



# وثيقة الحوار الوطني الشامل



مؤتمر الحوار الوطني الشامل  
— بالحوار نصنع المستقبل —

صنعاء  
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National Dialogue Conference  
Outcomes Document

## **Foreword**

It is a great privilege to have the honour of writing the special introduction of the most important document in Yemen's contemporary history, which is the final document of the Comprehensive National Dialogue Conference that lasted from March 18, 2013 to January 25, 2014. This conference was the first of its kind in the history of Yemen, both in terms of its causes, primarily the popular peaceful youth revolution; in terms of its arrangement and preparatory mechanism; composition and representation; in its management and the distribution of working groups; the quality of the issues examined and discussed, and the solutions developed; and in terms of the unique vision that ensured the severing of the road of a return to the rule of tyranny by the individual, the tribe, and the family, and the development of a real foundation upon which to build a state of institutions, law and order, justice and equality, and responsible freedoms.

The document, in our hands, represents a summary of the hopes and aspirations of the great Yemeni people since the dawn of their struggle for freedom and a good life, and salvation from tyranny and colonialism. Fifty-two years since the Yemeni revolution on 26 September 1962 and 14 October 1963, our people suffered from a difficult spiral of conflicts that did not end, but they did not give up and invented unique methods of struggle reflecting the essence and glorious cultural depth in order to achieve the objectives which flowed from the pioneers of successive revolutions. These goals are embodied here today, in an unprecedented way between the covers of this document which carries a summary of those hopes and ambitions to ensure the transfer of Yemen to the prospects of modernity and spirit of the era, while adhering to Shari'ah, Islamic values and authentic morals without losing its soul or self, so the great peoples adopt their awakening without abandoning their mettle, character and values.

This document will not see the light or materialize a new reality in our lives, we Yemenis, except if we continue to work hard to implement it and apply the insights and perceptions of men and women both in the spirit that one does not separate us by small differences and narrow partisanship, or due to the past and its ills. Inspired by lessons and through our struggle, we always prepare the interests of our children and grandchildren in a great nation that will remain under the banner of security, justice, freedom, equality and a good life. Only in this spirit will we build a new Yemen, a Yemen that sacrificed thousands of youth among our children until they see a reality after it was a haunted dream that haunts us all, but they will see it soon after we complete the vision between the covers of this timeless historic document that we will all work to implement without hesitation, fear or inertia.

So to each input from the men and women members of the National Dialogue Conference we give every thanks and appreciation between them were on the level of confidence of their own people and

did not disappoint at all, the Secretariat leading as it should, as such we direct to them a tribute of love, gratitude and respect.

May God help us for the good of our people and our nation, and guide our footsteps,

For He is the guide to the straight path

**Abd Rabbo Mansour Hadi**

President of the Republic

Chairman of the comprehensive national dialogue conference

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<sup>1</sup> Document assembled by the Political Settlements Research Programme (University of Edinburgh) from multiple non-official translations of Working Group Outcomes submitted to the first and second plenary sessions by the UN and International IDEA.

## **Chapter One: Introduction**

[Summary: introduction goes through the historical context of Yemen's conflict and then goes on to highlight the importance of the NDC. The second section summarizes the NDC process, the tasks of the working groups and how the NDC Outcomes Document developed.]

## **Chapter Two: Outcomes of the Comprehensive National Dialogue Conference**

### **Section One Reports from the Working Groups**

#### **The Southern Working Group**

Sana'a, 23 December 2013

##### I. Addressing the Past

Based on the Gulf Cooperation Council (GCC) Initiative and Implementation Mechanism

(Transition Agreement signed in Riyadh in November 2011) and Security Council resolutions 2014 and 2051, which states that the political transition requires the participation and cooperation of all groups, including those groups that were not party to the GCC initiative and Implementation Mechanism, and pursuant to the conclusions of the Working Group on the Southern Question adopted by the Second Plenary of the National Dialogue Conference (NDC) and the Rules of Procedures of the Conference, and after discussing all visions and proposals since 10 September 2013, we the political and social constituencies participating in the National Dialogue have reached this agreement that achieves the highest possible degree of consensus. In this agreement we commit to a just solution of the Southern Question within a unified State, on the basis of federalism and democracy, pursuant to the principles of a State that upholds rights, law and order, and equal citizenship through the creation of a new state structure and social contract that will establish the unity of the new federal state, its sovereignty, independence and territorial integrity. This new federal state shall represent a complete break from the history of conflict, oppression, abuse of power and monopoly of wealth.

While we recognize the contributions and sacrifices of the peaceful Southern Hiraak movement and the struggle of the Yemenis for change, we anticipate that the new federal state will need to be built in full recognition of the grievous errors and injustices that have been committed in the South. Accordingly, the Government of Yemen shall redress these injustices, including through the full implementation of the 20+11 points within the period of transition to the Yemeni federal state, and this is an integral part of our collective endeavour to build a new federal Yemen.

In particular, redress for past injustices must be achieved without delay, subject to a timetable to be specified in the follow up to the implementation of the NDC outcomes. Obligations of restitution, including return of seized land, restoration of confiscated properties and compensation must be fully funded and fully delivered in accordance with the principles of transitional justice without discrimination in order to lay the foundation for a future that overcomes all past grievances and

achieves national reconciliation. Those who have suffered most must be given the highest priority. Overall, the South must be assured that there will be no return to the past or abuses of power and wealth, above all with respect to security, stability and development.

We are all committed to a full and just resolution of the Southern Question, which will lay the foundation for a new Yemeni state, federal in character, founded on popular will and designed to ensure the freedom and prosperity of its sons and daughters. To this end, we will apply the following principles.

## II. Principles

(1) A new constitution shall be drafted requiring that the will of the people, equality and compliance to the highest international human rights norms and standards shall be the basis for the authority and legitimacy of the federal state at all levels, as expressed through representative, participatory, and rotating democracy to ensure political plurality and the peaceful transfer of power.

(2) The people in Yemen shall freely determine their political status, and freely and peacefully pursue the achievement of their economic, social and cultural development through institutions of government at each level in accordance with the International Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights, which Yemen has signed and ratified.

(3) Powers, functions and responsibilities shall be allocated to each level of government, either exclusively or concurrently, as best serves and is closest to those affected. Each level of government shall have sufficient powers to function effectively and shall bear its fair share of common responsibilities.

(4) The division of powers and responsibilities shall be clearly defined in the constitution of the federal state. The central authority shall not interfere with the exercise of authority of the executive, legislative, judicial and administrative bodies of the other levels of government in their areas of exclusive responsibility, except in exceptional circumstances as regulated by the constitution and law, and only for purposes of ensuring collective security, essential common standards or to protect one regional authority from interference by another.

(5) Powers unallocated to the federal authorities shall be presumed powers of other levels of government as provided for by the federal constitution. The competent judicial body defined in the federal constitution shall adjudicate on any dispute over the competencies of the central government, regions and wilayas.

(6) Each region shall have a leading role regarding its regional economic development. The federal system shall ensure adequate standards for a decent life for all people and ensure an equitable sharing of national wealth.

(7) Each level of government – central, regional and wilayat – shall enjoy constitutionally defined autonomous executive, legislative (and representative in wilayas), administrative and fiscal authority, including the appropriate power to tax.

(8) Natural resources are the property of the people of Yemen. The management and development of natural resources, including oil and gas, and the award of exploration and development contracts, shall be the responsibility of the authorities of producing wilayas, jointly with the regional and federal authorities, in accordance with the provisions of a federal law. In accordance with the same federal law, contracts for local services shall be the responsibility of the authorities in the producing wilaya in coordination with the region. The supreme national interest shall be taken into account to ensure that natural resources are managed in a transparent, efficient, effective and sustainable manner. Pursuant to the same law, an independent national institution shall be established to include all concerned authorities at the wilayas, regional and federal levels for the development of policies and to empower the producing wilayas and regions to manage the natural resources efficiently. A federal law developed in consultation with the regions and wilayas shall define the criteria and formula for the sharing of revenues from natural resources, including oil and gas, in a transparent and equitable manner to all the people of Yemen, with due consideration to the specific needs of the producing wilayas and regions and the allocation of a share of the revenues to the federal government.

(9) During the first electoral cycle after the adoption of the federal constitution, the South shall have a 50% representation in all leadership structures in the executive, legislative and judicial bodies, including the armed and security forces, and in levels where appointments are made by the President of the Republic or the Prime Minister.

Similarly, the South shall have a 50% representation in the House of Representatives. Inequality in civil service and the armed and security forces in the central level shall be addressed through legislation and institutions that ensure elimination of discrimination and achieve equal opportunities for all Yemenis. For the purpose of addressing the disparities in employment, Southerners shall have priority in employment in vacant posts and qualification and training in the civil service and armed and security forces. Appointments shall respect relevant public service requirements in terms of the skills and qualifications needed. No employee shall be forcibly dismissed.

The federal constitution shall provide for executive, judicial and parliamentary mechanisms to protect the vital interests of the South after the first electoral cycle. These may include special veto rights or special voting rights on issues related to the vital interests of the South and special representation based on the formula of population weighted by territory. No amendments shall be made to the constitution that affects the South or changes the structures of the state unless through the agreement of the majority of the representatives of the South in the Parliament. Moreover, the federal constitution shall define arrangements to realize power sharing.

(10) The federal constitution shall require all governments and state institutions in the federal state of Yemen to promote equality through legislation and other measures, including real steps to achieve representation of at least 30% women in high offices, elected bodies and in the civil service.

(11) All the people of Yemen, irrespective of their native region, shall belong to one shared nationality and shall have equal rights and responsibilities. Each citizen of Yemen has the right to reside, own, trade, work or pursue any other personal legal matters in any wilaya or region of the federal state without discrimination.

### **III. Defining the Regions**

Authorized by the National Dialogue Conference, the President of the Republic in his capacity as the President of the Conference, shall establish and chair a committee to define the number of regions. The committee's decision shall be binding.

The committee shall consider the option of six (6) regions (four (4) in the North and two (2) in the South), the option of two (2) regions, and any option between these two options that can achieve consensus.

### **IV. Arrangements for Construction of the New Federal State of Yemen**

The federal constitution shall provide for a period for building the federal state of Yemen to commence after the adoption of the constitution, and shall adhere to a timetable that ends within a period as defined in the constitution. The full and effective transition to a new federal State of Yemen, as envisioned above, will require the development of new institutions, capacities and legislation in every wilaya and region, as well as other reforms that include the South's "rights dossier", ensuring the full implementation of the 20+11 points and establishing a trust fund for the South.

As such, investment and on-going efforts will be required to secure and develop the human and material resources necessary for responsible governance serving the indicated aims effectively and efficiently.

Priority shall be given to enhancing the capacity of every wilaya and region of the federal state, the responsibilities of their elected officials, and the appropriate devolution of powers.

To these ends, the constitution shall establish a body that will monitor the full implementation of the tasks of this period. The body shall develop a plan, work in a transparent manner, and shall be fully empowered and sufficiently funded to carry out the following tasks:

1. Establish a timetable to implement the arrangements for building the federal state.
2. Oversee implementation of the outcomes, timetables and standards to be included in the plan.
3. Provide guidance on and monitor the government's capacity-building programme.
4. Provide recommendations to the relevant authorities, as appropriate.
5. Report publicly on progress on implementation at least every six (6) months. The body shall be dissolved at the end of this period, unless the constitution provides otherwise.

#### V. Role of the International Community

We request the international community to support the implementation of the outcomes of the National Dialogue Conference, and the transition process in Yemen, especially the Gulf Cooperation Council (GCC), the League of Arab States, the European Union, the United Nations, the five permanent members of the Security Council (P5), the Friends of Yemen, as well as other supporting States and organizations.

We request the Secretary-General to continue to provide his good offices, as mandated in United Nations Security Council resolutions 2014 (2011) and 2051 (2012). We request the Security Council, through the Secretary-General, to support Yemeni efforts to implement the outcomes of the Comprehensive National Dialogue Conference and to monitor progress of the transition process, especially the implementation of this agreement. We further request continued UN assistance, including coordinating the efforts of the international community, in support of building the new federal state of Yemen.

We request the Security Council and the GCC to adopt resolutions to support this agreement.

## VI. Solemn Commitment

The undersigned declare their full faith and confidence that this agreement constitutes a reasonable compromise and an accurate reflection of our collective understanding. We believe this agreement advances the general interest of the people of Yemen. We commit to respect and promote this agreement in good faith on the basis of a forward-looking perspective, aiming to build together a new, democratic, federal state of Yemen and preserve its unity, sovereignty, independence and territorial integrity.

Ahmed Obaid Bin Dagher, GPC

Ahmed Mohamed Al-Kohlani, GPC

Mohamed Mohamed Qahtan Qaid, *Yemeni Congregation for Reform, Islah*

Ali Hussain Othman Ashal, *Yemeni Congregation for Reform, Islah*

Abdul-Rahman Omar Al-Saqaf, Yemeni Socialist Party

Qadari Ahmed Haider Qassim, Yemeni Social Party

Mahmoud Abdulqader Abdullah Al-Gunaid, Ansar Allah

Abdullah Noaman Mohamed Al-Qadasi, The Unionist Popular Nasserite Organization

Nadiyah Abdullah Al-Akhram, Youth

Ibrahim Malik Shuja-Aldeen, Civil Society

Mohamed Ali Abdullah Abu Luhoom, Justice and Construction Party

Khaled Baras, The Southern Peaceful Hiraak Movement

Mohamed Salem Al-Shaddadi, The Southern Peaceful Hiraak Movement

Riyadh Yassin Abdullah, The Southern Peaceful Hiraak Movement

Ali Shalma Al-Awadi, The Southern Peaceful Hiraak Movement

Moqbel Lakrash, The Southern Peaceful Hiraak Movement

Ghaleb Motlaq Masaad, The Southern Peaceful Hiraak Movement



# **The Sa'dah Working Group**

**(Submitted 9.11.2013)**

## **Introduction:**

The Working Group on the Sa'adah issue has worked from the start in a harmonious atmosphere most of the time. At times, there had been some tensions, but within what can be considered normal and healthy, especially since the venue brings together factions that had been at war with each other.

From the very first moment, we have been keen that our dialogue, which by and large is held under the national ceiling and umbrella, to strengthen the nationalistic element by insisting to create a common ground that no one would disagree on; no matter what their doctrine or sect are. This common ground is the “nation” and made our goal the creation of “a nation big enough for all”. This common ground succeeded in bringing us back to agree whenever there had been disagreements and to bring us back to the dialogue table whenever any constituency was angered and threatened to withdraw.

Since the armed conflict broke out in Damaj, we devoted ourselves to complete this report fully convinced that the solution to the war in Damaj and Sa'adah (the entire geographical area covered by the literature on the Sa'adah issue which span areas in five governorates) and for the wars in Yemen and its crises, is the immediate implementation of the outcomes of the NDC. Every solution that we introduce today to end the war in Sa'adah, and Damaj specifically, will only be a temporary solution. Mending of all the wounds in Yemen will remain interim solution and there can be no lasting solution unless we move to the post- dialogue phase which brings about deep rooted solution that lays the foundations for a strong State with a capacity to carry-out its obligations towards its citizens, both males and females.

With this vision which has accommodated the entire country, the Yemen of tomorrow which we all desire, we have been able to look deep into Sa'adah as an organ suffering from pains in a body that also suffers from the same pain much like the rest of its organs. Our decisions encompass two dimensions: The first is specific to Sa'adah, the place, humans, infrastructure, mending damages and reconstruction, addressing the issue of the internally displaced, the entitlements of martyrs, compensation for the wounded and reparation for all of those affected amongst all parties concerned and all the citizens, farmers, craftsman, the low income, children and women. We tackled everything relevant to Sa'adah as a unit or part of the entire Yemen. The Second dimension covers all Yemenis, since any effort to address part of the problem will be meaningless if the whole body is ill and is incapable of providing protection or provide a service.

This approach was confirmed during the phase where we discussed the roots of the problem in Sa'adah. This phase took the entire first half of the NDC. It was useful that we gave that much time and effort on the roots, because this enabled us to define the spots of weaknesses so to be able to come up with the solutions and guarantees knowing well what is needed, what we want and what we can do.

Since we are engaged in an all-inclusive national dialogue, we, as a working group, treaded on the basis that our work is part of a whole, where our decisions and the decisions of the other working groups make up the sum for the whole. Likewise, other working groups such as transitional justice considered the decisions passed by the Sa'adah working group obligatory in their work. The State Building, the good governance, the military and security and the independent bodies working groups all did the same...etc. as far as the Development Working Group is concerned, most of our decisions focus on development given that one of the roots of the problem in Sa'adah is connected to development.

The only thing remaining is that we want to bring to the attention of all our colleagues in the other working groups that if our decisions had infringed on their mandates, it wasn't because we wanted to broaden our reach but rather these were a reflection of the roots of the Sa'adah issue which became urgent demands that flows into the solutions and the guarantees for non-repetition. These are the two main objectives for our work during the second semester of the NDC.

This report has now become an accomplishment. On this regard, we must give credit where its due starting with the Technical Committee and its planning, passing through the General Secretariat and the preciseness of its implementation and innovations in foreseeing the type of problems that may arise and solving them before they break out, up to the Presidium of the Conference, The Chair and the deputies for the responsibility they exhibited and for their commitment to the Conference, the rules of procedure, terms and conditions, partners and outcomes. Likewise, the Consensus Committee and the chairs of the other working groups and the tasks given to them for addressing the technical problems related to the finalization of the report. We are greatly indebted to all of those who concerned themselves with the issue of Sa'adah and a solution to its problems, the President of the Conference, Abdo-Rabbu Mansour Hadi, his deputies, especially Dr. Yassen Saeed Noaman, Dr. Abdulkareem Al-Eryani, Mr. Saleh habrah, Mr. Mahmoud Al-Gunaied, Mr. Mohamed Qahtan, Dr. Abdullah Lamles, Ms Nadia Al-Saqaaf and the Secretary General of the NDC, Dr. Ahmed Awadh Ben Mubakr and his deputy, Dr. Afrah Al-Zobah.

Special thanks goes to the International Envoy, Mr. Jamal Benomar and his team for the attention they gave to the working group, its proceedings and achievements, and their facilitation of the work.

Thanks go to Dr. Suad Al-Marani and the facilitator of the WG, Khadijah Al-Sarhi and the entire staff of the General Secretariat, especially the staff devoted to the Working Group on Sa'adah, Mr. Ali Abdullah Munasser, Secretariat Staff: Reem Mohamed Al-Najjar, Youmna Al-Dhawi and Zumurudah Mohamed Al-Hamdani and to the documentation team, the security team and the photocopying team. Special thanks go to the documentation officer, Manar Bawazir for her diligence and patience and for documenting all the aspects of our work.

Thanks are also due to the Working Group on Sa'adah, each and every individual and all their entire constituencies. Everyone in their own way made a special effort for reaching a consensus and exhibited a keenness to organize the work in an orderly and harmonious fashion. I ask permission of my noble working group to thank members of the solutions and guarantees sub-working group by their names: -

- Ahmed Hameed Al-Matari
  - Hassan Al-Humran
  - Hussain Ali Hazeb
  - Jamilah Ali Raja
  - Abdullah Ahmed Al-Kebsi
  - Al-Wzzi Shuraim Hebatallah
  - Ali Nasser Al-Bukhaiti
  - Ghaleb Mutlaq
  - Mabkhoot Aboud Al-Shareef
  - Mohamed Musad Al-Rada'ai
- The Chair of the sub-working group
- Abdulhameed Hareez
  - Khaled Amin Al-Ghaish
  - Waheed Al-Essa'ai

Special thanks go to Yehia Mansour Abu Usbaa who chaired the sub-working group for a month and had to leave for field work in the Committee on Damaj and Ms Shrafa Hussain Mohamed Alderbi, who in spite of withdrawing from the sub-group, continued to support the sub-working group and the Working Group at large with so much effort and visions. Mr. Shaif Ahmed Hussain Al-Arouah, Dr. Adel Qasem Al-Shujaa who deputized for the heads of their constituencies a number of times in the course of work. Thanks go to Mr. Fadhel Mohamed Hussain Al-Jaadi from the sub-working group on the roots and all of his colleagues who were named in the solutions and guarantees sub-working groups.

Finally, and after expressing our gratitude to the sisters and brothers the members of the NDC in the Third Plenary, we appeal to them to approve the report of the Working Group on the Sa'adah Issue as is, to the letter and spirit, given the special nature of the Sa'adah issue and the consensus reached by the parties concerned who have examined and understood every term as is in this report. On this occasion, the Chair of the Working Group would like to confirm and point out that we observed our utmost keenness not to add or omit anything in the reports of the sub-working groups (the roots and the solutions and guarantees); not even linguistic corrections because we felt that every word and letter in the report is important to all the constituencies.

### **Objectives of the Working Group**

#### **Overall Objectives of the Working Group: -**

1. Content of the Sa'adah Issue
2. Solutions and Guarantees for the Sa'adah issue.

#### **Detailed objectives of the Working Group:**

- Adoption of the Workplan for the Second Session of the Working Group in the Conference
- Collection of information and documents on the content of the Sa'adah issue.
- Presentation of visions of constituencies on the content of the Sa'adah Issue.
- Presentation of the visions of the constituencies on the solutions and guarantees for the Sa'adah issue.
- Formulation of the final proposals for the solutions and guarantees.

#### **Tasks Accomplished:**

- Visions of the constituencies on the content of the Sa'adah Issue were submitted and presented.
- Proposed solutions and guarantees by the constituencies for the Sa'adah issue were submitted and presented to the WG.
- Community participation were collected and arranged through a sub-committee as part of the WG's Workplan.
- A min-committee to develop solutions and guarantees for the Sa'adah issue was set-up
- A matrix of proposed solutions was developed on the basis of consensus in the WG on the content of the roots of the issue and the visions presented by the constituencies for solutions and guarantees.

- Solutions and guarantees were adopted by all constituencies represented in the Mini-committee with one reservation.
- The WG voted on the solutions and guarantees. This included all constituencies represented in the Mini-Committee, with one reservation.
- The WG voted on the solutions and guarantees which included 49 articles as one package with one reservation by one constituency.

### **Decisions of the Working Group presented to the Final Plenary**

The WG adopted 59 decisions as one package in the solutions and guarantees for the Sa'adah Issue and agreed to submit them to the Third Plenary for adoption by the NDC.

#### **First: Solutions, Treatments and Guarantees**

**First:** The members of the WG agreed that the word (State), wherever it appears in the report (is the State of national partnership) in all State organs and institution to be agreed upon by the members of the all-inclusive National Dialogue Conference.

**Second:** Consensus was reached by the WG on the following decisions, solutions and guarantees.

1. Doctrinal and intellectual freedom and practice of ritual is to be guaranteed. Imposition or prevention (of doctrines and thoughts) by force by anybody should be prohibited. The State and its organs should be neutral and shall not foster or support, financial or morally or provides facilities to any doctrine or thought, as contained in the Constitutions and regulated by law.
2. The State shall reinforce its presence in all parts of Yemen and over the entire area of Sa'adah.
3. The Constitution and the Law shall prohibit and guarantees that no thought or doctrine should be imposed or presented by force. The State and its organs should be neutral in fostering or supporting any thought or doctrine. The State has a responsibility in caring for all and the prohibition of anything that instigates denominational, ethnic or doctrinal disputes and forsakes the culture of hate and glorification of civil war.
4. A comprehensive development program for the Governorate of Sa'adah and affected districts should be developed. It should have clear objectives and time bound for a period that doesn't exceed five years. It should have a specific and known budget and an executive program and a timeline covering all development sectors, including higher education, agriculture, marketing and the opening of the Aleb and Buqa'a land gateways.

5. Release of all prisoners held in connection with the incidents amongst all parties and the disclosure of those who have disappeared, those forcibly held in secret detention and those abducted and compensate them financially and psychologically within a national reconciliation and transitional law framework.
6. Care for the families of martyrs, wounded and the disabled by all parties whether citizens or members of the military and security forces and provide them with full care. Salaries should be approved for families of martyrs and wounded in war.
7. A national conciliation, reconciliation and forgiveness between the residents of Sa'adah and the affected governorates and districts. This should be conciliation where those living in fear should feel secure and all grudges are removed. Anyone with grievance against one party or another should be compensated.
8. Return of IDP's from all sides to their homelands and houses unconditionally with no restrictions. They should be compensated for their plundered properties and possessions and all matters that prevent their return should be removed.
9. Return of those who were forcibly removed or dismissed from their jobs or those arbitrarily transferred. Their suspended emoluments and legal entitlements should be given to them including promotions and allowances.
10. Approval of an urgent program for demining and mine clearances of all affected areas or were war zones. All parties or those who have maps or information on mines should hand them over to the competent body.
11. Develop controls for educational curriculums and private religious education to place under the oversight of the State and in line with whatever agreement is reached by all parties at the national level in a manner that strengthens the spirit of tolerance and preserves the social fabric and national unity.
12. Establishment of welfare and rehabilitation centers for the affected persons, (the disabled-psychologically and physically, women children and the elderly). The centers should be located in areas affected by the war. Vocational and technical education training centers should be established to accommodate the youth.
13. Formulation of constitutional provisions that criminalizes access to foreign funds under any title or consideration and to consider that "treason". Any behavior or individual relations outside the State shall be considered a national security crime. The State shall be responsible for establishment of foreign relations specific to security and sovereignty in accordance with the law.

14. Prevention and criminalization of foreign interventions in the affairs of Yemen and an end to support to groups or individuals.
15. Prohibition and criminalization of the use of the army in internal conflicts.
16. Criminalization of venturing in international and regional relations of Yemen for personal appeasement, doctrinal or partisan tendencies or in implementation of international wishes that contravene the interest of the people and national sovereignty.
17. Disclosure of information that lays the foundation for a real and transparent solution of the Sa'adah Issue and assists in the solutions.
18. Establishment of neutral and independent committees or bodies for data collections and screening to include representatives from the affected areas and the Sa'adah reconstruction Fund to be presented to competent bodies.
19. Implementation of the 20 points relevant to Sa'adah.
20. Disarmament and recovery of State owned heavy and medium weapons from all parties, groups, parties and individuals which were plundered or seized nationwide within a specific timeframe and simultaneously. Possession of heavy and medium weapons through trade is prohibited. Such weapons shall only be in the possession of the State and the law should regulate possession of personal firearms.
21. Building of a central State along nationalistic lines to enhance the principles of good governance, national partnership, justice, equality, rule of law, neutrality of the security and military institutions, separation between powers and to guarantee and protect rights and freedoms.
22. Restructuring of the State's military and security organs on the basis of nationalistic and scientific foundations.
23. The decision to declare war and peace is a national decision to be taken through the parliament and shall be regulated by the Constitution and the Law.
24. Compromise of national sovereignty under any circumstances or reliance on foreign forces in internal conflicts should be criminalized.
25. The Ministry of Information should be abolished and replaced by an independent national body with oversight over the media.
26. Respect for the public service, equal citizenship rights and subject them to foundations and standards of good governance. Exclusionary and forced removal policy of individuals for their political positions or opinion should be criminalized.
27. The Ministry of Education and the Ministry of Higher Education should be ordered to solve the problems of female and male students affected by the wars in Sa'adah and other affected

areas. This should be done through a flexible program to enable them to take tests on study subjects for more than a year according to their capacities in order to enable them to catch up with their colleagues and peers in the same age. This should apply to all universities. Those affected by the war in Sa'adah and other areas should be given a 10% reduction of the admission grade average required by universities for ten years starting the application of this exception.

28. Launch a program with a timeline to support the livelihoods of affected areas from the conflict to improve their economic conditions and the adoption of programs that support small and medium enterprises in those areas, especially those affected by the war and according to the level of deprivation and needs.
29. Effective national partnership in all State's institutions through commitment to democracy, political plurality, partisan plurality and peaceful transfer of power through free, fair and transparent elections.
30. Reaffirmation of the freedom to establish political parties and prohibition of partisan military or Para-military formations. Any political change by force or armed force should be prohibited. Political parties based on regionalism, factionalism, tribalism, doctrinal, sectarian or professional grounds should be prohibited.
31. National partnership in the government through a constituting phase and, after that, the government can be formed on the basis of the elections that will follow the constituting phase.
32. To quickly accommodate and integrate the sons of Sa'adah and the affected governorates from the wars in all State organs and institutions in par with their counterparts from other political forces during the transitional period.
33. The Government shall develop an executive plan with a timeline for the implementation of the 20-points and the decisions included in this report within a period not to exceed a month from the closing date of the NDC. Priority should be given to the implementation of all those relevant to the rights of the people affected by those wars.
34. To address the vengeance and disputes resulting from the Sa'adah wars within the transitional justice and national reconciliation framework.
35. The State should consider and treat the victims of the Sa'adah wars from all sides as Martyrs and shall sponsor their families and the wounded similar to the wounded of the popular youth revolution and the Hirak and through a fund and one Republican decree without any discrimination.
36. Restructuring of the Political and National Security organizations and definition of their roles and responsibilities so that they maintain the security of the country in a manner that doesn't

conflict with human rights. The Judiciary and the parliament should have oversight over the work of these agencies.

37. The State, exclusively, shall be responsible for tax and Zakat collection and any fees imposed in accordance with the law at the national level.
38. Evaluation of all State buildings and properties and private properties by any party. The Mosques, at the national level, shall be returned to the philanthropists and to invoke the terms made in the will of the philanthropists or those representing them. Mosques shall be subject to the oversight of an independent body to manage endowments.
39. The State shall care for victims of the armed disputes including women and children who have lost their head of household, other than the families of martyrs and the wounded, who were living on the low-income professions and handcrafts and whose income had been affected due to the events. The State shall continue to provide welfare for them until they have been able to forge a livelihood and improve their economic situation. For that purpose, the State shall work to enroll them in rehabilitation and vocational training programs and social security.
40. To accelerate the completion of the implementation of the Republican Decree for the establishment of the Sa'adah University.
41. Criminalization of the exercise of political parties and organization political activities within the military and security organizations and the judiciary and the exploitation of mosques and the public service in favor of the party or the organization. Such crimes shall be considered sufficient ground for the dissolution of the party or organization.
42. The Government shall compensate all institutions and libraries which have been affected by the wars in Sa'adah and to return everything that was taken from them or expropriated including manuscripts, books and others and to compensate for any other damages done.
43. Review the legal status of all Arabs and foreigners and take the needed legal action.
44. Issuance of a republican Decree to establish a consolidated fund for the welfare of the families of martyrs and wounded of the youth revolution, Hirak, the 1994 war, the Sa'adah war and the Tihami issue to be constituted by all those parties so that everyone would be treated on the basis of the same criteria.
45. The Government should commit to the implementation of the outcomes of the Working Group on the Sa'adah issue by developing a matrix of action for the implementation of the decisions agreed upon on a neutral and transparent manner. This should insure the application of the solutions so as to benefit all those affected and entitled from all parties without any discrimination.

46. Citizens should enjoy full intellectual, doctrinal and personal freedoms and are free to practice their rituals in all areas of Yemen irrespective of the body which has strong influence over that area.
47. The State shall commit to supporting the farmers through the establishment of specialized agricultural banks and to activate what already exists. It shall provide financial support in the form of interest free soft loans for 10 years. It shall establish an export body which would be responsible for the export and storage of agricultural products, construction of dams and the provision of modern irrigation projects for farmers.
48. The Government shall approve the job grades allocated for the Governorate of Sa'adah which were not used due the wars and to compensate the Governorate for job grades transferred to other governorates on the basis of a publically advertised vetting process. All sons of Sa'adah should be given equal opportunity to compete for such jobs based on objective educational qualifications.
49. The Government must develop an emergency plan with a time line and a clear executive mechanism for the reconstruction of Sa'adah and Harf Sufian and other areas affected by the Sa'adah wars. The reconstruction should include all public and private properties destroyed by the war irrespective of the parties involved and to compensate those affected who lost their properties. This shall all be done through the activation of the Sa'adah Reconstruction Fund and the provision of the sufficient fund from the States treasury to cover the needs.
50. The Government must compensate anyone who was detained, imprisoned, tortured or frightened or abused during the wars in Sa'adah by any of the parties involved.
51. The Government shall treat the families of disappeared persons due to the wars in Sa'adah in the same manner as the families of martyrs and to reveal their whereabouts immediately whether they have died or are still alive.
52. Formulation of school curriculums and teaching aid material for public and private schools in a manner that accommodates the principles of the new constitution and the common ground between various religious doctrines and intellectual schools and shall remove points of contention from the textbooks. A competent high national commission should be set-up for the purpose.
53. Any audio-visual production or any oral reference verbal or in writing published or broadcast through public or private forum which defames any natural or legal persons or incites against them due to color, sex, lineage, ethnicity, creed, doctrine, sect, place of birth, vocation, economic or community activity or living standards, thought, affiliation shall be deemed racism. Racial discrimination should be criminalized as defined above. Penalties shall be

imposed by law on anyone who practices at a personal level or on behalf of a government's or non-governmental persons if such bodies don't relieve themselves of the responsibility for the person or the racist offence.

54. The constitution shall provide that all citizens, males and females, are equal in rights and obligations. They have the right to run for public office without any discrimination on the basis of ethnicity, color, doctrine, creed or region.
55. Ansar Allah should withdraw their check-points and any act that conflict with the obligations of the State. This should be done in concert with the absorption of their members in all government institutions and organs.
56. Cancel the appointments which were made in contravention to the law and terms and conditions for appointment to public jobs and the job rotation law since 2004 and the return of those who were forcibly removed from public service.
57. Addition of the following text to article (8) related to the return of IDP's "Their return shouldn't be dependent on any other political and administrative folio".
58. Nullification of all secret and public agreements which have permitted and allows the use of Yemeni land, water and air for American forces and planes or any other forces for reconnaissance, air strikes or any other military operation inside the country, and anything that undermines national sovereignty in any form. The State and international human rights organization should submit a complaint to international bodies to demand compensation for the victims of such crimes and abuses and to prosecute responsible bodies who carried out such acts.

(The Southern Hirak, GPC and the presidential list constituency- Jamilah Ali Raja- registered a reservation on the formulation of this article).

# National Reconciliation and Transitional Justice Working Group

Draft submitted 18.12.2015

## Introduction

The Working Group on Issues of National Dimensions, National Reconciliation and Transitional Justice, represented in the sub-groups which emanated from the WG commenced the second semester activities Saturday 13/7/2013 by preparing its detailed Workplan for the period from July-August, 2013. The plan aimed mainly at completing the formulation of the constitutional and legal principles and recommendations in order to realize transitional justice and national reconciliation and one that finds solutions for issues of national dimensions based on the following references:

- Yemeni Constitution in force.
- The Scheduled executive mechanism for the GCC Initiative.
- Security Council's Resolutions 2014,2051 on Yemen
- The International Humanitarian Law
- The Rules of Procedures of the NDC
- International human rights conventions
- Lessons learnt from other countries experiences on transitional justice with due consideration to the special nature of the Yemeni situation.
- Agreements by members of the working group
- Any other matter that doesn't conflict with the Islamic Shariya'ah

According to the plans, the sub-groups heard presentations from a number of local and international experts on issues relevant to their mandates. The sub-groups also carried out a number of interviews and meetings in the city of Sana'a. In addition, the sub-groups conducted a number of field visits to relevant ministries and government organizations.

The Sub-Groups also discussed the results of their field visits and studied and analyzed all the documents which were collected including the Constitution and laws in force and perused a number of Arab and foreign countries constitutions and laws in order to benefit from their experiences. For that purpose, it prepared a number of detailed reports. The sub-groups also studied a number of public participation contributions which were received by the working group directly and through the Community Participation Unit. The Working Group also received a number of files and lists of issues, the solutions of which fall under the mandate of transitional justice.

In a team spirit, the diligent effort made by the Working Group culminated in the following content of this report: -

The WG also discussed and adopted the following concepts: -

**1. Victim**

2. A victim is anyone who has been subjected to harm due to abuse, whether an individual or group or legal persons. Anyone is considered a victim if a member of the family of those subjected to damages and anyone who has faced damages during interference to assist victims or to prevent abuse of a victim. This definition also included all regions subjected to abuse.

**3. Truth telling**

Truth telling is the overall means, actions and research done to identify all abuses, control and identifications of the causes, circumstances, source and surrounding conditions, consequences and identification of the fate of victims, admission and apologies and the identification of perpetrators whether they be organizations, parties and individuals (in line with the mechanisms adopted by a truth and fairness commission); and in a manner that doesn't lead to provocation of vengeance and preserves social order and takes into account during truth telling of the special nature of the impact of abuse on women and children.

**4. Memorialisation**

National memorialisation is a right for future generations and is a duty of the State to learn from the past and to memorialise the victims.

**5. Abuses**

Abuses is gross and systematic attacks on human rights by government institutions or an individual and a group acting on its own or under its protection without any legal status or authority to do so. These include abuses by armed militias, influential groups, and armed groups. The body which will be set-up by law shall pursue to uncover the truth and reparation for the victims.

**6. Accountability:**

Accountability is a set of legal mechanisms and measures provided by the transitional justice law which prevents impunity for all forms of human rights abuses. The body shall be responsible for accountability as defined by the transitional justice law.

**7. Institutional Reform**

Institutional reforms are a review of legislations and correction of wrongdoings. It's also a committee not to exceed the powers granted by law to these institutions and officials of those organizations under any justifications and the removal of those responsible from all government institutions

## **8. National Reconciliation**

National reconciliation is the political and social consensus based on the transitional justice mechanism for a transition from a situation of political conflict to a situation of peace and promotion of democracy. Accordingly, relations between all political parties would emerge with the individuals of society based on justice and relies on the values of tolerance to remove the impacts of past conflicts and abuses.

### **Objectives of the Working Group**

#### **Overall Objectives:**

1. Development of constitutional and legal provisions for the formulation of public policies in a manner that realizes national reconciliation and transitional justice.
2. Identification of the causes of issues of national dimensions and suggests solutions and treatment in the constitution, laws and policies and strong guarantees for sustaining such solutions.

#### **Detailed Objectives:-**

1. Identification of previous political conflicts and causes to identify all forms of abuse and transgression which took place during such conflicts.
2. To uncover cases of forced disappearances in a manner that ensures retributions and reparations and call to uncover thru truth and national memorialisation.
3. Identify solutions for human rights abuses which took place between 2007-2011 and ensure truth telling and development of a database.
4. Contribution to the development of foundations for national reconciliations, closure of all files in a manner that doesn't undermine the rights of the victims or conflicts with justice and identification of guarantees for non-repetition.
5. Contributes to reforms of security, military, judicial and media institutions to ensure independence and protection of human rights and freedoms.
6. Identifications of solutions for issues of displacement and displaced persons and consequences at the national level, and preparation of effective and readiness plans to deal with any future displacement.

7. Restitution of private and public properties internally and externally lost due to abuse of power.
8. Review of government policies in anti-terrorism, disclosure of the abuses and the development of elements for an anti- terrorism strategy.
9. Activation of coordination and exchange during implementation between the sub-groups and other working groups on common issues.

**Decisions by the Working Group presented to the Third Plenary:-**

The working group reached consensus on the constitutional and legal provisions and the following decisions:-

**Issues of National Dimension:-**

**Anti-terrorism**

**Constitutional and legal provisions:-**

1. Protection of life and sources of life and uphold values of religious and doctrinal tolerances, establishment of a culture of common existence, protection of human rights, public and private freedoms.
2. Promotion of democratic values, freedom, political plurality and acceptance of the other.
3. Abnegation of excesses and extremism and rejection of violent culture and behaviour and confronting terrorist practices within the national law and provisions of the international law.
4. Maintenance of the interest of the Yemeni society and nation and their destiny and provide conditions for comprehensive and sustainable development as well as create a suitable climate for investment in various areas in a manner that will provide protection from poverty and reduces the factors inciting terrorism and practices thereof.
5. Effective contribution, protection of security and peace at the national, regional and international levels and the promotion of means of cooperation and dialogue between us and people and civilizations in a manner that would lead to the protection of mutual interest as well as promotion of human solidarity.

