be exposed to any inhumane treatment or torture. Under article 6, "It is prohibited to torture, treat inhumanely or physically or psychologically harm a defendant to compel the defendant to confess. Any statement proven to have been made by a defendant or witness under duress shall be null and unreliable". The law punishes a person who uses force against a male or female defendant to compel the defendant to confess. Thus, under article 166, "Any public employee who tortures during his performance of his function or uses force or threat by means of himself or another person with a defendant, witness or expert to compel him to confess to a crime or to make statements or provide information in respect of a crime shall be punished by imprisonment of up to 10 years, without prejudice to the victim's right to retribution, blood money or indemnity.
- An accused woman who is acquitted may be fairly compensated in the amount of the damage which she incurs as a result of the accusation: Under article 63, a defendant may make a civil claim against the plaintiff before the court for compensation for damage which the defendant incurred as a result of the bringing of a civil action if there are grounds for doing so.
- Under article 230, "If an appeal filed by a plaintiff claiming a personal or civil right is denied in the cases in which an appeal may be denied, the court may order the plaintiff to pay the defendant for damages resulting therefrom". It is understood from this article that if it becomes clear to the Public Prosecutor's Office that the evidence against the defendant is insufficient, that office must issue a decision stating that there are provisionally no grounds for bringing the criminal action, and that the defendant must be released from detention if the defendant is not being detained for another reason. In this case, the court may award the defendant compensation for damage.

- A female defendant may appeal before the courts. Under article 225, a defendant may appeal a preventive detention order. All litigants may appeal orders pertaining to jurisdiction questions; in this case, the appeal shall not halt the progress of the investigation. Adjudication without jurisdiction shall not nullify investigatory proceedings.
- A female defendant is entitled to be released on bail. Under article 194, "The Public Prosecutor's Office may at any time, on its own accord or based on the petition of a defendant being held in pre-trial detention, order the release of the defendant with or without bail, provided the defendant pledges to appear whenever requested to do so and not to refuse to comply with any judgment that may be issued against him.

In addition, the Code of Criminal Procedures provides equal guarantees of the rights of both male and female citizens in the following provisions:

- Article 7: "(1): An arrest may be made only in connection with acts punishable by law and must be based on the law. (2) The Public Prosecutor's Office shall immediately release any person whose freedom has been restricted in violation of the law or who has been placed in preventive detention for longer than permitted in the law or by a judgment or judicial order".
- Article 43: "Any person who has incurred damage as a result of a crime may bring a civil action, regardless of the value thereof, for compensation of damage resulting from the crime before the criminal court to be heard with the criminal action".
- Article 71: "An arrested person shall be detained in a place that is separate from the place designated for convicted persons and shall be treated as innocent. He may not be harmed physically or psychologically to obtain a confession from him or for any other purpose". It is understood from this article that a woman suspect may not be detained with convicted women and must be treated as completely innocent until the court proves the charge against her.
- Article 73: "A person who is arrested shall be informed immediately of the reasons for the arrest. He shall be entitled to examine the arrest warrant and to contact whomever he deems necessary to inform him of what has happened and to seek the assistance of an attorney".
- Article 143 does not permit the search of a female unless the search is conducted by another female who is summoned for this purpose by the person conducting the search. The name and identification card number of the person being searched must be recorded in the procès-verbal, and the search must be conducted in the presence of two female witnesses.
- Under Article 484, "A death sentence, legal punishment under Islamic law or retribution involving the taking of human life or amputation of a limb must not be conducted on an official holiday or a religious holiday for the sentenced person. The execution of any such as sentence shall be suspended in the case of a pregnant woman until she gives birth and in the case of a breast-feeding woman until she completes the breast-feeding of her child after two years and another person has been found to take care of the child. Such a woman shall be imprisoned until the sentence is executed.

15.1.3. *Personal freedom*

Respect for and protection of personal freedom are important, because personal freedom is the foundation of basic freedoms due to its connection to the very nature of a human being. Without personal freedom, an individual cannot exercise any of his freedoms. Personal freedom must be protected in order to protect a person's life, dignity, security, privacy, movements and physical safety. The government does not [prohibit] this right in laws, and nothing limits this right unless it conflicts with the public interest under the law. The Constitution, article 48 (a) explicitly stipulates this right: "The State guarantees citizens their personal freedom and protects their honour and security. The law specifies the situations in which a citizen's freedom may be restricted. A person's freedom may be restricted only pursuant to a judgment issued by a competent court. Under the Code of Criminal Procedures of 1949, article 11, "Personal freedom is guaranteed. No citizen may be charged with an offense or deprived of his liberty except by order of the competent authorities and in accordance with the present code".

Under article 187 of the same law, the freedom of any person may not be restricted, nor may any person be detained except in places designated by law for that purpose. The persons responsible for such places may admit any person thereto solely pursuant to an order signed by the competent authorities. Such person shall not be detained beyond the period specified in the order.

The law also establishes the penalty for a person who uses his authority to restrict the freedom of other persons in violation of the laws. Under Law No. 12 of 1994 on Crimes and Penalties, article 246, "Any person who illegally arrests, detains or deprives the liberty of another person by any means shall be punished by imprisonment of up to three years or up to five years if the act is committed by a public employee, or by impersonating a public employee, or by a person bearing a weapon, or by two or more persons, or for the purpose of defamation, or if the victim is a minor or mentally incompetent person, or if the deprivation of freedom endangers the life or health of such other person".

Articles 168 and 169 of the law impose penalties on a person who exploits the authority of his position to use cruelty against other persons and who abuses his authority to conduct an illegal search. Under article 168, "Any public employee who unjustly uses cruelty with people based on the authority of his position, where he violates their honour or causes pain by harming them, shall be punished by imprisonment of up to one year or a fine, without prejudice to the victim's right to retribution, blood money or indemnity. In all cases, the employee shall be dismissed from his position". Under article 169, "Any public employee who searches a person, his residence or establishment without the person's consent, or in other than the cases stipulated by the law, or without complying with the requirements of the law, shall be punished by imprisonment of up to three years".

Regarding freedom of movement, under article 57 of the Constitution, "Every citizen is guaranteed freedom of movement from one place to another in Yemeni territory. This freedom may be restricted only in the cases stated by the law for the exigencies of citizens' security and peace. The law shall regulate freedom of entry into and exit from the Republic. No citizen may be deported from Yemeni territory or prevented from returning thereto". Under Code of Criminal Procedures No. 13 of 1994, article 15, "No restrictions may be placed on citizens' freedom of assembly, movement, residence and passage except as stipulated by the law".

Regarding personal freedom, Under Code of Criminal Procedures No. 13 of 1994, article 14, "There shall be no infringement of citizens' private lives in other than the cases permitted in this law. Commission of one of the following acts shall be considered infringement: (1) Eavesdropping, recording or transmitting conversations conducted in a private place or by telephone or through the use of any device of any type. (2) The taking or transfer of a photograph of a person in a private place using any device of any type. (3) Examination or seizure of letters or cables". None of the aforesaid articles discriminate between men and women in respect of rights. Accordingly, women possess full rights on a par with men as stipulated in the foregoing constitutional and legal articles.

Article 16 – Marriage and family relations

Under article 16 of the Convention:

"1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

"(a) The same right to enter into marriage;

"(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

"(c) The same rights and responsibilities during marriage and at its dissolution;

"(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

"(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

"(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

"(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

"(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

"2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory."

Implementation

16.1. Legislation

The Yemeni Personal Status Code covers engagement, the marriage contract, dissolution of the marriage, kinship, gifts, wills, inheritances, etc.

16.1.1. Marriage

Under article 6, "Marriage is a commitment between the two spouses based on a legal contract by which a woman becomes legally permissible to a man. The purpose of marriage is to strengthen chastity and establish cohesive families".