6. Strengthening of social justice, equal citizenship, fairness and equitable solution to social disputes, realization of national partnership in power and wealth and combating poverty and disease.
7. Maintenance of national sovereignty, respect for the privacy of the people of Yemen, especially sensitive issues such as cultural, religious and doctrinal in harmony with human rights.
8. Commitment of the competent government agencies to legal procedures in dealing with terrorism. It's not permissible for any military or security agency to use excessive force outside the law.
9. The State has no right to repatriate any Yemeni citizen to another state under any justification including charges of terrorism. The State shall make every effort to ensure fair trials before national and international Judiciary.
10. The State shall commit, in all actions designed to combat terrorism, to principles of human rights adopted in international conventions and agreement ratified by the country.
11. A cooperation agreement on anti-terrorism shall not be considered in force unless ratified by the legislative authority.
12. Practices of abuse of anti-terrorism resources and use in settling political accounts shall be criminalized.
13. No university, institute or school is to be open unless by a permit for the competent authoritative.
14. Criminalization of the use of Yemeni territories for any purpose that would lend support or assistance to terrorist elements such as recruitment and training of Yemeni or foreign combatant to fight inside the country or abroad.
15. Criminalization of the use of the terrorism to achieve political gains.
16. Absolute criminalization of extra-judicial killing.
17. The State shall commit to the ratification of the international agreement to combat torture, annexes and protocols and harmonization thereof with the national legislation.
18. Criminalization of the formation and establishment of militias or armed groups outside the law.
19. Extraordinary trials are prohibited under all circumstances.
20. Crime and punishment is personal. Hostage taking and arrest of any of the relatives of suspects on any case including terrorism cases shall be criminalized.

21. Commitment to deal with foreign nations, person with no nationality or dual citizens involved in terrorism crimes in accordance with national law.
22. Verification of the legal status of foreign residence to ensure that their files are free from any links to terrorism crimes.
23. Criminalization of any illegal form of foreign military presence inside the Yemeni territories including the use of Yemeni territories by any foreign state for military actions against any internal party or a foreign state or foreign party.
24. Dealing with Any terrorism crime which takes place within Yemeni territories shall be considered a sovereign right that shall not be conceded.
25. Development and formulation of a national anti-terrorism strategy which shall include, in addition to the military, security and intelligence approach, Shariya'ah, political, educational and development aspects – economic and social aspects- as well as cultural media, awareness and education and religious teaching as well as foreign relations and regional and international cooperation.
26. Solution of Arab issues in accordance with fair international resolutions on top of which the Palestinian peoples issue.
27. The need to realize justice, respect of sovereignty and the rights of people to life freely and dignity under balanced and fair international relationships.

Decisions:-

28. The Comprehensive National Dialogue Conference rejects attempts to attach terrorism charges to our Islamic religion and confirms that terrorism has no religion and no nation and holds any one working to involve Islam in this responsible.
29. The government shall support and facilitate the role of human rights organizations and follows-up on the file of the detainees in Guantanamo and the Bagram Airbase and other detention centres and to seek their release whilst taking the appropriate measures to rehabilitate them and integrate them in society.
30. The State shall take the necessary measures such as contacts and communications to benefit from previous successful experiences for the purpose of understanding and containing any of the armed groups on conditions they forsake their violent behaviour to achieve their goals and hand over their weapons by restoring to peace and acceptance of the social structures and integrate in to social structure and, if they wish, join the political process.

31. Care and honour the families of army and security martyrs and popular committees who were killed while performing their national duties in fighting terror.
32. Immediate establishment and organization of special rehabilitation centres for rehabilitation and integration of released detainees from foreign detention centres and those who completed their sentences in terrorism crimes inside the country and in national prisons and detention centres with specialized staff in psycho-support and social sciences and religious leaders needed for dealing with convicts in terrorism crimes and other crimes for the purpose of rehabilitation and reintegration in society on condition that this process is in parallel to the term of detention.
33. Recovery of public and private properties and land looted in the country and outside the country due to abuse of power. (Assets recovery).
34. Nullification of all types of dispositions of public assets by the transitional government.
35. Obligate the State to reacquire looted antiquities, heritage sites and manuscripts as well as those smuggled out of the country and toughen punishments of those responsible.
36. Speedy removal of all adjustments in land appropriated for airports, ports, industrial zones and boundaries.
37. Obligate the State to collect due taxes to the public treasury from all taxpayers and companies who are evading payment of taxes and to hasten the activation of the profit tax law.
38. Ban the issues of any tax exemption decisions by any type of authority.
39. Issuance of a law that regulates all energy contractual transactions to serve the public good and a commitment to toughen penalties if violated.
40. Fair and immediate compensation for the citizens whose land becomes part of land used for public interest.
41. The State shall be obligated to make quick restitution of land taken under political or doctrinal motivated actions or for other purposes by the State and have been managed by the Department of wills and earths in the Ministry of Endowments and Guidance and registered in their records.
42. Cancellation of all monopoly contracts in oil exploitation and related services including the transport of oil derivatives in a manner that achieves public interest.
43. Cancellation of all concessions made to fishing companies which violate the rights of local fishermen and harms the marine environment and activate monitoring of

- performance of these companies and the prosecution of companies in violation for harming the rights of fisherman and the marine environment.
44. Cancellations of all monopoly contracts made to telecommunication's companies and others; and offer all opportunities in the area through competitive bidding open to all in a manner that preserves the public good.
  45. The State shall be obligated to disarm and regain all weapons and military equipment looted or taken during the different conflicts from all parties, groups, political parties and individuals.
  46. Completion of the process for addressing the impact of the nationalization law in a fair manner.
  47. Cases of looted funds, properties and lands shall not be subject to the status of limitation.
  48. The State shall be obligated to remove the injustices done to the people of Tihama, restitution and ending the harm done under a collective reparation scheme and by given the Tihama region special attention in planning in the economic, social, education and services sector and treat them fairly, pay special care to the national, cultural and humanitarian struggle of the Tihama region in a manner that would improve the living conditions of people of Tihama to achieve a real partnership in national power and wealth and addresses grievances they have suffered for decades and continue to do so until now.
  49. Within a collective reparation scheme, the governorates of Mareb, Mahara , Socotra and populated island shall be given special attention through spreading education, improvement of the health situations and provide access to public services, improvement of their living stands and the building of State's institutions and investment in the natural and cultural nature of these government, including care for antiquities and heritage in a manner that realizes national partnership in power and wealth and ensure equitable distribution of economic and social development plans and programs.
  50. The State shall be obligated to issue an apology, reparation and fair compensation for those who have been subject to human rights violations during wars and shall commit to addressing the situation of those dismissed or fired from their civilian and military jobs.
  51. Restore confidence on the airport and sea port of Aden and restore their sovereign and international status.

52. The State shall commit to address the changes of names made to government buildings, public squares and streets in the southern governorates.
53. The State shall commit to the preservation of the island of Socotra as a naturally protect areas and to prohibit any developments harmful to the environment, vegetation and livestock which contribute to the loss of its characters and to declare that publically.
54. Restoration of the global economic status of the city of Aden, preservation of its historical heritage and antiquities and compensate the city for the damages caused to its landmarks, antiquities, beaches and environment by investment projects which weren't in compliance with the laws in force at the time and required an EIA and the restoration of its historical identity.
55. Referral of all those involved in issuing permits for projects, in contravention of the law in force at the time, and have caused environmental damages or harm to humans by depriving them from enjoying the environment such as filling of the sea, restoration of access to open spaces and coasts in the cities of Aden, Mukala and Hodeidah.
56. Nullification of all investment agreements in the seas and coasts of Aden, Mukala and Hodeidah which have harmed the environment and violated human rights to live in a sound healthy environment in the South for not being subjected to the environmental law and other legal standards in force at the time.
57. Restoration of wealth looted from the South and cancellation of all investments titles and leases granted to investment projects obtained through fraud, deception and forgery or abuse of power.
58. Hold accountable of all those involved in the taking of the wealth in the south and the rest of Yemen, specifically looted oil, the sea and land granted through abuse of power and to forfeit the titles in favour of the state.

#### **Internally Displaced Issues**

59. Issuance of a special law, which shall establish an independent national body to deal with cases of internal displacement as result of warts and armed conflicts, other forms of violence or natural disasters. The body shall be given all human and financial resourced needed together with suitable shelters pursuant to law in force at the time for the purpose of providing assistant and protection to the lives and dignity of those affected.

60. Nationalization of the international agreement on displacement in the national legislation.
61. The State shall commit to providing necessary protection to women, children and persons with disabilities during and after armed conflicts and other violent cases as well as exceptional cases in accordance with the international humanitarian law.
62. Alignment between international conventions and national legislations to ensure the rights of women, children and persons with disabilities during armed conflicts, wars, others violent situations and extraordinary situation.
63. The State shall be obligated to perform its obligation towards the return of all displaced people to their homes and to work for providing decent, suitable and safe lives where health, educational, social, economic, services and other needs are met.
64. All parties engaged in an armed conflict shall commit to disclosure of maps of landmines planted by them. The State shall survey conflict regions in Sa'adah, Hajjah, Amran, the central areas, and other areas and to demine them and remove all unexploded remnants of wars in these areas.
65. Immediate and comprehensive commencing of reconstructions programs in areas destroyed by armed conflicts and the activation of reconstruction funds and exercise control over the funds for Sa'adah, Abayn, hajjah and other affected governorates with compensation to those affected by displacement for all moral and material damages.
66. Engage representatives of those affected, civil society and women in reconstruction funds committees.
67. Activation of the control role on the performance of the executive unit for the displaced persons to ensure transparency in its functions and a review of national policies to address internal displacement issue in general. The performance of international agencies and local and regional organizations working with displaced person shall be assessed.

**Constitutional and Legal Principles for Transitional Justice and National Reconciliation**

**Truth telling**

68. Identification and unveiling of truth with respect to abuse of any rights guaranteed by law for all citizens and political organizations and forces without contravening personal rights and due consideration to reconciliation and dignity of all parties.

69. Human rights abuses shall not be subject to the statute of limitation.
70. The law shall identify transitional justice programs in compliance with international human rights standards, the international human rights law and the following principles:-
  - a. Non-permissibility of the use of transitional justice measures arbitrarily including repeated unjustified summons or libel.
  - b. Non-applicability of provisions of the penal code on parties in compliance with the body's measures and decisions.
  - c. Ensure that no impunity for abuses of human rights or to disownment of accountability in line with the specific mechanisms identified by the transitional justice law.
  - d. Realization of the principle of admission and apology by the perpetrators to the victims.
  - e. To appropriately frame transitional justice law and timeliness and to ensure that transitional justice programs consider the core causes of the conflict and address all abuses including economic, social and cultural rights such as loss of intellectual properties or deprivation from its benefits, systemic discrimination and inequality on distribution of wealth, social services, spread of corruption in an equitable and fair manner and through public institutions with trust and integrity.
  - f. Truth telling is a cornerstone of transitional justice and no obstructions shall hinder the process.
  - g. Implementation of transitional justice program through an integrated approach that includes all transitional justice mechanisms and measures and covers truth telling, reparation programs, institutional reforms and memorialisation through appropriate planning and intensive consultation with all stakeholders and support for truth commissions during investigation, evidence collection and protection of victims and witnesses.
  - h. Guarantee the rights of the victims
  - i. Guarantee the rights of women, children and minorities
71. Investigation and detection of major abuses of human rights and serious abuses of the International Humanitarian Law. Required measures to ensure that no evades accountability. In the event that any party obstructs any mechanism of actions introduced by the transitional justice law or exhibits lack of cooperation, the party shall be prosecuted. No obstruction shall constitute a hindrance to implementation of

this provision with consideration to necessary actions to punish the perpetrators of crimes against the transitional justice commission including the obstruction of the functions of the Commission, deliberate provision of false information, failure to show up before the Commission, abstention from disclosure of secret information or destruction of evidence and or archives.

**Victims:-**

72. Respect for the victims and their interests and ensure their participation in transitional justice programs by ensuring their rights to implement such programs in accordance with the standards identified by the Commission.
73. Implementation of actions that guarantee the safety and dignity of the victims and assist them.
74. Support and encouragement of the witnesses and provision of protection for them.

**Women: -**

75. Development of special measures to ensure equity for women during conflict and disputes and violation and consultations with women to identify their priorities in transitional justice mechanisms.

**Children: -**

76. Establishment of effective equity mechanism for children, protection and strengthening of their rights. Children who have connection to armed groups or forces shall be considered victims and not perpetrators. They shall not be charged with criminal responsibility. During prosecution, they shall be treated in accordance with the International Covenant on Civil and Political Rights, Covenant on the Rights of the Child and United Nations Standard Minimum Rules for the Administration of Juvenile justice.
77. Development of appropriate policies for the rights for children of concern who are victims of flagrant crimes and shall act in the best interest of a child.

**Transitional Justice Body:-**

78. Pursuant to the transitional justice law, an independent high commission to be named the transitional justice commission shall be established. It shall enjoy legal personality and financial and administrative autonomy.

79. All former political conflicts shall be considered part of the history of Yemen. All parties to those conflicts shall be responsible for them. Any persons who have been abused as victims of conflict at any stage during the different system of governments existing in the previous parts of the country or during the unification system government. The rights of all those affected and became victims of political conflicts which took place in the two parts of the country- North and South are reconfirmed. The transitional justice commission shall abide by receiving all dossiers of different conflicts and wars between the two former parts of the country, the political conflicts, military coups, civil wars, armed conflicts and to study them through competent staff. It shall investigate those incidents, background, circumstances and accompanying abuses under the partition rule in the South and in the North and under the unity state up to this issuance of this law for the purpose of disclosure of the truth, lessons learnt, address past abuse, apologies, rehabilitation and reparation for the victims and memorialisation of those events in the national memory. All victims of conflicts shall be considered martyrs of the nation in the path to closure of all past dossiers of past conflicts and the achievement of comprehensive national reconciliation.

80. The commission's term of assignment shall be four years renewable once by the legislative authority's decision.

81. The Commission shall consist of at least 11 members and no more than 15 members. It shall reflect at least 30% representation of women, 50% for the South and 50% for the North. The competent authority shall, in accordance with the law, select those who meet the following conditions:

- a. Yemeni nationals whose ages no less than 35 years.
- b. Qualification, a university degree with integrity, independent impartiality and experience in the field of work of the commission.
- c. Shall enjoy trust and honesty and shall not have been indicted of any crime violating honour.
- d. Shall not have been indicted by a judicial judgement of committing violation of human rights or a corruption crime unless acquitted of such a crime.
- e. Shall be a civilian with no absolute connection to the military or security services.
- f. Shall not have a relative up to this fourth level or any relations through marriage or mutual interest with any perpetrator of a human rights violation or practitioner.

- g. The members shall suspend membership in a political party or movement during tenure in the commission.
82. All actions or solutions and anything issued by the commission such as decisions or judgement shall be final, obligatory and shall not be subject to repeal.
83. The commission shall consider human rights violations cases. The commission shall develop a time frame to organize working mechanism and shall process the cases in a manner that would be conducive to establishment of national reconciliation.

### **Reparation and Rehabilitation**

Reparation to victims of abuse is a right guaranteed by law. The state is obliged to provide all forms of sufficient and effective forms of reparation proportionate to the gravity of the abuse and the position of each victim.

84. Reparation is a system based on moral and financial compensation or both. Rehabilitation, restitution and integration. It can be individually or collectively and shall take into account the situation of the elderly, women, children and person of disability.
85. Victims of human rights abuses shall enjoy pursuant to this law, the right to free access to litigation whereby the state shall pay all the costs of the litigation process.
86. Forms of reparation shall be identified in a statement of principles which shall include:-
- a. restitution:- restitution of freedom, legal rights, social status, family life return to place of residence, regain employment and restitution of properties.
  - b. Compensation: - Shall be valued economically and includes:-
    - 1) Physical or mental harm including pain, suffering, emotional disorder.
    - 2) Opportunity loss, including loss of educational opportunities.
    - 3) Physical harm and loss of income including loss of potential income.
    - 4) Damage to reputation and dignity
    - 5) Cost of legal assistance, expert assistance and medical, psychological and social services.
87. Reparation at the personal level and collective reparations that include:-
- a. Rehabilitation through truth telling and removal of impact of abuse.
  - b. Health and psychological rehabilitation.

- c. Social reintegration.
- d. Settlement of legal status
- e. Continuity of vocational education
- f. Reparation for material and moral damages
- g. Development and rehabilitation programs.

**Establishment of a Reparation and Compensation Fund**

88. a. The Reparation and Compensation Fund shall be one national fund. It's not permissible to divide funds.

- b. The Reparation and Compensation Fund shall be subject to the Commissions' oversight. It shall also be subject to the controls of relevant control agencies.
  - c. The reparation function with financial implications shall be sustainable to victims and their families from the Public Authority for the Welfare of Martyrs and Strugglers of the Revolution.
  - d. The revenues for the Fund shall comprise the following:-
- 1) Annual public budget allocations.
  - 2) Gifts, grants and unconditional foreign assistance.
  - 3) Unconditional donations from citizens, societies and bodies inside the country and abroad
  - 4) Any other resource.

**Institutional Reforms: -**

90. Realization of the principle of transparency and compliance with judicial procedures and laws in forces in the transactions of any organs to be established in the future to ensure non-repetition of abuses, respect for human rights and establishment of the state of rule of law.

**Prevention of Non-Repetition of Abuses: -**

91. Settlements and guarantee of non-repetition include: -

- a. End to continuous abuses.
- b. Investigations of the incidence and facts and full disclosure of the truth.
- c. Official declaration that includes final and implementable decision that restores dignity and reputation and legal and social rights of a victim and to the persons who are closely connected with them.
- d. Provide an apology including public admission of the facts and responsibility.

- e. The judiciary shall proceed with judicial procedures against parties responsible for continued abuses.
  - f. Organization of memorialisation celebrations to commemorate and pay tribute to the victims.
  - g. Documentation of all materials and papers of transitional justice, the commission's decision on matters presented to and to maintain them as part of a national memorial archive accessible to all citizens and researchers for perusal and use to serve the interest of future generations.
  - h. Beside symbolic reparations, there shall be health reparations, educational reparations, economic reparations and restoration of all citizenships rights.
92. Organization and promotion of training in human rights and effective control over all relevant organs including the armed and security forces, individual law enforcement officers, prisons and media outlets.

**Forced Disappearance, political conflicts and human rights violations: -**

- 93. Disclosure of the whereabouts of victims of forced disappearances by all parties who allegedly carried out such acts.
- 94. We recommend the ratification of the Rome basic charter for the ICC during a period not to exceed the submission period for the transitional justice law.
- 95. Establishment of a special unit in the Yemeni Research and Studies Centre to carry out objective studies of the Yemeni National Movement, political conflicts, in a manner that would set the record straight with respect to the truth about what actually happened and achieve equity and national memorials. The unit should be supported with needed technical and financial support to enable to carry-out this work.
- 96. The commission which will be established by the transitional justice law shall commit to study and address all complaints and grievances and issues of citizens, groups and political parties' victims of abuse relevant to transitional justice without any discrimination including complaints and grievances which have been filed and relevant to the NDC.
- 97. A. Compel the state to hand over the remains of those executed following a political or criminal trial or without a trial whose remains weren't handed over to their families in the North and the South during the period covered by the law.
  - b. Consider all those executed following a political trial or without trials martyrs of the national movement.

98. Compel the state to disclose the truth about the abuses such as torture, killings and forced disappearances in the course of all political conflicts and in all areas for the period covered by the law up to the current time, and to hand over the remains of those who were liquidated to their families and consider them martyrs of the nation and its national movement, and work to close all previous political conflicts.
99. The transitional justice commission shall investigate all incidents and events including killings, detentions and forced disappearances and rehabilitation of the victims in all governorates, grant them fair compensations and eternalize them in the national memory.
100. The state shall work, through relevant stakeholders, to monitor and to collect and analyse all data and statics of human rights abuses during peace times and during political and armed conflicts and establish an accurate and detailed database for females and males (gender) to assist in healing the abuses.
101. Condemnation of all religious edicts which accuses others of heresy to settle political, sectarian or doctrinal differences issued by different parties in different stages of history of Yemen and criminalizes the introduction of such edits in the present or the future.
102. Anyone proven through conclusive evidence and beyond any reasonable doubt of having been involved in human rights abuses shall be prohibited from running for a public office or holding any senior public position.
103. Opening of all civilian and military prisons to legally competent agencies to monitor the enforcement of the law and respect for human rights and to close all external extra-judicial prisons.
104. Eternalize women in the national memory in recognition of her distinguished role in all political and social stages.
105. Prohibition of recruitment of children below the legal age and criminalize their exploitation in political conflicts and armed disputes.
106. The government shall speed up actions for reconstructions of the area and private and public buildings affected by wars and armed conflicts in Sa'adah, Hajjah and other areas affected as well as reparations and compensations for properties lost, treatment of the wounded and compensations to the families of martyrs and initiate peace building measures by the state as part of its obligations in Sa'adah and the remaining turbulent or affected governorates.

107. Reconsideration of the provisions of the law on Occupants of Senior Public Posts to ensure that they are subject to accountability and subject to the law and control organizations.
108. Scale-up the establishment of special commission to address land issues in all governorates of the country which are suffering from land problems.
109. The state guarantees the incorporation of principles of social justice in its national legislations.
110. Realization of the legitimate demands and objectives of the change movements and peaceful struggle.
111. Settle the issue of forced dismissed in the civil service and military and security services and the establishment of special commission to consider and address all of these issues.
112. The Commission shall commit to investigate and disclose the truth about any grievance against any group or sect of which material impact is still tangible in a manner that achieves justice, equity and fulfilment of rights.
113. The state shall commit to building, protection and development of infrastructure and reconstruction of institutions destroyed by wars or armed conflicts.
114. Within the framework of collective reparations, the state shall commit to initiate government development, economic, political and social programs and to provide equitable and equal opportunities to the sons of all governorates for enrolment in civilian or military universities, colleges and academies inside the country or aboard, as well as, in the diplomatic corp., ministerial courts, senior public jobs in the state and the public services to ensure a reflection of effective national partnership and fair distribution amongst all sons of the nation in all states institutions and its various authorities; in a manner that doesn't contravene the conditions for filling such posts and in line with the outcomes of the working group on the Southern Question.
115. The transitional justice law shall include the content of Republican Decree No. 140 for the year 2012 and its provisions for the establishment of a truth commission to investigate human rights violations in 2011 and in accordance with the decisions by the Human Rights Council and the Security Council.
116. Consideration of the outcomes of the working group on the Southern Question on transitional justice obligatory for the working group on transitional justice as long as they uphold the general principles of transitional justice.

117. Consideration of the outcomes of the working group on the Sa'adah issue relevant to transitional justice obligatory to the working group on transitional justice as long as they uphold the general principles of transitional justice.
118. The state shall commit to condemnation of all abuses of human rights and heresy and incitement edicts and address their impact using a transitional justice approach and mechanisms.
119. Development of policies and special measures to quickly compensate women and children victims of wars and consecutive events of violence and force used by security and military forces.
120. Address all human rights violations and compensate the wounded of the peaceful struggle and families of the civilian and military martyrs in accordance with transitional justice programs and mechanisms.
121. Promotion of the principle of reconciliation and tolerance as a principle of national reconciliation and support and promote any national initiative setting precedence in this respect.
122. Condemnation of road blocking, killings, kidnapping, heavy handed sieges in any area of the country and against any party.
123. Establishment of a government national-level body to address the situation of families of martyrs and to treat the wounded of all parties to the conflict without any exception or discrimination.
124. Uphold the Yemeni characteristics and benefit from the Arab and Islamic heritage in the formulation of the transitional justice law.
125. Criminalization of the establishment of political parties on religious, sectarian or doctrinal grounds.
126. With respect the provision related to self-determination, it should be moved to the working groups of the southern question considering its relevance to the shape of the state and the Southern Question.

# **Working Group on State Building and Constitution-Principles and Foundations**

**(July-December, 2013: Submitted to the final plenary)**

## **Introduction**

- Throughout the period from July 13 – December, 2013, the State Building Working Group deliberated on all the issues assigned to the Working Group conforming to high standards of responsibility. These include all matters relevant to the foundations and principles of the new constitution to ensure that the hopes and ambitions of the Yemeni people are guaranteed during the course of establishment of an institutions-based modern, civic, democratic State.
- Throughout, serious and responsible discussions took place on all the visions and proposals presented to the Working Group. This lead to a consensus on some decisions and recommendations, some were referred to the Consensus Committee, and others to the Chairman of the NDC.
- Based on the decisions and provisions of the Conference's Rule of Procedures, the constituencies represented in the State Building Working Group engaged in collective discussion, and, at times, meetings of sub-groups producing more than 13 decisions and recommendations. The Working Group faced difficulties on decisions regarding constitutional provisions, specifically the need to have a consensus amongst constituencies in the Conference on the main principles of the Constitution vis-a-vis identity of the State, shape and system of government.
- This report contains some of the issues and various visions that must be finalized by the Working Group before the establishment of the Constitutional Drafting Commission. The way forward is to reflect unbiased respect for the popular will, decisions of the Working Group and pragmatic and transparent diagnosis of existing challenges and priorities that can be readily seen in the content of this report and annexure.
- The Working Group had discussed at length criteria for the establishment of the Constitutional Drafting Commission to allow sufficient options for control and oversight over the outcomes of the work by the Commission. It should lead to a draft consensual Constitution that should attract the votes of the majority of voters in the referendum. The Working Group on State Building was able to contain emerging disputes over the principles of the Constitution by offering different options for solutions that accommodate the preferences of the Yemeni people.

- The Working Group on State Building would like to extend its appreciation to everyone who cooperated with the Group to facilitate its mission starting with the Presidium of the Conference, the General Secretariat and ending with the experts and facilitators as well as international partners who accompanied the Working Group throughout its work until the achievements of the outcomes contained in this report. The Working Group appreciates the efforts of members of the General Secretariat for their effort in coordinating and documenting the work of the Group to help in the achievement of the desired decisions and outcomes.

**Objectives and Work Plan** (Please Refer to Annex 2):

According to the draft objectives and work plan of the State Building Working Group, These were determined as follows

**Overall Objective:**

Development of a proposal for State building (Foundations and Principles of the Constitution)

**Sub-objectives for the Second semester (for the period from July 13- December 23, 2013)**

1. Detailed identification of elements for each theme relevant to state buildings
2. In-depth discussion on visions presented by the working group on the seven themes in the light of the outcomes of the Midterm Plenary.
3. Arrive at a consensus on the various themes
4. Develop a matrix of the elements and matters that should be included in the Constitution

**Decisions of the Working Group Presented to the Final Plenary Session:-**

The Working Group reached a consensus on the following decisions and recommendations and agreed to submit the same to the Final Plenary Session for approval and adoption by the Conference.

**First: Preamble of the Constitution:-**

The preamble falls within the competence of the Constitution Drafting Commission. The Constitution should be drafted to reflect the principles based on the outcomes of the NDC. It shall contain the principles of equal citizenship, guarantee of the dignity and rights of the female and male citizens of Yemen, social justice and rule of law under a democratic, civic State in Yemen.

In the Definitions of the Constitution:

1. The term “citizen” shall be defined to mean: - every Yemeni citizen, male or female.

**Second: Constitutional Guidelines: The Working Group adopted the following:-**

**Political Foundations:**

1. Constitutional Legitimacy, rule of law, foundation of the system of government in the State, it is unlawful to change the system in any other mean in contravention of the provisions of the Constitution. The State shall commit to ensure the enforcement of the rule of law on all citizens with no exceptions.
2. Realization of the principle of accountability for anyone who assumes a public office job including the President of the Republic, the Prime Minister and deputies, ministers and their deputies, heads of authorities, organizations, corporations, public bodies and their deputies. Immunity from accountability for any of those posts is prohibited. Anyone who holds such a post must submit a financial disclosure showing their assets, assets of their sons and wives during one month from their appointment and one month after leaving office.
3. The government is responsible for taking legislative and executive measures to ensure impartiality of the State's civilian, military and security organizations and to discriminate between the State's revenues and its resources and between the properties of the officials in the State, party, or ruling parties, public funds and properties. The use of States resources and those of the State's organizations shall be prohibited from whether for personal or partisan benefit.
4. It is unlawful to use of houses of worships for the dissemination of partisan ideas or call to achieve a political interest, incitement to hate, violence or seditions between the people.
5. The political system is a democratic system based on political and partisan pluralism with the aim of achieving a peaceful transfer of power. Political parties are the pillars of the democratic political process. Freedom to establish political parties is guaranteed without the need to obtain a license from any administrative body. With the existence of an independent body, it is sufficient to deposit documents pertinent

to the party's establishment and launch with this body. The body shall issue a document as proof of deposit of such documents. Anyone who has suffered harm from the establishment of a political party shall resort to the judiciary. It is unlawful that political parties are dissolved or suspended unless by a final court judgement issued by a competent court. Change to the freedom given for the establishment or exercise of activity or interference in the affairs of a political party is prohibited. It is unlawful for any political party to be established on the basis of religious, ethnic, doctrinal or sectarian grounds or to have any military or paramilitary formations. Political party's article of associations and by laws shall be based on democracy. Political parties shall commit make public all their decisions, activities, accounts, resources, properties, investments and how it disposes and utilizes such assets. It is unlawful for a political party to receive foreign funding. It is unlawful for political parties to undermine the foundations of the democratic political system or work to abolish it or to threaten the entity of the State. This shall be considered a crime punishable by law.

6. Officials of the State, its organizations, any social dignitaries or any other individual or organizations are prohibited from receiving funds from a foreign state suspected of being a bribe or for subordination or for a political purpose whether periodic, on instalments, directly or indirectly.
7. The State shall adhere to respect of the UN Charter, the Arab League Charter, the Universal Declaration of Human Rights and international covenants and agreements which the legislative authority has ratified. It shall harmonise all legislations with these conventions.
8. Any act that compromises the freedom of thought and belief by whatever body is prohibited. Anyone who commits such an act shall be punished according to the law.
9. Insulting the religion of Islam or other divine religion or blasphemy of the messengers and prophets shall be criminalized and anyone who commits such an act shall be punished according to the law.
10. The legislative, executive and judicial authorities shall abide by constitutional and legal legitimacy of the democratic political state. Any act that compromise or weakens the foundations of such a system either through legislation or practice is prohibited.

The Constitutional Court shall be responsible for protecting the foundations of this system by adjudicating on claims in this respect.

11. The rights of people to express their views and political choices, to express their will through civic action, such as processions, demonstrations, strikes, peaceful sit-ins without weapons and without inflicting any damage or harm to public and private property is guaranteed without the need for any prior permits. It is unlawful that such rights are undermined or detracted from in any form or manner. There should be legal provisions prescribing criminal penalties against anyone who contributes in detracting such rights.
12. All courts shall apply the provisions of laws in harmonization with the basic human rights of the citizens and in accordance with the letter and spirit of the Constitution. In all cases, courts shall apply the provisions of the Constitution relevant to basic human rights of citizens directly.
13. The State has the exclusive right to establish the armed forces which is a unified national institutions part of the Ministry of Defence. The armed forces shall be built on nationalistic foundations and shall have no regional affiliation. It shall have a doctrine that manifests values of national loyalty and clarity on the basic mission of the army. Appointment and promotions must be guaranteed to be based exclusively on legal and professional grounds. The armed forces shall be removed from political affairs. Its mission is to protect the Republic, territorial integrity and security. It is prohibited, for any individual, group, body, political party or organization, to establish armed forces or military or paramilitary formations for any purpose or under any name.

The exploitation of the armed forces to serve the interest of a political party, individual, family or group is prohibited. The armed forces shall be protected from all forms of partisan, racial, sectarian, regionalism or tribal divisions to ensure its impartiality and to allow it to carry out its national mission in the best possible manner. Political affiliation or partisan or political activities are prohibited. It is unlawful for the military staff, during their term of service, to participate in the election process for two electoral terms. The law shall prohibit that any relative or in-law of the President of the Republic or the Prime Ministers, up to the fourth generation of family ties, from assuming command of the

armed forces. Any violation of this provision shall be considered a serious crime punishable by law.

14. The police are a regular civilian body which performs its duties to serve the people and to ensure public tranquillity and security. It works to maintain law and order, public security, public ethics and enforces judicial orders. It is also responsible for carrying out obligations set forth in laws and regulations. It must be reaffirmed that the building of the police organization and other security organization should be based on national foundations and not regionalism. It shall have a doctrine that manifests national loyalty in accordance with the basic mission of these organizations such as: realization of security for the citizens and the nation and to ensure public tranquillity. This shall be done through appropriate qualifications linked to the missions assigned to the police. It should also ensure that the police organizations respect human rights, maintains the dignity of citizens. It must be emphasized that appointments and promotions shall be based exclusively on professional grounds. The Police shall refrain from getting involved in political affairs. The police and all other security organizations should be part of the Ministry of Interior.

#### **Economic Foundations:**

1. The State shall abide by freedom of economic activities in a manner that realizes social justice.
2. The State shall seek to monitor and strike economic balance between the interests of various social groups and in a manner that realized equitable distribution of wealth and balance between interests of individuals and the society.
3. The State shall promote creativity, individual and private initiative and economic enterprise.
4. The State shall promote legitimate competition between the various economic sectors. It should play the leading role in the establishment of major strategic projects. The State shall ensure prevention of monopoly, smuggling, fraud, forgery and the spread of products that are harmful to health and environment.
5. The State's economic policy shall be based on scientific economic planning. It shall ensure the best utilization of all resources, development and advancement of capacities in all economic sectors and all economic and social development areas

within the State's general plan and, in a manner, that serves public interest and the national economy, improves the living standards of the citizens, provide basic needs and achieves social justice.

6. The State shall guarantee the freedom of movement of people and goods, trade, investment and funds between all parts of the State and shall promote private investment in all areas.
7. All types of natural resources and sources of energy underground or on the surface, in territorial waters or regional wars, in the exclusive economic zone or in the continental shelf is the property of the State. The State shall ensure exploration thereof to serve the public interest. Revenues from such resource shall be distributed fairly and equitably to all parts of the country and shall be regulated by law.
8. The State is responsible for addressing cases of financial and management corruption and illegal gains. It shall take all legal measures to recover funds gained from corruption whether such funds are public or private. Anyone with an interest has the right to submit a claim on this respect. Rights for recovery or claim shall not be forfeited or subject to a statute of limitation.
9. Public Funds shall consist of real estate, cash and others inside and outside the country and shall be defined by law.
10. The State shall provide a climate and foundations for free competition in trade and investment in a manner that serves the national economy. Legislations guaranteeing protection for producer and consumers alike shall be enacted and basic commodities shall be provided to the citizens. Monopoly should be prevented and an attractive climate should be created to promote competition and use of private funds in development and investment in various areas of economic and social development in accordance with the law.
11. The law shall regulate the official currency of the State, the fiscal system and the banking system and shall define standards, measurements and weights.
12. Due consideration shall be made to public and society's interest and the achievement of social justice between citizens when imposing taxes and public duties. Taxes shall be incremental based on income so that when income increases taxes increase.

13. A certain percentage of taxes should be allocated for the establishment of social services institutions and services such as health and social insurance, social welfare fund, pension's funds and combating and treatment of incurable diseases.
14. The creation of public taxations, adjustment or nullifications shall be by law. No one should be exempted from payment of taxes, in whole or in part, unless in cases specified by law. It is unlawful to impose any other taxes, fees or other levies on an individual unless by law.
15. Establishment of fees and collection thereof, and ways means of spending, adjustment and exemptions shall be by law.
16. The State shall encourage cooperation and saving and shall ensure, foster and promote the establishment of all types of cooperative enterprises.
17. The law shall define the granting of salaries, wages, compensations, assistant and bonuses to be paid by the State treasury. The Minimum wage should meet the needs for a decent life and the State shall define the maximum wage.
18. Concessions for exploitation of natural resources and public facilities shall be by a law.
19. Public funds and properties have sanctity. The State and all individuals in society shall maintain and protect it. Any wasting or abuse of public funds shall be considered an act of sabotage and an attack on society. Everyone violating such sanctity shall be punished in accordance with the law. The sale and privatization of public real estate or disposal of such properties gratis is prohibited. It is permissible to determine the right of use for individuals and institutions through leasing for specific period and through transparent legal procedures.
20. Private property has sanctity. It is unlawful to compromise that unless for a public benefit and when necessary in lieu of a fair compensation. Public confiscation of properties is prohibited. Confiscation of private property shall only be through a court judgement.
21. The State, through an independent body shall be responsible to collect Zakat and to spend it on Shariya'ah prescribed purposes in accordance with the law.
22. Endowments have sanctity. An autonomous body shall be established to improve and develop resources and disposal therefore, in a manner that ensures realizations of

objectives and legitimate intents. Any official who disposes an endowment for a purpose other than legitimate intent shall be punished in accordance with the law. Crimes of this type shall not be subject to the statute of limitation.

- 23.** Right of inheritance is guaranteed in accordance with the Islamic Shariya'ah and shall be enacted by law.

**Social Foundations:** -

1. The State shall ensure equality and equal opportunities for all citizens in political, economic, social and cultural areas and laws shall be enacted to realize that.
2. Society shall be based on social solidarity based on justice, freedom and equality in accordance with the law.
3. The State shall foster motherhood and childhood, adolescents and youth and shall protect them from economic and social exploitation.
4. The family is the basic unit of society based on religion, morals, human values and respect for mankind and the nation. The law shall maintain this entity and relationship.
5. The State shall take legal measures to empower women to exercise their political rights and positive participation in public life in accordance with the provisions of the Constitution.
6. Every child has a right in: A name and a nationality at birth, family care and alternative care when deprived of family care, basic feeding and shelter, basic healthcare services, education, social services, protection from maltreatment, neglect or exploitation and protection from exploitative work practices. The child shouldn't be asked nor allowed to perform work that provide services inappropriate for their age or harm the child's interest, education, physical and psychological health or puts the child's intellectual and social growth at risk. The child should have a legal aid appointed by the State, at its expense, in civil procedures that affects the child if there is a potential that the child would be subject to injustice without it. The child shouldn't be used, either directly or indirectly in an armed conflict and shall enjoy protection at all times during the conflict.
7. A public service is a duty and an honour where those who assume this function target the public interest and serve the people. The law shall specify terms and conditions for the public service and the rights and obligations of those who perform it.

8. Guarantee of the principle of equality between all citizens in assuming public service jobs on the basis of clear criteria in qualification and capacity and to ensure that promotion is based on clear, transparent, open and equitable procedures. The minimum wage should be defined and should be sufficient to provide a decent life for employees and pensioners. It should be reviewed periodically to achieve this objective.
9. All citizens have the right to organize themselves politically, professionally and in unions and have the right in establishing scientific, cultural, social, charitable organizations as well as federations, professional and creative unions. The State shall guarantee this right and shall take necessary measures to enable the people to practice it. It shall guarantee the freedom of institutions, political, labour, cultural, scientific and social organizations.
10. Every citizen has the right to choose the appropriate work. A citizen has the right to establish, associate in a representative union and shall freely participate in the activities and events of that union including the right to strike. Anyone who has been affected by administrative procedure has the right to obtain a written explanation of such action and has the right of resort to the judiciary to challenge any damaging actions.
11. Public management organizations should adhere to the principle of transparency in their functions and should give this right to individual, bodies and stakeholders. Various media organizations have the right to access activities of the management and obtain copies of relevant documents. This should be considered an obligation of management; where an employee who fails to perform this duty should be penalized appropriately, provided that this doesn't contravene the supreme interest of the State. Every person, pursuant to a court order, has the right to access information or document in possession of another person necessary for the practice or protection of the person's rights.
12. The State guarantees the right to education and shall guide the achievement of the overall objective in sound upbringing of an individual and good scientific qualification in a manner that achieves a link between the outcomes of education with the needs of society and requirements of development and labour market competition. The State shall commit to providing free education and improvement of quality in the multiple primary and tertiary educational levels. This is a right guaranteed by the State through the establishment of various schools, institutes, universities, cultural and educational institutions, good training of teachers and the provision of teaching aids for the educational process. Education in the basic level shall be compulsory. The State shall work to eradicate illiteracy and pay attention to expansion

of technical and vocational education; specifically, it shall pay attention to foster adolescents and protects them from delinquency, provide them with religious, intellectual and physical upbringing and creates suitable conditions for the development of their talents in all fields.