Article 7 stipulates the following for a valid contract:

1. It shall take place in one sitting
2. The proposal shall be presented by the guardian of the groom or his representative or an authorized person who is male and not a direct blood relative, or with his permission, or by his representative.
3. Acceptance of the proposal before any objection made by the groom, an authorized person who is not a direct blood relative or a person representing him in accordance with the sharia or with his permission.
4. At the time of the contract, the bride and groom shall be identified by their first or family name, or a gesture or any other identifying feature.
5. The proposal and acceptance shall be final, consistent with each other [as to the terms] and not subject to any time limit. Any condition which has no bearing on the legitimate intent of a spouse or that is incompatible with the contract shall be null and void.
6. At the time of the contract, both the bride and the groom shall be free of any of the impediments to marriage mentioned in section III of this chapter.

Under article 10, a contract based on the coercion of the husband or wife shall have no significance.

Article 23 stipulates the woman's consent: "The consent of a virgin shall be her silence. The consent of a previously married woman shall be her pronouncement.

Under article 30, "Any marriage that fulfils the foregoing conditions and requirements shall be valid even if it is not followed by consummation. All effects of marriage stipulated in this decree shall ensue upon the conclusion of the marriage unless the marriage is in fact suspended. A marriage shall be considered suspended if the consent of the parties authorized to provide consent has not been obtained. If consent is obtained, the effects of the marriage shall apply from the time of the contract. In a contract involving a minor or insane person, the effects of the marriage shall ensue upon the conclusion of the contract, and both parties may annul the marriage upon reaching legal age or upon recovery from the mental illness.

Under article 41, a husband must, for his wife:

1. Prepare legal housing commensurate with that of his peers.
2. Provide maintenance and clothing commensurate with that of his peers.

3. Treat her with equality relative to his other wives if any.
4. Not interfere with her private property.
5. Not harm her physically or psychologically.

16.1.2. Divorce and Khula (divorce at the instance of the wife, who must pay compensation)

Article 47: "A husband or wife may request an annulment if he or she finds in the other a repulsive defect, regardless of whether the defect existed before or occurred after the contract was concluded. A defect in either the husband or the wife may be insanity, albinism and leprosy. A defect in the wife may be joined eyebrows, imperforation of the natural orifices and excrescence of flesh in the vulva. A defect in the husband may be castration, emasculation and tuberculosis. The right to request an annulment shall lapse upon explicit or implicit consent to the defect, except in the case of insanity, albinism, leprosy and other infectious, incurable diseases, in which case the option in respect thereto shall be renewed, even if preceded by consent. A defect shall be established by declaration of the person in whom the defect exists or based on a competent physician's report".

Article 48: "Competence is judged in respect of religion and morals based on mutual consent. Each spouse may request annulment for incompetence".

Article 54: "If a woman petitions for a judgment to annul due to enmity and emasculation, the judge may investigate the cause. If he finds cause, he may appoint an arbitrator from the husband's family and an arbitrator from the wife's family to reconcile the two. Otherwise, he shall order the husband to divorce. If the husband refuses, the judge shall order an annulment, and the wife must return the dowry".

Article 55: "If a woman petitions for a ruling to annul due to the husband's addiction to alcohol or narcotics, and the addiction is proven, the court shall annul the marriage, and the dowry shall not be returned".

Article 72: "A khula is a separation between the two spouses for which the wife or another party, even if anonymous, pays compensation, be it property or a benefit".

Article 73: "A khula is concluded with the consent of both spouses or as evidenced by a contract or term. That which is stipulated in a divorce shall be stipulated in a khula, except that the wife is the holder of disposal of the compensation".

16.1.3. Custody

Article 141: "The mother is most entitled to custody of her child, provided her competence to have custody is established. If she forfeits her right, such right shall not be forfeited unless the child accepts another [custodian]. Otherwise, the mother shall be compelled [to retain custody], because the minor has the right [thereto]. Her new husband shall not prevent her [from maintaining custody] where there is no other [custodian]. Her immorality shall not bar her right to custody until the minor reaches the age of five years".

Article 142: "If the mother dies or her custody is invalidated, custody shall be transferred to her mothers or higher ascendants, then to the following in the order of their mention: maternal aunts of the minor, Muslim father, mothers of the father or higher ascendants, mothers of the father of the mother, sisters, daughters of the

maternal aunts, daughters of the sisters, daughters of the brothers, paternal aunts, their daughters, daughters of the paternal uncle, paternal aunts of the father, their daughters, and then the daughters of the paternal uncles of the father. If such do not exist, custody is transferred to the closest male agnate with whom marriage is precluded. If such does not exist, custody is transferred to the closest of the close female relatives. If such does not exist, it is transferred to an agnate other than those with whom marriage is precluded. If such does not exist, it is transferred to a close female relative. At each level, precedence is given to a relative with two relational links over a relative with only one such link, then to the mother's relatives over the father's relatives. If two persons are equal, custody is awarded to the most suitable. If two or more persons are equally suitable, the matter is referred to a judge. The judge may disregard the order of custody in the interest of the minor".

Article 148: "When a male or female child can manage on his or her own, the child shall choose between his father and mother when the two are in dispute based on his interest. If there is a difference among persons other than the father and mother who care for the child, a judge shall be consulted, and the judge shall make a choice based on the child's interest.

Consistent with the economic and social changes that have occurred, the WNC has proposed a number of amendments to the Personal Status Code. It has also proposed amending and adding several provisions to the Penal Code to address discrimination against women. The amendments have been approved by the Council of Ministers and are still pending passage by Parliament.

Amendments are still needed to harmonize with the Convention, and they are detailed below.

Table 45
Amendments submitted by the WNC to Parliament

<i>Law</i>	<i>Proposed text</i>	<i>Status of amendment</i>
Law No. 34 2003 Amending Article 47 of Personal Status Code No. 20 of 1992	Article 47: "A husband or wife may request an annulment if he or she finds in the other a repulsive defect, regardless of whether the defect existed before or occurred after the contract was concluded. A defect in either the husband or the wife may be insanity, albinism and leprosy. A defect in the wife may be joined eyebrows, imperforation of the natural orifices and excrescence of flesh in the vulva. A defect in the husband may be castration, emasculation and tuberculosis. The right to request an annulment shall lapse upon explicit or implicit consent to the defect, except in the case of insanity, albinism, leprosy and other infectious or incurable diseases, in which case the option in respect thereto shall be renewed, even if preceded by consent. A defect shall be established by declaration of the person in whom the defect exists or based on a competent physician's report".	Passed in 2003 by the Council of Representatives (first stage, 2003)
Personal Status Code No. 20 1992 As Amended by Law No 27 of 1998 and Law No. 24 of 1999	<p>Addition of a paragraph 6 to article 7, which stipulates the requirements for a valid contract:</p> <ol style="list-style-type: none"> 1. It shall take place in one sitting 2. The proposal shall be presented by the guardian of the groom or his representative or an authorized person who is male and not a direct blood relative, or with his permission, or by his representative. 3. Acceptance of the proposal before any objection made by the groom, an authorized person who is not a direct blood relative or a person representing him in accordance with the sharia or with his permission. 4. At the time of the contract, the bride and groom shall be identified by their first or family name, or a gesture or any other identifying feature. 5. The proposal and acceptance shall be final, consistent with each other [as to the terms] and not subject to any time limit. Any condition which has no bearing on the legitimate intent of a spouse or that is incompatible with the contract shall be null and void. 6. At the time of the contract, both the bride and the groom shall be free of any of the impediments to marriage mentioned in section III of this chapter. <p>Article 11: A mentally insane person shall not be married.</p>	Still under discussion in the House of Representatives (second stage, 2007)

Article 12: A man may have up to four wives subject to the following conditions:

1. He is able to treat them fairly. Otherwise, he may take only one wife;
2. He is capable of supporting his wives;
3. He informs the woman that he is married;
4. He informs his wife or wives that he wishes to marry. If he conceals his new marriage or neglects to inform his wives of it, the first wife or any of the first wives may ask for a divorce or an annulment on grounds of damage.