13. Water is a sovereign national wealth. The law shall regulate means of preservation and rationalization of consumption. It is a basic human rights. Every citizen has the right to access clean and sufficient volume of water at an appropriate price for drinking and other biological needs. A water and food security policy should be adopted and the State shall guarantee that.
14. Every citizen has the right to an environment that doesn't harm their health or well-being. The State shall protect the environment for the interest of current and future generations through legal measures and other means and, in a manner, which ensures limiting environmental pollution, preservation of environmental resources, development of natural resources and the potential for sustainable use in a manner that realizes sound economic and social development.
15. Every person has the right to access suitable housing. The State shall take all legal measures and other means to realize that. It is unlawful to force a person out of their home or demolish a house unless by a final court judgement.
16. The State shall guarantee freedom of scientific research, literary, artistic and cultural creativity and shall promote and provide all means to realize that. It shall encourage scientific, technical and artistic creativity and shall protect patents in these areas.
17. Healthcare is a right for all citizens. The State shall guarantee this right by establishing hospitals, health institutions and expansion thereof.
18. The State shall work to provide social security for citizens in case of terminal illness, incapacitation, unemployment, old age or loss of a provider. It shall take legislative and administrative measures to realize that; it shall specifically ensure that for the families of martyrs.
19. The State shall care for persons with disabilities, ensure their rehabilitation in a manner that would lead to their integration in society and secures a decent life for them.
20. The State shall ensure absorption of costs of a national disaster or public adversity.
21. The State shall protect and maintains antiquities and historic structures. Any vandalism or attack shall be considered a work of sabotage and an offence against society. Anyone who

abuses or sell them shall be punished according to law. The society should contribute to the preservation thereof.

22. The State shall guarantee welfare for Yemeni citizens abroad, in a manner that ensures the preservation of their identity, protection of their interest in the country they reside in or in their homeland and shall ensure their rights in political participations, specifically participation in general elections.
23. A religious discourse in politics shall be prohibited. Any statement or action that accuses a Muslim or group, or political, religious or intellectual orientation of infidelity shall be considered a crime punishable by law.

**Third: Decisions Relevant to the States Identity.**

The Working Group adopted the following decisions: -

**1- Name of the State:-**

- Republic of Yemen – If the States remains unitary
- The Federal Republic of Yemen - If the form of the State changes into a federal system

(Pending decisions by the Working Groups on the Southern Question)

**1. Official Language of the State:**

- Arabic, with attention to develop the Mahari and Socotran languages.

**2. Arab and Islamic Association:**

- Yemen is an independent and sovereign Arab and Islamic State. It is an integral unit, and is unlawful to concede any part of it. The people of Yemen are part of the two Arab and Islamic nations.

**3. Equal Citizenship:**

- Citizens are equal in rights and obligations without any discrimination due to sex, ethnicity, ancestry, colour, religion, doctrine, creed, opinion, or economic and social status.

**4. International Agreements:**

- The State shall adhere to respect of the UN Charter, the Universal Declaration of Human Rights and international covenants and agreements which the legislative authority in Yemen has ratified as well as the Arab League Charter and principles of international law.

**5. Source of Power:**

- The people are the holders and source of power, and shall exercise it directly through referendums and general elections and, indirectly, through the legislative, executives and judicial bodies.

**6. Political Pluralism**

- The political system of the State shall be based on political pluralism and partisanship with the objective of peaceful transfer of power. A change of the political system is criminalized so is any act to realize political, economic, social or cultural aims through violence, a military force or military coup.

**7. Principle of Separation of Powers:**

- The political system of the State shall be based on the principle of separation of powers.

**8. Source of Legislation:**

- The Islamic Shari'a is the source of legislation, jurisprudence in the legislation of the Shari'a is guaranteed exclusively for the legislative authority.

**9. The States Religion:**

- Islam is the Religion of the State and the official language is Arabic.
- Yemen is a federal, civic, democratic, independent and sovereign State, established on the basis of equal citizenship, popular will, rule of law and forms part of the Arab and Islamic nation.

**Fourth: Decisions Relevant to the Shape (form) of the State:-**

**Fifth: Decisions Relevant to the System of Governance:**

The system of governance is presidential. The system should be re-examined after two consecutive elections terms to study the need for a switch to a parliamentary system based on a constitutional amendment.

**Sixth: Decisions Relevant to the Electoral System:**

The Working Group determined the following:-

- 1- The electoral system is (the closed proportional list) system
- 2- Political constituencies shall adhere by arranging their electoral lists to ensure access for at least 30% of women to the elected councils. The order of male and female candidates in the list shall be as follows: At least one woman for every thirty male candidates. Lists by political constituencies shall not be accepted if they are in contravention of the law.

**3- National legislative elections system:**

- a. The legislative elections (parliamentary) shall be conducted on the basis of the closed proportional lists system. The law shall define the electoral constituencies.
- b. Women shall be represented in all competing lists for the seats of the legislative body by at least 30%.
- c. Independents have the right to run in the elections by forming special lists supported by signatures of at least five-thousand registered voters in that specific constituency.
- d. Every male and female citizen who has reached the age of seventeen has the right to vote.

**Seventh: Decisions Relevant to the Legislative Authority:**

The Legislative Authority shall consist of the following:-

- 1- The Parliament
- 2- The Federal Council
- 3- The National Assembly

**First: The Parliament**

The Parliament shall consist of (...) representatives to be elected through direct secret ballots based on closed proportional lists.

**The Parliament shall be mandated to carry out the following functions:**

- 1- Proposal, discussion and adoption of legislations. (Due attention should be given to legislations needing joint approval with the Federal Council).
- 2- Granting of confidence to the government and withdrawal thereof
- 3- Approval of the State's Public Budget and subsidiary budgets, following discussion and voting on the budget chapter by chapter. The parliament can discuss making adjustments to the budget to ensure equitable distribution of projects, scientific determination of priorities, and protection of national resources.
- 4- Discussions and approval of the final accounts of the State's Public Budget for previous years. Voting should be conducted chapter by chapter.
- 5- Discussions and initial approval of legislations relevant to the organization of the State's authorities or fundamental rights of citizens, specifically the following legislations: The Judicial Authority Law, The Council of Ministers Law, The Elections Law and the Press Law.
- 6- Monitors performance of the Executive Authority. The Parliament shall have the power to enact binding decisions on public affairs.
- 7- Selections of the Chairman of the Central Audits and Controls Organization.
- 8- Suggestion of Constitutional amendments.

**Second: The Federal Council:**

The Federal Council consist of a number of members which shall not exceed half of the membership of the Parliament. Members in the Council are all elected through free direct and secret balloting on the basis of the proportional list system at the level of each region. The membership should reflect equal representation for all regions.

**The Federal Council should have the following functions:-**

- 1- Second reading and final adoption of legislations related to the States authorities or those relevant to fundamental human rights of the citizens, specifically the following legislations: The Judicial Authority Law, The Council of Ministers Law, The Elections Law and the Press Law.

- 2- Confirmation of the elections of the High Judicial Council- the Constitutional Court.
- 3- Selection of the chair and members of independent bodies.
- 4- Approval of the appointments of the following civilian and military appointments: The Governor of the Central Bank, The General Commander of the Armed Forces, deputies and assistants, The Chair of the General Authority of the Civil Service and the Attorney General.
- 5- Approval of the appointment of ambassadors to other countries and representatives to international and regional organizations.
- 6- Suggestions of constitutional amendments.

**Third: The National Assembly:**

The National Assembly shall consist of the joint meeting of the Parliament and the Federal Council and shall have the following functions:

- 1- Confirmation of the general policy of the State.
- 2- Discussion and confirmation of the general development plan
- 3- Approval of agreements that will have an impact on adjustment of the borders of the State or unification with another state, alliances, defence, settlement or peace.
- 4- Approval of declaration of war and state of emergency
- 5- Approval of general amnesty decisions
- 6- Election of the President of the Republic if a parliamentary system of government is adopted.
- 7- Discussion and confirmation of the proposals for constitutional amendments before being offered in a referendum to the public.

**Conditions for nomination to the membership of the Parliament and the Federal Council:**

- 1- Shall be a Yemeni citizen.
- 2- Shall be of an age not less than 25 for the Parliament and 30 years old for the Federal Council.
- 3- Shall have a minimum educational level of the general secondary school or equivalent.

- 4- Shall be of good character and standing, shall not have been convicted in any final court judgement on a case violating honour and preach of trust unless exonerated.

#### **Some Principles Relevant to the Legislative Authority**

- 1- The terms for both the Parliament and the Federal Council shall be four years.
- 2- The appointment of members of the Parliament or the Federal Council in an executive position is prohibited, except for the position of the Prime Minister or a cabinet minister. All of them shall be prohibited from combining membership in the legislative authority and membership in the regional council or local councils in the Governorates or any position in the region or the local authority.
- 3- Women shall have at least 30% of the membership of the elected legislative councils.
- 4- Each legislative authority council shall have special rules of procedures to organize their activities. This shall be discussed and approved by the concerned council and shall be enacted into law.

#### **Eight: Decisions Relevant to the Judicial Authority:-**

- 1-Establishment of a high judicial council capable of reforming the various situations in the judicial authority and carry out its functions in full independence.
- 2-Establishment of a constitutional court as a special entity capable of fulfilling its tasks.
- 3-Establishment of an administrative judiciary as a judicial body independent from the ordinary judiciary and capable to protect the principle of legitimacy.
- 4-All extra-ordinary courts shall be prohibited.
- 5-The Constitution shall provide for the independence of the judges and that there is no dominion over them in their judgements except for the law. It is unlawful to dismiss them from their posts or remove them temporarily or permanently or transfer them to another post or send them to retirement before the end of their service unless by a justified court's decision and in accordance with procedures to be defined by the laws.
- 6-Provision to criminalize political affiliation of sitting judges or bias in the performance of their judicial function towards political parties, sectarian or factional groups.

7-Provision for adoption of the system of investigative judges and to confine the role of the Public Prosecutor to prosecution only.

**Detailed Decisions on the Judicial Authority:**

**First: Decisions Relevant to the High Judicial Council:**

1-A supreme Judicial Council shall be established with full powers to manage the affairs of the Judicial Authority. The selection of its members shall be through a mechanism that reflects the will of society and the orientation of the Judicial Authority. It shall include the selection of suitable competencies to the membership of the council who have the capacity to reform the disorders in the situation of the judiciary. This shall be realized through the following mechanism:-

The members of the Supreme Judicial Council shall be elected from among the senior judges, lawyers and university professors according to the following mechanism:-

- a) The general assembly of judges elects 70% of the members of the Council.
- b) The Bar Association elects 15 members of the Council from among senior lawyers on condition they leave their previous job.
- c) A joint meeting of the councils of faculties of shariya'ah and law in government universities elects 15% from among university professors with at least associate professorship status on condition they leave their previous jobs.
- d) The legislative authority shall examine the files of candidate and confirms their appointment.
- e) The President of the Republic issues a Republican Decree to appoint them.
- f) The members of the Council shall be selected from among judges with qualifications, integrity, senior lawyers and law professors and in accordance with the provisions of the Judicial Authority's Law.
- g) The Attorney General shall be an ex-officio member.
- h) All investigative and evidence collection authorities shall be attached to the Attorney General's Office pursuant to the provisions of the Criminal Procedures Law.

- i) The Council shall have a secretary general to administer management and financial affairs of the Council.

**The Supreme Judicial Council shall have the following functions:-**

- a. Develop plans and policies for the reform and development of the performance of the Judicial Authority.
- b. Propose and study legislations related to the Judicial Authority.
- c. Appointment of judges and members of the Public Prosecution, promotion, transfer, delegations, secondment, retirement, acceptance of their resignation, suspension from work, and disciplinary actions. In general, the Council shall be responsible for all functions relevant to the functional affairs - administrative and financial - of judges and members of the Public Prosecution.
- d. Examination of the results of the periodic inspection on the work of judges and members of the public prosecution, verify complaints presented against them and take the required legal action.
- e. Examination of the requests and grievances presented against judges and members of the Public Prosecution in any matter related to the affairs of their jobs.
- f. Prepare a proposed budget for the Judicial Authority and oversee its implementation.

**Second: The Constitutional Court**

- 1. An independent constitutional court shall be established.
- 2. The Constitutional Court shall be elected from among senior judges, lawyers and law professors in universities in accordance with the following mechanism: -
  - a. The general assembly of judges shall elect 70% of members of the Constitutional Court.
  - b. The Bar Association elects 15% of members of the Constitutional Court from among senior lawyers provided they leave their previous jobs.
  - c. A joint meeting of the Councils of faculties of shariya'ah and law in government universities elects 15% from among university professors with at least associate professorship status on condition they leave their previous job.

- d. The legislative authority shall examine the files of candidate and confirms their appointment.
- e. The President of the Republic issues a Republican decree to appoint them.

**The Constitutional Court shall be responsible for the following:**

- a. Monitor the Constitution, laws, regulations and decrees.
- b. Adjudication on disputes over mandates of the judicial bodies.
- c. Adjudication on disputes arising out of two conflicting final judgements by two different judicial bodies.
- d. Adjudicating on disputes over jurisdictions between central/federal and decentralized bodies.
- e. Interpretation of the Constitutions and legal provisions in laws and regulations.
- f. Determination of the constitutionality of draft laws relevant to elections and fundamental human rights of citizens before enactment.

**Third: Decisions Relevant to the Establishment of the Administrative Judiciary and Mandate:**

An administrative judiciary should be established independent from the ordinary judiciary and shall assume the adjudication in administrative disputes. Its member shall be highly qualified with sufficient experience to enable them to perform their task. They shall be qualified to carry out this task to enable them to perform their duties in the best possible manner. The Judicial Authority Law shall regulate the structures and functions of the administrative judiciary.

**Nine: Decisions Relevant to the Management System:-**

- 1- Decentralization of the management and fiscal system and adoption of principles and foundations of good governance.
- 2- Foundations of management regulations in the federal government:

**First: At the Federal Level:**

The Federal government shall carry out its management function through a central management system to be used for the management of all federal

functions starting with guidance to planning, monitoring and control and coordination. It shall have branches or offices to facilitate the work as needed.

**Second: At the Regional Level:**

The regional authorities of the federal government shall adopt a decentralized management system with two main components: Regional decentralization and decentralization of facilities in the management of the affairs of the region.

**a. Regional Decentralization:**

- 1- As required by the provisions of the Constitution, the regional territories should be divided into local administrative units to be called governorates, municipalities, cities or districts which shall enjoy legal personality.
- 2- The administrative units shall have elected councils that will assume supervision and management of the unit's affairs in guidance, planning, monitoring in full independence in the fiscal and management decision-making. It shall be subject to the control of the regional government.
- 3- The regional law shall elaborate the manner in which the president and members of the council are to be elected in all units and shall define their mandates as well as the concurrent responsibilities of the regional and local governments.

**B- Decentralization of Facilities**

The regional law shall give some of the vital public facilities and authorities a legal personality and fiscal and management independence.

**Tenth: The Constitutional Drafting Commission:**

- a. The prerequisite general conditions for membership of the Constitutional Drafting Commission shall be:-

All conditions apply to both males and females.

- 1- Shall be a Yemeni citizen.

- 2- Shall have at least a university education in the following disciplines: - Law or Shariya'ah and law, political science or the humanities with at least ten years of experience in the field.
- 3- Should be fully competent and should not have been convicted by any final court judgement in a case which violate honour or preach of trust unless exonerated.
- 4- Representations shall be the same representation implemented in the NDC with respect to the South, women and youth.

**Functions of the Constitutional Drafting Commission:**

- 1-The Commission shall be comprised of 30 members
- 2-The Commission shall formulate the new draft constitution in accordance with the outcomes of the NDC.
- 3-The Constitutional Drafting Commission shall abide by the constitutional principles adopted by the NDC.

**Recommendations:**

- In the Judiciary:- Specialized courts can be established such as family courts.
- In the Electoral system:- The share of each list in the legislative body shall be calculated using the highest average method.
- In the electoral system:- Calculation of an allowance ratio that allows the entry of smaller political parties and independent lists to the council taking into account the system of government agreed upon and the result of a scientific study.

**Annexes**

- Names of members of the Working Group
- Names of the members of the Secretariat of the Working Group

# **Working Group on Good Governance**

(July 13-September 18, 2013)

## **Introduction:**

- 1- The Working Group commenced work during the second semester on 13/7/2013 corresponding to the 5<sup>th</sup> of Ramadan, 1434 H.
- 2- During this phase, the WG was divided into three sub-working groups based on the issues deferred to this semester from the first as follows: -
  - a. Rule of Law
  - b. Foundations for Foreign Policy
  - c. Management Efficiency and Balance between Power and responsibility.
3. A plan with a timeline was prepared for the second semester. This plan was amended by additions made by the sub-working groups in line with the nature of work in the concerned sub-group (annex 2).
4. Some of the sub-groups made field visits to the following institutions:
  - Ministry of Civil Service
  - Ministry of Foreign Affairs
  - Ministry of Emigrants Affairs
5. The Working Group organized a number of hearings as shown in annex 5.
6. The Working Group adopted 52 constitutional guidelines, 157 legal determinants and 38 decisions and recommendations.
7. The Working Group produced 19 outcomes covering constitutional guidelines, legal determinants and recommendations related to the shape of the State. These were submitted in the report in annex 6 with a covering letter addressed to the Presidium of the Conference.

## **Objectives of the Working Group**

1. Development of an effective and sustainable mechanism to eradicate corruption.
2. Enforcement of information dissemination and right to access financial and administrative information from government agencies and related parties
3. Application of the principle of accountability and responsibility on those conducting corruption in all its forms and at all levels.
4. Study of the current situation in political parties and civil society as well as level of public participation. Identification of positive aspects and weaknesses, constraints and challenges and identification of opportunity to be utilized.

5. Arrival at conclusions:

- a) Development of knowledge and awareness of various segments of civil society to play an effective role. Improvement of its capacity as pressure group to realize the principle of good governance and to promote the effectiveness and function of political parties.
- b) Constitutional and legal outcomes that realize efficiency for political parties and civil society organizations and governance. Creation of an effective role for society to monitor various State's institutions and bodies.
- c) Development of strategic visions and recommendations that contribute to revival of the required role for political parties and organizations and to development of public participation in attaining good governance.
- d) Building of a constitutional and legal framework to achieve justice, equality and equal opportunities in the Republic of Yemen.

**Detailed objectives of the Working Group:**

- 1. Realization of balance and non-interference between powers and responsibility
- 2. Development of criteria and foundations for application to achieve coordination and sound control at the organizational level of the various States' unit.
- 3. Establishment and uplift Islamic values, principles of integrity and realization of that amongst Yemeni citizens.
- 4. Development of foundations for foreign policy that reflects the Arab and Islamic identity and promotes the geo-political and strategic standing of the country.
- 5. Development of an effective mechanism for running the States foreign policy at the regional and international level.
- 6. Development of general principles for the management of foreign policy.
- 7. Current Situation Analysis for the rule of law.
  - a. Identification of the problem of rule of law.
  - b. Analysis of the imbalances and gaps of the law in the legislative system and its relations to the Judicial Authority.
  - c. Analysis of the situation of the judicial system in implementation of rule of law.
  - d. Analysis of the imbalances and constraints resulting from interferences in the application of the law.
  - e. Analysis of the current situation of security control.

8. Engage the society and State's institutions in discussion of mechanism of application of the rule of law.
9. Formulation of suggested provisions for the constitution on the rule of law.

**Detailed Objectives:**

1. Assessment and analysis of the legislations which grants powers and its relations to the local authority in the centre.
2. Identify the job description system in the State
3. Identify causes of lack of balance in power and responsibility and the overlaps.
4. Analysis and assessment of the status of the State's authorities (legislative, Executive, and Judicial) and determine the relationship between them and the local authority.
5. Identify the imbalances in the balance of authorities of the State.
6. Analysis and assessment of institutional performance for the public management and means of monitoring and control.
7. Identify the best practices in foundations and standards for institutional performance of public administration and controls.
8. Assessment and analysis of the status of public management in the governorates and districts.
9. Analysis of the status of the public budget of the State and implementation.
10. Assessment and analysis and the status of transparency in State's institutions.
11. Identify the causes of weaknesses of values of integrity.
12. Identify religious and educational legislations relevant to integrity.
13. Identify the criteria and controls for integrity in the various States' institutions.
14. Determination of the elements of national security in Yemen.
15. Study the constitutional and legal standing of the foreign policy of Yemen.
16. Identify the abuses and gaps in the current foreign policy.
17. Diagnosis of aspects of Arab, regional and international cooperation of Yemen in the, political, economic, and security areas.

18. Determination of the role of the Foreign Ministry in issues of foreign aid and migrants.
19. Assessment of international and regional agreements including border agreements.
20. Assessment of the tools used to implement foreign policy, especially diplomatic tools.

**Decisions of the Working Group presented to the Final Plenary**

**The Working group reached a consensus on constitutional guidelines, laws and recommendations and agreed to submit them to the Final Plenary for adoption by the Conference and as a follows:-**

**First: Constitutional Guidelines:-**

1. The State shall commit to a foreign policy that protects Yemeni national security, maintains sovereignty of the nation and its independence.
2. Adherence to a balanced foreign policy that serves regional peace and security and fosters the principle of good neighbourliness, cooperation and partnership to serve the common interest; in a manner that doesn't undermine Yemen's principle obligations towards Arab and Islamic issues.
3. The State shall adhere to respect of the UN Charter and the Charter of the Arab League as well as the Universal Declaration of Human Rights and international covenants and agreements which Yemen has signed in a manner that doesn't contravene the Constitution.
4. Foster economic diplomacy as one of the foundations of the Foreign Policy of the State.
5. Freedom, dignity and rights of a Yemeni individual inside the country or abroad are protected and shall not be undermined. The State, in its foreign policy, shall endeavour to protect and defend them.
6. The State shall work to develop and expand Arab, Islamic and International external relations in a manner that realizes the national interest. The Arab and African neighbouring States are the strategic depth of Yemen.
7. Foreign policy shall be based on institutions, rules of good governance. The head of the Executive Authority and the Foreign Minister are responsible for implementation thereof.

8. Some of the basis of foreign policy shall be Yemen's rejection of aggression, occupation, seizure of land of others by force. The Palestinian issue shall be a constant principle of the foreign policy of Yemen.
9. The Constitution shall provide for criminalization of partisan activities in the diplomatic corp. and shall reaffirm the features of the cadre of the foreign ministry as a special cadre.
10. The State shall adhere to the policy of non-intervention in the internal affairs of others and shall reject any violations or foreign interferences in the internal affairs of Yemen.
11. The Constitution shall provide that the rule of law is the foundation of governance of the State.
12. The Constitution shall provide that the legislative authority is the only body authorized to pass legislations and that no legislation shall conflict with any constitutional provision.
13. The Constitution shall provide for the full autonomy of financial and management control bodies and shall not be subject to the oversight of the Executive Authority.
14. The Constitution shall provide that a prerequisite for any candidate to top posts in the higher authorities to enjoy integrity and efficient within the framework of an integrated national integrity system.
15. The Constitution shall provide for the need for equality before the law.
16. The Constitution shall provide for the promotion of the principle of independence of the judiciary and rule of law. The Judiciary to have a judicial police to carry-out its judgements and to enforce the law in a manner that protects freedoms, civil, personal and public rights and human rights.
17. The Constitution shall provide criminalization of partisanship in the judiciary, the security forces and the armed force.
18. The Constitution shall provide for the responsibility of the Supreme Judicial Council for the determination of mechanism of selection of judges, holding them accountable, dismissal and the strengthening of the Statute of the judiciary by establishing model courts and police stations.
19. The Constitution should provide for the full partnership with the civil society sector and its organizations to promote community participation in development effort and to develop its role in public monitoring as a pressure tool to achieve public interest under the balance and integration of its role with the public and private sectors.

20. The Constitution should provide for the right of defence of oneself or through an attorney and in a manner which promotes the application of the principle of heavy fines on the parties of litigation before the judiciary in arbitrary cases. It should ensure the provision of funds for those unable to afford the cost of defence to realize the principle of legal assistance to the poor.
21. The Constitution should provide that the State will work to prevent revenge and put in place needed measures to eliminate this plaque and prevent its return.
22. The Constitution should define the subordination of the legal assistance organizations (the judicial police, the Prisons Authority, the Land Registry, Criminal evidence and Forensic Medicine) to the Judicial Authority.
23. The Constitution should provide for the prohibition and criminalization of all armed militias, the nullification of the legal standing of any party or block that forms a militia or any armed formation and to regulate carrying of personal weapons and possession thereof.
24. The Constitution should provide that the criminal responsibility is personal and no crime or punishments unless by law.
25. The Constitution should provide for the criminalization of handing over any Yemeni citizens to a foreign state with the exception that the individual has committed war crimes, crimes against humanity or abused human rights if it a trial in the country proves impossible.
26. The Constitution should provide that the State guarantees the personal freedom of citizens, maintains their dignity and security and that the law defines situation when a citizen's freedom would be restricted.
27. The Constitution shall provide for preventing non-judicial State institution from objecting to final courts judgements.
28. The Constitution should provide for criminalization of non-disclosure of the presence of detainees in the various security organizations irrespective of the charges brought against them.
29. The Constitution should provide for the definition of the term of precautionary detention for a period not to exceed 72 hours and shall define the bodies authorized to do that. It shall prohibit forced confession during an investigation and shall prohibit the detention or arrest a person in any other place than legal prisons. Torture and inhuman treatment shall be criminalized during arrest, detention or imprisonment.

30. The Constitution shall provide that the Constitutional Court is a higher judicial body and enjoys financial and administrative autonomy with an independent budget part of the budget of the judicial authority. The members shall be elected by a general assembly of judges.
31. The Constitution shall provide for the principle of separation of the three powers and shall make it a fundamental rule for the Constitution to regulate the powers and mandates of the three authorities on the basis of the principle of balance, integration and cooperation between them.
32. Inclusion of a provision in the Constitution stating that the constitution is the noblest form of expression of the will of the people and that everyone is equal before the law.
33. The Constitution should provide for equality in accessing justice and shall provide specific provision to promote defence through an attorney or the provision of legal assistance to those who cannot afford a lawyer.
34. The Constitution should provide that the Executive Authority and all of its organizations are legally and judicially responsible for all its actions and mandates.
35. The Constitution shall provide that the balance between power and responsibility is a governing rule.
36. The Constitution shall provide that no power without responsibility and no responsibility without accountability and that each authority is responsible before the people and the law for all its actions and behaviour at all levels of leadership and management.
37. The Constitution shall provide that all States authorities are subject to the principle of good governance and functional and moral code of conduct in the public service.
38. The Constitution should provide that all resources and expenditures are subject to control and audit to achieve public transparency and to define areas of allocations and expenditures.
39. The Constitution shall provide for the formulation of a charter for a national integrity system (Code of Conduct) in all States' institutions and determine punishments for violators and the establishment of a body for management control.
40. The Constitution shall provide for the definition of tasks and responsibilities of the senior leadership in the three authorities and define the responsibility of each one of them in a manner that realizes the principle of good governance.

41. The Constitution shall provide for the control role of the legislative authority and activates it and place the Central Audits and Control Organization under full oversight of the Parliament and a subordinate.
42. The Constitution shall provide for the accountability of the President of the Republic, The Prime Minister in case anyone of them commits an act in violation of the Constitutions or impedes any of its provisions or the provisions of any law in force or perjury of an oath performed before the bodies authorized by the Constitution.
43. The Constitution should provide for the prevention of monopoly in all investment sectors.
44. The Constitution should provide for the criminalization of anyone who has been convicted, through a court judgement, of being guilty of a corruption offence, plundering public properties or public funds or abused power for personal gains or assuming public office negligence towards the destiny of the nations, sovereignty or undermining its security and stability.
45. The Constitution shall provide the prerequisite for any candidate to the post of President, Presidents of Political parties and political organization, general secretaries and all the political and leadership posts in the State shall meet the following conditions:
  - 1- A Muslim in religion
  - 2- Born to both Yemeni parents
  - 3- Shall not be married to a foreigner
  - 4- Shall not be in possession of another non-Yemeni nationality.
  - 5- Shall be a university graduate.
  - 6- That he/she not previously assumed the post of president of the Republic, a head of a political party, speaker of the Shoura Council, or Prime Minister for two terms.
  - 7- Shall not be less than forty years old (the President of the Republic).
  - 8- Not found guilty, through a final court judgement, of any crime which violates trust and honour or corruption or any major crime, unless acquitted.
  - 9- Shall not be a person which the judiciary can't hold responsible for any violations due legal restrictions that would impede due process.
  - 10- Shall not have been engaged in major human rights offenses, violation of the international humanitarian law, in accordance with international conventions, covenants and international laws (war crimes, genocide, or crimes against humanity).
  - 11- Shall not be affiliated to the military or security institutions unless he/she left the military or the security institutions ten years prior to nomination (the GPC refused the 10-year period).

- 12- Shall furnish a financial disclosure report for him, his children and wives and shall declare all moveable and non-moveable assets inside the country or abroad and shall transfer the amount back to the country before nomination.
- 13- That the oath he would perform shall contain compliance to the constitution, respect of human rights, abide by the rule of law and good governance and to uphold integrity and responsibility in the performance of all acts for the public good and not for personal gains.
- 14- Shall be known for integrity, efficiency and good behaviour.
- 15- Shall not practice any business activities during tenure. (The youth constituency registered a reservation against this provision and maintained [reference for the original draft of the political exclusion clause]).
46. The Constitution shall clearly states that no immunity will be given to senior State leadership in the three powers for any conduct in public finance, the public service or the resources of the State or rights of the citizens.
47. The Constitution shall states that the legislative councils are to be prohibited for issuing legislations or law that allow forfeiture of the State's properties or awards or sold to freehold to anybody and under any circumstances.
48. The Constitution shall provide for guarantees of free enterprise and fee competition and equal opportunities for all citizens to promote social justice.
49. The Constitution shall criminalize the assuming of any other sovereign power for anyone who carries another nationality besides the Yemeni nationality.
50. The Constitution shall provide for the criminalization of possession or use of electronic interception devices or uses them to conduct surveillance of citizens.
51. The Constitution shall provide for the freedom and confidentiality of communications in all its forms. It shall render, surveillance, inspection or disclosure of its content, delay or confiscation unless by judicial order.
52. The Constitution shall provide for the prohibition against legislatures promulgating laws that detracts, restricts or degrades rights and freedoms.

#### **Second: Legal Guidelines**

1. The selection of ambassadors shall be subjected to professional standards and controls according to the diplomatic Corp. Law and the need to have equitable representation of all Yemeni areas with due consideration to the fifty-fifty shares of the North and the South.

2. Economic issues shall be top priority of the foreign policy. Yemen's external relations should be utilized to serve the national sovereignty and issue of development and construction.
3. The Ambassador is the head of the diplomatic mission and all attaches in the embassy are to be under him.
4. Regulations of relations and communications with the outside world under the lead of the Foreign Ministry.
5. Develop legal controls for the issuance of diplomatic passport to maintain the reputation and stature of the diplomatic passport and review of passports already issued to verify the compliance with the law.
6. There is a need to formulate clear and specific objectives for the Yemeni foreign policy.
7. The powers of the President of the Republic, the Prime Minister and the Foreign Ministers in the formulation of foreign policy should be defined.
8. There is a need to establish a monitoring and inspection unit in the Foreign Ministry to oversee the performance of Yemeni diplomacy and to ensure that it achieves its tasks in a manner that realize the objectives.
9. The head of the Yemeni diplomatic mission and all mission staff don't represent their political affiliation and orientation but rather the interest of the Yemeni State.
10. The diplomatic missions shall deal with all political, economic, cultural, military and health relations within the framework of foreign relations.
11. Some of the objectives of the Yemeni foreign policy are to work for the broadening of potential economic cooperation between Yemen and the States concerned.
12. A review in the distribution of the diplomatic map on the basis of economic, political significance and the number of emigrants.
13. Diplomacy should work to protect the Yemeni identity and deepening of national loyalty.
14. The State should work to rehabilitate and take care of emigrants in a manner that achieves their competitive qualification.
15. The State should work to combat child smuggling and human trafficking including joining international agreements in this area.
16. Review the border agreements, exploration agreements and agreements for the sale of natural resources and oil and gas in a manner that doesn't damage the interests and sovereignty of the nation.
17. Review and assessment of the structures of the security and intelligence organizations to ensure the rule of law.

18. A judge is prohibited from assuming another position while on active duty. Prohibition of any forms of influence or attempts to attract them through secondment or administrative or political positions in the various States organizations.
19. Every citizen has the right to resort to their natural judge, the judge with jurisdiction, and all forms of special or extraordinary courts should be abolished no matter under what title they are. The State shall ensure bringing judicial institutions closer to the people and to speedup dispute management.
20. Immediate abolishing of the Tribal Affairs Authority because it promotes the tribal authority on the account of the States Authority and infringes on its sovereignty.
21. Take required actions to reissue the legislation previously issued through a presidential decree and give it the formulation that signifies its passage through the legislative body.
22. Promote the awareness role of the media, civil society and political parties in a manner that ensure the spread of legal awareness and respect for the law.
23. Promote the role of the Judiciary in administrative law enforcement in a manner that achieves full accountability and responsibility of the administrative and executive e organizations and to guarantee the rights of the public, private and mixed sectors employees.
24. The need for the presence of representatives of the Public Prosecution in the Police stations to refer the cases to courts (the Judiciary) on a timely basis.
25. Develop guarantees for the protection of policemen and staff of the judiciary and the Public Prosecution to empower them to arrest criminals and to perform their legal duties in accordance with the law.
26. Accelerate the issuance of the law to regulate possessions of personal firearms.
27. Carry-out suitable actions to impose the Statute of the State over all parts of the country, regional waters and airspace and not to allow any other body to replace the State.
28. To confine the role of military courts for military personnel only and shall not be extended to civilians' trials.
29. Restructuring of the judiciary, the Public prosecution and the performance of the judiciary management in a manner suitable for a right based civic State.
30. Compliance with international standards in building an independence judiciary.
31. Issuance of the explanatory and executive regulations for all legislations to ensure sound interpretation of their provisions.
32. Advancement of standards of judicial inspection to cover health efficiency both physical and mental.

33. Each citizen, male and female, the right to physical safety and compensations for harms resulting from armed conflicts and arbitrary detention.
34. Freedom of movement in the country is guaranteed for each citizen (male and female). It shall not be restricted unless in cases provided by law. Freedom of entry or exit from Yemen shall be regulated by law. No citizen is to be expelled from Yemeni territories or prevented from returning such territories.
35. For each citizen (male and female), the right to a fair judiciary and free and fair elections.
36. Inclusion of mechanism to broaden qualification and training of judges and members of the prosecution by establishing judicial institutes, improvement and development the quality of education in the faculties of law to ensure sufficient enrolment in the judicial institutes.
37. There should be a legal provision that obligates the authority to develop the structures of the administrative units to achieve the principle of governance and to ensure prevention of abuse of power.
38. Passage of a law that defines job descriptions for all public posts in the State and defines mandates and responsibilities of each post to prevent overlap and negligence of functional duties.
39. Legal provisions that the civil service legislations should be simple and clear containing deterrent provisions and controls.
40. Legislate a law that defines the criteria for appointment and hiring on the basis of educational, professional and behavioural qualifications and ensure that there are operational manuals for work and job and neutralizes the public service.
41. Legislate a law providing for entrustment of public management posts to specialized management professionals for specific time period and foster a policy of job rotation to ensure refreshment of professionalism in these units to increase productivity.
42. Legislate a law that makes it mandatory to connect and consolidate the State's public plans with the independent plans of ministries, organizations and public corporations and compliance with the implementation of adopted plans.
43. Legislate a law that obligates the neutralizations of political influence in the States administrative organ and adopt qualification, professionalism, integrity, experience and capacity in staffing of public service jobs and adoption of the principle of open competition for staffing in the light of such criteria.
44. Passage of a law that prohibits the implementation of projects through direct contracting (commissioning) and the adoption of transparency and openness in the implementation of projects and application of the Procurement law.

45. Passage of a law that guarantees the development of a comprehensive national strategy for the State administrative organ and the public and mixed sectors where the functional role and relationship with society, private sector and civil society should be defined to ensure the development of management efficiency.
46. Issuance of a law that prohibits the senior authorities from issuing direct appointment decrees in the public service jobs in contravention of the management controls provided by the Job description law.
47. The law should provide that the State will assume development of national programs that responds to the administrative and functional needs to improve skills and qualifications of the staff in accordance with recognized criteria.
48. Legislate a law that obligates the State to advance the efficiency of the administrative organ in a manner that realizes utilization of the human and financial resources and absorbs the support, aid and grants presented by other States and international organization and to utilize them in the best possible manner.
49. A legal provision that calls for application of the severest penalties proscribed by law against corrupt persons including deprivation from public jobs.
50. A legal provision that precise criteria will be used in promotion and legal entitlement of a public servant.
51. A legal provision that considers a public service job as a right to all male and female citizens, the formulation of a job description and adjustment of the wage and bonuses ceiling.
52. Legislate a law that makes mandatory to comply with performance indicators and criteria for all administrative organs of the State.
53. The law shall provide for the establishment of an organization specializing on following-up on the quality of management performance in State institutions and the private sector that evaluates progress and identifies points of weaknesses and strengths and disseminates such concepts.
54. Legislate a law that makes mandatory for the State to develop required programs for the training of unqualified staff, professional and educationally and the creation of job opportunities for them.
55. Issuance of laws and legislations that promotes and encourages the contributions of the private sector to comprehensive development.
56. The law should provide for the formulation of a mandatory partnership strategy between the State, the private and mixed sectors and civil society.

57. Issuance of a law that regulates the mandates of the State's ministries and corporations and prevents conflicts between them and the precise definition of the tasks and responsibilities of the public servant.
58. The law shall provide for the issuance and activation of internal regulations for all government ministries and facilities that regulates administrative and financial operations, control over all appointments and spending and subjects them to legal and judicial accountability.
59. The law shall provide for measures and penalties for abuses in the administrative organ of the State.
60. The law shall provide for the establishment of an organization responsible for the absorption and regulations of spending of foreign aid in accordance with principles of good governance.
61. The law shall provide for the definition of the powers and responsibilities of security and military staff that doesn't give them absolute powers to achieve efficiency in the public administration and principles of good governance.
62. The law shall provide an emphasis of the role of various educational institutions in embedding integrity values through periodic awareness and educational programs in all stages of education and obligate them to develop curriculums that promote the principle of integrity and commendable Islamic values.
63. The law shall provide for making it mandatory for the Authorities to formulate a national strategy for the protection of national integrity and ethical and behavioural values for both employees and citizens that promote Islamic values and the combating of corruption.
64. The State shall guarantee full protection for witnesses, informants and law enforcement officers.
65. The law shall provide for formulation of controls that promote the role of the mosques in the dissemination of values of integrity, urge citizens and youth to apply and comply with the provision of needed support.
66. Activation of the role of the media in guidance and education in the revival of the moderate Islamic culture and activation of the faith-based and patriotic inhibitions in forsaking, combating and eliminating corruption.
67. Affirmation of the right of women to equal opportunities in all areas, active participation in public and political life and to be given at least 30% in control organizations in the same manner as in the other State's authorities.
68. The law shall provide for empowerment of youth, educationally, professionally, politically and economically and the provision of suitable conditions for the utilization of their energies and development of their skills to play their role in the service of the nation and its issues.

69. Administration of justice in the approval of comprehensive and sustainable development projects and the prohibition of selective dealings with regions and bodies.
70. Formulation of legal rules and foundations that prevents crises and political conflicts which are considered factor of renewed confusion that impedes the State from performing its obligations and limits the community participation, the private sector and civil society from working in building and comprehensive and sustainable development.
71. Formulation of legal rules and foundations that prevents the predominance of the tribe and interference in the States authorities and their mandates for the sake of building a civic State.
72. Formulation of legal foundations and rules that deepen the sense of belonging and loyalty to the nation, keenness towards its destiny and reputation, revival of tolerance, brotherhood and conciliation in society, forsakes hate, conflicts, vengeance and reprisal and combats calls that glorify regionalism and fanaticism or propagate them.
73. Development of clear and transparent legal rules to ensure equal opportunities for all citizens in business and investment and to benefit from the wealth of the nation.
74. The law shall provide for support for public opinion polling centres, expansion of social studies including research and promotion of specialized centres that provide advisory services and carry-out field studies on priority issues.
75. The law shall provide for the revival of a culture of self- responsibility, support and care for volunteer and charitable work, embed such values in the consciousness and behaviour of citizens and promotion and care for community initiative to increase level of community participation in public life.
76. The law shall provide for mandatory separation between political parties and State structures, especially the ruling party or parties, prevent the exploitation of the States institutions resources and buildings to serve special interests of the party/s and develop deterrent punishments to guard against that.
77. Development of legal rules and foundations that guarantee the freedom and independence of civil society organizations, labour unions and federations, professional and creative organizations, student organizations and various cooperative associations.
78. Relationship between civil society organizations and government stakeholders must be regulated so as to define the legal status of those institutions and a reassertion of the need to have full transparency of funding resources and spending on activities carried out by those institutions.

79. A national program must be adopted for the uplifting of the State and society to be developed in partnership between political and community forces with integrated implementation by the State's administrative organ, the private sector and civil society organizations.
80. Utilization of public upbringing mediums (family, educational institutions, youth and community organizations, media and cultural institutions and guidance and education media) to promote the principle of coexistence and acceptance of others within the one nation and promotes a culture that respects the law, constitution, protection of public funds, properties and public facilities.
81. The law shall provide guarantees to access of information by citizens, CSO's and the media, use of such information and to perform a role in monitoring and enhancing aspects of transparency in public policies, administrative actions, especially those related to finance to enable the citizens, political parties and stakeholders of performing their role in the process of control and accountability.
82. Remove Yemen, through its foreign policy, for slippage into axis and regional and international polarization.
83. Develop legal rules and foundation to publically confront past problems in a transparent manner and to reach a consensus on how to deal with them so that they don't remain a hindrance to reforms and the building of a new Yemen whenever they remerge. This should be done, both through full amnesty and by forgetting the past and rise above all the wounds or by truth telling and reconciliation, or through partial amnesty or any other visions where people have consensus.
84. Issuance of a law to protect informants, witnesses and investigators in corruption cases.
85. Criminalization of intermediation, nepotism and bribe-taking to ensure equal opportunities for all.
86. Restructuring of the Supreme Commission for combating corruption and attach it to the parliament. Specialized courts and prosecution office on corruption crimes should be established.
87. The law shall provide for a financial disclosure law and criminalization of refusal to furnish financial disclosure and making them public.
88. Establishment of a high council for standards and accountability in line with international standards.
89. Development of a law for the independence and neutrality of the employees of control organizations.

90. Develop a law that provides control organizations full required powers to access information and documents in government bodies and facilities.
91. Develop a law for public, local and foreign debt, and grants that defines the responsibilities of concerned ministries.
92. Development of a procurement law that ensures transparency and integrity in a manner that protects public funds and interest.
93. The law shall provide for the alignment of anti-corruption laws and legislations with international agreements.
94. The development of legal rules and foundations for the review of economic feasibility of economic projects funded through foreign aid and determines the responsibility of control over them.
95. The law shall provide for fostering transparency in loans and assistance and areas of spending through the various media channels.
96. Legislate finance law to suit the new shape of the State and a State's public budget that transforms the budget from chapters to programs.
97. The law shall provide for the restructuring of all ministries on top of which the revenue ministries.
98. Legislation of a law that supports control organization in required technical disciplines that enables them to perform their role as appropriate.
99. Development of a general oil law aligned with international standards to ensure the rights of concessions to the residents of the producing area.
100. The law shall provide for prohibiting senior public officials in the State and their first degree relatives, as well as, officials of the legislative and judicial authorities from participating in States public tenders and those of the public and mixed sectors.
101. Issuance of a law for the establishment of a national commission for financial and administrative reforms to put an end to waste of public funds, politicization of the public service and grants powers in line with good governance standards.
102. The law shall provide for the reform of the wage and bonus structures for the State and private sector employees with the objective of improving their living standards and the meet the level of sufficiency to eliminate corruption.
103. The law shall provide for obligating all public government institutions to publish documents and information on their activities within one month of their writing, especially those related to public spending.

104. The law shall provide for obligating government bodies, including control organizations, to make their budgets and final accounts public for debates on the various media outlets.
105. The law shall provide for the adoption of the principle of transparency with relations to national wealth, public income and various revenues.
106. The law shall provide for the adoption of the principle of transparency with respect to the conclusion of treaties, agreements and deals.
107. The law shall provide for the presentation of the public budget to the parliament within the constitutional deadline and prohibition on any complimentary budgets.
108. Review of the Central Bank's law and the laws of banks owned jointly between the public and private sectors in a manner that eliminates corruption and protects public funds. The Central Bank should be given full autonomy.
109. Develop legal rule that makes it mandatory for the government to develop a clear monetary policy to be used for reducing the public debt.
110. Adoption of mandatory legal provisions for the State to develop a long-term strategy for combating corruption.
111. Adoption and spread the use of code of conduct that regulates ethics in employee's dealings with the public and the application of the principle of rewards and punishment.
112. Development of legal rules and foundations that guarantees the principle of partnership between the State, the private sector, civil society and the local authority in the identification of development needs and then establishment of mechanisms to meet those needs.
113. The alignment of the role of the State and capacity to promote institutional capacities by reviewing the State's function in a manner that would lead to downsizing the State's administrative organs and restructuring of its administrative units.
114. Development of legal foundations for the enhancement of the institutional capacity of the State to secure economic and social necessities that would enable it to fulfil its development obligations.
115. The law shall provide for the adoption of a fiscal and economic policy that ensures maintaining economic stability and the realizing of encouraging growth rates for investment.
116. Development of legal foundations and rule that would lead to restructuring and designing the structures of public management. Current structures shall be reconstituted and redesigned in a manner that serves the basic functions of the State in the economic area, policy-making function, the development function and the designing of programs to combat causes of poverty and secures conditions for prompting the growth of the private sector.

117. The adoption of the principle of merit, entitlement and professional standards in hiring and promotion in the civil service.
118. The law shall provide for the establishment of special police unit to combat tax and customs evasion.
119. The law shall provide for the development of a balanced plan for development and investment programs to secure sustainable economic and social development.
120. The law shall provide for the application of the principle of equality in the public administration and criminalization of any discrimination in promotions, hiring, and entitlements resulting from joining the public service whether on basis of gender, area, political affiliation or colour.
121. The law shall provide for the cancellation of all illusory tax numbers which have been obtained for trade and investment firms that wastes public fund and the adoption of a fixed rate in ports to be levy the tax and customs rates, where tax assessment on large taxpayers would be based on imports from abroad.
122. The law shall provide for the inclusion of gender budgeting in the State's public budget.
123. The law shall provide for the establishment of an international government commission to re-evaluate and review the contracts and oil producing firms as well as exploration firms.
124. The law shall provide for the establishment of a joint judicial-parliamentary committee to re-evaluate the performance of the services ministries on top of which the Ministry of Electricity and Energy.
125. Issuance of a law that protects media personnel and journalists and guarantees their independence to protect freedom of expression to enable them to play their role in the solidification of democracy, values of integrity and good governance.
126. Development of legal rules for the activation of the work of control departments inside each government unit to ensure compliance of the public servants to sound administrative procedures and the performance of their functions performance.
127. The political parties and organizations law shall provide for the following:-
  - a. The renewal of partisan bodies through direct periodic elections and refrain from the use of endorsements, open balloting or closed lists.
  - b. Activation of accountability and the role of the control bodies inside the political parties and organizations.
  - c. Political parties and civil society organization should comply with absolute financial transparency and the provision of needed information on party or organizations resources to the public.

128. Explicit provision in the law for the criminalization of attacks on political parties and organizations offices.
129. The law shall provide for the following:-
  - a. Empowerment of women in political parties and organization by giving women at least 30% representations in their governing bodies.
  - b. Partisan programs and visions shall include women rights and advancement of women role and social status.
130. The law shall provide for the empowerment of youth below the age of 40 in governing bodies of political parties by at least 20 %.
131. The law shall provide for the rationalization of government, partisan and private media along professional lines and constitutional provisions.
132. Emphasis in the legal provisions which bans the use of mosques, educational institutions and government buildings for partisan activities or campaigning or propagating the agenda against any party or political organization, group or individuals by avoiding incitement of sectarian, doctrinal or factionalism strives.
133. The law shall provide for obligating the private sector to commit to the principles of good governance.
134. The law shall obligate the government to develop a strategy that would guide the civil society and private sector within the framework of sustainable development.
135. Reformulation of the political parties and organization and civil society organizations law to aligned it with the new constitution.
136. The law shall provide for engaging society in the rationalization of political parties and organizations policies through questionnaires, public opinion polls and public consultations.
137. The law shall provide for the criminalization of illegal funding of political parties and organizations, groups or individual given that it embodies financial and political corruption.
138. The law shall provide for the compensation and restitution for affected political parties, groups or individual whose properties and documents were looted.
139. The law shall provide for the reforms of the State's administrative organ, review of all functional appointments and promotions and adjust the status of those who were affected according to the law and code of good governance removed from criteria of partisan affiliations and loyalties.
140. The law shall provide for treating all victims of the political conflict as martyrs and strivers.
141. The law shall provide for disclosure of the fate and whereabouts those who have forcibly disappeared and the remains of victims of the political conflict.

142. The law shall provide for the reinstatement of those affected and dismissed as a result of the political conflict to their jobs and to grant them fair compensations.
143. The law shall provide for the amendments of tax and fiscal legislations to ensure that they contain temporary and regulated tax exemption for projects that aim at economically empowering women and youth.
144. The law shall provide for the provision of loan facilities to women and youth.
145. Development of legal controls for the simplification of legislations, application of standards of efficiency of the public service, the development of deterrent provisions and control, full definition of the public service and development of operational and functional manuals.
146. The law shall provide for the designing and strengthening of an internal control unit to be attached to the highest administrative authority.
147. The law shall provide for actions to grant public service management posts to qualified specialists in management who enjoy good reputation for a fixed term to ensure the refreshment of efficiencies in these units and increase productivity in a manner that enhances the principle of job rotation.
148. The law shall provide for the State to guarantee free legal assistance to enable those unable to pay for judicial services to protect their rights.
149. Development of a law that allows the leasing of State land for specific periods for housing and investment. Contracts shall be renewed in accordance with the economic situation (variables) on condition that this doesn't harm the public rights and that it shall revert back to the ownership of the State after the expiry of the lease.
150. The law shall provide that the parliament shall not ratify any budgetary allocation in the Public budget as a lump sum, that doesn't comply with line items of the budget, and makes it illegal for the parliament to ratify any additional allocation that exceeds the allowable percentage.
151. The law shall provide that all government bodies and institutions shall maintain records of official documents and paperwork for a period no less than 35 years instead of the current five years' requirement.
152. The law shall provide for obligating the State to establish a national library, the mandate of which to maintain official State and public records and prevents the destruction of any document.
153. The law shall provide that the Ministry of Finance and subsidiary financial units should not be allowed, under any circumstances, to conceal any information or data or present false data with respect to the public finance, its fiscal or monetary policy to the parliament and its

specialized committees or the control bodies, or the local councils, other stakeholders, the media or anyone with interest; where the law shall criminalize such acts.

154. The law shall provide for the criminalization of all operation designed to set-aside or conceal any type of revenues or part thereof, in cash or in kind, from the State public budget.
155. The law shall provide for the criminalization of money laundering operation and such criminalization shall include any one who acted, participated, encouraged, or assisted in carrying out such acts. This includes money resulting from those in senior public jobs for the purpose of trade in contravention of the law, either directly, indirectly inside the country or abroad.
156. Issuance of a law that defines the tasks and responsibilities of the Central bank, given that it is the responsible body for control over cash flows, issuance of the currency and the return to the treasury system.
157. The law shall criminalize all types of violations related to public procurements, contracts, public works, supply contracts and financial violations and embezzlements.

### **Third: Decisions and Recommendations**

1. Elimination of illegal fees levied by Embassies and consulates abroad and set a committee to investigate the illegal levies collected by consulates and diplomatic mission. The Government should provide sufficient resources for the Foreign Ministry to ensure effective diplomacy.
2. Formulation of a law that guarantees the uniformity and efficiency of Yemeni diplomacy.
3. The State shall commit to the development of a political, economic and media strategy to advance the level of performance of foreign policy and to support the effectiveness of Yemen's presence in regional and international bodies and organizations.
4. There is a need to conduct urgent legislative and administrative reforms in the Foreign Ministry, Diplomatic Corp and Consular missions in a manner that realizes the principle of good governance.
5. Setting up of a committee to review administrative and financial decisions in the Foreign Ministry.
6. Establishment of economic facilities to be attached to prisons, where prisoners, males and females will serve their sentences by working in them to be able to support their families and payback their debt. The Government should be responsible for those in prison and male and female prisoners who can't payback their debt. It shall take actions to ensure that their problems are resolved and be released immediately upon serving their sentences and to compensate them in case they are held longer illegally.

7. Establishment of educational and rehabilitation centre in prison to prevent the spread of illiteracy and to ensure that the prisoners become active citizens to integrate them into society.
8. The WG recommendations the abolishing of the press court.
9. There is a need to start education and awareness in security units on their legal competencies and on principles of human rights so that their behaviour is governed by that.
10. There is a need to review curriculums and to adopt rights and legal principles in the curriculum.
11. Establishment of women police stations and separate prisons for women to include kindergartens for the children who are in prisons with their mothers.
12. Establishment of model courts in urban centres of the governorates.
13. Any member of the judiciary shall be punished, when found to have affiliation to a security organization or a political party, or when is proven to work for any those agencies. If found guilty, the person should be stripped of his/her judicial immunity.
14. Establishment of a national body for civil service to be financially and administratively autonomous and enjoys efficiency and neutrality.
15. Obligate all the ministries to implement the general economic, social and cultural plan of the State in a concerted and integrated manner.
16. The creation of any department is prohibited without any economic or administrative need for it.
17. Establishment of required controls to downsize the overblown civil service, elimination of double dippers through the application of the retirement law and completion of electronic biometric procedures for both the civilian and military sectors within one year.
18. Strengthen transparency, accountability and allow access to information on administrative procedures in the administrative organs of the State.
19. Ministries and administrative units shall be obligated to develop a structure that includes simplification of procedures and to reduce the number administrative steps and levels to facilitate service delivery to the citizen.
20. Emphasis on the importance of the role of the private sector in economic and social development. Development of a national plan that would change the negative image of various handicrafts and to abolish the perception of degradation involved in such handicrafts.
21. There is a need to increase salaries and wages of employees in line with a systematic financial plan linked to productivity and rate of increase in the salaries as well as on the minimum poverty threshold.

22. There is a need to provide food, housing and transport by the State to residents of rural areas who wish to finish their university or professional education in main governorates where colleges and technical institutes are located.
23. Assertion of the need to link financial and moral incentives to productivity and satisfaction of the employees during work and the application of the principle of rewards and punishment.
24. Close all the loopholes used for administrative, functional and organization deviations by the employees during performance of their duties and to have regular and periodic reviews.
25. There is a need for activation of the legislative authority in the aspect of maintaining balance between power and responsibility and to stop any constitutional amendments that may affect such balance.
26. There is a need to activate the role of the judiciary in maintain general principles linked to power and responsibility and concurrence between them.
27. The establishment of a national information system capable of responding to the needs for planning, control and accountability.
28. All special funds in ministries and government facilities shall be subject to law and shall be regulated and controlled. Any disbursements from such funds for personal gains or illegally shall be criminalized. Anyone violating such rule shall be subjected to legal and judicial accountability without any exceptions.
29. Development of regulations and systems for punishments to include all rules regulating rights and duties of the staff and organizations actions to enable discrimination between those who work and those who don't and objective accountability. Adopt the latest information systems (administrative automation) in enhancing public management.
30. There is a need for due diligence in selecting the staff handling public fund in line with controls and standards that ensures efficiency and integrity and to toughen punishment against violators.
31. There is a need to benefit from the experience and expertise of other countries in administrative efficiency and human resources.
32. There is a need to modernize and develop performance in all State institutions, civil society organization and the adoption of an economic and fiscal policy that increases national resources and utilization in the best possible manner, rationalization of public expenditures and to achieve a balance between revenues and expenditures.
33. There is a need to create an attractive investment environment by removal of all the barriers to allow the private sector to fully participate together with the public sector and civil society.

34. There is a need to prevent interference and overlap of competencies between various ministries to achieve efficiency of public management.
35. Work to restructure the revenue authorities (tax and customs) in a manner that ensures eradication of financial and administrative corruption and efficiency of public management.
36. Restructuring of the Ministry of Oil and the establishment of a Yemeni Oil and Gas Company and the merger of all companies in the Ministry into this new company to be under the Ministry. The Ministry of Public Works shall be restructured to curb financial and administrative corruption and conduct the needed changes in a manner that realizes efficiency of the public management.
37. Assertion of the need to separate between the public service and private business.
38. Obligate the government to implement the local authority's matrix for the governorate of Hadhermout related to the development projects and the matrix of the consultative meeting which was held with oil companies in 2010 to be reflected in development programs with a clear timeline.

**Annexes:**

- Annex (1) names of members of the WG
- Annex (2) Workplan
- Annex (3) report of the WG to the Mid-term Plenary
- Annex (4) Minute of signatures of the members of the WG on the Final Report.
- Annex (5) Hearing sessions
- Annex (6) Provisions relevant to the shape of the State
  - Annex 6: Provisions prepared by the WG and delayed by the Presidium of the Conference because of their relevance to the shape of the State.
    - 1- The Constitution should provide for vesting the responsibility for revenue collection to the region provided that the region commits to give the central government its share.
    - 2- The constitution shall determine the shares of each tiers of government from the revenues of natural wealth, tax rates, customs and zakat and other resources to be collected between the center and the region: As an initial suggestion, we propose the following:
      - 60% for the region and 40% for the center
      - 75% for the region and 25% for the center
      - 70% for the region and 30 for the center
      - 25% for districts, 25% for the governorates, 25 for the region and 25% for the center.

- Set an extra percentage for the producing regions.
3. The law of the regions shall define the concurrent responsibilities between the federal, the center and the regions.
  4. The constitution shall define the powers of the center and the region to ensure balance of power and responsibility and avoids overlap to achieve administrative effectiveness.
  5. The constitution shall provide for the right of the local authority (region) to oversee and monitor companies working in production of natural resources in areas under their jurisdiction and to share in the consummation of production agreements.
  6. The constitution shall provide for the establishment of a body at the governorate level to be headed by the governor to be a forum for all local government bodies in the districts, another body at the regional level and a third at the national level to be headed by the president of the Republic for all local governments of the regions and to be directly responsible over all things relevant to the outcomes of the local government bodies.
  7. The constitution shall provide for the elections of local government bodies through free and fair direct elections by the voters for two election terms only.
  8. The constitution shall provide for the legislation of a law that regulates peaceful transfer of power at the central (federal) level and shall determine the posts which shall be subject to this rule and those which shall be subject to competition to ensure a fifty fifty share for the North and South and to prevent inheritance of leadership positions and the holding of multiple posts by one person.
  9. A legal provision that obligates the State to develop political, economic, social policies during the establishment of ministries, regions and administrative units that includes an assessment of needs of society for that and shall define the roles and responsibilities of new institutions.
  10. Issuance of a law to establish a high national body for governance in the regions which will constitute a forum for all regional governing bodies. The president of this body shall be the president of the federal republic and shall be responsible for all relevant matters to local government at the States level.
  11. Issuance of a law that considers international ports (land, sea and air) as sovereign ports belonging to the federal central government. An estimated share of revenues from such ports shall go to the regional government treasury where the port is located.

12. The law shall provide that an action for hiring and appointments in non-sovereign posts shall be the responsibility of the local government bodies (the region).
13. The law shall provide for the formation of a body from competent agencies in the central authorities (federal) and local authorities (region) to be responsible for monitoring the allocation of the proceeds of grants, loans and foreign assistance to ensure transparency and equity in the distribution of such proceeds in accordance with the entitlement formula for development programs.
14. Issuance of a law that considers services fees such as: electricity, water, telecommunications and others) as local revenues (owned by the region). The law shall define how such revenues are to be distributed between the provinces in the region.
15. Development of required legislations to ensure that the residents of natural wealth producing regions implementation of logistical and services activities for producing companies and priority in hiring. No service company should be allowed to work in the region unless it receives authorization from the authorities of the region.
16. Review of the definition of the State, the role of civil society and the role of the private sector in development in response to the youth revolution and the Peaceful Southern Hirak.
17. Transfer to the regions all financial allocations approved in the public budget once ratified in line with the chapters of the budget to the branches of the central Bank in the regions. The local authorities shall be responsible for expenditures. The region should also receive transfers from the central government from the one basket system.
18. Strengthen the principle of integrity in administration in a manner that achieves better performance for the administration.
19. All general directors of the finance offices and general directors of the civil service shall be transferred and under the authority of the local administrations units in the region.

Annex (7) Provisions submitted to the Consensus Committee.

Annex 7 articles submitted to the Consensus Committee for the second semester of the All-inclusive National Dialogue Conference

- 1- The constitution shall provide that the State has monopoly on the use of power and force in accordance with the powers vested on them by law and in pursuant to the constitution. The armed forces shall be a tool in the hand of the elected civilian executive and legislative authorities.
- 2- The constitution shall provide for full independence of the media through the establishment of an independent media Commission to be part of the State and in a manner that promotes the media stature as a fourth authorities responsible for molding an enlightened public opinion to serve the principle of transparency, rule of law and the development and promotion of the exercise of democracy.
- 3- The constitutions shall provide for the independence and uniformity of the judiciary as the only body responsible for adjudicating disputes.
- 4- Prevention of discrimination between resident ambassador in Yemen except on the basis of a principle of reciprocal treatment and the criminalization of acts by any ambassadors outside the diplomatic and political norms.

Annex (8) Report on the field visits by the sub-working groups.

Annex (9) Minutes of the Second Semester sessions.

Dr. Halimah Jahaf

Rapporteur of the WG

Judge/ Afrah Badowailan

Chair.

# **Working Group on Building the Foundations for the Security and Military Institutions**

**(July 13-September 18, 2013)**

## **Introduction:**

The Almighty God says: “*Lo! This is the supreme triumph. For the like of this, then, let the workers work*”. *Praise by to God, the Magnificent.*

There is no doubt that Yemeni wisdom was manifested in the Comprehensive National Dialogue Conference. The Conference aimed at establishing strong foundations and solid basis for building a free, decent, secure, stable life and a prosperous future; where understanding, cooperation, partnership and sincerity in words and deeds and values of justice, freedom and equality prevail. It also aimed at addressing all pending issues in a fair manner, on top of which is the Southern Question. When the conference convened in the first plenary and its members broke out into different working groups, the working group on the Building of the Foundation for the Military and Security Forces and their Roles became one of nine working groups of the Conference.

On that basis, the WG started its work in earnest with a full understanding of the huge responsibility entrusted to it and the nobility of the objective of the Conference which is reflected in the motto “With Dialogue, We Make the Future”.

The WG had set the following detailed objectives for the two semesters of the Conference:-

## **Objectives of the Working Group**

### **Overall Objectives of the Working Group:-**

3. Foundations for the building of the Army, nationally and professionally.
4. Assessment of compatibility of the outputs of efforts to restructure the military and security forces with the new foundations.
5. Role of the military in political life.
6. Security institutions as a civilian body.

### **Detailed objectives of the Working Group:**

1. Assessment of the current situation of the Military, Security, and Intelligence Services and the status of restructuring process in place.
2. Setting of modern foundations for future building of the Military, Security, and Intelligence Services and identifications of their objectives and tasks.

3. Setting the foundations to ensure redeployment of Military Bases far out of the cities when the new operational theatre has been identified.
4. Setting foundations to eliminate the regional nature of all Military, Security, and Intelligence Services to transform them into national and professional institutions.
5. Reinstatement of all those who were forcibly dismissed and forced to retire from the military and security personnel from the South, as a result of the summer of 1994 War. Reinstatement of all military and security personnel who were dismissed and forced to retire as a result of the Sa'adah Wars and the reinstatement of military and security personnel dismissed and forced to retire from the rest of the governorates of the Republic of Yemen to their jobs. They shall also be granted just compensations for the past periods.
6. Setting the foundations for the neutralization of the Military, Security and Intelligence Services from political life.
7. Setting the foundation for a modern national military doctrine for the Army and Security Forces.
8. Setting the foundations that would ensure decent lives for the personnel of the Military and Security Forces.
9. Follow up on the implementation of the twenty point's relevant to the mandate of the Working Group.
10. Setting the foundations to guarantee full attention and welfare of the families of martyrs, the disabled and wounded veterans from both the military and security institutions.
11. Reconsideration of the military laws, including the retirement law, the Military Service Act, and the National Defence Service Act.
12. Develop proposals for military and security health, educational and vocational training facilities.
13. Reconsideration of services and economic institutions subordinates to the military and security forces.
14. Broaden and empower women to work in the Military, Security, and Intelligence Services.

The Working Group started its work on the 13/4/2013 and produced the outcomes of the first sessions; those which were included in the WG's report to the Mid-term plenary on 13/7/2013. With full confidence, full harmony and open hearts and minds, views were discussed and visions and studies were presented to the meetings of the Working Group. The WG also benefitted from effective presenters and field visits to most branches and departments and the headquarters of the Ministries of Defence and Interior, political security,

National Security and visits to branches of these agencies in a number of governorates (Aden-Hadhermout- Hodeidah). Some of the committees from the Group also paid visits and met with officials and civil society organizations and professors and students in the universities. We have been able to decipher most of their proposals, views, concerns and issues during the first semester. Due to the lack of time, during the second semester, the members of the WG weren't able to visit the remaining governorate it planned to visit. The visits were, instead, confined to some of the facilities of the Ministry of defence, the Political Security, National Security and the Military intelligence to compliment previous visits. The WG worked hard and accomplished many of its objectives. It overcome many of the constraints and obstacles and overcome all challenges. It developed policies and strategies as planned in a successful manner. These can be found in the outcomes, results, decisions, suggestions and recommendations which received consensus in the WG. Consideration were also given so that these outcome are in line and don't conflict with the outcomes and decisions of the Working Group on the Southern Question, the State Building Working Group, outcomes that will be approved by the Conference and are hereby submitted to the Conference for that purpose.

**Decisions of the Working Group which received consensus in the WG and are submitted for review and approval are in the following:-**

**First: Decisions on Constitutional Principles:**

1. The armed forces belong to the people; its mission is to protect the country, maintain security, unity and territorial integrity, sovereignty and the Republican System. The State has the exclusive right to establish such forces. An individual, body, party, agency, group, organization or a tribe are prohibited from establishing such formations, bands, military or Para-military organizations under any name.
2. Representation in the armed and security forces and intelligence agencies during the constituting period shall be 50% for the North and 50% for the South at the command level in the military, security and intelligence agencies and below that; 50% for population and 50 for geography.
3. The law regulates general mobilization, reserves, the armed forces and the mobilization of human, financial and moral resources for the country. They are to be prepared on sound ground to be transformed from times of peace to times of war when an external threat is anticipated. The law shall regulate the rights and obligations of the reserves, and level of other material military resources.

4. Security is a formal civilian body that performs its duties at the service of the people, ensures tranquility for the citizens, protects their rights and freedoms, maintains law and order, the implementation of matters imposed on them by law and regulations and enforcement of judicial orders in a manner specified by law.
5. A high council for national defense and national security shall be established with a mandate to in the special affairs for security the country and its safety, prepares strategies and policies to deal with external threats and internal challenges and formulates internal and external policies for the country. It shall be responsible for the determination of strategies, plans for achieving security and public tranquility and dealing with disasters and crises of all types. It shall adopt whatever is necessary to contain them and identification of sources of threats on the national security. The constitutions and the law shall specify the structures, mandates and other tasks and responsibilities. It shall define the staffing with due consideration to civilian representation in the council.
6. A general intelligence organization shall be established by law consisting of two sectors, one external and another internal. It shall be responsible for surveillance of threats to Yemeni national security. It shall investigate all information and prepares complete folios on those threats. It shall refer such folios to competent agencies. It shall be responsible for advising the government on all matters relevant to Yemeni national security. It shall be under the oversight of the High Defense and National Security Council. The general intelligence organizations shall exercises its mandate in accordance with the law and internationally recognized principles of human rights. The law shall define the mandates and the tasks and responsibilities of the organizations. It shall be subject to the control of the legislative authority and the Central Audits and Control Organization in a manner that ensures effective role for financial control. Due considerations shall be given to the secret nature of its work. The General Intelligence Organization doesn't enjoy law enforcement powers. The head of the Organization shall be a well-known public figure, known for integrity and neutrality, the appointment of who shall be confirmed by the legislative authority.
7. The President of the Republic in a presidential system or the mixed system and the Prime Minister in the Parliamentary System is the Commander in Chief of the armed forces. The Commander in Chief declares war and general mobilization after the ratification of the legislative authority.
8. The Ministry of Defense is responsible before the people for the armed forces and before the authorities of the State. The law shall define the size, structures, job description, tasks, human resources and financial resources for all of its components. It shall define the operation

theater, the financial and administrative system, transparency of financial control by the legislative authority and the control agencies.

9. The office of the Minister of Defense is a political position. The person who will assumes such office shall be appointed by the President of the Republic in the presidential or mixed systems of government or the Prime Minister in the parliamentary system and in accordance with the requirement of the public interest for the nation. The Chief of Army Staff is the military commander of the army.
10. Terrorism is a global plaque which must be combated in line with a clear national strategy that defines terrorism and in cooperation with the international community, but in a manner that doesn't undermine national sovereignty. Cooperation should be confined to training and qualification of the special counter-terrorism Yemeni security and military units, development of their capacities and combat armament without direct interference.
11. The military judiciary is an independent judicial body in its work and is attached to the Supreme Judicial Council. It specializes exclusively in adjudicating all crimes related to the armed forces, officers and members. The law shall identify those crimes and defines the other functions of the military judiciary. It is not permissible to prosecute any civilians before military courts. Members of the military judiciary are independent, cannot be removed unless in cases defined by the law. They shall have full guarantees, rights and duties granted to the members of the civilian judicial authorities. Judicial panels shall have jurisdiction over the officer and staff of the armed and security forces and non other by adjudicating in all administrative disputes relevant to decisions on their affairs. The law shall regulate its functions and how its decisions can be appealed.
12. The military, security and intelligence should be neutralized from politics including a ban on the participation in elections and referendum whether in voting or nomination or participation in election campaigning in favor of any candidate as protection of these bodies from any political infiltration (This a provision which has been adopted with reservation of four members of the GPC).
13. Criminalization of any partisan activities by members of the military, security forces and the intelligence services. Any activity by any political party in the military, security and intelligence services shall be criminalized. The utilization of the armed, security and intelligence services in favour of any political party, group or individual shall be prohibited to shield them from any form partisan affiliation of all forms and political loyalties of all types to ensure neutrality and independence. The law shall specify the maximum punishment for such act including dismissal from service and the striping of all military ranks.

14. The President, Prime Minister, Speaker of the legislature, Minister of Defence, the Minister of Interior, or the heads of Intelligence bodies are not allowed to appoint any of their relatives, up to the fourth level, in any leadership positions in the Military, Security, and Intelligence Services during the period of their tenure in office.
15. Develop a Military doctrine for armed forces derived from constitutional principles so as to make the military, a national and professional army, loyal to God first and to the Nation. The Military, Security, and Intelligence Services shall respect human rights and international conventions and agreements that do not contravene the sovereignty of the country.
16. The staffs of the military, security and intelligence services derive legitimacy and full protection in the performance of their duty from their adherence to the constitution and the law.
17. Empowerment and broadening of women participation in the work of the military, security and intelligence services, to be regulated by law.
18. Trafficking of weapons and explosive of all types and sizes by any party, organization, group, tribe or an individual shall be criminalized
19. The Government shall be responsible for providing protection and comprehensive monitoring of children below eighteen years of age. Recruitment of children or involving them in armed conflicts shall be criminalized. They shall enjoy full protection during military conflicts, natural disasters and emergencies.

**Second: Legal Decisions and Guidelines:**

1. Determination of the suitable size of the armed forces shall be done in line with internationally accepted ratios (1-1.5%) of the population as a functional force and from (2.5-3%) as a reserve force. This shall be distributed in a balanced manner for the main forces, groups and jobs so as to make the armed forces a professional force. It's preferable that focus should be on quality and not on quantity, to be regulated by law.
2. Review of the current legislations of the armed, security forces and intelligence services. Legislations shall be enacted to be in line with the new Constitution and the requirements of the new structures.
3. Enactment of laws for the creation of the National Defence and National Security Council that clarify its tasks and functions. A law shall be enacted to regulate the armed forces, and another, for general mobilization and conditions that warrants that, a law for military service, a law for the national defence service, and a law for retirement and pension. It's not permissible to refer anyone to retirement unless in accordance with the law.

4. Passage of a law for health insurance and social security for the staff of the military, security, intelligence services and their families.
5. Passage of laws to unify the command and control and guidance centre in the security and police institution, the prohibition of discrimination in obligations and rights, completion of the building of an automated system and hot communications lines and the provision of required equipment.
6. All procurements of weapons, vehicles and other means for the armed and security forces shall be allocated to a special procurement committee. Procurement through traders and intermediaries shall be banned. All transaction shall be direct with the manufacturers and expenditures for armaments shall be rationalized and regulated by law.
7. Entitlements of the armed and security forces shall not be subject to the Salaries and Wages Strategy of the civil service. It shall be separated by law and enforcement of double dippers legislations of the civil service.
8. The ministries of Defence and Interior shall formulate a general budget to be presented together with the State's Public Budget to the Council of Ministers and on to the Parliament to realize oversight and control of these institutions on the budget. The best financial systems used by modern armies should be used to cover revenues and expenditures. Funds shall be removed from the discretion of commanders of units. All military and security leaderships shall be subject to financial disclosure to protect public fund and to curb corruption.
9. The Economic Corporation, the Military Public Works department, the Retirement Fund and the Military Medical Services shall submit an independent budget attached to the budget of the Ministry of Defence being that they are service and productive institutions. The law shall regulate their revenues and expenditures.
10. Restructuring the Yemeni Economic Corporation on the basis of shares between the Yemeni Economic Corporation and the Public Sector Corporation which were merged in the Yemeni Economic Corporation from the north and the south. The Corporation shall apply laws in force in all similar corporations in terms of managements and financial systems, final accounts, annual inventory, financial control ... etc. Its accounts, books and reports shall be under the oversight of the Central Audit and Control Organization.
11. The staff of the military and security forces shall be granted allowances, increases, bonuses and incentives ( periodic increases, increase for specialization, increases for the desert and island, increases for qualification, allowance for graduation, risk, bonuses and other privileges... etc). No deductions from the salaries of soldiers under any justification of reasons unless by law and subject to the principle of reward and punishment at all levels.

12. Since the staff of the armed forces, security and intelligence services are already paying blood tax and given that double taxation is forbidden, it's imperative, legally, to exempt them from paying income tax.
13. Legislations in the armed and security forces and intelligence service shall regulate military service, in structures, salaries, volunteerism, seniority, training, qualification, promotion, rules and cases of performance of the services, actions and leaves, medical services and healthcare, rights and duties, salaries, increases, allowances, bonuses, end of service bonus and protection of the workers in the military during the performance of their duties. All organs in the ministries of Defence and Interior shall be subject to the control of competent organizations without exception in accordance with the law. There is a need that outcomes of the restructuring process shall be in line with the foundations for building of the military and security forces along national lines, professionalism and scientific standards, as well as, comprehensive and fair national representation. This should be regulated by fair legal provisions.
14. The work of the security services shall be based on a balance between power and responsibility, determination of the public function, roles, ensure that there are no overlaps and smooth command, control and the application of management and financial decentralization.
15. The staff affiliated to the intelligence agency, when performing their duties, shall commit to standards of good governance and principles. The intelligence agency is prohibited from interference in the work of government organs, the military and the security service. Measures should be taken to ensure that the intelligence agency is shielded from infiltration and polarizations by any political party or body.
16. Reform of justice and security institution as one integrated system (Police Force-Prosecution-Judiciary). The law shall define the relationship between them to achieve comprehensive justice and ensure protection of rights and freedoms, lives and properties in accordance with the following rules and established principles:-
  - a. The security organizations shall respect the sanctity of homes, exception only in cases of stress and emergencies. Homes are not be entered, inspect or monitored unless by a justified judicial order and in cases provided by the law. The Judicial order should specify the place, timing and purpose of the inspection and residence shall be alerted before entry for inspection. (Some members suggested that the following statement should be added "Report, domestic violence" immediately after "stress". The WG didn't agree over the statement and was referred to the Consensus Commission.

- b. Citizen's private lives have sanctity and secrets are guaranteed. Such rights are not to be forfeited. The opening, perusal or surveillance of postal, cable and electronic communications shall be prohibited. It's also prohibited to intercept telephone conversation and any other means of communication unless by a justified court order for a defined period of time and in cases provided for by law.
  - c. Security and intelligence organizations are not permitted to restrict personal freedom of citizen considering that they are a natural right and guaranteed and shouldn't be undermined unless when caught red-handed in a crime. It's not permissible to arrest or frisk anyone or prevent any individual from movement. Freedom of an individual must not be restricted unless by a justified court order and required by an investigation. Any individual whose freedom has been restricted must be informed in writing within 12 hours of the reasons and justification for the restriction of their freedom and to be referred to the judiciary within 24 hours from the time the individual's freedom has been restricted. Interrogation is only allowed in the presence of the lawyer of the accused and if the accused has no lawyer, one should be appointed for the individual.
  - d. Any individual arrested, detained or his/her freedom restricted in any manner must be treated in a manner that respects dignity. Torture, intimidation, coercion, or abuse physically or morally is prohibited. Detention must only be in decent places from a human and health aspects. The State shall provide decent places and violations of this shall be considered a crime punishable by law. Any statement made under torture or intimidation shall not be admissible.
17. Criminalization of the mutiny by the staff of the armed forces, security and intelligence services. Sit-ins, protests demonstrations in their units or outside whatever justifications or reasons. The staff of these institutions shall be given all legal rights, where rights and privileges are commensurate with their duties and responsibilities, accountability, mandate and powers.
18. Development of legal foundations and rules for the qualification and improvement of performance, modernization of curriculums scientifically, tactically, technically and nationally, increase efficiency, improvement of living standards of the staff of academies, colleges and schools of the military and security forces, develop qualitative building of the army and security forces, attentiveness to scientific research and military documentation in all types and ranks of the armed and security forces, consideration of equitable representation and equal opportunities for all residents of all governorates and districts of Yemen and operationalize all military schools and expansion of their buildings in Sana'a, Aden and in any other governorate.