Article 14: The person responsible for concluding the contract, the groom and the guardian of the bride shall register the marriage contract with the competent authority in the proper register within one month of the marriage. Registration of the document by one of these persons shall be sufficient to relieve the others of this duty, provided the document contains the required information, such as the age of the spouses, their identity card numbers, if any, and the amount of the dowry, whether paid at the time of the marriage or thereafter.

Article 76:2 Witnesses shall provide explicit verbal testimony as evidence that a man has returned to his wife after divorcing her.

Article 87: The waiting period for a woman after an irrevocable divorce is governed by six provisions, namely:

1. No remarriage to the former spouse.
2. No inheritance.
3. It is possible to go out without permission.
4. There is no obligation to remain at home.
5. Maintenance shall be paid.
6. The man may marry a close blood relative of the divorced woman.

Article 262: If there is no last will and testament, the mother shall serve as testamentary tutor for her minor children and their property after the death of their father. After her death, precedence shall be given to the testamentary tutor. If the legatee dies, precedence shall be given to the father, then his testamentary tutor, then the grandfather, then his testamentary tutor and then the judge.

Article 7 bis: Two persons who are engaged or contracted to marry one another shall have the right to undergo premarital medical tests in order to ensure that they are free from potentially dangerous hereditary or infectious diseases.

Article (): A divorced woman with custody of her child shall be allowed to remain in the marital home with the child after her divorce, unless the former husband provides her with another suitable home. If custody is terminated or the divorcee remarries, the former husband may reclaim the home.

Article () If a husband divorces his wife and it is demonstrated to the judge that the husband acted arbitrarily, without good reason, and that the wife will be destitute as a result, the judge may order the former husband to pay her compensation commensurate with the nature and gravity of the arbitrary act. The compensation shall not exceed one year's maintenance that would be paid to other women in a similar situation, in addition to maintenance during the waiting period. The judge may order that compensation be paid in a single instalment or on a monthly basis, as the case may be.

Article () A husband may not return to a wife whom he has divorced if he intends to do harm by doing so.

Article () A document reversing a divorce shall be deposited with the competent authority.

Article () A marriage shall not be concluded between two persons with an age difference of more than 20 years, unless the woman is at least 35 years old.

Article () A child shall be recognized as the offspring of a man who forces a woman to have sexual intercourse with him or rapes her after marrying her.

Article () A child's filiation shall be established based on the existence of an undocumented marriage.

Article () Personal status issues shall be deemed summary matters.

- a. A man who pronounces a divorce shall deposit the divorce deed with the competent authority;
- b. The competent registrar shall inform the divorced woman of her divorce within seven days of depositing the divorce deed and shall provide her with a copy of the deed.

<i>Law</i>	<i>Proposed text</i>	<i>Status of amendment</i>
Personal Status Code No. 20 of 1992 as amended by Law No. 27 of 1998 and Law No. 24 of 1999	<p>Article 6: Marriage is it legal consent contract based on the will of the two parties (male and female), pursuant to which each is permitted to the other.</p> <p>a. A minor male or female below the age of 18 may not be married off.</p> <p>b. A judge may lower the age of marriage if he finds an interest in doing so.</p> <p>c. Any person who testifies before a contract writer or judge that one or both parties to a marriage contract has reached the legally prescribed age for the conclusion of a marriage contract, and he knows that the age of one or both parties is below the age specified in this article, shall be punished by imprisonment of up to six months or a fine of up to 50 000 rials.</p> <p>d. Any person authorized by the law to conclude a marriage contract who knows that the age of one or both parties is below the age specified in paragraph (a) of this article shall be punished by imprisonment of up to one year or a fine of up to 100 000 rials.</p> <p>The addition of a phrase at the end of article 23, so that the article reads as follows: "The consent of the woman is required. The consent of a virgin shall be her silence. The consent of a previously married woman shall be her pronouncement. The contracted female must sign the contract or place her fingerprint thereon to signify her consent. The marriage official must interview the contracted woman to confirm her consent".</p> <p>The addition to article 164 of the following:</p> <p>There shall be a government-supervised fund that provides maintenance to children and divorcees. The resources of the fund shall be stipulated in the implementing regulations.</p> <p>The following shall be added to the article:</p> <p>Maintenance for the child of an insolvent minor or insane person shall be incumbent on the father of such minor or person, followed by the closest solvent or insolvent ascendant capable of gain, then the solvent mother, then the other relatives based on the requirements stated in article 164 of the Personal Status Code. If the child is solvent, maintenance shall be provided from the child's funds. Maintenance shall be paid in accordance with the payer's solvency or insolvency, with the proviso that, in the event of multiple children, maintenance shall be at least 3000 rials.</p> <p>Article () A child shall be recognized as the offspring of a man who forces a woman to have sexual intercourse with him or rapes her after marrying her.</p>	Still being presented to the Council of Ministers, third stage, 2009

Article () If a man acknowledges an illegitimate relationship that has produced a child, the man shall be compelled to marry the concerned woman based on a marriage contract and the child shall be attributed to him.

Article () If a medical test proves a child's paternity in the case of a man who denies such paternity, the man shall be compelled to marry the woman and the child shall be attributed to him.

16.1.4. Right of acquisition

The Constitution and Civil Code do not deny any individual in society the right to acquire, manage and dispose of property as the individual wishes. Under article 7 of the Constitution, "The national economy is based on freedom of economic activity which benefits the individual and society and enhances national independence based on a number of principles, including protection and respect for private ownership, which shall not be infringed unless necessary for the public interest in exchange for fair compensation according to the law".

Under article 20 of the Constitution, "General confiscation of property is prohibited, and private confiscation is permitted only with a legal judgment". Under article 24, "The state shall guarantee, and issue laws to achieve, equal political, economic, social and cultural opportunities for all citizens.

Civil Code No. 14 of 2002 does not distinguish between men and women in respect of private ownership. The pertinent legal provision is general and comprehends both sexes. The Civil Code grants women rights equal to those of men. However, according to certain cultural and social practices, ownership is a right of men and men have a right to dispose of the property of women. These practices are prevalent in some but not all regions of the Republic and they explain the lack of awareness among women in respect of ownership rights.

Women are fully entitled to possess, sell and purchase property and real estate and conclude contracts in respect thereof on a complete par with men. No one may deny women this right, which is affirmed by following provisions of the Civil Code:

Article 1154: "The owner of a thing alone shall be entitled to the usufruct, use, exploitation and disposition thereof within the limits of sharia law".

Article 1155: "The owner of a thing shall own every component and part thereof".

Article 1159: "No person may deprive another person of his property".

Despite the unambiguous legislation, certain imbalances continue to exist, e.g.:

1. Early marriage and marriage between persons of unequal age occasionally.
2. Exchange marriage.
3. Denial of a woman of an inheritance.
4. Favouring of males over females at certain times.
5. Separation and denial of family visitation.
6. In certain rural areas, a divorced woman is denied custody of her children, housing and maintenance.

Mechanisms for dissemination of the Convention

The government has adopted mechanisms concerned with women's issues. In addition, any nongovernmental organizations have incorporated human rights programmes for women to enhance awareness of women's rights and promote the participation of women in society in the framework of the development process from a human rights perspective. The WNC, Ministry of Human Rights and civil

society organizations share this role with government mechanisms concerned with women. The main civil society organizations in this regard include the Yemen Women's Union, Sisters' Arab Forum for Human Rights, Human Rights Information and Training Centre, Islah Charitable Society, Girls Language Centre and the Media Women Forum.

The programmes and activities implemented to disseminate and enforce the Convention's articles during 2009, 2010 and 2011 include the following:

1. Based on a discussion of Yemen's sixth periodic report on the implementation of the Convention in July 2008, 41st session, the Yemeni Government treated the concluding remarks and recommendations and issued Council of Ministers Decree No. 55 of 2009 to approve the recommendations of the Committee on the Elimination of Discrimination Against Women. The decree:

- Assigns the Minister for Legal Affairs and Minister for Affairs of the Council of Representatives and Consultative Council to follow up on the development of the proposed legislative amendments approved by the Council of Ministers for referral to the Council of Representatives.
- Assigns the Deputy Prime Minister for Economic Affairs and Minister for Planning and International Cooperation to coordinate with United Nations and donor organizations to support the Convention.
- Assigns the Chairwoman of the WNC to coordinate with the ministries and entities concerned with following up on the implementation of the Convention in all sectors.