19. Rely on scientific research in the diagnosis of the gaps and weaknesses and propose solutions, as well as, provide required data to the planning bodies to enable them to restructure and development and contribute to an integrated database that serves the process of development of the military and security institutions and supports and promotes researchers in the military and security field as well as relevant research and studies centres. Attentiveness should be given to applied research in the field aiming at improving the efficiency of the armed and security forces and development and modernizes these institutions to assist in the process of the restructuring the armed and security forces and uplift them to the desired level. The scientific research should be allocated at least 1% of the total budget of the ministries of Defence and Interior.
20. The duration of the study in military academies shall be fixed at four years instead of three years. Additional subjects on civilian studies should be added to the curriculum consisting of military subject so that an army officers graduates with a Bachelor degree in military sciences and a diploma on civilian subjects in a similar manner as that taught in the police academy. This would enable the officer to perform his/her duties in a highly efficient manner to continue higher studies and secure a decent life after retirement by working in civilian institutions. The regulations shall define the additional subjects (in the management sciences).
21. The subordination of the Moral Guidance Department in the new structure shall be under the direct authority of the Minister of Defence. This is to ensure the activation of its role and activities of the Moral Guidance and Military Media of the armed forces, development of programs, events, and activities to improve morale and discipline and consolidates national unity. There should be a study of the underlying causes and negative effects of low morale and lack of discipline, low level of fighting skills and training. Negative phenomena shall be analyzed and solutions shall be developed in coordination with commanders of these forces, military regions and units. The objective of that is to promote high morals amongst personnel of the armed forces, enhance their positive role, cultivation of their skills and talents, guide their behaviour towards the strengthening of patriotism, which will eventually raise the preparedness of the armed forces and create a national military doctrine. Islam, as a moderate, fair and tolerant approach shall be at the core of the new military doctrine, the core and substance of military education and awareness to enhance morale of the armed forces removed from sectarian, partisan, and regional discrimination and divisions.
22. Legal regulations of the awareness programs for the security and police staff to remove the impact of the wrong mobilization by the conflicting parties during the past and to strengthen the values of national loyalty, tolerance and reconciliation. A specific policy should be adopted

based on loyalty to the nation, rule of law, services of the nation and the improvement of the professionalism of the staff in line with standards of efficiency and professionalism. The security services and the staff shall be subject to control and monitoring of the legislative branch to enhance national unity.

23. Restructuring and rearrangement of the military medical services, provision of financial resource to build a model military medical compound in the capital, rehabilitation of existing military hospitals, establishment of model hospitals in military districts and adoption of financial bonuses for military doctors and medical staff in par with that applied in hospitals run by the Ministry of Public health. Medical insurances should be apply to the staff of the armed forces so as to benefit from this scheme in support of military hospitals. Work should be done to implement the electronic medical card system and electronic control for the supply and dispensing of medicine and the works of hospitals in general. Those convicted of corruption in the medical services shall be referred to the military judiciary for prosecution. Actions aiming to yemenizing medical staff in hospitals shall be taken. All commands in medical facilities shall be from amongst the military medical body and effort shall be made to curb sending patients for medical treatment abroad.
24. Take inventory of, and issue unique numbers for all arms, equipment and transport vehicles. These should be recorded in the registers of the competent authorities. Periodic inspection and annual inventory taking should be done under the oversight of the Control and Inspection Departments in the Army and Security services. The movement of weapons, machines or transport equipment outside their permanent sites of the units is prohibited with the exception when performing official assignments under the orders of the Ministry of defence.
25. Recruitment to replace deserters is strictly prohibited under any name. Deserter's salaries shall be removed from the rolls and sent back to the military treasury.
26. Rearrangement, organization and formation of the armed forces in terms of armaments and ammunition on the basis of the established in military sciences with respect to human and financial resources and practices in armies around the world. This can be achieved through the merger of military units which doesn't have full staffing and equipment with other similar units (fighters, armament, tools, equipment, etc...) Likewise, the units with a surplus of human resources and armament can be divided into more than unit.
27. Reduction of the size of the Special Forces and the strategic reserve forces, missile brigades and the reserve of the Ministry of defence and presidential protection units. The subordination of these units shall be defined along with the assignments they are performing. Transparent mechanisms shall be put in place to remove the disparities and privileges

between all units of the armed forces, with the exception for privileges given to the two air and naval forces so that rights and duties are equal in all units.

28. Establishment of reception centres in military districts and in any area which the Ministry of Defence deems appropriate to receive applicants for recruitment and distribution of the new recruits to the different military units. The centres shall be responsible for receiving the vetting process for admission to military colleges and institutes.
29. The Ministry of defence, security services, intelligence services, military commands and the Department of Moral Guidance shall educate officers and the ranks and file of the armed forces on the laws and regulations of the military and on respect for human rights.
30. Private businesses and contracting shall be prohibited for the commanders of the military during the effective term of service. The law shall define the penalty for violation of this rule.
31. Development and diversification of military industries and to benefit from the experiences of fraternal and friendly countries' experiences and in coordination with them.
32. An immediate and serious review of the conditions of instructors and academics in the military in terms of promotion and adjustment of their standing should be done to raise them to the same level as that in government universities with respect to their salaries, allowances, bonuses and other privileges. Work should be done to improve their academic standing and to keep up with the accelerated development in military sciences and information technology. Transport, uniforms and food should be provided to the cadets in higher military academies. The certifications issued by military educational facilities shall be accredited locally and aboard (BA for military academies, MA for the Command and Staff College and the High Military Academy) and in accordance with the law.
33. Halt to all signs of foreign interference including air strikes and a prohibition on the establishment of foreign military bases.
34. When military staffs are transferred to work in civilian organizations, they are not permitted to carry their military ranks and all of the entitlements should be transferred to the civilian organization they have been appointed to. An exception to this rule should be given to those seconded to civilian institutions for a limited and specific period of time.
35. Full care should be accorded to the children and families of martyrs, the wounded and disabled veterans of the armed and security forces with respect to their financial situation, education and health and without any discrimination.
36. Establishment of a competent body in the Ministry of Interior to be responsible for community partnership to enhance relationship and confidence building as well as positive communication between the security services and the community.

37. Issuance of a law to regulate the private security firms and defines their activities and relationship with the official security organizations and all matters relevant to their activities.
38. The national and political security organizations should be merged into one organization. A general intelligence organization shall be established by law consisting of two sectors, one external and another internal. The law shall clearly define the mandate of the organization. It shall define the mechanism of control by the legislative authority and the Central Audit and Control Organization over the intelligence services. This should be in a manner that protects the confidentiality of the work of the intelligence organizations. It should provide that the work of the intelligence organization is confined to data collection, analysis and investigation and to refer the cases to competent authorities. The Intelligence Organization shall not have the powers to arrest, seizure or detention, i.e. no judicial enforcement powers should be given to it. The organization shall only refer the cases to the competent and professional policing agencies to make the arrest or seizure following the referral of the case to the public prosecution (*Some of the members of the WG requested that this decision be removed since it is repeated, while others insisted that it should stay. A decision was taken to submit this to the Consensus Committee as stated clearly in the minute.*).
39. Regulations should be issued to define the tasks and responsibilities of the military intelligence and to clarify the mechanism of control so as to protect the confidentiality of the work it carries out. It should carry-out its mandate in accordance with the constitution and the law and shall respect internationally recognized human rights.
40. Approval of salaries for the martyrs of the military and the wounded who have not been given salaries. Their salaries should be the same as their counterparts without any discrimination.
41. The Border Guards security (land and air security) in all ports is part of the Ministry of Defence. The law shall regulate their mandate and competencies.
42. The border guard's forces are part of the Ministry of defence. The law shall regulate their tasks and responsibilities and competencies.
43. Sections specializing in women, children and domestic violence cases staffed by women shall be established in police station.
44. Establishment of a civilian commission from amongst persons with integrity to monitor the performance of the intelligence organization with respect to public rights and freedoms and to ensure prevention of excesses and abuses in violation of the constitution and the law. (*This decision didn't receive consensus and was referred to the Consensus Committee*).

45. Two Higher officers commission shall be established in the Military and Security services to be chaired by the ministers of defence and interior. Their most important function should be as follows:-
- Develop annual promotion plans for various ranks.
  - Nomination of officers to command positions, key posts and define seniority.
  - Develop training and qualification plans and oversight of implementation.
  - Recommend the retirement of officers and consideration of requests for resignation.
  - Recommends the termination of services of an officer, restatement, transfer and other task and responsibilities (*This decision didn't receive consensus and was referred to the Consensus Committee*).
46. Legislations should ensure a decent life for retirees and a generous end of service payment to enable them to lead a decent life. Military and security service legislations and regulations should be reviewed with respect to salaries, pensions and retirements to ensure non-repetition of what happened in the post 1994 war.
47. Organization of civil defence, provision of material resources for units in all parts of the country, and the approval of a hazard allowance for the staff of this service.
48. Reorganization of the prisons authority, provision of sufficient budgetary allocations and support it with highly qualified staff to enable it to carry out the reformatory and rehabilitation programs. Financial incentives should be given to the staff. One security body should be responsible for guarding prisons. The authority should abide by classification of prisoners considering that prisons are reforms, rehabilitation and cultivation subject to judicial oversight. Any act which degrades the dignity of an individual or subjects the individual's health to danger shall be banned. The State shall be responsible for the rehabilitation of those convicted and to facilitate their livelihoods after their release. Kindergartens should be established in prison to provide care for the children of female prisoners.
49. A law that regulates the carrying and possession of personal weapons shall be issued.
50. The job rotation system should be applied to all commanders of the armed and security forces. Application should start with the current leadership in a manner that realizes the standards of seniority, efficiency, qualifications, specializations and national representation removed from nepotism and favouritism towards relatives, personal interest or mediation. The retirement system should be invoked in accordance with the law.
51. The use of Qat in military camps and during the performance of duty by all military and security staff shall be prohibited, violation of which is punishable by law.

**Third: Executive Decisions for Immediate Action.**

1. The Ministry of Interior should obligate the Ministry of Interior to quickly prepare comprehensive security plans to enhance and strengthen the role of the security force in all its branches in the governorates, districts and highways to ensure that the Statute of the State is imposed, provide security and stability and public tranquillity for the people and to protect public and private properties.
2. Reinstatement of all Southern retirees, the excluded and those who didn't continue their service forcibly as a result of the 1994 war to their jobs and to grant them all their entitlements such as ranks, settlements and compensation for the past. The wages and salaries strategy should be applied in their cases including the five-figure holders who were ordered to be reinstated in 1990 but weren't implemented despite the establishment of two commissions one in 2006 and the second in 2007.
3. Reinstatement of those who were forced to retire or removed from services in the Northern Governorates; on top of whom were those affected by the wars in Sa'adah and the 1994 war. All their entitlements and rights shall be granted to them in line with those granted to their counterparts. The period spent in retirement or out of services shall be accounted for and the salaries and wages strategies should be applied to their cases.
4. Issuance of Presidential directives for the establishment of a special commission to look into the cases of those who were forcibly removed and retired in the Northern Governorates.
5. Return of the military numbers given to new soldiers to the original holders and credit their service with the time they were out of service in calculation of their entitlements and ranks. It shall not be considered for the purpose of retirement. New numbers should be issued for those who had been given these numbers and their period of service should be calculated.
6. All those who have reached any of the deadlines for retirement by officers and the ranks and file shall be given retirement by virtue of the law. They are to be given all their entitlements and rights including the end of service bonus in a manner that guarantees a decent life for them after retirement.
7. Removal of the double dippers in military, security and other organs of the State.
8. Redistribution of the manpower after all actions referred to above have been implemented, current situation analysis and precise assessment of the situation should be made and determination of the effective manpower to reflect representation of all people of Yemen in an equitable manner for all governorates and areas as follows:
  - a- 55% land forces, Infantry, mechanized troops, armoured forces, artillery, battalions and platoons for combat security, engineers, communications etc. The ratio for the distribution of the land forces should follow the following:-

- From 75-85% combat fighters, from 8-10% commanders and from 4-5% administrative and technical staff.
  - b- 30% for naval and coastal defence forces. For this purpose, a restructuring and reorganization should be taken and to reallocate the naval forces with a focus to infrastructure, the establishment and preparation of naval forces, harbours, docks and workshops and the development and modernization of the naval forces by furnishing fast ships and boats for rapid response armed with various types of missiles so to building a striking force to enable it to carry out its role and responsibly effectively as needed.
  - c- 15% for the Air and Air Defence Forces. On that basis, the forces should be restructured, reorganized, redeployed. These forces shall be modernized in a manner which is suitable for the operation theatre. Surface to Surface missiles should be provides and surface to air missiles should be providing in a strategic approach to create a deterrent forces. Helicopters should be upgraded as a weapon against tanks and for evacuation and rescue operations. A sufficient air defence system should be developed to provide field protection for the land and naval formations and vital targets of the State. They should enjoy swift mobility to accompany the mechanized land forces and in a manner that will create a strong air force with defence and offensive capabilities for a distance suitable for the operation theatre.
9. Rehabilitation of old airports and the establishment of new airports in remote governorates and military districts.
  10. Bolster readiness and combat capabilities for the main branches of the armed forces (land, navy, and Air force) at all levels and provide the needed requirements for the purpose.
    - a. Provisions of modern light and medium size weapons for the Special Forces suitable for use in mountain areas and special missions.
    - b. Provision of land equipment and weapons with a capacity of higher mobility and firepower.
    - c. Work to increase the firepower for the formation and units in compatibility with the tactical and mobilization movement.
    - d. Work to provide advanced automated control mechanisms to keep up with the requirements for modern warfare.
  11. Preparation and organizations for the operation theatre, administratively, technically and operationally and for structures for the redeployment of the units in accordance with the operation theatre (the seven districts).

12. Re-deployment of all units which have been stationed for decades in the same area as part of the redeployment process in the military districts and the operation theatre. The redeployment of units shall exchange units between areas according to their needs and types and size of the units so that the formation will be complete (combatants, weapons, transport and equipment).
13. Determine the types of required forces and vehicles needed for each military district according to conditions in the ground and the possible tasks and missions and the establishment of military prosecutions and courts and branches for the military police at the level of each military district.
14. Remove all military bases from cities in parallel to the disarmament and withdrawal of all militias and armed groups.
15. Develop a uniform general military strategy for the armed forces, programs and plans for each military district and operation theatres according to the nature and in a manner that realizes the planned objectives and defence tasks successfully.
16. Fast stock-taking of all the heavy, medium and light weapons and explosives, equipment and machine which have been looted, distributed or sold or disposed of in any manner in violation of the law from the armed and security forces stores and all the military units. Decisive actions should be taken to reacquire such weapons from all parties who have taken these equipment (Islah recorded a reservation against this decision).
17. Reconsideration of the situation regarding those who were recruited during the period from 2011-2013. (*This decision didn't receive consensus and was referred to the Consensus Committee*).
18. Establishment of a special unit in the Military Police Command. All soldiers serving as bodyguards for military commanders should be transferred to this unit. The minimum and maximum number of body guards for each commander shall be defined. All bodyguards shall be given training and qualification courses in their field of work.
19. All military bodyguards assigned to civilian officials at all levels shall be transferred to the Ministry of Interior's Department for the Protection of facilities and officials. The same conditions as those applied to their colleagues in the Military Police shall be applicable to them.
20. Reform of the security sector by developing professional foundations for the reform of the security system and the promotion of its role as a civilian body providing a service. Policemen and no other should be assigned to carry out security and police missions and duties.

21. End to any duplications or overlaps in tasks and responsibilities of the security, military and intelligence services.
22. Police and security forces should be restructured and reorganized in line with the new shape of the State based on the needed balance.
23. All military and security structures acquired by private persons shall be returned to the military and security bodies.
24. Quick release of all detainees in the intelligence services prisons in violation of the law and those who have served their sentences or those who not been convicted or political detainees.
25. The graduates of military and security academies shall be distributed immediately upon their graduation to field military and security units to serve in those units for a period not less than 4 years and in line with their competencies. Following the 4 years, they can be transferred to other units according to need.
26. Field service shall be imposed on all officers for a period from 6-12 months for each rank that an officer is promoted to and following the enrolment of compulsory courses and advanced courses which entitle them to higher ranks.
27. Review of the new appointments in the military and security forces to identify the extent of compatibility with the foundations for national and professional conduct.
28. The work of the intelligence organization shall be confined to intelligence gathering and analysis and the referral to competent bodies. Beginning now, they have no right to detain arrest or carry out any act that falls under the mandate of another body. All security and intelligence agencies shall conduct their business and competencies in a manner that doesn't contravene the principles of human rights and freedoms guaranteed for the citizens by the Constitution and the law.
29. All military officers and rank and file affiliated with political parties or organizations or groups should immediately tender their resignation and perform the oath that they will abide by the rule not to engage in partisan or political activities. If they are interested in continuing their political and partisan activities, they have to tender their resignation from serving in the military, security and intelligence services and be transferred to the public service.
30. Move juveniles who were convicted by court to juvenile detention centres. A decision to establish a juvenile reformatory in cases connected with national security or terrorism should be urgently enacted. Those under legal age should be moved to this new facility to ensure psychological reform. The reformatory shall comprise a religious rehabilitation centre to educate the detainees on moderate Islamic and Shariya'ah sciences and academic qualification in post-secondary and community college levels. The reformatory should be

supervised by the judiciary in a manner that ensures rehabilitation and reintegration into society.

31. Provision of the financial and human resources and all necessary means for the Military Intelligence Department and expand its powers and presence of its staff in all military districts and units to enable them to perform their duties and tasks entrusted to them and their independence.
32. Completion of the payment of salaries of the staff of the armed forces using the electronic cards and coordination with the Ministry of Finance and the Central Bank, other banks and the postal system to adopt a uniform salary payment system.
33. Enable the Central Audit and Control Organization (COCA) to carry out the legal financial and administrative control in all military, security and intelligence services and to take legal action accordingly according to law including the suspension of any staff members in those organizations who obstructs the work of COCA or refer the staff member to the Prosecution for an investigation with consideration to scientific and technical auditing procedures and in a manner that takes account of the sensitive nature and confidentiality of the work of these agencies.
34. Issuance of presidential decrees for the return of those forcibly removed and retired who are included in the list of the Presidential Commission and obligate military and security bodies to be prepared to receive them and carry out the necessary adjustment for their reinstatement in a manner which match their levels, qualifications, specializations and their former positions.
35. The Ministry of Defence shall make the necessary arrangement to adjust the situation of those included in the decrees which have issued requiring their reinstatement in a manner that befits their qualifications and service and to grant them all their entitlements including promotions, ranks, tenure and compensations. The same is applicable to all staff of the Ministry of Interior and the Political Security.
36. The Political Security Organization shall implement the Wages and salaries Strategy of 2007 to retroactively adjust the situation of martyrs and the dead.
37. The Ministry of Interior and the Political Security Organization shall promote those who have remained in the same rank in a similar manner as their colleagues and in accordance with the lists submitted and in accordance with the law.
38. Reinstatement of staff in the former army of the People's Democratic Republic of Yemen who were absent due to the harassment, exclusion and marginalization practices and were replaced by other soldiers who were given their numbers and considered deserters to the

jobs. They shall be compensated for the past. Staff from the Northern governorates in the same disposition shall be treated the same.

39. Grant graduates of the 1990 course held in Moscow in 1990 of the naval base the military rank that equals that of their counterpart in the Hodeidah naval base who took the same specialized training.
40. Grant members of the National front who were given military numbers in the military and security institutions in the South before the blessed unity in accordance with the agreement of the leaderships of the two parts, following the suspension of the armed activities of the National Front who had their entitlements suspended and were excluded late 1990 all their entitlements and rights.
41. Completion of the 31 points development by the Technical Committee for the Preparation for the National Dialogue Conference and the Working group on the Southern Question which were reconfirmed by the first and mid-term plenary of the NDC.

### **Recommendations**

- The Restructuring Committee should seriously consider all actions to ensure that mistakes of the past are not repeated in all its forms. (*the same recommendations were included in the previous report of the WG*).
- Work for the restoration of trust between the people and the Military, Security, and Intelligence Services (*the same recommendations were included in the previous report of the WG*).

### **Recommendations on Civil Defence**

- Adoption and implementation of the General Plan for disasters management and provision of requirements to fulfil the shortfall in this aspect
- Completion and implementation of operations and sirens project.
- Establishment of offices in the governorates where there are no premises and provision of firefighting equipment for these premises.
- Completion of the legal structures and appointment.
- Provision of diving suits and protective uniforms for personnel.

### **Recommendations on the Criminal Investigation Department:**

- Development of the organizational structure for the functions of the Directorate General of Criminal Investigation and its branches in the governorates.

- Establishment of branches in districts where there are no branches.
- Creation of information network linking the Directorate with the branches in the governorates and provide a sufficient number of personnel in these branches.
- Rehabilitation of buildings and provision of technical capabilities.
- Appointment of the right person in the right place
- Strengthen the Anti-drug unit, creating controls in the land and sea borders, and fill the shortage of resources.

**Recommendations on Civil Status (Civil Affairs):**

- Establishment of branches of the Civil Status Authority in the governorates, the provision of requirements, supplies and necessary funds needed to manage the activities to improve the and facilitate the service to the people.

**Recommendations on the Prison Authority:**

- Provision of sufficient budgets to meet the operational need and for food, and medications.
- Separation of prisoners on the basis of nature of the crime and age.
- Provision of full care for juveniles and a special detention facility to accommodate the large number of women.
- Resolve the situation of prisoners who have served their sentences and remain in prison.
- Completion of the organizational structure of the prisons authority and the special law.
- Study and determine to whom oversight over the authority should go, either the Ministry of Justice or the Cabinet. Successful experience in other countries should be taken into consideration in this respect.
- Security of prisons should be the responsibility of the prison authority alone and presence of all other units shall end.
- Strict measures should be taken to prevent smuggling of drugs and weapons into prisons and punitive actions should be taken against violators.

**Recommendations on the Coast Guards Authority**

- Provide adequate allocations for steering activities in general.
- Establishment of infrastructure and maintenance workshops in areas where there is no infrastructure, especially the eastern region of the coast.
- Provision of sufficient personnel according to the needs of the overall activity.
- Fill the shortage of staffing to meet the need of operations in general.
- Approval of the organizational structure of the Authority and complete appointments to posts specified in the structure on the basis of qualifications.

- Merge the border guards in the Ministry of Defence to the Ministry of Interior. The responsibility for border control should be transferred to the Ministry of Interior represented in the Coast Guards to ensure an end to overlaps and conflict over jurisdictions and duties.

#### **Recommendations on the Passport and Immigration Authority**

- Resolve the deficit in the budget of the Authority.
- Approval of the organizational structure of the Authority for implementation.
- Act to create shelter for refugees from the Horn of Africa and establish control over their stay.

#### **Recommendations for the Traffic Police and Road Safety**

- The traffic police and road Safety forces should be restructured along national lines. The regional character in the structures of these forces should end. Deployment of these forces in areas and governorates should be needs-based.
- Provision of the necessary requirements for vehicles and means of communication.
- Provision of a sufficient budget for managing operations.
- Develop links between the governorates.

#### **Recommendations on the Special Security Forces:**

- Provision of sufficient resources for operations.
- Provision of communication, reporting, and guidance systems.
- Re-deployment and re-distribution of forces along national and scientific lines to meet the needs of the governorates and the regions.

#### **Recommendations on improving the standard of living and medical services for personnel**

- Development of a wage and salaries structure to ensure an improved monthly income for individuals and payment of bonuses in arrears to personnel such as transportation and risks allowances. Adequate food, housing and health should be provided to all personnel.
- Provide health insurance for the staff of the ministry and their families.
- Provision of therapeutic services in hospitals of the Ministry.
- Provision of sufficient funds to run the hospitals.
- Review of the salaries determination process for employees in the Investigation, criminal evidence, and the Counter-Crime Departments to provide for similar salary scale as those given to the staff of the prosecution.
- A serious review of the conditions of camps from a humanitarian aspect and provide the minimum standards for human dignity for the staff of the armed forces. Provision of suitable

housing, cultural and sports and entertainment clubs, health facilities and other necessary services.

- Accommodation of the returnees in the units, brigades and forces in command position which befit them, their qualification and services and the post they have filled.
- Graduates of universities from amongst the staff of the armed and security forces have presented to the WG a number files containing applications for being granted the rank of "lieutenant" like their counterparts. Their situation should have settled as follows:
  - a. Enrol them in military and security academies like other students. Their period of service should be counted from the date they joined military service in the army and security forces according to the law.
  - b. For those who have received promotion and have been granted the rank of "assistant" and have taken military courses and obtained a university degree, they shall be given the rank of "lieutenant" as a legal entitlement.
  - c. With respect to the financial impact of the university degree, their cases should be settled like their counterparts who graduated from military academies.
  - d. Or to be sent to the civil services in accordance with their academic qualifications.

#### **Recommendations and suggestions on a number of urgent actions**

- 1- The Budget of the armed forces shall be distributed as follows:

- Salaries	45% of the budget
- Administrative and technical	15%
- Preparation of the operations theatre and structures	15%
- Training and qualification	15%
- Scientific Research	1%
- Other requirements (health Insurance and others)	9%

Actions and Mechanism to ensure contribution to the reorganization process:-

- 1- Accelerate actions and mechanisms that will ensure the restructuring and organization of the armed and security forces to build an independent and neutral national institution based on modern standards and national foundation, most importantly:-
  - a. Reinstatement of those who were forced to retire or removed from services as a result of the 1994 war, or the Sa'adah and from the Northern Governorates in general including those who were dismissed from their units during the years 2011 and 2012. All their entitlements and rights shall be granted to them in line with those granted to their

counterparts, including ranks, adjustments and compensation for the past period. The Wages and Salaries Strategy should apply to them. The holders of the five digit numbers who have been included in decrees calling for their reinstatement in 1990 and who were screened by the 2006 and 2007 Commissions but the decrees were not implemented should be covered.

- b. All of those who have reached one the prerequisite for retirement, officers, rank and file, should be referred to retirement by virtue of the law. They shall be granted all their rights and entitlements including the end of service payments in a manner that ensures a decent life in retirement.
- c. Everyone recruited in the army and security services during the past political conflicts and are fit for military services in terms of age and physical fitness shall be distributed to the units individually. They shall be given training and qualifications and integrated to the units. Those who do not meet conditions for recruitment to the military services shall be terminated and end of service payment given to them, or alternatively, a special fund should be set-up for them or referred to the civil service.
- d. All those recruited to the military and security forces and their age is more than the legal age for recruitment and who haven't been given training or qualification, their services should be terminated as follows:-
  - Less than ten years in services, to be given an end of service payment and termination of their service in the Military and security service.
  - Fifteen years in service, to be referred to retirement and be given 2/3 of their salary.
  - Twenty years, shall be referred to retirement with full salary; or alternatively, a special fund to be set-up for them or referred to the civil service fund.
- e. Elimination of double dippers in all military, security and civilian institution. Recruitment to replace an absent individual in all armed and security forces departments shall be prohibited.

#### **Restructuring and Redeployment of the Border Guards:-**

We reaffirm the need for a plan to restructure, reorganize and redeploy the Board Guards forces as a branch of the land forces in the armed forces. For the purpose of implementation, we suggest the implementation of the following:-

- a. Assignment of a number of the infantry brigades in the military districts to be stationed in the borders for at least six month.

- b. During the six-month period, all human resources, vehicles and equipment should be recalled to the training centres in the military districts.
- c. Screening of the human resources in the training centres as follows (older age to be referred to retirement and young soldiers to be considered).
- d. Those fit for service shall be reorganized, trained and qualified to perform their duties.
- e. Residents of border areas should be hired to fill the gaps in the Border Guards units which shall be restructured in regiments and companies to facilitate control.
- f. Groups, platoons, companies and regiments shall be restructured as follows:
  - Each group shall have a commander. The machine gun and bazooka carriers as well as the signal worker should be from the regular units and not from amongst the residents of the border areas.
  - The Border Guards should be armed with light weaponry, medium weapons and fast armoured vehicles.
  - They should be given the same salaries and food as those in the armed forces with the exception of the allowances given to staffs other than the residents of the border areas.
  - Border Guards, while performing their duties, to be mandated with the judicial enforcement powers.
  - Powers and competencies and role for the Border Guards, Coast Guards and their subordination should be defined.
  - Establishment of training centres for the Border Guards and the provision of needed vehicles, tools and resources.
  - Establishment and restoration of monitoring and warning points inland and on the coasts.

#### **Restructuring and Organization of the Security Forces**

- a. In order to arrive at qualitative and model building of the security forces, measures to ensure the achievements of those goals should be taken as in the following: -
  - Group all current police force in the governorates and districts to training centres and schools.
  - Screen those who are fit for the service and reorganize them and prepare them for the performance of their duties.
  - Refer those who meet conditions for retirement.
  - Special Forces units should replace the security units in governorates and districts
- b. The units of the Special Forces who will be deployed to the governorates and districts should be replaced by regiments from the armed forces infantry as a temporary deployment to

respond to any emergency in any district or attach the Special Forces units and subject them to rules of public security.

- c. In all cases, the reorganization will assist the Ministry of Interior to provide peace and security and impose the stature of the State by development of a plan for regrouping and redeployment in the governorates and district by an average of 100 soldiers for each district and a reserve regiment in every governorate. The number of soldiers in this regiment should not be less than 500 soldiers to be supplied with all necessary means and weapons to enable them to implement the plan. Given the existing resources, the needed force to cover the need of all governorates and district shall not exceed 50,000 soldiers i.e. one quarter of the force available now to the Ministry of Interior.
- Compliance to the regulations for summoning the wanted from amongst the citizens for any reason and in all cases to protect the citizen from blackmailing, the creation of a respected stature for the State and protection of the honour and dignity of the soldiers from the need to beg. For that purpose, we recommend: -
  - a. Provision of a petty cash with officers of the security committees in the governorates and districts. The cash should be deposited in the duties treasury.
  - b. The travel allowance should be paid to the soldier/s assigned to summon any person if he has refused to respond to the summon.
  - c. When bringing the person or persons wanted, they should pay the amount of the travel allowance paid to the soldiers to the treasury and should be given an official receipt for that.

# **Working Group on Independent Institutions and Special Issues**

**(July 13-September 18, 2013: Submitted to the General Plenary)**

**In the Name of God the Most Merciful, the Most Compassionate**

## **Introduction:**

The Working Group on Independent Bodies and Special Issues commenced its activities following the Mid-term Plenary of the NDC by developing a plan for the WG for the final session. Special activities for the preparation of the final report continued from July 13- September 18, 2013. All comments of the members and the constituencies made on the Mid-term report of the WG were accommodated. The WG also prepared a plan to complete the themes to be considered by the Working Group.

The WG focussed on setting guidance for the sub-working groups aimed at drawing conclusions for appropriate constitutional and legal guidelines for the establishment of effective institutional structure for independent bodies and to revive the existing institutions through legal provisions and recommendations reached by the WG. Following a series of intensive workshops, the WG hosted a number of experts and specialists in areas given to each sub-WG. The WG heard local experts in constitutional law which contributed to the arrangement of the outcomes of the working group in line with constitutional and legal frameworks in addition to a number of important recommendations.

Based on the pivotal role that national independent level bodies will play in the future to protect democracy and strengthen integrity, transparent and good governance, the WG developed a number of constitutional and legal guidelines as well as recommendations for the media, public service, endowments, Zakat, Ifta House, control organizations, the high elections commission, the political parties affairs commission, special bodies for specific groups and the human rights commission. The decisions reached developed legal determinants to organize the functioning of these bodies to ensure effectiveness of the role of these bodies within the State's administrative structure.

The WG also touched on environmental and social issues in-depth. The WG hosted experts on the environment, water and Qat considering that these are vital national issues. The WG reached a number of constitutional and legal guidelines and recommendations on these issues. These are considered a start for handling one of these important dossiers which will determine the future of development in Yemen. On issues such as guns, revenge and armed groups, The WG reached a number of decisions that puts a framework for solutions in a matrix of actions and recommendations. This is in addition to legal and constitutional provisions that will establish the foundations of a state of rule and law.

In conclusion, we would like to point out that the report finalized by the WG is a completion of previous efforts made during the first sessions using the same approach. However, this time, details pertinent to each agency were inserted in addition to decision for the creation of new independent bodies which received the consensus of the WG to create them due to the importance of enhancing their independence.

## **Goals of the Working Group**

### **1- Overall Objectives**

- Defining the basis and principles for the independence of bodies of special nature in constitutional and legal provisions.

- Defining the features of the overall vision and constitutional and legal direction to deal with social and environmental issues.

## 2- **Special Objectives**

- Strengthen the independent bodies according to the laws regulating their functions.
- defining the tasks of independent bodies to ensure their effective performance as official bodies.
- Ensure clarity of functions of independent organization based on specific laws and legislations.
- Enhancement of transparency and partnership with society
- Develop frameworks to address water, Qat and environmental issues.
- Develop frameworks for addressing revenge, guns and armed groups issues.

### **Decisions by the WG presented to the Final Plenary of the NDC**

The WG reached consensus on the guidelines, determinants and recommendations and agreed to submit them to the Final Plenary for confirmation and adoption by the conference.

#### **1. General Provisions**

##### **1.1 General Provisions - Constitutional principles**

1. The number of leadership posts in the independent bodies shall not exceed seven members. They are to be elected for one term and the adoption of a mid-term confirmation. The membership should be specializations, efficiency, integrity and experience. This should be regulated by law. **Constitutional**
2. Ban on joint membership in the leadership of an independent body and any other positions. **Constitutional**
3. Women shall be represented by at least 30% in the leadership of an independent body provided they have the required conditions and criteria. **Constitutional**
4. It is permissible to establish independent bodies whenever there is a need and becomes necessary. **Constitutional**

##### **2.1 General Provisions - Legal determinates**

1. Abolish all ministries of which powers are performed in their entirety by an independent body.
2. The future shape of the state shall be considered when establishing independent bodies.

##### **3.1 General provisions- Recommendations**

1. The specialized staff of the ministries to be abolished shall be distributed amongst the alternative independent bodies to be established according to needs and the remaining staff shall be distributed to other State's organs with full entitlements.
2. Regular monitoring and evaluation of performance is a necessary precondition for the development of the work of independent bodies.

## **2- The Media**

### **2.1- Legal directives**

1. The High Council for Press and Media shall be comprised of representatives of the public and private media organizations, specialized academics and relevant media CSO's. It shall be established in line with the general provisions for independent bodies and the law shall define its functions.
2. The High Council for Press and Media shall be responsible for formulating policies and develop strategic media visions, reform of the press and media sector (printed, visual, audio and electronic) and shall be keen to provide all legal and ethical guarantees to protect freedom of expression and freedom of the press and media, the right to access information and to protect diversity of the media, neutrality and professional integrity to ensure protection for democracy and human rights and national and religious values guaranteed by the constitution.(constitutional)
3. Grants full professional independence to the administrations of public media organizations.
4. The Council shall be responsible for the performance of the following tasks:-
  - a. Formulation of media policies in cooperation with various media organizations in a manner that supports economic, social, and cultural development and preserves democracy, human rights and national and religious values guaranteed by the constitution.
  - b. Restructuring and reforms of the public and media organizations, development of legal regulations that deals with description and classification of the journalistic and media profession and develop mechanisms and criteria for the selection of heads of press and media organizations - that takes into account qualifications, integrity and experience.
  - c. Follow-up on the implementation of the code of conduct and develop controls to ensure implementation and respect thereof.
  - d. Oversees the budgeting process of public press and media organizations, ratification and control over their financial and administrative reporting.
  - e. Regulates and issues licenses for newspapers, television channels and other mass-communications mediums and the right to take legal action against media organization violating existing laws and the code of conduct.

### **2.2 Recommendations - Media**

1. Organization of a general convention for the press and the media engaging all stakeholders in the media to discuss all issues pertinent to the media and the press and to discuss suitable solutions with all parties in the media equation( printed, audio and visual and electronic media) to produce a code of conduct for the media.
2. Review the press, media and publications law to align it with the democratic change and transformation and the outcomes of the NDC.

## **3. Public Service**

### **1.1 Public Service - Constitutional principles**

1. Establishment of a fully autonomous civil service commission to maintain the efficiency and effectiveness of the public administration, the public service and to achieve fairness in the

public service, through equal opportunities and development of the administrative organization. The law shall organize its make-up and function(**Constitutio**)

2. A public pensions and social security public authority shall be established. It shall be fully independent to maintain the rights of the insured and develop them. The law shall organize the make-up, responsibilities and competencies of this body. **Constitution**)

## 2.2 Public service - Legal determinates

1. The scope of competency of the public service commission shall be the civil service in all sectors of the State.
2. The national number shall be a pre-request for recruitment to the public service in the state in all its civilian, military and security institutions.
3. Amendment of the service law to include senior positions and shall determine the terms and conditions for filling vacant jobs, duration of the service and wages.
4. The commission shall take stock, classify and develop job descriptions for the public jobs according to its competency and responsibility, scientific terms for occupying such posts and in accordance with the organizational chart and objectives of each administrative body.
5. The law shall provide for movement of the salary structure to keep up with new economic development in society and to ensure a decent life for all staff indiscriminately. The government shall abide by that.
6. A job is a right for each citizen in accordance with the criteria for qualification, expertise, capacity integrity and education set-forth for the occupation of a public service job. The principle of open competition shall be adopted in filling vacant posts in the light of such criteria.
7. Criminalization and punishment of those convicted of corruption or fraud related to job levels available.
8. Criminalization of politicization of the public service and partisan appointments.
9. The public service law shall include the following provisions:
  - a. Protection of the public servant from long-reach of the administrative leadership.
  - b. Accountability and prosecution of administrative leaders in violation of the law.
  - c. Protection of whistle-blowers and witnesses in reporting violations.
10. The General Social Security and Pensions Authority should be merged with the Social Security Corporation to make one organization. The new body shall take into consideration the structures of the new State.

## 3.3 Civil Service- Recommendations

1. The Government shall commit to speed-up the completion of the civil registry within a specific timeframe not to exceed three years in order to prevent double-dipping and to create a national database.
2. Use of ICT in the management of human resources of the State.
3. Activate the internal control system to implement the principle of reward and punishment and the evaluation of performance of the staff.
4. Development of a national strategy for the development of and qualification human resources to improve performance and efficiency in a manner that responds to the needs of the local labour market and capacities to compete in regional job opportunities.

5. Development of modern administrative systems of all state institutions and organization to meet the needs of society in service provisions and facilities.
6. Conduct a study on how to accommodate all pension funds in the Social Insurance and Pensions Authority to consolidate efforts and responsibilities and reduce financial costs.
7. Organization of a workshop to draft the law for the Public social insurance and Pensions Authority in which specialized experts shall take part in the light of international experiences in this area.

#### **4. Endowments - Legal Guidelines**

1. The Functions of the independent Endowments commission shall include the following:-(**Constitution**)
  - a. Protection of all funds, properties and endowments throughout the Republic, maintenance and repair of the damaged and dilapidated and managements in a manner that ensure the biggest benefit from endowments to fulfil the terms of the endowments as made by philanthropists.
  - b. Investment of the surplus revenues from public endowments in investment fields permissible by Islamic Shariya'ah for the growth and development of the financial resources to achieve an economic and social return to benefit endowments.
  - c. Increase awareness, enhance confidence and disseminate the endowment culture in society.
  - d. Spending of one fourth of endowments in development in a manner that doesn't contravene the intent of the philanthropists
  - e. Compile, register and document all endowments properties in an accurate and professional manner and require what has been plundered.
  - f. Create an opportunity for private contributions in endowment activities one of g new endowments, identifying the needs of the benefactors from endowments services, monitoring of performance of endowment institutions or maintenance of properties from neglect and mismanagement.
  - g. Construction of Mosques, up-keep, restoration, provision of furnishing and improvement of the status quo of the staff and remove the Mosques from use for partisan and sectarian conflicts.
2. Consistency of the law with the provisions of the Shariya'ah relevant to endowments and that the law shall provide for terms and conditions for endowment estates, exercise control over them and the need to comply with the terms and conditions of the philanthropists where such endowments are not to be mixed with other public or private endowments.
3. The law shall include clear provisions to enable the endowments to regain usurped properties in the past irrespective of the time that such acts have been committed.
4. Establishment of effective oversight, management and control structures in the endowment commission which will be responsible for the management of endowments affairs and protection by using modern and transparent methods and means to enhance confidence.
5. The commission should seek the advice of an advisory committee solely responsible in giving Shariya'ah opinions on the work of the Commission whenever sought.
6. The board of directors of the Endowments Commission shall be made up of specialists in economics, accountings and law and shall have members from the private sectors in accordance with the law.

## **5. Zakat Duties**

### **5.1 Zakat Duties - Legal determinates**

1. The Functions of the independent Zakat commission shall include the following:-
  - a. Achievement of the intents and provisions of the Shariya'ah for the Zakat duty with respect to revenues and spending.
  - b. Collection of all types of Zakat and spending on Shariya'ah spending items based on a contemporary and modern vision aimed at realizing real development ion society in a manner that attains the real intents of Shariyah for this religious duty.
  - c. Oversee the activities of local Zakat organizations and how they collect Zakat resources and monitor and control the soundness of the management of such resources.
  - d. Propose the annual government support for social welfare in the public budget and how to distribute the support amongst Zakat bodies at the local level.
  - e. Collection of Zakat revenues from precious metals and business and the rest of the duty bearers who exercising their activities within the geographical scope of the headquarter and the branches located within a geographical area that covers more than Zata body and the distribution of the collected resources amongst the concerned local Zakat bodies.
  - f. Address problems and constraints facing local Zakat bodies and to circulate the Shariya'ah Fatwas(edicts) in the field of Zakat following their endorsement from the Board of Directors of the Authority and to follow-up on their implementation.
  - g. Enhance the development role of Zakat and invest surplus funds to attain the real intents of Zakat and the areas for spending as proscribed by the Shariya'ah as well as the social development objectives.
2. Alignment of the law with the provisions of the Islamic Shariya'ah provisions on Zakat and prevent Zakat funds with other public or private funds by activating controls.
3. The Board of Directors of the Zakat Authority shall be made up of specialists in the management, economics and representatives of the private sector(Zakatpayers) on terms and conditions to be specified by law. This composition shall apply to the local Zakat bodies in accordance with the law.
4. Criminalization of acts of abuse of Zakat funds for purposes such as partisan activities or nepotism towards parties or social figures or the like.
5. Government mechanism at the centre and at the local level working in social welfare and social security should be merged into the Public Zakat Authority or the local Zakat authorities with due consideration to reforms of current gaps in those mechanisms.
6. The local Zakat bodies shall enjoy legal personality and shall be financial autonomous with branches at the district level.
7. The authority should seek the advice of an advisory committee solely responsible in giving Shariya'ah opinions on the work of the Authority whenever sought.

### **2.5 Zakat Duty- Recommendations**

1. Reform of the mechanisms and tools used for collection and spending Zakat funds to ensure growth and investment using a modern vision aligned with the provisions of the Islamic Shariya'ah and the causes to be covered by the expenditures.

## **6. Ifta (issuance of Fatwas -edicts).**

### **Legal Directives**

1. The independent House of Edicts shall include the following:
  - a. Issuance of religious and Shariya'ah edicts related to beliefs worshipping and daily transactions between people and other matters as provided for by the Islamic Shariya'ah.
  - b. Clarification of the Shariya'ah provision in matters presented to it and any other development in all facets of life.
  - c. Development of programs and plans needed to develop the issuance of edicts and Islamic research on public affairs aligned with the spirit of the times with preservation of the deep-rooted Islamic traditions.
  - d. Research, deduction and understanding of the facts with due consideration of the tolerant Islamic Shariya'ah intents which are fit for all times and places and reflection on the differences on Fatwas in changing times and place without violating the inherent principles of the Shariya'ah and by deduction of all views of the accepted schools of thought.
  - e. Support for the unification of ranks amongst Muslims and highlight the tolerance and spirit of Islamic which is unique in moderation and fairness.
2. The Dar Al-Ifta should be made-up of Islamic Shariya'ah scholars representing various jurisprudence of Islamic schools and utilization of expertise from various fields such as (the economy, law, medicine, social sciences and others taking into account representation of women).
3. The law shall define the conditions required of a member in Dar Al-Ifta which amongst other conditions shall include:
  - a. Is adept to terms of diligence.
  - b. Shall possess higher education degrees in Islamic studies and Shariya'ah scholarship.
  - c. Should not be a member or affiliated to any political party or political organization or any political objective.
4. The Dar Al-Ifta shall have a general secretariat to comprise a number of administrative units and male and female researchers. The appointment shall be made by decree of the Dar Al-Ifta board in accordance with the terms and conditions of employment in the public services and through a vetting process.
5. An Islamic research complex shall be established to be attached to Dar Al-Ifta which should be informed by people with expertise and specializations and shall function to achieve the objectives of Dar Al-Ifta specifically:
  - a. In-depth and broad research in the various sections of Islamic studies.
  - b. Work for renewal of Islamic culture and to weed out the distortion with the objective of presenting the core and inherent values of Islam.
6. Dar Al-Ifta shall take into consideration the special cultural characters of Maharah and Socotra.

7. Fatwas issues by Dar Al-Ifta shall be collective and shall be subjected to discussion by all members.
8. Criminalization of Fatwas that accuses Muslims of heresy whether they are individuals or groups.
9. It is not permissible for any individual or body to issue Shariya'ah Fatawas on public matters other than Dar Al-Ifta and the law regulating this matter.

## **7. Control Organizations**

### **7.1 The Central Control and Audits Organization- Legal Directives**

1. Establishment of a tender and procurements control sector at the Central Control and Audits Organization( COCA) and dissolve the High tenders and Procurements Control Board. A mechanism for monitoring government procurement and tenders shall be installed and should be compatible to the shape of the future State.
2. Reconsider the control legislation framework and remove and conflicts between such legislation, specifically the laws of COCA, the Supreme National Authority for Combating Corruption(SNACC) and the Public Prosecution. Remaining legislation should undergo the same review.
3. The law should regulate complementation and coordination of functions of control organizations to enhance the strength of financial and control systems, specifically between COCA and SNACC
4. Establishment of a High Council on Accounting and Audits Standards to contribute to the development of the accounting and auditing profession.
5. Creation of regulatory bylaws that require planning and strategies where visions, missions, objectives and responsibilities shall be defined and anticipated role and outcomes are set-out for leaderships to enhance the principles of accountability to serve as a reference for any objective evaluation.

### **7.2.1 The Supreme National Authority for Combating Corruption- Legal Directives**

1. Reformulation of the national strategy to enhance values of integrity, transparency and accountability first and foremost and fighting corruption with effective national community participation.
2. Lift restrictions on the confidentiality of financial disclosures and assessing them during change of postings. Specialized anti-corruption courts should be established to be staffed with judges with known integrity and courage and guarantee the enforcement of its judgements to achieve the needed deterrent.
3. Remove the duplication in investigation of cases between SNACC and the Public Prosecution.
4. Issuance of the law on witnesses and informants protection

### **7.2.2 The Supreme National Authority for Combating Corruption- Recommendations**

1. Activation of the Right to Access Information Law to enhance the role of the media in fighting corruption within professional and ethical controls.

### **7.3 The Yemeni Central Bank- Legal Directives**

1. Separation of the treasury functions from the Central Bank and the application of the public treasury system.
2. Repeal any legal provision in conflict with the Central Bank Law.
3. Assignment of an independent auditor from outside the government to audit the work of the Central Bank.
4. Criteria for nominations to the board of directors of the Central Bank of Yemen:-
  - a. The candidate should possess a university degree or a post-graduate degree in finance, economics and at least thirty years of experience for the governor and fifteen years for the members of the board.
  - b. Should have experience in leadership, should have held a leadership post and has an in-depth understanding of economic, fiscal and monetary policies, particularly governance and experience in financing, accounting, banking operations, payment systems, strategic planning, risk management, internal controls and instructions of the Central Bank.
  - c. Commit to professional practice and shall have no self-interest that conflicts with duties and impact on neutrality in deliberations and decision-making.
  - d. Shall possess leadership skills and capacity to manage disputes, dialogue and communications with everyone, particularly relevant banking and economic institutions.
  - e. Criteria for selecting leaders for independent bodies shall apply to the candidate for these posts.
  - f. Shall be proficient in the English Language.

#### **7.4.1 The High Authority for Education, Training and Scientific Research- Constitutional guideline**

Establishment of an independent high authority for education, training and scientific research.

#### **7.4.2 The High Authority for Education, Training and Scientific Research- Legal guideline**

1. The High Authority for Education, Training and Scientific Research is responsible for the development and determination of the national policy for education, training and scientific research. It should translate public policy into integrated sub-strategies to cover all types and stages of education, training and scientific research and follow-up on the implementation of policies, strategies and sub-strategies. It should put in place national mechanism and standards to ensure quality education, training and scientific research in a manner that ensures sustainable development of human capital.
2. The Executive Authority shall be responsible for the implementation of strategies and policies determine and evaluated for educational, training and scientific research institutions by providing funding and required investment and to diversify sources of funding for the .... . It should create effective community participation programs with the community on the one hand and with educational training and scientific research institutions on the other.
3. The Authority should prepare and monitors the implementation of a system and a framework for certification and qualifications by defining different tracks for enrolment in educational institutions and scientific research with a focus on continuous education.

4. The Authority will develop policies and implementation mechanism to implement scaling up of scientific, technical and professional competencies through the establishment of universities and colleges specializing on applied sciences and technology.
5. The Authority should develop policies and mechanism to promote and fund scientific and applied research linked to development and to share in financing the scientific research Fund managed by the Government and the private sector and society at large.
6. The Authority should development policies and mechanisms to strengthen board of trustees of higher educational institutions and shall have representatives of civil society and the private sector in its board based on their qualifications.
7. The Authority has the Academic certification and Quality Assurance Council under its supervision.
8. The Authority shall develop and monitors selection criteria for the heads of educational and research institutions which should be based on a good reputation, leadership and professional capacities which enable them to perform the role entrusted to them.
9. Merger of all agencies responsible for sending students abroad.

#### **7.5.1 The High Authority for Specifications, Measurements and Quality Control- Constitutional guideline**

Establishment of an independent authority for specification, measurements and quality control having the appropriate infrastructure to ensure the health and safety of consumers and the environment and supports the national economy.

#### **7.5.2 The High Authority for Specifications, Measurements and Quality Control- Legal guideline**

1. The Executive Authority shall commit to the establishment of branches and offices for the Authority at customs posts and equip them with required laboratories for testing and evaluation.
2. The Executive Authority shall be responsible for control over markets and monitors the extent of compliance to specifications and measurements.

#### **7.6.1 The High Authority for Food and Drugs- Constitutional guideline**

Establishment of an independent Authority on Food and Drugs to take up the responsibility of food and drugs policy formulation and ensures the quality and safety of food and drugs.

#### **7.6.2 The High Authority for Food and Drugs - Legal guideline**

1. Issue a law on pharmaceuticals and medicine.
2. Coordination of efforts together with executive authority to control food and drugs.
3. Issue a law that criminalizes the smuggling of all types of food and drugs.
4. Criminalization of offering or selling expired food or drugs.

#### **7.7.1 The Central Statistics Organization - Constitutional guideline**

A central organization for statistics should be established. It shall be responsible for statistical data collection and presentation to end users and decision-makers in a credible and objective manner.

#### **7.7.2 The Central Statistics Organization - Legal guideline**

- Foster a unified statistical system that fulfils the needs of decisionmakers and data users.

## **7.8 The Yemeni Council for Transparency in the Extractive Industries- Legal guidelines**

1. The annual budget of the Yemeni Transparency Council should be covered by the State's budget and any support to the council should flow into the State's Public Budget.
2. The law shall define the scope of detailed disclosure in the Yemeni report on transparency in the extractive industries to ensure full application of the decree establishing the Council.
3. The Council shall be established from amongst qualified staff of experience and integrity for a three years term with a maximum of two terms in service.
4. The Council shall submit its report to control organizations, the legislative authority and the Council of Ministers. It shall make its reports available to the public.

## **7.9 Control Organizations- Recommendations**

1. Fostering modern financial systems for the State's Public Budget that shows the return, net and benefit of budgetary expenditures such as performance budgeting and project-based budgeting.
2. Activation of the Internal Control Law number 5 for the year 2010.
3. Review of the establishment of autonomous funds and their laws.

## **8. The High Elections Commission**

### **8.1 The High Elections Commission- Legal guidelines**

1. Oversee media activities during elections and referendums to ensure neutrality.
2. Introduce a cap on spending by candidates on their elections campaigns
3. Oversees and monitors the spending of public funds and to prevent illegal funding for use in campaigning.
4. Periodic updating of the electronic voters registration system by relying on the national number.
5. The High Elections Commission shall be given the right to select its own staffing on the basis of qualification, integrity, independence and non-partisanship. It should advertise vacant posts and select the staff on the basis of a vetting process under the oversight of the public service organization.
6. The High Elections Commission shall develop the criteria of selections of members of oversight and main committees by choosing persons who possess the right qualifications, integrity, independence and neutrality.

### **8. The High Elections Commission - Recommendation**

- Preparation for a workshop to explore the importance of establishing a sector in the Commission for overseeing and exercise control over elections campaign and elections spending.

### **9.1 The Party Affairs and Civil Society Organizations Commission- Constitutional guideline**

1. An autonomous authority shall be established for political parties and civil society organizations affairs.

### **9.2 The Party Affairs and Civil Society Organizations Authority- Legal guideline**

1. The Authority shall comprise two departments: The political parties and organization department and the civil society organizations department.

2. The authority shall be responsible for screening of applications for the establishment of political parties and organizations and the registration of civil society organizations to verify that they meet required conditions as specified by law.
3. The Authority shall be responsible for following-up on compliance of political parties and organization to the legal controls and the standards of integrity and transparency in accordance with the law.
4. It's not permissible to dissolve any political party or organization or a civil society organization unless by a conclusive court judgement.
5. The Authority shall be responsible for capacity building of civil society organizations to enable them to perform their role as an effective partner in community development.
6. The Authority shall work to create a national database of all political parties and organizations and civil society organizations.
7. A ban on the establishment of any political party or organization on the sectarian, regional or factional ground.
8. Put in place controls and criteria and monitors the funding of political parties and organizations and civil society organizations internally and externally.

### **9.3 The Party Affairs and Civil Society Organizations Commission- Recommendations**

1. Organization of a special workshop to review the civil society organizations law. Specialists and experts should participate in the workshop to formulate the main outlines of a law to regulate the organizations by avoiding restrictions and regulates the funding of these organizations.
2. Amendment of the political parties law to allow freedom for the formation and establishment of political parties removed from any form of arbitrariness.

## **10 Special Commissions for relevant groups**

### **10.1 The High Council for Youth - Legal guideline**

The High Council for Youth shall be responsible for:-

1. Formulation and development of a national youth policy aiming at building a capable, effective and active Yemeni generation that participates in the building and development of society.
2. The National Council shall consult and coordinate with the Executive Authority to development and fund interim strategies and national programs for youth to achieve the development goals defined by the High Youth National Council within the framework of implementation of public policies.
3. The Council should follow-up on the role of the Executive Authority to implement related strategies and programs and report on progress periodically. It should evaluate such strategies and programmes on a timely basis at all levels.
4. The High National Youth Council shall guarantee equal representation of male and female youth on the basis of qualification.

### **10.2 The High Council for Youth - Recommendation**

1. A special workshop should be organized to prepare the law for the establishment of the High National Youth Council which should include the structures of the council, conditions for nominations and defines the age of youth which would be targeted by the Council.

### **10.3 The National Women Authority - Legal guideline**

1. The National Women Authority shall guarantee equitable representation of youth on the basis of the qualification.
2. Tasks of the National Women Authority:-
  - a. Formulation of public policies in the area of women affairs development in constitutional and legal institutions and follow-up on their implementation with competent authorities.
  - b. Propose amendments to legislations dealing with women and comment on draft legislations and decrees needed for the advancement of women.
  - c. Follow-up on the enforcement of legislations, regulations, decrees and international agreements relevant to women which have been ratified and the programs adopted in government plans and programs to ensure that they are implemented.
  - d. Ensure representation of women in all commissions and international circles on women affairs.
  - e. Formulation of a draft national plan for the advancement of women and to address the social, political, economic and cultural issues women face.

### **10.4.1 The National Authority for Persons with Disabilities - Legal guideline**

1. Tasks of the National Authority:-
  - a. Suggest laws, formulates policies and determines strategies for the welfare of persons with disability and to follow-up on implementation at all levels.
  - b. Follow-up on the implementation of international and regional agreements on the affairs of persons with disabilities.
  - c. Guarantee the rights of persons with disabilities and ensure equal opportunities and effective political and intellectual participation in society without discrimination under any justification whether gender, age, color, type of disability, sect or any other justification.
  - d. Pass a law that criminalizes beggary by using and exploiting persons with disabilities.
  - e. The need to engage persons with disability- those with qualification and experience - by at least 50% in the administrative board and the executive board of the authority.
  - f. The Authority shall accommodate the classes of disabilities (mobility, mental, audio and visual impairments, and war veterans) in the specialized departments and shall work for the welfare of these classes in an equitable and balanced manner.

### **10.4.2 The National Authority for People with Disabilities- Recommendations**

- a. Coordination between all rehabilitation centres, organizations, unions and federation working in this area with the objective of unifying welfare and rehabilitation effort for persons with disability.

- b. Creation of a national economic policy to be submitted to the State for the provision of local qualified staff and training and qualification centres as well as specialized hospitals for persons with disability. The Authority has the right to oversee the implementation and progress of work in these institutions.
- c. Review the special law on the welfare Fund for Disability so that the Authority would have the legal basis for oversight over the Fund.
- d. Obligate the State to facilitate access to persons with disabilities in all State institutions and facilities.

#### **10.5.1 The High National Authority for Motherhood and Childhood - Legal determinates:-**

1. The Authority shall be responsible for:-
  - a. Formulation of public policies relevant to motherhood and childhood affairs in all areas (educational, cultural, health, social and psychiatric) and follow-up on implementation in the light of reports submitted from the competent agencies and issuance of recommendations.
  - b. strengthening of moral values which embodies the status of mothers and the family and role in society through raising social awareness on the needs, issues and challenges of motherhood and childhood to promote support by public opinion on these issues.
  - c. Coordination and cooperation with all official sectors and civil society organizations concerned with motherhood and childhood locally, regionally and international with the objective of creating the required balance and integrations between these sectors.
  - d. Creation of a database for the provision of information, statistics and studies on motherhood and childhood affairs at the national level and evaluate indicators and results reached.
  - e. Contribution in the provision of family stability for women and children through the provision of guidance and counselling services on family matters to address problems faced by women and children.

#### **10.5.1 The High National Authority for Motherhood and Childhood - Recommendations:-**

1. Criminalization of violence against women in any form or shape as well as children since violence degrades the human soul and produces a battered generation.
2. Establishment of rehabilitation institutions to support the family units and make pre-marriage tests mandatory (physiological, social and psychological tests) to protect the family from being infected from different hereditary diseases and family disintegration.
3. Define a safe age for marriage to protect minors.
4. Creation of study tracks for family medicine specializations in universities.

### **11. The National Human Rights Authority**

#### **11.1 The National Human Rights Authority-Legal determinants**

##### **Functions of the Authority:**

1. Exercise a control role on the performance of the executive branch or any other relevant agency in the area of human rights.
2. monitor local conditions of human rights including (monitoring the performance) of security agencies, the police and the judiciary to verify compliance in the application of national and international standards for human rights. It should be granted powers for inspection.
3. Receives complaints and reports on human rights abuses and follow-up on such cases with the Public Prosecution and the Judiciary if such complaints and reports involve abuses of rights and freedoms.
4. Play a bigger role in special situations and extraordinary crisis and evolving emergencies that maybe experienced by the country with respect to human rights.
5. Submission of recommendations to competent authorities, specifically on amendments and reforms of legislations, regulations, and administrative practices, particularly if they are the source of the challenges faced by those petitioning the Authority in their attempts to assert their rights.
6. The Authority shall be responsible for coordination between the society and its organizations and the State and shall be a neutral forum for serious dialogue to ensure the protection and promotion of human rights.
7. Provide accessible means of communication with the Authority and its offices and educate the public on the services it provides and how they benefit them.
8. It should assist the state to fulfil its international obligations through actions adopted by the Authority to ensure that the States implements its international obligations and commitments with respect to human rights.
9. Submit an annual report on human rights abuses to be published in the media and to be presented to the legislative authority.

## **11.2 Recommendation- For the Human Rights Commission**

1. Affirmation of the link between human rights and rule of law and administer justice and reparation for victims to prevent impunity and reform of judicial and security institutions including the police and prisons system. An accountability mechanism should be created to ensure compliance with international standards of law enforcement.
2. Organization of workshops for specialists and workers in this area to suggest mechanisms for the formation and functioning of the Authority, structures and regulatory legislations.
3. Raise awareness of individuals in Yemeni society on human rights as guaranteed by Islam thorough the various mediums.
4. Follow-up on Yemeni emigrants' cases with rights dimensions.

## **12. Environmental Issues**

### **12.1.1 Water- Constitutional principles**

- Water is fundamental human rights. Each citizen has the right in obtain safe water in sufficient volume for drinking purposes at reasonable prices and for domestic use. The State shall be obligated to realize that.

### **12.1.2 Water - Legal determinates**

Legislate a water law that provides for:

1. The State fosters the water issue as a strategic issue of national security significance.
2. Water is a nature resource owned by the State and consequently carries a price.
3. Criminalization of drilling of water wells without an official license.
4. The State's administrative division should take into account the hydrological structure.
5. Equity of water allocations and priority for drinking water and food security crops.
6. Linkage between sanitation projects and improved water systems.
7. Criminalization of the depletion of water and pollution of water.
8. Foster a strategic planning method in planning, policy-making and implemented through fully funded plans and programs.
9. Consolidation of water resources management responsibilities.
10. Establishment of specialized research institutions. Adoption and benefit from their outputs and which shall be entered into a database.

#### **12.2.1 Environment- Constitutional principles**

1. The Authority shall be responsible for oversight and control over the environment system and shall guide human behaviour to meet the needs of environmental protection. It shall have the capacity to identify and categorize violations and abuses against the environment and collect evidence of such violations. It should enjoy the right to control and impose immediate penalties on simple violations
2. The State shall guarantee environment protection and preservation of its elements, ecosystems, natural balance and the preservation, development and sustainability of its natural resources and biodiversity.
3. The environmental legislative framework should regulate institutional action and define its role in environmental protection. It should ensure the introduction of the principle of economic cost of environmental degradation in national accounts. The legislative system should practical and clear to meet the need for environmental protection.
4. The islands of Socotra have an unique environmental and cultural distinction. The State shall protect such distinction and diversity and shall protect it through legislations.

#### **12.2.2 Environment - Legal determinates**

1. The Authority should have control tools to ensure effectiveness.
2. Establishment of special court departments specializing in environmental cases.
3. Criminalization of import and smuggling of poisonous pesticide or trade in such substances.
4. Criminalization of allowing entry and burial of poisonous waste in the country.
5. The establishment of factories, power stations, high voltage towers and telephones shall be prohibited in population centres. Industrial zones shall be established outside population centres where home construction should be prohibited.
6. Criminalization of acts of pollution of the environment using the principle of pollutant pays.
7. Development of national buildings laws to include (green code) compatible with the controls and conditions for the application of the minimum standards of green buildings and alignment with regional legislations and standards in these areas. The aim is to protect water and save energy, water and natural resources to achieve sustainable development.

### **12.3.1 Qat- Constitutional principles**

Qat is a social, economic and health plague. The State shall commit to banning its cultivations or the cultivation of any other harmful crop. It shall get rid of any cultivated areas by replacing it with crops that contribute to food security.

### **12.3.2 Qat - Legal determinates**

1. Organization of the Qat markets outside the peripheries of cities.
2. Ban consumption of Qat in public place and places of work, transportation, universities and security and military institutions. etc.
3. Partial replacement of Qat cultivation at a rate of (10%) annually with other viable cash crops.
4. Ban use of pesticides in Qat cultivation.
5. Gradual increase of taxes and adjustment of the collection mechanism.
6. Ban Qat cultivation in water basins where the water situation is critical and to get rid of cultivated areas immediately and in an urgent manner.

### **12.3.3 Qat- Recommendations**

The State shall adopt an integrated national strategy to do away with Qat. The implementation of the strategy should start with a gradual plan introducing measures and actions during fixed and specific timeframes as follows:

1. Ban expansion of Qat cultivation
2. make it compulsory for farmers to use modern irrigation systems.
3. Compensation to farmers and workers in the sector.

## **12.4 Water and Qat - Recommendation**

1. Benefit from the remote sensing technology and GIS to update data and information on crops, local water resources and national water resources to increase the accuracy of water indicators in the future.
2. Establishment and development of a comprehensive and unified database to be accessible to everyone that supports planning and monitoring water resources and crop production.
3. Launch a program for smart information and communication technology (advanced) to support farmers and those providing consultant services to farmers on irrigation management in the farms.
4. There is a need to focus on capacity building to support planning for water resources management and the fostering of a clear and specific working mechanism for the management of foreign funding.
5. Political parties shall be obligated to include water and environmental issues in their programs.
6. Engage the private sector and civil society in the funding of water resources development programs.
7. Foster modern irrigation methods and water harvesting programs and recycling of waste water.
8. Adoption of a national strategy for agriculture to be based on a restructured national economy.

9. Include environmental legislation as a study stream in the faculties of laws.
10. Establishment of a cooperative agricultural and fisheries community and engage agriculture, fisheries and handicrafts societies in the process.
11. Include the concept of environmental and architectural balance in the national architectural development strategy to become a defining element of national policy and develop indicators to measure the extent of compliance at the central, regional and local levels.
12. (In line with the future shape of the State), each region shall have the right to a set a timeframe for getting rid of Qat.
13. The duration shall not exceed the time set in the national strategy for the eradication of Qat.

### **13. Social Issues**

#### **13.1.1 Revenge - Constitutional Principles**

1. Revenge is a social phenomenon that threatens social peace and obstructs development. The State shall address the impact of this phenomenon and adopt deterrent actions to eradicate this phenomenon and its root causes.

#### **13.1.2 Revenge - Legal determinates**

1. Criminalization of road blocking and kidnapping and anything that would provide harbouring of criminals under any justification.
2. Consider the revenge motive to commit a crime as a cause for tougher sentencing.
3. Establish fast judicial tracks and legal aid to address revenge issues in courts including the setting of committees to assist the judiciary in settling individual and collective disputes and conflicts to achieve justice and equality in a manner that doesn't contravene Islamic Shariya'ah. Revenge cases should be settled within a brief timeframe.
4. Establishment of an interim national authority to address revenge cases to consist of people with experience and specializations in the judiciary, tradition and law to clear accumulated cases prior to the establishment of the authority within the framework of a scheduled time frame to pave the way for the established of rule of law and justice.

#### **13.1.3 Revenge- Recommendations**

1. Rapid intervention by the State to put an end to family and tribal disputes, report of any break out of dispute and carry out a set of security, military and mediation effort designed stop or end the dispute through direct verification. The State should provide direct solutions or guide such solution through the judiciary while putting in place the required guarantee to control the dispute by providing all financial and moral resources needed to carry out the task within the scope of law and order.
2. Reform the judicial organs (Prosecution and the courts) and work for quick action to settle issues by citizens and enforcement of judgements, anyone found to obstruct the enforcement of judgements should be tried.
3. Constant awareness raising on the seriousness of revenge by committing various media outlets and offices of breaching and guidance as well as educational curriculums to work for strengthen the values and concepts promoted by our faithful religion which prohibits taking lives or usurpation of people properties and to eradicate factionalism.

4. Issue a decision for general conciliation between groups of society suffering from revenge tendencies that includes:-
  - a. An assurance of general peace for all citizens
  - b. Punish anyone violating such conciliation in accordance with the Shariya'ah and law.
  - c. Revive the noble values and virtuous tribal traditions and those that prohibit assaults on cities, roads and markets and protect their sanctity.
  - d. Mandatory arrest by the security forces and Public Prosecution and the Judiciary of any one charged and to hold accountable anyone who is an accessory of a crime.

### **13.2.1 Guns - Legal determinates**

1. Regulation of possession of personal firearms ( machine-gun or guns) through a license and in accordance with legal controls that defines the source of possession, the type and serial number of the weapon.
2. Regulation of trade in personal firearms under the oversight and control of the State.
3. Vacating cities and population centres from military bases and arms depots.

### **13.2.2 Guns- Recommendations**

1. Closure of all markets, workshops and factories producing or modifying weapons, explosions or mines.
2. Taking stock, serialization and establishing the custody of weapons given to military and police personnel.
3. Disarmament and reacquisition of weapons from constituencies, groups, political parties and individual which have been plundered or seized and are originally owned by the State at the national level concurrently within a specific timeframe.
4. Increase awareness of the community of the negative aspects and risks of weapons through the various media and educational outlets and Imams of the Mosques.
5. Cancellation of previous or later facilities related to importation of weapons and trading on weapons and to withdraw all licenses given out.
6. Ban the use and import of fireworks of all types considering that they are a source of tension and hazardous and uncivilized phenomenon.
7. Prevention and control of any matter that would promote the culture of violence and carrying of firearms amongst children in school curriculums and the toys trade and media program.

### **13.3.1 Armed Groups- Constitutional Principle**

1. Criminalize the establishment, formation or organization of any armed group, militia or military wings for any political party against any justification.
2. The granting of any foreign agency a right to violate national sovereignty and the use of land, air or regional waters to carry military acts or combat missions shall be strictly prohibited under any justification.

### **13.3.2 Armed Groups - Legal determinants**

1. Criminalize acts by any class, party, group or organization to exert authority over or control any part of the nation or society under any circumstances.

2. The State shall commit to the provision of protection for women and children in disputes, conflicts and war areas.
3. Criminalization of the exercise of State's terrorism against opposition or those holding peaceful views.
4. The Law shall regulate entry of Arab or foreign nationals to ensure that they don't engage in political activities or combat operations and shall take legal actions against those who have done so.

### **13.3.3 Armed Groups - Recommendations**

1. Identification of armed groups and militias, subordination, what they subscribe to, as well as, their whereabouts and address the root causes leading to their creation.
2. Take stock and identify the types of weapons possessed by such groups and militias and to disarm them in accordance with a scheduled strategy.
3. Dismantling of all armed group and militias and rehabilitate their members to integrate them into public life.
4. Incorporate the risk of involvement in armed organizations in school curriculums and educational and awareness programs.
5. Reinstatement of all those who have been given furloughs or forced out of the armed and security forces to their units.
6. Put in place required measures and plans to harness and employ the capacities of both male and female youths to ensure a decent living and to eradicate unemployment.

### **14.1.1 The Aden Ports Authority - Constitutional Provision:**

An Authority for the Ports of the Gulf of Aden shall be established. It shall enjoy legal personality and financial, administrative and technical autonomy to manage the activities of the ports within the scope of free enterprise. The Authority should be responsible for the free zone, customs, industrial zone, marine affairs and all other official bodies working in the areas. It shall be regulated by law.

### **14.1.2 The Aden Ports Authority - Legal determinants:**

1. Legislation of a special law to establish the Gulf of Aden Ports Authority. It shall define the powers of the ports and shall make all relevant government facilities in the port under the powers of the port authority regulating relationships between them
2. The law shall define the boundaries of the port, the coastal area within the free zone area, the master plan for the port making provisions for any future expansions up to the Bab Al-Mandab area.

### **14.1.3 The Aden Ports Authority - Recommendations:**

1. The Government shall prepare a strategic plan for the development of Yemeni ports,
2. Restitution of all lands and properties of the port of Aden which were given away by government agencies or thorough squatting and remove all new constructions on areas allocated for the port.
3. Establishment of a specialized maritime court to consider maritime cases.
4. Review and correction of any gaps in the Yemeni maritime law to align it with international agreements and conventions.

5. Development of the maritime training centre and to upgrade it to become a regional training centre and open a branch for the Arab Academy of sciences and technology in the centre.

**15.2.1 Aden Refinery - Legal determinates:**

1. Promulgate a law that regulates the work of the Aden Refinery to establish it as a company with legal personality and financial and administrative autonomy.
2. Merger of the agencies responsible for the collection of customs and taxes.

**15.2.2 Aden Refinery - Recommendations:**

1. The Government should support the refinery and empower it to modernize and develop given its significance in economic development and job creation.
2. Ban actions by any government agency or any other agency at all levels from issuing lease contracts or title or any other benefit from the land owned by the refinery to preserve the remaining vacant areas for use in its development and expansion projects. The executive authority should act to reacquire lost refinery land.

## **Working Group on Rights and Freedoms**

**(July 13-September 18, 2013: Submitted to the Final Plenary)**

### **Introduction:**

We, the political constituencies and civil, social, women and youth groups participating in the NDC, are well aware that while the current situation in the country as reflected in the political and social crises reach its peak, it also creates a real opportunity for the restructuring of the foundations of life and partnership on solid basis founded on rights and freedoms.

It is the undiminished recognition of the humanity of man and its centrality.... and human development which is defined as the development by the people and through the people and in the interest of the people. It can only be achieved by expanding options, rights in ownership and determination in steering, guidance and making.

While we realize that dignity and equality, freedom and justice are intent of the very struggle of all the people, they are also the foundations on which we should to build the paths of democratic transition on and to strengthen citizenship, freedoms, pluralism and democratic participation. This should be the break from the past of tyranny by upholding the principles of rule of law, independence of the judiciary and transitional justice ....

The human moment through we shared a sense of oneness of the need for change, is the real guidance for the output of this working group as it depicted a moment that surpassed partisan agendas and trying to hold on to the welcoming common human elements in its purest form.

Human rights are a collective responsibility. Through this, the family and official institutions, political groups, civil society organizations, the private sector and individuals are seeking to ensure a break from fear and poverty to build social peace and understanding and to realize social justice and the establishment of a participatory democratic system.

Respect and uplifting human rights is a right for every female and male citizen irrespective of their gender, color, place of origin, social affiliation, opinions, ideals, beliefs and options; with a confirmation of the rights of women, children, the elderly, the youth, persons with disability, the poor and the marginalize whether in the past, the present or the future, to special welfare.

Human rights are interlinked, comprehensive and indivisible. They are can't be no retreat or distinctions. They are the basis for political systems, objectives of development and economic, social, cultural policies and international cooperation. The noblest aim for human rights is to nourish personal

freedoms and to guarantee full citizenship and ensure integration of every person in society without any exclusions or marginalization.

Out of the belief on all of these principles, we undertake to protect these rights and spread its principles.

### **Objectives of the Working Group**

#### **Issues on which the Working Group on Rights and Freedom Deliberated**

##### **1. Public Rights and Freedoms issues:**

Public rights and freedoms (politics, civic, economics, social, cultural, intellectual and doctrines)

##### **2. Personal Rights and Freedoms:**

Private rights and freedoms for (women, youth, children, early marriage, the marginalized, persons with disability, emigrants, minorities, IDP's and refugees)

The WG is presented 122 decisions and constitutional provisions in its report to the Second Plenary of the NDC. Many decisions and principles related to the tasks of the WG were delayed to arrive at a consensus for the second session and to submit them to the Conference for the purpose of adoption during the Final Plenary of the NDC. It's on the basis that the Workplan of the Working Group was adopted and the following objectives were laid out:-

### **Objectives of the Rights and Freedom Working Group**

During its meetings in the Second Working Session, the Rights and Freedoms working group aimed to accomplish and complete the following:-

##### **1. Discussion and arrive at a consensus on the constitutional principles that regulates public rights and freedoms ( i.e. economic, social, political, civic, cultural, intellectual, and doctrinal),**

Personal rights and freedoms (i.e. women, youth, child, early marriage, the marginalized, persons with disabilities, emigrants, minorities, IDP's and refugees)

##### **2. Preparation of the constitutional guarantees to maintain and protect rights and freedoms and ensure that these principles are adhered to and not violated when developing laws and legislations.**

3. Submission of proposals for the establishment of independent bodies to maintain rights and freedoms and to monitoring and surveillance and prevention of violations of these rights and freedom; or breach any of the principles produced and adopted.
4. Submission of some of the non-urgent recommendations related to rights and freedoms.

#### **Decisions of the Working Group presented to the Final Plenary**

The working group reached consensus on constitutional and legal guidelines and the following recommendations and agreed to submit them to the Final Plenary of the NDC for adoption by the Conference:

First: Constitutional guidelines

❖ **Public Rights and Freedoms:-**

- Completion of remaining economic and social rights and freedoms:

#### **Right to ownership and development of resources:**

1. The State shall commit to monitor the marketplace, protect consumers, prevent monopoly and combat commercial forgery and cheating.
2. The State shall commit to put in place all possible means to protect and promote the national economy.
3. The State shall commit to price fixing and monitoring of prices and the marketplace, activate controls, soundness of measures, standards and weights in line with the principles of social justice.
4. Freedom of trade and competition is guaranteed on the basis of free market oriented economic and the cooperative system in accordance with the law.
5. Public Property is protected. The State shall commit to its protection and the use of such properties for personal or partisan gains shall be criminalized.
6. Legislation and law should define how foreigners can possess ownership of properties in a manner that doesn't undermine national sovereignty or interest of the citizen.

7. The State shall endeavor to develop mineral resources livestock, agricultural resources and preserve them so that they meet the needs and requirements of the future generations.
8. National sovereign wealth (Gas, Oil, Ports, Mines, Water, and Fisheries) is public property. Monopolization of such or private owners or regional, political, tribal or armed group monopoly of such resources shall be criminalized.
9. The State shall commit to protect the seas and the wealth contained therein, and any in violations thereof should be criminalized.
10. Expropriation sequestering of private property shall be prohibited unless by a judicial judgment.
11. The rights and freedom of legitimate ownership, enjoyment thereof without harming the rights of others, no property title shall be expropriated unless for a harm and for public interest in lieu of a fair compensation.
12. The State shall commit to provide legal guarantees to guarantee and protect public properties and funds and criminalize corruption in all its forms, or plundering of public funds. The State must develop a general plan to combat corruption and to establish a body to monitor that.
13. The right to intellectual property is guaranteed. The State shall protect intellectual property such as photographs, scientific and artistic work and works of literature shall be fully protected.
14. Endowments shall be regulated by law and the terms and conditions of philanthropists. An independent body to manage the affairs of endowments and to protect its properties and funds from infringements by individuals or private or public bodies. It shall endeavor to reacquire plundered properties and funds as documented and oversee and monitor the administrators of endowments for both public endowments and private ones.
15. Every citizen has the right to own individually or in partnership with others and it's permissible to dispense of such property by those who hold the title for it.
16. The State shall commit to the development of public wealth- human and natural, and guarantee facilitation for investment and contribution to the development of society with consideration to the needs of the people and the safety of the environment.
17. Development of endowments resources and properties in a manner that serves the terms and conditions of philanthropists and to protect the property in endowment.
18. The State shall commit to protect and develop pension funds and a fund for the unemployed youth and social security.
19. The State shall commit to the development of a strategy for human rights and public freedom in which it guarantees and consider principles of human rights and public freedom.

### **The Right to Work and the Right to Form Trade Unions**

20. The State is committed to issue legislations for work and workers in line with the Arab and international Labor agreements.
21. The state and business owners should commit to pay full care to the work environment and protection of workers from risk with a focus on disabled workers.
22. Equal pay for equal work
23. State Should commit to setting the wage scale on the basis that ensures actual ensure the and real needs of workers in the public, private and mixed sectors based on realistic economic study.
24. The State should commit to the neutrality of public office and access by citizens on the basis of competence, experience and integrity. Transparency is required in advertising of vacant posts.
25. The State shall commit to developing flexible financial policies to liberate State institution in the various administrative units from the restrictions imposed on them from outside. They should be mandated to act on the basis of approved financial allocations in the public budget and control through the competent authorities.
26. The State shall commit to prepare and apply job descriptions for all functions in all state institutions.
27. The State shall commit to the enactment of an administrative system in academic and technical institutions based on equal opportunities and to fill vacant leadership positions through democratic processes.
28. Prohibition of all forms of discrimination in state institutions.
29. The State is obliged to take care of its citizens during work when injuries occurs, and shall ensure proper compensation , as well as, the stat shall guarantee to provide care after service or leave due illness or disability and provide them with a future without fear.
30. Peaceful strikes are one of the legal and legitimate means for workers and staff and their trade union organizations to defend their rights and legal interests in case of violation and confiscation thereof.
31. No penalty is to be imposed on workers and staff and members of the trade union organizations including the dismissal from work because of the exercise the right to strike or to call for a strike.
32. The State and business owners shall commit to create cultural, scientific, social, health and entertainment institutions for workers and employees.