2. In order to create a mechanism for implementing the recommendations, the WNC formulated a national executive plan for the short and long terms, taking into account the urgent recommendations in the report.

3. The WNC also publicized the Convention by holding a general media and press conference and organizing a plenary meeting with United Nations organizations and donor agencies to present and study the implementation of the recommendations.

4. A training guide on the articles of the Convention was prepared. Eight workshops were held in eight governorates to familiarize participants with the Convention and to implement the urgent recommendations.

5. The WNC, as part of its follow-up concerning the incorporation of gender in government policies, programmes and projects in 28 ministries, monitored the addition of a component concerning the empowerment of women in the framework of the Fourth Five-Year Plan, which covers four issues: economic empowerment of Yemeni women, combating of violence against women, strengthening of women's political participation and monitoring of legislative amendments to eliminate discrimination against women.

6. An initiative was launched to grant women 44 seats in the House of Representatives.

7. Regarding health, in the fight against AIDS, four workshops were held, one each in Dhamar, Bayda', Raymah and the Secretariat of the Capital. A religious sermon on the AIDS disease was also prepared and sent to the Ministry of Religious Endowments and Guidance. The ministry circulated the sermon to its offices in the

governorates. Broadcast flashes and dialogues were prepared and sent to the General Information Programme for Women and Children and broadcast by the Aden Radio Second Programme.

8. Capacity-building courses were for staff of the WNC, directorates of the women's department in the ministries, branch chiefs in all governorates and representatives of civil society organizations in the WNC. The courses dealt with gender and development, gender-responsive budgeting, analysis of policies and plans from a gender perspective, monitoring and evaluation from a gender perspective and gender auditing.

9. Follow up was conducted on the incorporation of gender in the curricula of the following bodies: police academies, high judiciary and preaching and guidance.

10. Strengthening of the involvement of 45 female representatives of civil society organizations and WNC members in gender issues through meetings and ongoing activities held by the WNC.

11. Monitoring of approval of a matrix of proposed legislative amendments to address discrimination against women in the Council of Ministers and Council of Representatives.

12. Margin of the establishment of special units for dealing with women in 25 police departments in the Secretariat of the Capital.

13. The Ministry of Information was approached about increasing programmes for women by 5 percent relative to previous years.

14. The WNC reviewed the gender policies, programmes, projects and investment programme in the draft Fourth Five-Year Plan for 2011-2016. It found that the plan incorporates 86 percent of the gender policies submitted by the agencies covered by the plan and 48 percent of the total gender projects submitted by the WNC and 11 ministries (particularly the Ministries of Industry and Trade, Agriculture and Irrigation, Legal Affairs, Justice, Health and Population, Water and Environment, Youth and Sports and Social Affairs and Labour). In addition, approval was given to an increase in the female cadre in the Civil Service from 18 percent to 30 percent over the course of the Fourth Five-Year Plan. Most of the ministries were clearly moving in this direction in their policies, with percentages ranging from less than 5 percent to more than 20 percent depending on the ministry.⁶

15. A number of plenary meetings were held in the Secretariat of the Capital and Ta'izz with political parties and civil society organizations concerned with the political participation of women to promote adoption of support for women and incorporation of women's issues in their future plans and programmes.

16. Two discussion groups were held with legal experts in the governorates of the Secretariat of the Capital and Aden to gain legal advocates for the participation of women in politics.

17. A total of 41 women wishing to stand for parliament were given training to enhance their awareness of the legal procedures for standing for election.

⁶ Because of the events in Yemen in 2011, the policies of the Fourth Five-Year Plan were not implemented. The plan was replaced by the Interim Programme of the National Unity Government, which includes several gender policies.