33. The State and business owners shall committed to provide professional and technical training and literacy programs for their employees.
34. It is not permissible to hire foreigner in public jobs unless through temporary contracts when there is a need on conditions that no Yemeni has the same experience in that area the same should be advertised in the Official Gazette.
35. The States shall commit to applicable international and by specialists in this area (on condition that such price setting takes into account inflation and price increases) (*it seems out of context-Translator*).
36. No party should have the right to interfere in the work of the trade union organizations directly or indirectly. Likewise they have no right to exercise coercion against anyone with respect to their joining any trade union organization, resign a membership organization or prevent any individual from exercising union rights.
37. It is not permissible to impose any sanctions on members of trade union organizations, including using the penalty of dismissal for exercising trade union activities.
38. All associations, federations, trade unions and cooperatives are to be under the oversight of finance and accounting control authorities which shall be regulated by law.
39. Achieve equality between public sector and private sector employees in all entitlements and duties and adopt the better system for both sectors.
40. Citizens shall have priority in filling vacant jobs in the private and public sectors, according to regulations and controls set by law.
41. No party shall use deception with the objective of reducing wages or salaries of employees working with foreign employers, natural or legal entities, inside or outside Yemen; or for that matter, circumvention of any other dues or rights or carrying out any act that harms them or harms their interests.

**Right to adequate living:**

42. Every citizen, male and female, has the right to be provided by the State through the national income and international cooperation the right to social welfare and economic and cultural rights that are indispensable to protection of their dignity and character development.
43. The State shall ensure the provision of safe drinking water as a basic human right for every citizen in sufficient volume.
44. The right to adequate food and the provision thereof by the state to both humans and animals.

**The right to health :**

45. The State shall commit to provide medical research centres to build upon and follow-up on any new scientific development and evaluation thereof, according to medical research and any matter relevant to aspects of health.
46. The State should be obligated to build emergency units in all districts and provincial centres and the provision of equipment and medical staff to implement the referral system for chronic diseases.
47. The State shall make it mandatory for state institutions and agencies causing environmental pollution to allocate a portion of their revenues for the health insurance budget. Likewise, producers and owners of substances harmful to health should be bound by the same principle.
48. More attention should be given to girls' education in health aspects. Girls should be given suitable opportunities to join this sector and the State shall encourage rural girls enrolled in this field.
49. The State shall act to develop health endowments and repossess whatever has been plundered.
50. The State is obliged to scale-up health and educational services all over the country on the basis of modern health and education policies that meet access to such services in high quality to all members of society equally and in a manner that achieves equity.
51. The State shall guarantee full health care with the provision of necessary medicine and treatment for all different cases for persons with disabilities without discrimination.
52. The State is obliged to reconsider the budget of the Ministry of Health according to the needs of the governorates and districts (consensus was reached on the content of this decision. Names of administrative units should be adjusted once an agreement is reached on the shape of the state).
53. The state shall foster supervision and control and follow-up and re-examine the health services map. It shall prepare comprehensive reports on the health situation in the governorates (consensus was reached on the content of this decision. Names of administrative units should be adjusted once an agreement is reached on the shape of the state).

**Right to Education:**

54. Criminalization of politics in education.
55. The State should adopt, within religious and civic education curriculum strategy that such curriculum shall be comprehensive and inclusive and shall not be biased towards any doctrine, while taking into account the geographic diversity within comprehensive national rights

(consensus was reached on the content of this decision. Names of administrative units should be adjusted once an agreement is reached on the shape of the state).

56. Regulation and legalization of parallel education by law.
57. The State is obliged to prepare curricula through a body composed of all orientations in partnership with civil society organizations and specialists who are competent in various fields of study, taking into account cultural diversity, the introduction of a culture of freedom and human rights, citizenship and democracy and the principle of peaceful transfer of power and pluralism, and that the people are the rightful owners and the source of power. These should be included in the curriculum in accordance with the various stages education.
58. The State shall support scientific research and encourages and supports scientific research centres.
59. The State is obliged to include the principles of human rights in education curriculums for all stages.

**Rights of the Family:**

60. The establishment of specialized courts to consider family affairs and personal status cases. It shall be regulated, organized and structured by a special law.
61. The State shall endeavour to provide family care and stability, considering that the family is the natural and fundamental cell of society. The State shall pursue the creation of suitable conditions for marriage, ensures adequate housing for each family and provide minimum income sufficient to protect the dignity of family members.
62. The State shall care for family entity and the maintenance of family cohesion.
63. Establishment of a body to be responsible for the protection of women and children from social and domestic violence

**General Constitutional Principles :**

64. The State shall endeavour to provide specialized cadres to work in rehabilitation centres based on equal opportunities.
65. Establishment of a national institution to measure public opinion. It shall be financially and administratively independent in accordance with legal, scientific and democratic standards.
66. The State shall make it mandatory of all bodies whose work causes damages or harmful effects to the environment or electromagnetic frequencies harmful to human health to provide necessary preventive actions to protect human health.
67. The State shall endeavour to combat the phenomenon of begging and shall find suitable solutions to ensure an end to this bad phenomenon.

68. The State shall be obliged to abolish all special funds supported by the state and include their budgets in the State's Public Budget.
69. The State shall commit to establish a special cadre which shall be rewarding and flexible for professional and creative disciplines while ensuring a decent level of living to achieve stability in their lives and cover their various expenses, enable them to keep up with modern and contemporary scientific developments in their field of specialization. The core of the cadre and its content shall be a real assurance and guarantee to prevent and stop the continuous flight of professional from State institutions, reluctance to work or migration outside the homeland.
70. When developing the special cadre for professionals, considerations should be given to the magnitude and the level of difficulty of effort made during educational attainment, expense and time they spent in their education, as well as, the various responsibilities and obligations that ensue because of their practice of such professions and different, specificities and its importance to society.
71. Low income people should be exempted from taxes in a manner that doesn't prejudice the minimum wage. In imposing taxes, the government should adopt the principle of incremental taxes; with due consideration to the achievement of social justice and not exceed the taxpayers ability to pay, while balancing that with the needs of the State. Considerations should be made to ensure basic needs for every child and the family.
72. Justice, freedom and equality are basic blocks for building society. The State shall ensure fair standards in the distribution of development productive projects among members of society. Disadvantaged areas should enjoy affirmative action in a manner that achieves social justice.
73. Structures of local councils should be built to cover-sub-districts, villages and neighbourhoods commensurate with the new shape of the State. This should be done through democratic practice and in a manner that realizes public scrutiny, and restrict practice of the state over those areas. (a substitute for the neighbourhood chiefs, and trustees... etc.)
74. The Yemeni people have the right to self-determination is reflected in the Constitution, international laws and by virtue of such right, is free to determine political status and free in the pursuit of social and economic and cultural development and growth.
  - Continuation of the remainder of cultural and intellectual rights and freedoms:

**Arts:**

75. The establishment of cinemas and cultural centres is a right guaranteed to all citizens.
76. Art is an important and vital part of the memory, culture and identity of the Yemeni society. The task of development, nurturing and preservation of the diversity rests with the State. The

State should foster arts and creative people as one of its essential missions. It should abide by supporting and activating all artistic specialized associations (theatre, singing, music, sculpture, drawing, cinema, folk dance, etc.) in coordination with the Supreme Council for the Arts (consensus on the content of the decision has been reached, but the names of the administrative units should be adjusted according to the new shape of the State once there is an agreement on that).

77. The State shall commit to building a national theatre in each province, which shall enjoy care and support in accordance with the standards for such art consensus on the content of the decision has been reached, but the names of the administrative units should be adjusted according to the new shape of the State once there is an agreement on that).

#### **Right to Practice Religious Rites**

78. Practice of religious rites is a right guaranteed to all citizens, and by the force of the Constitution. Any act that would prevent, impose or compromise or in contempt of this right shall be criminalizing. The imposition of any opinion, thought or belief by force shall, likewise, be criminalized.

#### **The Arabic Language and Translation**

79. Develop programs and strategic plans to examine the challenges facing the Arabic language, including the risks of globalization and the Internet. Curricula and teaching methods should be reviewed to develop and update such methods through the use of modern technology and multimedia considering that Arabic is a symbol of identity and guardian of the elements of the Arab Islamic character.
80. Develop a strategy for Arabization of the various sciences in universities for embedding knowledge and revitalizing the language, develop its capacity to accommodate various modern sciences and to interact with them.
81. The State shall commit to the establishment of a national body for translation which shall be responsible for the translation of knowledge and sciences from various languages into Arabic and vice versa.

The following are provisions omitted by the Consensus Committee from the outcomes of the mid-term plenary under the section on Cultural and Intellectual Rights. These were presented to the Rights

and Freedoms working Group once again. The working group reached a consensus on them before Eid al-Fitr vacation.

82. Normalization with the Zionist entity in any manner or form shall be criminalized (constitutional principle).
83. Within a clear strategy, the State shall adopt the development of religious and civic subjects' curriculums. The curriculums should be comprehensive, inclusive and unbiased towards any doctrine and shall take into account cultural and geographical diversity within the all inclusive national identity framework.

### **The Right to Litigation**

84. The judiciary is independent having no dominion but the law.
85. The right to fair litigation is guaranteed and preserved for all.
86. The accused is innocent until proven guilty.
87. The right to defense is guaranteed at all stages of investigation and trial.
88. The State shall commit to providing legal aid for those unable to afford a lawyer.
89. Justice is right guaranteed by the State.
90. Every person has the right to receive compensation when justice fails.
91. No right shall be forfeited by virtue of the statue of limitations. No privilege to anyone before the law to protect them from not being held accountable for violating the rights of people. The ruler and the ruled are equal before the law.
92. Court sessions are to be held in public. If the situation requires secrecy, the law should regulate such instances.

### **Right to Personal Freedom - Security and Physical Safety**

93. Establishment of a section at the Prosecutor's office to prosecute rights and freedoms cases.
94. Criminalize assault on physical integrity (FGM), sexual harassment, exploitation of women in commercials in a manner which degrades and humiliates dignity, and trafficking of women.
95. Activation of pre-marital medical examination.
96. 96.
  - a) The State shall guarantee personal freedom of citizens and maintain their dignity and security and shall not restrict freedom of anyone, unless through a judgment by a competent court.
  - b) It's not permissible to arrest, search or detain any individual except when caught red-handed. It's not permissible to watch or investigated any individual except in

cases established by law. The law shall prohibit physical, psychological or moral torture. Coercion to confess during an investigation shall be prohibited. An individual whose freedom has been restricted has the right to refrain from making any statement unless in the presence of his lawyer. Detention or confinement of any human being is prohibited unless in places subject to the Prisons Regulation Act. Torture and inhuman treatment on arrest or during the period of detention or imprisonment is prohibited.

- c) Anyone arrested temporarily on suspicion of committing a crime must be brought to justice during twenty-four hours at most from the time of his arrest. A judge or the Public Prosecution should inform the person of the reasons for the arrest. The person should be interrogated and shall be given an opportunity to express his defense and or objections. An immediate order with sufficient grounds should be issued for continued detention or release. In all cases, the Public Prosecution shall not continue detention for more than seven days unless by a justified judicial order.
- d) When a person is arrested for any reason, the person's relatives or anyone the person chooses, shall be informed of his/her arrest. The same should be considered when a judicial order for continued detention is issued.
- e) The law shall specify the punishment for anyone violating any paragraph of this article. It shall specify appropriate compensation for the damages suffered by the person as a result of the violation. Physical or psychological torture during arrest, detention or imprisonment is a crime that doesn't lapse under a statute of limitations. Anyone practicing, orders or participates in such crimes shall be punished.

97. Punishment for abuse of power or arbitrariness in exercising power or exploitation thereof shall be intensified.

98. No citizen shall be exiled or arbitrarily detained.

99. No Yemeni citizen should be handed over to any country or a foreign body.

100. No Yemeni shall be exiled or removed out of the nation or deprived of the right to return.

101. Right to life is guaranteed for every citizen and resident. It's not permissible to kill any citizen or resident in the territory of the Republic without a fair trial that ensures a legitimate right to defense.
102. The dignity of a person shall be protected if arrested.
103. Prisoners have the right to appropriate treatment and decent places worthy of human dignity.
104. A secure life is a right guaranteed by the State to every person residing on its territory.
105. Arrest and detention are prohibited in places other than official prisons.
106. Extrajudicial detention is prohibited. The law shall criminalize private prisons of institutions, persons or entities.
107. A prison is a disciplinary and refinement house. It shall be subject to judicial oversight. Anything contrary to human dignity in a prison or endangers the health of a prisoner shall be prohibited. The state shall commit that reformatories and prisons devoted for the serving of judicial rulings shall be covered by health, cultural and social care.
108. Anyone arrested in violation of the provisions of the Constitution and the laws; where his personal liberty has been violated has or anyone on his behalf the right to raise grievance and submit a criminal case before the courts against anyone who violated his personal liberty or participated in it or gave orders to do so.
109. Punishment is personal. No crime or punishment except by law. No judgment shall be carried out except by a final judicial judgment. A law is not applicable to any act committed prior to the date of issuance.
110. A human body has sanctity. No one shall be subjected to medical or scientific experiments.

#### **Right to Political Participation and Elections**

111. Citizens, both men and women, have the right to participate actively in political life to run and vote in presidential and parliamentary elections and referendums. The State is committed to the inclusion of the name of each citizen in the voters register if eligible.
112. The Constitution guarantees peaceful transfer of power through explicit provisions.
113. Anyone condemned of human rights violations is prohibited from assuming a public office unless cleared of the charges.
114. A Yemeni citizen is free and respected and is an effective partner in the wealth, power and decision-making and has the right to benefit from all the resources of the country.
115. Abuse of the military and security establishment which leads to violation of human rights shall be criminalized.

116. Citizens have the right of association, civil institutions and political parties be merely submitting a notification. It's not permissible to dissolve any of such institution unless through a final court judgment.
117. Each citizen has the right to address public authorities in writing or signed petitions and various means to be able to express opinion.
118. Utilization of public media, including mosques and educational institutions for the benefit of a party or a class is prohibited.
119. The State authorities should be neutral in dealing with all citizens and people with different political orientations, regardless of gender, color, creed or dogma.

#### **The Right to Property**

120. The right to own properties and freedom of disposal and enjoyment of individual ownership is guaranteed as a human right.
121. It's not permissible to deprive an owner off his property except for public benefit and fair compensation and in accordance with a court ruling under the law. In all cases, compensation must be given to the owner before expropriation.

#### **The Right to Privacy**

122. Everyone has the right to privacy as long as such privacy doesn't infringe on the rights of others; so as:
  - Not to be subjected to search or the search of one's home.
  - No properties shall be search.
  - No possessions shall be seized.
  - Personal communications in all forms must not be violated (intercepted).
123. All citizens have the right to obtain a passport without discrimination.
124. No citizen shall be watched unless through the permission of a court.
125. 123.
  - a. Homes have sanctity. They shall not be searched or inspected unless by court order and regulated by law.
  - b. Places of worship and learning have sanctity. The law shall regulate search and inspections.

#### **Freedom of Movement**

126. Freedom of movement from one place to another and residency and housing within the territory of Yemen is guaranteed for every citizen. It's not permissible to restrict such movement except in cases regulated by law as required for security and safety of citizens. Freedom of entry to the Republic and exit shall be regulated by law. In all cases, this shall not conflict with freedoms guaranteed in the Constitution.

#### The Right to Housing

127. Everyone has the right to adequate housing. The State shall take legislative measures, within available resources, for the realization of this right.
128. It's not permissible to force anyone to leave his home. It's not permissible to demolish anyone's home without a final court ruling and fair compensation.
129. Lives of citizens have special sanctity and privacy including personal security, home and private documents and possessions is guaranteed.
130. Home have sanctity, except in cases of danger and distress (cases of danger such as fire and flood).

#### The Right to Assemble, Demonstrate and Strike

131. Every citizen has the right to assembly, demonstration and strike and all forms of peaceful protests by notification.
132. The right to practice all forms of peaceful protests is protected. The State shall ensure protection and security of public spaces and squares. It shall guarantee not to put any restrictions on the exercise of this right.

#### The Right to Hold a Public Office :

133. A Public office (job) is a right guaranteed to those who have the capacity on the basis of equality with due consideration to competence and qualifications.
134. Non-Yemenis are not permitted to assume a public job unless through a temporary contract if needed provided that no Yemeni with similar experience in that field can be found.

#### The Right to Nationality

135. An individual with one Yemeni parent is considered a Yemeni national.
136. It's prohibited to strip a Yemeni of his/her Yemeni nationality. The law shall regulate provisions for the acquisition or lose of a Yemeni nationality.

### Freedom of Thought

137. Freedom to practice religious rites every citizen according to his religion, belief and doctrine.
138. Freedom of opinion, thought, creativity and belief is guaranteed and protected provided that it doesn't contravene the Constitution.
139. The use of expiatory and treasonous religious discourse in politics shall be criminalized. Any statement or act is an indication of such discourse is a crime punishable by law.

### General constitutional principles which the working group reached consensus on:

140. The law shall regulate the entry of Arabs and foreigners to the country. In all cases, combatants and human rights violators, whether Arabs or foreigners shall not be allowed to enter the territories of the Republic. Any one proven to have contributed to any act of combat inside the territories of the Republic shall be punished by law. The law shall also punish anyone who has aided or contributed or retained any foreigner who has a proven involvement in an act of war.
141. Lawyers, members of the public prosecution, and judicial aids enjoy the same protection granted to members of the judiciary. The State shall guarantee social security for them. The legal profession shall be regulated by a special law.
142. The sovereignty of the Republic's territory and territorial waters shall not be violated. The law shall punish anyone who allows, facilitates or assists any foreign power to violate the sovereignty of the nation in any form. It's not permissible to ask the assistance of any foreign armed forces to carry out any military action within the territory of the Republic or territorial waters. The law shall criminalize that.
143. The right of every citizen to exercise criticism of the work of a public servant. This right shall not be restricted unless it is considered explicit insult or slurs or defamation or an attack on private life. The work of the public administration in all government structures shall not be protected from criticism.
144. Freedom of political action for students in universities is a public right which cannot be infringed. Students have the right to form unions and federations.
145. The right to communicate and contact through modern scientific means is guaranteed. Piracy and spying on these electronic means shall be criminalized unless through enforceable judicial rulings.
146. Every working woman in any institution of the State shall have the right to voluntary retirement when they reach 25 years of service.

147. The State shall commit not to violate the human rights during a state of emergency, which must be for a specific period of time.
148. Water is a basic human right. Every citizen has the right to access it, and the State shall ensure the provision of clean water in sufficient volumes.
149. Every citizen has the right to practice sports. The state shall commit to providing appropriate support to achieve that. The State shall also commit to develop the subject of physical education in the various educational curriculums.
150. The subject of rights and freedoms shall be taught in all colleges, institutes and military academies.
151. Constitutional provisions concerning rights and freedoms shall be in effect on all related laws. The legislative, executive and judicial authorities and all organs of the State shall abide by them.
152. Establishment of a judicial police to specialize in the enforcement of judicial rulings.
153. The State shall abide by provisions of all international conventions and agreements on human rights, ratified by the State in accordance with the Constitution.
154. Any act or calls that instigate conflicts, violence and infighting, discrimination or incitement to hatred shall be criminalized.
155. Any offence on the rights and freedoms set forth in the Constitution shall be criminalized.

- ❖ Personal Rights and Freedoms: -
- Continued from the rights and freedoms for special groups:

#### Women's Rights

156. Increase social security for divorced and widowed women.
157. Women have the right to child-care leave for a full year with full pay a second year at half pay.
158. Women have right of enjoyment of personal rights related to pregnancy and childbirth. The reproduction function should be considered a social function, the burden of which should be borne by both parents together with the State's institutions.
159. The State shall commit to the provision of special prisons for women. The State shall work to establish welfare and rehabilitation centers for women prisoners after they serve their sentences.
160. Trafficking of refugee women and sexual and physical exploitation shall be criminalized.

161. Women have the right to make investment and protection thereof. Facilities and access to white loans shall be provided to them.
162. Disabled and elderly women have the right to access full social services.
163. Barriers restricting freedom and the rights of women shall be lifted, especially those relevant to the wrong interpretation of the purposes and intent of the Islamic Shariya'ah.
164. Speedy implementation of sentences on women convicted of crimes. The law shall criminalize the exploitation of women prisoners inhumanely and immorally.
165. Imprisonment or holding of women in non-grave crimes shall be prohibited until a court judgment is passed. Necessary bail should be secured during investigation and trial in consideration of the nature of Yemeni society.

**Early Marriage:-**

166. The age of marriage shall be 18 years for both sexes.
167. The minimum age of marriage for girls is 18 years, and anyone violating this rule shall be punished by law.

**Youth**

168. The State shall commit to the establishment of microfinance banks to provide non-interest bearing lending services to youth projects.

**Persons with Disabilities**

169. The State shall commit to the establishment of vocational, technical and rehabilitation centers for persons with disabilities including the deaf and mute, those with limbs disabilities, the blind and those with mental disabilities in all governorates without any discrimination.
170. The State shall commit to the right of persons with disabilities in social solidarity in various walks of life and to ensure access to all fundamental rights guaranteed for all Yemeni citizens without discrimination.
171. To ensure access of persons with disabilities to all rights and freedoms, the State shall organize a national conference on disability every two years. Representatives of all stakeholders in disability shall be invited to the conference to discuss trends, procedures, and policies relating to persons with disabilities. Following each conference, the Government must report to Parliament on measures implemented and what objectives to be achieved over the next two years.

172. The State shall commit to urge persons with disabilities to participate in political life and public jobs in the State and decision-making positions in at least 10% of such position. It shall adopt whatever action is necessary to ensure effective participation in that.

#### **The Elderly**

173. The rights of the elderly shall be maintained. They should be cared for and enabled to exercise all their political, civic and cultural rights. Elderly care homes should receive sufficient care and attention.

174. Support of organizations and bodies working to provide care for the elderly.

#### **Rights of the Child**

175. The State shall commit to adoption of suitable leaves for working women with respect to maternity leave, breast-feeding, nursery in a manner that puts the interests of the child first.

176. Children shall not be involved in wars and armed conflicts.

177. It's not permissible to recruit anyone under 18 in the army.

178. A child is every human being who has not exceeded eighteen solar years of age.

179. Children may not be employed in any form.

#### **The Rights of Refugees**

180. Political refugees may not be extradited or forcibly returned to the country from which they fled. The law shall regulate the right of granting political asylum. Asylum may not be granted to anyone who has committed an international or a terrorist crime. Asylum to anyone who has caused damage or harm to Yemen shall be repealed.

181. Foreigners residing legally in Yemen may not be deported except through a final court judgment.

#### **Rights of the Marginalized**

182. The State should foster an inclusive social vision in which smaller communities feel their importance and value, where opportunities to participate fully in public life are accessible. To achieve this end, the State shall eliminate any form of degrading treatment or any practice harmful to any group of society or involves discrimination or bias against any group. In particular and an urgent manner, the State shall put in place necessary legislation to ensure the integration of the most marginalized groups into society, who are known as (Akhdam). This shall include the drafting, promulgation and adoption of equitable laws,

policies and procedures that ensure full integration of this segment and its enjoyment of all the rights guaranteed by the Yemeni constitution to all citizens.

### **Minority Rights**

183. The State shall commit to enact legislative measures to strengthen basic freedoms and political rights of citizens belonging to minorities (if any).
184. The State shall guarantee the rights of minorities to enjoy their own culture and rituals and the use of their language.

### **The chapter on constitutional safeguards for the protection of the rights and freedoms:**

185. Rule of law is the basis of governance. The ruler and the ruled are equal before the law.
186. Independence of the judiciary and protection of judges is a fundamental guarantee to the achievement of justice and the protection of rights and freedoms.
187. The State shall abide by the principles of human rights and public and personal freedoms in a manner that doesn't contravene the Constitution, It shall develop a national strategy to protect and prevent any diminution of them.
188. Rights and freedoms guaranteed by the Constitution shall not be subject to disruption or diminution. No law shall restrict such rights and freedoms or prejudice the inherent value or its essence.
189. The State shall commit to the establishment of a national body, financially and administratively independent, for the defense of human rights and freedoms. It shall adopt appropriate mechanisms to protect those rights and freedoms, and the revision of relevant legislations. This body has the right to inform the judicial authorities of any violation of those rights. It has the right to intervene by filing civil action suit in support of the aggrieved and shall appeal in his favor and interests any judgment that has been issued.
190. The accused is presumed innocent until proven guilty in a fair legal trial which guarantees the right of defense in person or through an attorney. The law shall make it mandatory for the State to ensure that those who cannot afford a lawyer the means to resort to the judiciary and to defend their rights before the courts.
191. Litigation is a right guaranteed to all people, and the state is committed to prompt action in issuance of judgments.
192. Human rights and culture and values of tolerance and acceptance of others shall be incorporated into the school curricula. Likewise, they should be incorporated into the

curricula of military and police colleges and institutes. Anything in the curriculums which is found inconsistent with the principles of human rights and freedoms shall be abolished.

193. Any offence on any of the rights and freedoms guaranteed in the Constitution shall not lapse by virtue of the statute of limitation. Anyone who has been victim of such offence has the right to bring criminal and civic action lawsuits against the perpetrator and deserves a fair compensation.
194. The State shall guarantee protection of victims, witnesses and informants.
195. Establishment of special courts / or extraordinary courts or any other body designed to restrict rights and freedoms enshrined in the constitution shall be banned. Similar bodies in existence shall be abolished. Any person shall only be tried in the place where the conflict or the crime occurred before ordinary judges.
196. Any administrative work or decision shall not be shielded from judicial review.
197. Any public servant refraining from enforcing judgments or impeding their enforcement is committing a crime punishable by law. In cases such as this, the person who holds the judgment in his favor has the right to bring criminal charges directly to the competent court.
198. The delegation or mandate of the right to exercise sovereignty or authority of the State to any individual, group or class of people is prohibited. The exercise of sovereignty or authority of the State shall only be exercised by State institutions and in accordance with the Constitution.
199. Establishment of a supreme constitutional court to adjudicate the constitutionality of laws and legislation which violate provisions of the Constitution and rule on disputed issues between regions in case of adoption of a federal system.
200. It's not permissible to modify a provision or an article of the Constitution unless three-quarters of the members of the parliament consent to such modification or adjustment after a referendum.
201. The government should be subject to accountability by the legislature and the judiciary for any human rights violations.
202. Neutrality of the public service shall be guaranteed. The politicization and exploitation by political parties, groups or special interest shall be prohibited.
203. The enactment of an electoral law that guarantees neutrality, equal opportunities for all citizens in nomination and election.
204. Establishment of a multiple judiciary (Administrative + ordinary) for the protection of rights and freedoms and to control the work of the administration and the extent of compliance with the law.

205. Civil society organizations are one of the important means of protecting rights and freedoms. They are major contributors to the development of policies and support for community activities in all fields. Therefore, it's incumbent upon the State, to support and develop civil society and ensure its independence.
206. Develop safeguards that prevent exploitation of public fund in favor of any particular political party.
207. Prevent utilization of institutions and legal frameworks in favor of individuals, tribes or political parties.
208. Combining a public office and private business is prohibited..
209. There is a need to pass the sexual harassment law.
210. Establishment of advisory councils at the national level to promote improvement of family conditions, youth and children and strengthens the protection of their rights.
211. Disrespect or derogation, through public statements or by hinting, against the people by government officials shall be criminalized.
212. Establishment of national committees to inspect all private prisons, to close them, holds those running them accountable, and compensates the victims.
213. Identify and laws and provisions that ensure equal opportunities between the different powers in the exercise of its political and media activities, especially during elections to present their visions.
214. Ensure that local authorities commit to neutrality during elections.
215. Anyone who violates the rules relating to transparency should be punished.
216. Imposing maximum penalties for perpetrators of arbitrary, secret detention, forced disappearances and abductions.
217. Behavior instigating hatred, violence and racism, sectarianism and regionalism and discrimination shall be prohibited.
218. Development of cultural, artistic, scientific and technical creativity and promotion of sports.
219. Reparation to all those affected in Yemen.
220. Providing State controlled shelter for female prisoners and care homes for the elderly and the homeless.
221. Adoption of the coroner's report as reliable evidence for rulings, especially in matters of proof of lineage and age (DNA).
222. Compensation for anyone who has finished serving his sentence in prison and is not released at the end of his prison term.

223. Work to address rural women problems and concerns and promotion of girl's education in rural areas.
224. Establishment of special centers for rural women to develop their abilities.
225. Use of public media outlets to raise community awareness of the rights and duties of citizens and not the other way around.
226. International conventions and treaties in force, those signed by the Yemeni State, shall be considered one of the guarantees of rights and freedoms.

**II: Recommendations:**

1. The State is obliged to prepare a strategy to restructure the agricultural sector, institutional building and integration of the different roles of institutions to manage and develop the agricultural sector, both plant and animal. This should be done through the transfers of powers and authorities, a review and investment of the legislations and regulations for the agricultural sector; attention to marketing policy, encouragement of the private sector involvement in agriculture and establishment of an agricultural marketing company.
2. Engage rural and coastal women in planning and implementation of programs in agriculture and fisheries, facilitation of lending and marketing facilities, development of women agriculture and fisheries extension, and attention to income-generating home based agriculture and fisheries activities.
3. Protection of women's situation in the agricultural and fisheries sector in terms of the mechanics of the labor market, especially wages, work hours and other rights.
4. Public service jobs should be subjected to advertising and a vetting exercise.
5. Review of the Social Security and Pensions Act.
6. Adjustment of retirees' pensions before the passage of the Wages and Salaries law of 2005 and equate them with colleagues who retired after the passage of the law.
7. The State shall commit to development the wages and salaries policy to align it with prevailing market prices and the purchasing value Riyal.
8. Demand from the Ministry of Finance to quickly release the differences of allowances overdue from 2005 to 2010 to be paid retroactively to all State employees.
9. Implementation of the remaining stages of the wages and salaries strategies in one shot.
10. Demand from the Ministry of Finance to speed giving tenure to all State employees appointed in 2011.

11. Preparation of new laws to be compatible with outcomes all- inclusive National Dialogue Conference and the new constitution.
12. Preparation of the law of associations and civic institutions that promotes the role of women, youth, the marginalized, the disabled and children.
13. Pay attention to remote and distant areas as well as rural areas and villages and grant them their due rights in development projects.
14. Include an important provision in the civil associations and civic institutions prohibiting all such institutions from getting involved in partisan politics or work in favor of any particular party.”
15. Release of all political prisoners and the forced disappearances.
16. Setting up of a commission to accept files of looted lands and stolen property in the north by the powerful and military officers to consider these cases and return them to their rightful owners.

# **Working Group on Development**

**(July 13-November 13, 2013: Final report for the second term of the working groups)**

## **Introduction**

The Sustainable Development Working Group, represented by the sub-groups, started its work in the second period on Saturday 13/07/2013 by evaluating the first period and preparing a detailed plan for its work for the period from July to August 2013. The plan mainly aimed at completing the constitutional and legislative amendments and policies that would achieve sustainable and comprehensive development.

In accordance with the plans, the working group interviewed a number of local and international experts in a number of different fields and subjects of development. The groups also held a number of meetings and interviews in the Capital Secretariat, in addition to holding a number of field visits to the related ministries, agencies, and groups to know their methods of work, the obstacles and challenges they face, as well as their vision on sustainable development and what should be included in the new constitution.

The group discussed the result of these meetings and analyzed the documents that they collected, as well as the current laws and the Constitution. The group also reviewed a number of constitutions and laws from Arab and foreign countries to benefit from their experiences, and it made a detailed report on all of this. It also reviewed a number of community participations that the working group got directly or through the Community Participation Unit.

The work of the working group, which worked as one, led to the consensus reached on the decisions presented in this report.

It should be pointed out the economic development working group prepared a comprehensive vision of development for the coming period, it put in a lot of effort which is well appreciated.

## **The Working Group's Decisions Presented to the Final Plenary Session**

The working group reached a consensus on the following decisions. It has agreed to submit them to the final session to be approved by the entire conference. There is a set of decisions relevant to the outcomes of the Southern Issue, State Building working groups. These decisions were deferred until decision of those working groups become clear. Decisions made with consensus by the WG are as follows:

### **Economic Development:**

1. A national economy that is free and social, and is based on the following:
  - a. Freedom of economic activity that fulfills the interests of individuals and society, and enhances national independence.
  - b. Social justice in economic relationships that aim to develop the real production and improve it, and achieve social balance and coexistence while raising the country's living standards.

- c. Determining the different economic ownership sectors as being the public, private, cooperative, and the mixed sectors.
  - d. Allowed competition, equal treatment between the sectors, and good governance.
  - e. Protecting and respecting private ownership, not to be undermined except in dire need and for public interest. Even then, there should be just compensation in accordance with the law.
- 2. The economic policies of the government are based on scientific planning that follows indicators, and ensures the ideal use of all resources. It should also ensure the development of the abilities of the different economic sectors in the different economic and social fields, while increasing production and giving priority to combating poverty and unemployment while pushing sustainable human development.
- 3. The government protects the freedom of trade and investment, and protects projects to serve the national economy. It should also issue legislation that prohibits monopoly in all of its shapes, and encourages investment of private capital in the different fields. This should be done to encourage social and economic development and it should be done in accordance with the law.
- 4. The government should work to encourage the production sector in general, especially the small productions and handicrafts, as well as small and medium businesses. It should do this by issuing legislation that protects their products and customers.
- 5. Creating, amending, and deleting public taxes cannot be done except by law, and no one is exempt from paying taxes, either in full or in part, except in situations that are highlighted in the law. Also, no one can be forced to pay more than those taxes and public fees and costs, unless it is in the law.
- 6. The law determines the basic foundation to protect public funds and their spending, and funds cannot be created, spent, amended, or exempted except by law.
- 7. The government works to steadily improve the development relationship and partnership with outside, regionally and internationally, and to enable the private sector to participate in this partnership.
- 8. The government works to determine the appropriate share of spending that is to go to defense and security, and in order to make sure that this spending does not harm economic and social development spending for society, and in all cases, defense and security spending should never exceed education spending.
- 9. It is prohibited to be a public official and control business interests, so it is not allowed for the President of the Republic or the Prime Minister, as well as their Deputies, as well as any of the Ministers and their Deputies, the Governors and their deputies, the Military and Security leadership, Ambassadors, as well as the Heads of Departments in government institutions, are not allowed, during their holding of government office, to hold any other position (except what is mentioned in the constitution regarding the president and the Prime Minister). They are also not allowed to participate, even indirectly, in free trade, or work in commerce or production, as they are also not allowed to take part in commitments or agreements that are made by the government

or public institutions. They are also never allowed to be in their government posts and be in the management of any company, and during the period of their public office, they are prohibited from buying government property, even through public auctions that are announced, and they are also not allowed to rent or sell them.

10. The President of the Republic, the Prime Minister, their deputies, the Ministers and the Deputy Ministers, the Military and Security Leadership, and Ambassadors, as well as all of those who are entrusted with finances, should present themselves to the judicial authorities and the Supreme National Anti-Corruption Commission, as well as all financial and nonfinancial gifts that they received. The gifts are given over to public funds, and if the gifts are antiques then they are given to the national museums.
11. The government commits to comprehensive rural development to ensure social stability, and limit migration to cities.
12. The government works to develop and improve extraction production.
13. Natural resources of all types and sources of energy that are in the land, air, or regional waters, as well as the continental spread and economic region, are publicly owned by the people and the government must develop their production, and use them effectively for the good of the people and the coming generations. A percentage of the revenue of these resources should be given to the areas that they are being extracted from, in accordance with the law.
14. Water is a basic human right, and every citizen has the right to clean water for drinking and household use in sufficient quantities and appropriate prices.
15. It is totally prohibited to freely give away the property of the government except in accordance with the law, and the law clearly states the situations and methods of giving any land owned by the government, how incentives are given to individuals, and how to deal with public funds.

#### **The Role of the Government, Private Sector, Civil Society Organizations, and Individuals:**

1. The government issues the necessary legislation to protect consumers through:
  - a. Creating legislation and legal systems that are organized and work to protect consumers.
  - b. Taking the necessary legal steps to end monopoly that harms competition, as well as price fixing by government institutions and private firms. This should also be done to end the sale of low quality goods, or ones that do not meet the standards.
  - c. The government must take the precautionary steps to stop any action that will harm the national economy, a job, or sector.
2. Social Welfare and Insurance:  
The government works to take the necessary legislative steps to provide the needed care to the elderly, disabled, and the family of the deceased through a wide welfare system that depends on:
  - a. Mandatory social security for workers in the different fields according to their salaries, and they are paid half by the worker and half by the employer.

- b. Mandatory work injury and death insurance during working, as well as the risks of dangerous jobs.
  - c. Mandatory health insurance for employees and their families (in accordance with the law), by the employee and employer.
  - d. Unemployment insurance for unemployment caused by loss of job or wages, or layoffs of workers or employees before their retirement salaries. This insurance should be done through a law that provides appropriate compensation.
  - e. The government mandates that owners of transports and buildings should insure their property for damages from accidents and anything resulting from accidents.
  - f. The government supports funds for social welfare and contributes, along with civil society organizations, in helping orphans, single-mothers, and homes for the elderly and abused.
  - g. Protecting rights relating to economic development, like the right to work, and the rights relating to the freedom of movement, and the freedom to work anywhere in the country.
3. The government drafts legislation relating to banks, currency markets, and financial and insurance services.
- a. The Central Bank has complete independence, and it draws monetary policy of the government in accordance with public interests.
  - b. The Central Bank has the right to issue currency, and it has the necessary reserves in hard currencies and gold.
  - c. The Central Bank contributes to coordinating between the financial and monetary policies, as well as overseeing the banking sector.
4. Agriculture:
- a. The agricultural sector contributes through producing the goods that meet the demands of sustainable development and the market, to achieve the following:
    - i. Ensuring that the people are provided with all that they need in order to ensure Food Security.
    - ii. Protecting the natural resources and preserving agricultural lands and fields.
    - iii. Decentralized distribution of the different uses of the land.
  - b. The government supports agricultural projects and protects them when needed, and it also works to combat desertification.
  - c. Issuing organized legislation to stabilize the ownership of agricultural lands and the use of water.
5. Public ownership is all of the national lands, and it includes publically owned lands by the government and its different administrative units, and it also includes underground, mines, natural resources and riches, minerals, wildlife, lands, ancient sites, production and service assets, transport, communication, and others, which are publically owned in the country. All of these should be determined, managed, and preserved by law.

6. The government protects and preserves the interests of the Yemeni economy abroad, and works to increase economic cooperation with other countries while organized trade through a law that determines its oversight and regulation.
7. The government works to ensure the provision of enough goods and services that are needed in the country when it is threatened politically, militarily, by natural disasters, or when the market is unable to provide them.
8. The government organizes the relationships of renting residential homes, which ends monopoly and price fixing, achieves stability for long periods, and all of this must be issued as a law.
9. The government undertakes the necessary steps to ensure economic organized growth that achieves an end to unemployment and inflation at all administrative levels of the government, including:
  - a. The government takes special steps on a free economic basis when needed regarding monetary and financial loans issues, as well as the foreign economy.
  - b. The government and local authorities take into account economic growth when creating policies relating to resources and expenses, and the economic basis of the government is built on a shared internal market that is known for its competition, freedom, and social justice.
  - c. The government can raise or lower taxes and frees temporarily with the goal of achieving stability and economic development, as well as to fund projects that provide work opportunities.
  - d. The government forces companies to hold reserve resources that can be used to create work opportunities when needed.
  - e. The government helps the areas and economic areas or jobs that are threatened or unable to continue, and this should be done in ways that ensure their sustainability.
10. The government creates legislation that achieves the following:
  - a. Protecting animals, wildlife, rare birds, lands, and migratory birds. This should be done to preserve wildlife and environmental diversity.
  - b. Organizing fishing in order to protect the marine wildlife and their environment from abuse and erosion, and this is also done to protect wildlife and environmental diversity.
  - c. Enacting and restricting the procedures regarding the Wildlife Resources law, which includes care, prohibits the hunting of young females in the public markets and private places, as well as their sale. All of this should be done in accordance with the law.
11. The government should create legislation regarding the production, purchasing, distributing, export, and import of weapons, as well as legislating the ownership and carrying of weapons.
12. Different taxes are enacted in coordination between the government and the local authorities, and that law is organized.