18. A discussion group was held with mosque preachers to advocate and encourage the participation of women in politics by granting them opportunities to express their opinion in workshops, discussions and sit-ins.
19. A number of seminars were held on the rights of girls in Islam. The workshops were intended to raise the awareness of women in the governorates of the Secretariat of the Capital, Hudaydah and Hadramawt in respect of the rights of girls to education and the minimum marriage age. Participants were familiarized with the provisions of laws and the Islamic sharia that ensure a decent life for girls. A press conference was held to promote and raise awareness about gender policies in the draft Fourth Five-Year Plan. More than 18 institutions, newspapers and news sites participated in the press conference.
20. Implementation of five different flashes supporting women's political participation and emphasizing the importance of caring one's identity card in daily life and when engaging in any electoral activity.
21. Production of a drama film supporting participation in early elections for the presidency.
22. Publication of a booklet on the rights of Yemeni women in legislation. The booklet covers the rights of women in laws in effect, in legal provisions presented to the Council of Representatives for passage and in legal provisions proposed for discussion in the Council of Ministers. The booklet is designed to enhance women's obtainment of their rights by building their awareness of legal provisions that support women's rights.
23. Publication of the Annual Report on the Situation of Yemeni Women for 2010. The report covers education, health, environment, poverty and the economy, violence against women and the political empowerment of women. It monitors the situation of Yemeni women in different areas to facilitate the development of effective policies and plans for developing women and ensuring their rights.
24. Updating of the database pertaining to economic sectors according to gender.
25. A demand was made to devote a special pivot to the development of rural women among the pivots of the national strategy for the agricultural sector during two workshops that were held on the preparation of the strategy.
26. Several changes were made to improve the health of mothers and newborns in a workshop held to discuss the draft National Strategy for Reproductive Health, 2011-2015.
27. The WNC proposed a vision based on the National Strategy for the Development of Women to the team assigned to prepare the National Strategy for Medium, Small and Micro Enterprises in the discussion group concerning that strategy.
28. A working paper was presented on the social determinants of health (gender component) at a meeting on the subject.
29. Participation in a workshop on the updating and enhancement of the Strategy for the Development of Women's Health.
30. Participation in a training course for trainers dealing with female genital mutilation issues.

31. Participation in a meeting on the strategic dimension of the National Action Plan for Abandoning Female Genital Mutilation. During the meeting, the committee defined the issues in the plan matrix where participation is possible.

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Seventh periodic report preparation team

Supervision and review board

- Ms. Rashidah al-Hamdani, former Chairwoman, WNC
- Ms. Hawriyah Mashhur, former Deputy Chairwoman, WNC
- Ms. Hana' Huwaydi, former Director General of Development
- Ms. Nuriyah Shaja' al-Din, Director General of Partners

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Eighth periodic report preparation team

Report preparation and editorial board

- Dr. Shafiqah Sa'id 'Abduh, Chairwoman, WNC, Technical and Administrative Supervision
- Dr. Ali al-Burayhi, Team Leader
- Dr. Muhammad Qa'id Hasan, Assistant Team Leader
- Ms. Hana' Huwaydi, Deputy Committee Chairwoman, Technical Review
- Ms. Dhikra al-Naqib, Technical Review

Data collection team

1. Basimah al-Hanshali and Suhayr Sultan, articles 1-4
2. Huda 'Awn and Samirah 'Abdullah, articles 5-7
3. Intisar Shakir and Suha Sa'id, articles 8-9
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5. Ibtihal al-Kindi and Bayrut al-Dhabhani, articles 11, 13 and 14

6. Ashwaq al-Hashidi and Rida al-Sakani, article 12
7. Wafa' Nayif and Thurayya al-Mutawakkil, articles 15-16
8. Rafa al-Ashwal, mechanisms for dissemination of the Convention

Coordination and secretariat team

Samah Radman and Sawsan 'Atufah

Language correction

Hayfa' Abd-al-Salam Hashim

Translation team

1. Sawsan al-Rifa'i, final review of translation
 2. Ashwaq Mansur al-Hashidi
 3. Iyyad al-Amir
 4. Rozina 'Abd-al-Majid al-Darbi
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