13. Coordination between the federal and local governments regarding the fuel, gas, marine, and mineral resources, and others, whether they are on land or in the ocean. The revenues of these resources are to be distributed in accordance with the law and in a just and equal manner between the capital and the governorates.
14. The private sector is based on the freedom of economic activity in a way that achieves the interests of individuals and society, strengthens national stability, and relies on the principle of social justice in economic relationships. All of this should be included in the constitution.
15. The government ensures the principle of competition and equal treatment, comprehensiveness of the economic sectors, and using the methods of good corporate governance.
16. The economic policy is based on scientific planning based on indicators and the market mechanism.
17. The government adheres to work on fixing the financial system and creating tax brackets, while moving to a public fund system and criminalizing tax evasion.
18. The government commits to the importance of the participation of women in all decision-making authorities in economic policy, especially in the executive branch. The participation of women in these agencies should be no less than 30%

**Economic, Political, and Cultural Development:**

1. The government works to support the families of national martyrs and to fix the situations of the injured, as well as the victims of all conflicts and violence.
2. The working agencies ensure the safety of the residents and lands of the government within the respect and protection of the basic rights that are given to everyone.
3. The individuals who work as general employees who are responsible to the authorities, agencies, and units that are created under public law are responsible for any direct harm that comes to these entities due to their negligence in carrying out their official tasks.
4. Ensuring the right of every Yemeni to peacefully gather for unarmed protest, without the need for prior authorization or the need for licenses. The law organizes the limitations of demonstrations in public fields and squares.
5. Ensuring the right of peaceful transfer of power, and strengthening the basis and principles of political plurality, as well as accepting different opinions.
6. The participation of political parties in making decisions and political management of the country, and the prohibition of limiting the freedom to establish political parties or their activities, as well as interfering in their affairs. Their systems and internal regulations must be based on the ideals of democracy and good governance, and political parties must adhere to publicizing their decisions regarding their activities. They must also publicize their finances and funding, as well as their resources and property.
7. Protecting the personal right from abuse of personal information, and trying those who commit those crimes in accordance with the law.

8. The public authorities ensure the safety of the residents and lands of the government within the respect and protection of the basic rights that are given to everyone.
9. The constitution and supremacy of the law are the foundation of the government.
10. The people who are illegally prosecuted, and those who are proven innocent after being tried, get moral and material compensation in full from the government. The amount of compensation is to be determined by the judicial system.
11. The government and local authorities, as well as the legal institutions and agencies, carry full responsibility for any harm and damages done to third parties by employees of theirs, and those who act illegally in an official capacity.
12. Ensuring the right of every Yemeni to peacefully gather for unarmed protest, without the need for prior authorization or the need for licenses. The law organizes the limitations of demonstrations in public fields and squares.
13. Making it illegal for any individual or group to import weapons and trade in them, and limiting the import of weapons for the purpose of national defense. This task should be left to the Ministry of Defense and no one else.
14. The government and local authorities commit to protecting the private information of individuals and firms, and a law is issued to protect that information and patents.
15. The public right does not fall by dating or a constitutional text or national legislation, except a subject or procedural immunity for those working in the executive branch, and others, in cases of corruption.
16. It is prohibited to create political parties based on religion, sect, denomination, region, or race.
17. Private and public social groups, including tribal sheikhs, are subject to laws of associations and civil society organizations, or a private law that is based on democratic work and organizes the method of election, their tasks, practices, and roles.
18. The government adopts a comprehensive vision from all of society. This vision is from all small societies in their importance and value, and gives them the opportunity to participate in public life, and work to end any abuse or harmful practices by any group to another group in society. It should also end any discrimination or favoritism, especially against groups that are poor and weak.
19. The government works within the United Nations Agreement, the Arab Congress agreement, the International Human Rights Agreement, and any international agreements and treaties relating to human rights that were approved by our country.

**Educational and Human Development:**

1. The importance of completing the infrastructure of education according to the needs of each governorate.
2. The government commits to provide educational services that are appropriate for those with special needs.
3. Ensuring the independence of universities, financially and administratively, and implementing the principles of good governance in them.

4. The government provides the necessary incentives that are appropriate to ensure the education of girls.
5. Creating job descriptions that is clear and accurate in the different fields of education, technically, administratively, and educationally.
6. The government commits to taking care of and developing early childhood programs.
7. Approving the program and plan of a program to develop higher education and raise its level to a point that creates high quality outputs that benefit the economic, cultural, and social institutions in the country, as well as achieving comprehensive development.
8. Creating legislation that includes the academic freedom of teachers, students, and researchers in the different educational institutions and research centers.
9. Reviewing the public education curriculums and benefitting from successful countries in this field. This should be done in all fields except in the subjects of Islamic studies, history, and citizenship, which need to be redrafted in a scientific and unique manner, far from any personal opinions or discrimination.
10. All educational institutions must adhere to the national plan for education and its goals.
11. Continuously improving and developing all of the components of the educational system in accordance with international standards for educational quality.
12. Encouraging scientific research and developing its mechanisms while expanding the fields that research is being done in. This should all be done in a way that contributes to strengthening development and raising the educational and economic level.
13. The government takes care of the education and care of children and youth in a way that ensures their comprehensive development in all aspects, including their souls, behavior, culture, social behavior, bodies, and psychology.
14. Expanding practical sciences to ensure that the need of society in the different fields is met.
15. Expanding technical education and vocational training, while expanding its programs and curriculums in a way that meets the needs of the national and international labor markets.
16. Developing the performance of universities and academic colleges in order to ensure the implementation of quality standards, academic quality, and expansion in creating unique universities that meet the demands of development.
17. Encouraging the private sector to provide educational services of all types and levels according to the principles of quality and high standards. This should be done to ensure high quality educational outputs. All appropriate incentives should be given to make this happen.
18. Ensuring the presence of capable teachers and training them while giving them incentives and raising their living standards. A proper environment should also be provided for them to raise their production and enable them to develop their performance in the educational system.
19. Developing the educational administration system and creating vocational standards that include competence and training in the field of school administration.

20. Preparing executive plans and programs that are time based for the training of teachers.
21. The government ensures the organization of the standards, criteria, and procedures of acceptance in higher education institutions.
22. Creating a national network to tie educational research to the services and production sectors.
23. Creating a new retirement mechanism for the members of the educational facilities in universities in order to ensure that they are benefitted from after they retire.
24. Creating a unified informational network between all of the educational institutions.
25. Creating legislation to protect the right of researchers, inventors, and innovators.
26. Creating an educational vision for the institutions for technical education and vocational training in order to improve the institutions and quality of the work, and increase its effectiveness in improving society.
27. Encouraging the private sector in undertaking scientific research.
28. Restructuring the technical education and vocational training facilities and dividing the work based on specialties, while looking into the fields of education and training with regards to the true needs of development.
29. The government adopts a complete strategic method for overseeing the different educational systems to unify all of the opinions about the required educational outputs, and this should be done in a way that is in accordance with the current and future needs of development.
30. Increasing the participation of the private sector and civil society organizations with the government in creating a strategy to execute the general programs and providing the infrastructure for education.
31. Approving modern methods of teaching scientific subjects.
32. Putting in place a mechanism to ensure the achievement of a balance between technical and vocational education and general education, to ensure that the needs of production and development are met.
33. Approving a literacy and adult education program within the social and development strategy of the government, as well as programs to combat poverty and tying these programs to working life of students, and to the general educational curriculums.
34. Running educational reform that leads to strengthening and supporting all educational fields, and reaches the achievement of comprehensive and sustainable national development in a way that meets the changing technologies, and accommodates them.
35. Implementing the joint programs with international partners, and opening new and wider horizons for partnership and cooperation through large national programs with international partners.

**Health Development:**

1. The government creates general policies for health issues, and oversees the level of implementation of these policies. It also establishes an independent entity to provide comprehensive and sustainable health care services.
2. The government commits to protecting the health rights of all citizens, especially the weak and marginalized groups, children, women, the elderly, and those with special needs. This should be considered a human right that is protected by the government without any discrimination, and it should be supported by creating economic and social policies that aim at lowering and helping with illnesses, providing and paving the way to health care services, all including prevention, treatment, and raising awareness.
3. Services and health care intervention are important, and the government is responsible to plan for, organize, and oversee them. It also supervises the provision of these services and makes sure that they are of very high quality throughout the public and private institutions. Also to be supervised are the services provided by individuals or any health care provider in the framework of comprehensive health care services, cooperation, and coordination.
4. The government commits to establishing a health care system that is unified and independent, provides all levels of service, and gives complete priority to public health and prevention. This program should incentivize public participation in managing and overseeing it, and it should also reach all citizens and provide them with the necessary health information.
5. The government pledges to provide the basic necessities of health, like drinking water, sewage treatment, nutrition, residence, and appropriate work opportunities. It should also provide a suitable environment for medical facilities and reproductive health services, vaccination, and disease treatment centers.
6. The government commits to establishing an umbrella insurance coverage system that is national and of high quality. This system should be easy to reach for all citizens, without discrimination, and it should be done in accordance with the ideals of solidarity and equality.
7. The government pledges to protect the health and safety rights of all citizens, without discrimination, from any abuse or harmful practice. It also pledges to maintain the minimum level of proper nutrition, without discrimination.
8. Proper protection should be provided to the people from abuse of medically assisted reproduction and gene technology.
9. The government issues legislation regarding sperm and genetic materials, and should work to protect human dignity and personal and family rights. The government should also, specifically, work according to the following principles:
  - a. It is prohibited to copy or in any other way interfere with genetic material or human fetuses.
  - b. It is prohibited to mix genetic material of animals with human genetic material.
  - c. Medically assisted reproduction cannot be used unless it is the only way to reproduce due to infertility or to avoid the spread of diseases. It is also prohibited as a method of achieving certain genes in children, or as methods of scientific research. Use of female

eggs outside the women and impregnating them with sperm cannot be done except to two lawfully wedded individuals that are still alive, and all of this should be done in accordance with Islamic sharia rules. It is also prohibited to fertilize eggs outside the body of the mother unless they will be used immediately.

- d. Donation of fetuses is prohibited, as is surrogate motherhood in any shape or form.
  - e. Genetic materials cannot be traded, and neither can any materials that use fetuses.
  - f. The genetic material of any person can never be recorded or published without express consent from that person, and this should all be done in accordance with the law.
  - g. Every person has the right to look into information about his or her origin.
  - h. Fertilization of eggs is prohibited outside of a lawful marriage.
10. The government issues legislation relating to the transplantation of organs, tissue, or cells. This legislation should work to protect human dignity and personal and health rights.
11. The government aims to achieve just distribution of human organs for transplant, based on clear professional methods.
12. The donation of organs, tissues, and cells is free, and the dealing of these organs is prohibited and limited by the law.
13. Proper protection should be given to humans and the environment from the use of genetic technology.
14. The government issues legislation relating to the use of animal and plant genetic materials, and the safety of those life forms is respected, as well as the wellbeing of humans, other animals, and the environment. The diversity of animals should also be protected, as well as the genes of other species of plants and animals.

**Electricity:**

1. Fixing the stations that are currently not in service, and bringing them back into service.
2. Building electric generation stations to cover the current needs, while giving priority to hot areas, opening the door for investment in the field of energy production, and putting in place the technical and legal basis for the organization of this activity. This should be done according to the principles of fair competition, and based on agreed upon principles.
3. Allocating the necessary funds from the grants given by sponsors to create stations that use low cost fuels, like gas, natural resources, and coal. These stations are to cover the current shortcomings in providing energy, and they are to provide a part of the generation of electricity at low cost. They should also reach areas that have not gotten electricity. They should generate no less than 1,000 megawatts during the coming five years.
4. Taking just steps to protect the electric lines, and ensuring the collection of electric bills from all users, and those who do not pay. The government commits to ensuring that the big users, and those who are stealing electricity, pay for the amount of electricity that they use.

5. Restructuring the electricity sector according to comprehensive studies that take into account the different technical and economic aspects in order to ensure their independence, strict oversight over the sector, and that they are divided as follows:
  - a. The Production Sector
  - b. The Energy Transportation Sector
  - c. The Energy Distribution Sector
  - d. And the necessary laws and systems are put in place to regulate the relationship between the different sectors so that there is no duplicity in tasks.
6. Encouraging the use of new and sustainable energy (solar power, wind power, water energy, and others) so that the reserve energy stores are used to lower the reliance on traditional fuels, and provide whatever necessary to make this happen.
7. Quickly issuing a law for electricity generation (through an independent power producers (IPP) system for the independent provision of energy). An agency should be established to oversee energy producers and determine the standards and regulations that producers should work in accordance to. These regulations should protect the different interests involved.
8. Preparing and implementing a basis and criteria of electric networks of residences, factories, and other buildings. These networks should ensure that a continuous and safe stream of electricity reaches consumers.
9. The government commits to separate the electricity networks between Sana'a and Aden because of the harms to the southern governorates when there is destruction of electric towers in the north. The government should also work to lower the current pricing of electricity in accordance with the income of citizens, especially in the hot and coastal areas, due to the hot weather in those places.
10. Increasing oversight on the loss of electricity, which should be lowered to international standards. Electric counters should also be subject to tests to ensure their quality when they are being checked and installed.
11. Encouraging the tying of Yemeni electric networks to neighboring countries, and this should be done in accordance with comprehensive technical studies.
12. The government works to provide an appropriate share of the natural gas to be used to generate electricity.
13. Rehabilitating the training centers that belong to the General Electricity Agency, and creating programs to train the employees and contractors, and issuing certificates for the people trained.
14. Working hard to encourage local contractors and electricians, and providing them with high quality training so that they can carry out their work in installing and checking electric materials. They should be able to carry out this work correctly and under good supervision, and their work should meet international standards.

15. Encouraging local experts in the fields of studying and overseeing the carrying out work, putting the correct organizational foundation, and issuing the necessary licenses for work in the electricity field.
16. Quickly preparing and studying the regeneration of the petroleum and gas reserves so that the concerned groups can put strategic plans according to those studies, especially in the field of electric generation.
17. The government links the remaining governorates to the gas generated electricity network.
18. The government commits to stop buying electricity that is generated with diesel, which is very costly, and to establish new stations that work according to clean energy standards.
19. The government commits to implement a campaign to make all large consumers and electricity thieves pay for all of the electricity that they use.
20. The government commits to establishing a local network of household gas in the main cities.
21. The government works according to a clean and alternative energy strategy (gas, wind, solar power, and hot springs).

**Water:**

22. Establishing a state of emergency regarding the issue of water, and making it an issue of national security.
23. Ending the current waste of groundwater reserves, and limiting the digging of wells to regulation by a national water conservation agency, and determining the depth of wells that are dug.
24. Creating a national water conservation agency to determine the strategic choices regarding the problem of water. These solutions should be presented by the private sector, the government, and civil society organizations. The Ministry of Water and Environment should be strengthened, as well as the General Authority for Water Resources, so they can enforce the law.
25. Taking the necessary steps to provide water to areas that suffer from draughts.
26. Creating a time based plan to end the farming of Qat and ending its use in the government and private sectors during official work hours. The members and employees of the military and security forces should also not be allowed to chew Qat during their work and official missions. The government should force Qat farmers to stop expanding the lands that Qat is being farmed on, and make them use modern irrigation methods to conserve the use of water.
27. Increasing the concern to developing the water resources and preserving their sustainability by expanding the building of dams, reservoirs, and other water buildings. Modern irrigation technology should be used, and they should be sold at appropriate prices that encourage their use.
28. Studying the opportunities and cost of water treatment for drinking.
29. Creating a water law that shows the relationship between the running groundwater and the farming valleys that it runs through.

30. The government will work to establish special courts for issues of water, while raising awareness regarding water in the educational curriculums.
31. The government commits to providing the needed water to citizens in the coastal area. The water provided should be at low prices, taking into account the heat of those areas and their need.
32. The government works to quickly implement the water treatment and desalination stations to save the city of Taiz from draught. This should be done according to the studies that were previously prepared.
33. Creating water reservoirs to store water for at least a month, so that there is a readiness for any disaster that might happen.

**Food Security, and Social Protection from Poverty:**

34. Creating a clear national strategy and policy regarding Food Security, combating malnutrition, and helping nutrition reach the poor and needy through transports that are paid for by the government, the private sector, civil society organizations, and relief organizations.
35. Encouraging and supporting investment in farming grains, and increasing the institutional and administrative competence, and the production of the current groups.
36. Increasing the effectiveness and role of the Social Care Fund and the Fund for Caring For and Training the Disabled, so that:
  - a. The mechanisms of working, like the loan programs for the poor, are developed so that they underprivileged are turned into producers who earn a continuous income.
  - b. Increasing the funds allocated for the welfare programs that target the poor. This should be done directly, without interference.
  - c. Working according to the conditional welfare programs, and giving the poor financial assistance on the condition that they enroll their children in schools. This will contribute to social welfare and human development, in addition to starting a system of rehabilitating disabled children, especially in rural areas.
37. The government commits to ensuring the nutrition in cases of disasters, wars, and when the market is unable to provide sufficient food.
38. The government commits to provide the necessary steps to preserve, store, and display foodstuffs in agricultural markets, central refrigerators, as well as grain silos and mills.
39. Increasing the capital of banks for the poor, and increasing its assets to enable it to increase its programs in financing small projects to combat poverty. In addition to that, Alamal Bank and other microfinance institutions should be encouraged to establish networking relationships with the government banks, the private sector, and civil society organizations. These relationships will help in implementing microfinance programs.
40. Encouraging banks and financing institutions to provide micro financing with guarantees from the government, as well as interest free loans, and encouraging them to use mobile loan centers in rural areas.

41. Developing the role of the Social Fund for Development, the Public Works Program, and the Small Production Fund, and increasing their resources. This will enable them to expand their programs to provide chances for the unemployed to work and solve the problem of unemployment.
42. Allocating 20% of the funds allocated for federal programs for micro financing, and developing the regulations of the micro financing institutions, development funds, banks, and other programs that provide micro financing. This will create work and income opportunities.
43. Quickly improving the conditions of the people, especially those most harmed by disasters in the past. This should be done by providing help and compensation for the families of the martyrs and injured in the Peaceful Souther Movement since 2007, as well as the Peaceful Popular Youth Revolution, the events in Saada and Abyan, and natural disasters. These areas should be rebuilt, as well as the infrastructure and public facilities, and priority should be given to education and health services, roads, electricity, the water network, and anything in general that can be done to fix the areas so that those who were displaced can return.
44. The importance of creating a fund for the development of skills, and achieving this goal in a decentralized fashion by training and preparing the youth and those who are able to work.
45. Increasing the amount and value of help given to the poor.

**Communication:**

46. Developing and modernizing the technology and services that are provided by modern communication services, and the speed at which these projects are completed. The digital networks and links between the country and the international community should also be expanded.
47. Establishing companies that contributed to work in establishing and managing the telephone and Internet services in the market, and in accordance with the law.
48. Quickly approving a communication and information technology law that adheres to modern innovations.
49. The government commits to establishing an electronic government within two years.
50. Establishing a unit specifically for the general agency for standards and measurements, and in cooperation with the Ministry of Communication and Information. This agency should be established to ensure the compliance of all mobile telephone devices that enter the country to all international standards.
51. Obligate communication companies to cover Yemeni islands and remote populated areas. The companies should also pay a share of their Zakah and their profits to the local authorities in the areas that they serve.
52. The government should make sure that the communication companies open a 30% public offering to ensure social equality through the money markets.
53. Establishment of a body to regulate the telecommunication sector. This body should be independent and should be tasked to regulate fairly and to balance between the interests of the communication companies and the interest of their subscribers.. This body should also be tasked

with protecting society from harms of airwaves. Oversight and policy-making to drive performance should be the mandate of the Ministry.

54. The government should require communication companies to build communication stations in compliance to international standards and to protect public safety from any harmful waves that might have an effect on public health.
55. Development of the postal and financial transmittal services and modernizing laws governing the postal service.

**Works and Construction:**

56. Finishing work on road construction that is being implemented or has been approved. Priority in these projects should be given to strategic projects and areas that do not have roads. The government should link the centers of the districts and electoral areas with the capitals of the governorates.
57. Increasing efforts for urban planning in preparing residential zoning plans, production zoning, tourist zoning, and commercial zoning areas. There should be oversight and regulation on the implementation of these plans to make sure that they are in accordance with approved standards. These zones should be introduced to the service networks, while haphazard building and building on agricultural lands should be limited.
58. Encouraging investment in producing building materials, establishing residential projects at different levels and costs, including residential buildings for those with limited income. The projects for lower income residences should be completed quickly.
59. Preparing studies for the opening roads and bridges to lower the traffic congestion. This should be done in partnership with the private sector.
60. Making the maintenance of roads a priority, and increasing the participation of local society in this work.
61. Reviewing the procedures of supervising federal projects and the levels that are given to contractors, and giving local works offices in the governorates the power to supervise and categorize contractors in accordance with the law.

**Transportation:**

62. Effective investing of efforts and giving large opportunities to the different land, air, and sea transportation firms. At the beginning, there should be a utilization of the strategic location of Yemen on the international shipping and air lanes, and removing any limitations to that.
63. Completing the different projects in the fields of transportation, like finishing Sana'a International Airport, fencing in Socotra Airport, and quickly finishing all work to establish Socotra Harbor and developing the harbors in Almukala, Hodeida, Almakha, and others.
64. Quickly completing and improving buildings and land entries, especially Alwadiyah and Haradh, and raising the level of services and ease of travel for those going through these locations.
65. Establishing an emergency seas unit to help fishermen and sea tourists, and serving those who are traveling and transporting goods in the sea.

66. Quickly implementing development programs, especially those that raise the performance of airport services in Aden, so that it meets international standards for airports.

67. Obligate bus transportation companies to provide buses that meet international standards.

#### **Tourism**

68. Quickly implementing projects for tourism development that target the tourism strategy, including completing the development of the tourism infrastructure services for tourist areas, including those plans, and encouraging investment in those areas.

69. Preparing and implementing tourism buildings and facilities that are owned by the government, and reviewing their rental contracts while encouraging local and foreign tourism. Support should be given bring some tourist locations back into service, especially those that were closed or damaged.

70. Supporting the institutional, organizational, and financial abilities of the government agencies in charge of managing tourism on the federal and local levels.

71. Creating a clear and flexible policy that attracts and is effective in dealing with tourist activity. What is most important is to provide safety and security for tourists, easing the procedures and process of tourism and traveling inside the country, and providing the basic services in tourist areas.

72. The government commits in returning the hospitality institute in Aden and opening it again.

#### **The Production and Commerce Sector:**

73. Providing loans and credit necessary to finance the infrastructure of production areas, and completing the preliminary plans and studies for production investment projects, while encouraging investment in the remaining projects.

74. Fixing the situation of production projects that have been stopped, and helping the private sector in this field.

75. Encouraging production opportunities in order to increase exports and employment. This can be done by increasing micro financing for small production and commerce projects.

76. Supporting the technical and regulatory abilities of the standards and measures agencies, and encouraging competition while limiting monopoly.

77. Quickening the steps and procedures needed to make Yemen a member state of the World Trade Organization.

78. Enacting the membership of the Republic of Yemen as an observer state in the CoMISA because of the importance of the trade relationships between Yemen and countries in the Horn of Africa in general, specifically the Yemen's production exports and shipping services.

79. Enacting the agreement signed by the European Union, Canada, and China regarding allowing Yemeni exports to enter their markets without customs. The agreement also stipulates that these goods are categorized as coming from a less developed country. The rest of the steps of the negotiations with Japan, Australia, and the United States must be completed for the same type of agreement.

80. Enacting work according to the agreements of bordering economic areas with Saudi Arabia and Oman, which are limited to the entry points of Haradh, Alwadiyah, and Almazyonah.
81. The government commits to taking the necessary steps to turn the Yemeni Economic Corporation to a general holding company. At least 40% of its assets should be allocated for public offering. There should be a law that is issued determining its goals and regulations of its management, and these should be according to the principles of transparency and accountability. The Central Organization for Control and Audit should oversee its accounts.
82. The government commits to achieve the principles of social justice in all of its economic and social development plans, and that it will work to regulate prices, quality, and standards in the market. The government must also combat and not allow any monopoly or cheating in the market.
83. The government will create a black list of all of the companies that participate in corruption during the past period, and take the necessary penal steps with these firms. This should be done according to the law, and they should not be allowed to continue working.
84. Criminalizing smuggling in all of its types, including tax evasion.

**Agriculture and Fishing:**

85. Enacting the role of the funds to encourage agricultural and marine production according to the law that established it. This fund will finance activities and programs relating to production and development in the fields of fishing and agriculture, and work to structure and organize these resources and their spending.
86. Incentivizing the farming of grains and products that are alternatives to Qat, agricultural exports, and crops that are most profitable and use the least water.
87. The government will work with neighboring countries to create joint agricultural markets that have freedom in trade, equality, and which remove any obstacles.
88. Sponsoring loans to small farmers and fisherman so that they can buy boats, fishing supplies, and farming tools (seeds, fertilizer, pesticide, irrigation systems), so that they land can be utilized in accordance with the law created for this purpose.
89. Approving small cooperative agricultural and marine projects for the youth.
90. Increasing the role of studies and instructions in agriculture in order to increase production and decrease risks of waste and crops that are lost during the production process.
91. Determining places for fish farms, then encouraging investment in these places.
92. Creating a fishing harbor on the island of Socotra.
93. Encouraging farmers to plant and export coffee.
94. Developing the centers of exports and markets, and supplying them with the necessary modern tools and machines regarding the preparation of fish and agricultural products for export. They should also be given the required tools for storing and preservation, refrigeration, and transportation that are refrigerated as well as normal transportation. The transportation fees should be subsidized, and all agreements and protocols that were signed with neighboring countries and organizations to ease the trade of agricultural and marine goods.

95. Encouraging traditional fishing methods, protecting fishermen that use these methods, and developing their abilities.
96. Increasing the amount allocated to local markets from among the fish that are produced. This should be done due to their importance and nutritional value, and to lower their prices.
97. Prohibiting the import of pesticides that are prohibited, which are smuggled into the country. These pesticides should be returned to their countries of origin or disposed of in specialized international facilities outside of the country. This should be done at the expense of the importer, and the importer should be banned from importing any other pesticides after that.
98. Creating a program to support the farming and marketing of grains and the main products of agriculture that have high market values, like coffee beans, cotton, palm trees, grapes, nuts, saffron, honey, taif rose, and olives.
99. Creating a database of the agricultural and marine fishing sectors. This database should be linked between the central and governorate centers, and should include exports, markets, as well as agricultural and marine projects.
100. Developing and structuring cooperative foundations in agriculture and fishing, and training the cooperative cadre in order to fix the situation of these foundations and institutions. They should also work on drafting legislation to improve their performance and organize their work.
101. The government undertakes the necessary procedures to enable the agriculture sector to carry out its numerous tasks:
  - a. The most efficient use of available agricultural resources to farm important agricultural products (according to demand), and improving the quality of the production process to produce the highest amount of output using the least land and water possible.
  - b. Providing economic incentives to encourage the different types of production that preserve the environment and wildlife.
  - c. Issuing legislation relating to nutritional goods to clarify the sources, the methods of production, and how they are prepared.
  - d. Protecting the environment from harms of using fertilizers, pesticides, and other chemicals.
  - e. Supporting consulting scientific and technical research, and education in the field of agriculture while providing help for any investments in the field of agriculture.
  - f. Issuing laws that organize the ownership of agricultural land, as well as the use of water for irrigation.
  - g. Working to retake lands and tools that belong to the government.
102. Establishing an agency to oversee protected national lands, especially those in coastal areas.

**Unemployment:**

Unemployment is the main historical problem in the Yemeni economy, and it comes with great dangers in light of the great increase in the population, as well as tight limitations on emigration.

Unemployment will surely rise if the necessary steps are not taken to limit it, and that includes the following:

103. Expanding the general, higher, and vocational education programs, and approving an educational curriculum for the preparation of students' skills and specialties in accordance to the needs of the internal and external labor markets.
104. Linking scientific research and students' graduation projects to the different work opportunities that they will have after graduating.
105. Increasing the funds allocated for development in the general budget, especially in the fields of production and service that are very scientific.
106. Creating an environment that encourages investment (political stability as well as safety and security), and developing the banking system so that it contributes to funding development.
107. Improving the role of the Social Fund for Development, the Public Works Fund, and the Microfinance Production Fund to expand their micro finance loans that are in the fields of production or services. These loans should be given to projects in rural areas or cities, and projects in all different production, agricultural, marine, commercial, and service fields, etc.
108. Striving to find foreign labor markets in organized ways.

**Emigrants:**

This large and critical part of our nation provides an important service, and deserves the utmost care and solutions for all of its problems through:

109. Fixing all of the shortcomings and mistakes that were taken in the rights of emigrants by entry points and government agencies related to immigration (entry points, immigration, customs, embassies, consulates, children's education, etc.).
110. Creating a committee specializing in solving the problems of the lands and investments that a lot of emigrants in the country face.
111. Searching for available ways to help end the suffering of Yemeni emigrants in some countries with the governments of those countries, whether they are problems in their investments, the education of their children, or their residence permits.
112. Working to encourage them to invest in Yemen.

**Investment**

113. Providing a safe infrastructure and the stable services that are needed to attract investment. This should be done by developing the investment law and determining areas for production, tourism, and residential investments, etc. These areas should be improved by adding services as well as implementing economic areas with neighboring countries in Haradh, Alwadiyah, Almazyonah, and increasing free economic activities in Aden.
114. Developing the mechanism of one decision and one location so that the following is done:
  - a. Determining the good areas for investment where incentives and subsidies will be given to investors.

b. Investors will go directly to the offices in the areas for each type of investment that they want to start, and they will finish all of their procedures there, all on the same site. These procedures will be done according to the criteria determined by the management of the investment authority.

**Partnership Between the Private Sector, the Government, and Civil Society Organizations:**

115. Quickly issuing a law of partnership between the private and public sectors in the field of infrastructure.
116. Issuing a law to establish a real estate record according to internationally agreed upon standards, and also issuing a law of special economic areas as well as the regulations relating to improving the performance of all work there.
117. Issuing a decision to establish a social economic board as an institutional framework for the partnership between the private sector, the government, and the civil society organizations throughout the country and the governorates.
118. The government ensures the provision of all infrastructures needed, starting with the required human resources. The private sector should participate in the infrastructure according to agreements that return the ownership of the infrastructure to the people after the firm has benefitted from its revenue.
119. All should work together to meet the basic needs for services by the people, and work to provide these services at high quality and competence.
120. Implementing a national strategy to market investing, especially among the Yemeni emigrants, and finish implementing the one decision, one place investment system.
121. Establishing an independent agency that is tasked with organizing and improving the performance of civil society organizations in order to better services that they provide to society and enable them to truly contribute to sustainable development in a way that ensures transparency in their work, their funding, and their finances.

**Urgent Procedures and Policies in the Short Run:**

122. Working to develop public resources, diversify them, and extract them.
123. Giving priority to improving current spending and purifying the salaries and wages records (civil and military) from fake and duplicate identities. Spending on fuel, oils, furniture, and transportation that are not necessary should be stopped. Only operational expenses that are necessary should be spent, and all expenses that are not evident in the military and other institutions should be stopped.
124. Taking effective steps to increase income from taxes and customs, and receiving accrued taxes from companies. The mechanisms of tax work should be improved, corruption in the tax system should be combatted, and tax evasion stopped. All necessary steps should be taken to increase the share of the government in the profits of the public sector.
125. Giving priority to coordination of investment and taxation policies to limit duplicity between the investment authority and tax and customs agencies. This will ensure the alignment between tax incentives and the goals of taxation, which focus on increasing income from taxes

and customs for the government in the short run. There should be more work to create an investment environment that is attractive to investors and provides more work opportunities.

126. Taking serious steps with regards to funding public investment projects, including Islamic bonds, as one method of funding public investment spending, and not to fund a deficit in the budget.
127. Speed in completing the implementation of a financial planning system as well as a program to oversee assets.
128. Moving to implement the public fund system.
129. Working towards implementing the management reform of the public finance system, and quickly implementing the initiative for increased transparency worldwide in extraction production.
130. Quickly working to accommodate the funds and agreements with sponsors with a priority on the programs that are suggested. This should be done in order to ensure the most effective use of these funds, far removed from any administrative bureaucracy. The use of these funds should be spent using the principles of good governance, justice in the distribution of projects.
131. Expanding and adding incentives to the fields of development cooperation with regional and international development partners in order to limit the waste of funds.
132. Creating an investment law instead of the current one. The new law should ensure the creation of a legislative environment that is attractive to investment, and aims to increase economic activity.
133. Creating a monetary market.
134. Creating and implementing a mechanism and method to ensure that the regulations for ending smuggling and sale of drugs in all types, including marijuana, alcohol, and others. They pose a large threat to citizens and the future of the country and increase crimes and abuses. They should be criminalized and any person caught using or selling them should be punished.

#### **Credit and Monetary Policies:**

135. Independence of the Central Bank, and it being tasked with issuing money and overseeing the financial system.
136. Giving priority to preserving the stability of the exchange price of the Yemeni Riyal, which can ensure stability in the price of goods and create a general environment of trust in the currency. This will increase investment and social stability.
137. Preserving the balance in the growth of money printed, and making it appropriate for the economic growth while supervising the flow of capital.
138. Taking a flexible stance on managing the interest rates, and in a way that encourages economic growth, which requires lower interest rates. This will increase investment and stability in the exchange rates while decreasing inflation. With that in mind, a balance should be struck to encourage saving and the banking system to provide financing for development activities.

139. Diversifying the tools of the monetary policy in merging Islamic bonds as a way of funding public investments in light of it being used to cover the deficits in the general budget.
140. Giving precedence to preserving the appropriate levels of reserves in the government. These reserves should be in foreign currencies, and should continue to meet the demands of the market in foreign currencies for basic necessities. The necessary steps should be taken to encourage an increase in foreign currencies, whether through exports or remittances from emigrants. The regulation of exchange companies, as well as regulation of banks, should be increased to make sure that there are no unnecessary changes in the price of exchange.

**Petroleum, Natural Gas, and Minerals:**

141. Subjectively and scientifically evaluating the policies being followed in the oil and gas field throughout the past two decades, as well as the building of institutions that those policies were based on. The shortcomings and problems should be determined with the goal of creating a number of new policies that stop corruption and waste of oil and gas services.
142. Working to increase exploration and discovery of oil and gas on and offshore in regional waters. All exploration agreements should be quickly amended to include oil and gas.
143. The petroleum law should be made a priority in the coming period. The most important pillars of the new petroleum policy should be made according to a clear vision and strategy to deal with this sector in the future, and with all sides involved in it.
144. The restructuring of the Ministry of Oil and Minerals should be done to make it into a supervisory entity that oversees all activities in this sector, as well as all units and new branches that take a second priority to the petroleum law. This law will be very important in the future and for the coming government.
145. The government commits to enabling the people in petroleum rich areas to carry out oil service companies in the fields of oil production, and that they get priority in tenders for those services. These tenders must be announced to encourage competition between the people of the governorate, and they must also force the contractors for those services to use the manpower that they need from the areas that the oil is in. At least 50% of the management and technical workforce should be from the governorate where the field is.
146. The creation of a national petroleum company as a holding company is a very important and urgent manner that must be done in the framework of the new petroleum policy. That is why it must be established based on good standards, transparency, and it must also embody the national project and the strategy of the coming government in the field of making effective use of the petroleum resources during the coming period. The coming period will require the accommodation of all current and future changes by achieving the needed goals, and these can be done by establishing a company and restructuring the Ministry of Oil and Minerals, as well as the companies that are owned by the Ministry.
147. The work of the national petroleum company must be specialized, effective, and excellent. That is why it is important that it work on the petroleum activities relating to the source (UPSTREAM) (exploration, development, production, oilfield services, solving, purifying, and

storing at the source, crude petroleum transportation services to exporters and local and foreign buyers at the harbors and land entries to export crude petroleum).

148. Regardless of the economic quality of the liquefied natural gas project that is allocated for export is, the best use of the remaining reserves of this fuel in the future is in local use, specifically to generate electricity. This will have a direct impact on the following:
- Lowering the use of crude oil that is allocated for refining to meet the local need needs for petroleum extracts, so it will increase oil exports.
  - Lower the imports in diesel that is used in generating electricity.
  - The positive environmental impacts resulting from the use of clean energy from any new projects for liquefied natural gas that is exported, or in expanding the current projects, depending on the allocation of any remaining gas reserves for local and future use.
  - Lowering the cost of energy to the consumer and energy providers.
  - Lowering the subsidies that are given by the government for energy.
149. Taking effective steps to lower the cost and thus the expenses of operating oil companies that work in the governorates of Yemen, and that is through:
- Focusing the work and activities of companies involved in production inside Yemen, and not outside it.
  - Holding work meetings in Yemen, and not outside it.
  - Limiting the exaggerated expenses given to contractors.
  - Reviewing the expenses paid for security.
  - Stopping unnecessary hiring.
  - Limiting waste and abuse of the resources by some companies, as was done in Nexen or as is currently being done in Total.
  - Responsibly looking into the clear difference between the invested and spend funds with the goal of making operating expenses reach lower levels. This will help ensure that the operational needs and other important expenses are covered on the one hand, while on the other hand it will ensure additional resources for the general budget of the government while not harming the other parties in the agreements.
150. Establishing a gas workshop in the Jannah block, and completing the executive procedures regarding the modernizing and developing of the current workshops to ensure an additional quantity of liquefied petroleum gas because of the rising use locally. The demand for this product has exceed the levels of production locally, so there has been a need at times to import gas from international market in order to fulfill the needs of the local market.
151. Better usage of petroleum products, with the goal of limiting their consumption. The limitations should be concerned with diesel, because its consumption is a large portion of local use.

152. Taking effective steps to combat and stop external smuggling of petroleum extracts, especially diesel.
153. Developing and modernizing the Aden Refineries, and providing the necessary funding with the goal of getting petroleum products at international quality and lower costs. They should also be able to refine the heavy local petroleum, as well as imported oil.
154. The government commits to enabling supervisory and oversight agencies to oversee the oil companies with the goal of reaching the highest levels of production, taking into account the preservation of the rights of the coming generations, and the preservation of the environment.
155. Quickly establishing and implementing the project to build the containers in Ra's Issa as a harbor on the Red Sea to help with the storage vessel Safer, which has exceeded its planned usage. This should be done to export crude Yemeni oil to foreign countries, and as a part of the government strategy to create storage facilities for petroleum products throughout the country.
156. Taking all necessary steps to speed up the process of retrieving the buildings and storage containers in Hajeef in Aden. This should be done because the lease contract has expired, and all judicial and security entities have confirmed the right of the government to take those buildings because they will provide stability in the supply of petroleum extracts, and stop the waste of public funds.
157. Issuing a law for mining that increases the incentives for investment and development of mineral resources.
158. Creating a national mining company.
159. Creating transparent policies regarding the granting of special privileges for drilling for oil, without any intermediaries.
160. The government commits to provide a strategic reserve of oil.
161. At the Local Level:
  162. The government commits to establishing an agricultural agency in the agricultural governorates (Aljawf, Hadramawt, Hodeida, Abyan).
  163. The government should work to establish markets and storage facilities in different areas.
  164. Establishing colleges in the governorates that specialize in agriculture.
  165. Creating a committee to solve the land problems in the governorate of Hodeida.
  166. Enabling the people of the South to benefit from their economic resources according to fair criteria, in a way that ensures that their suffering is alleviated.
  167. The government commits to decentralize the electrical grid.
  168. The government commits to complete connections of governorates to the gas-powered electricity generation stations.

- 169. The local authorities shall work to strengthen oversight on the use of groundwater, and take necessary steps against anyone who violates these rules.
- 170. The government shall build modern sewer systems in the cities and appropriate sewage systems in smaller cities and rural areas.
- 171. Strengthening the oversight role of the local authorities on the sanitation system and solid petroleum derivatives to protect the environment and public health. This is important to ensure that the delicate balance of different plants and wildlife is not upset.
- 172. Amending the local authority's law to allow competent people to manage the local authorities based on a job description. The minimum requirement should be a college degree.
- 173. The government should ensure that the main link in management is the lowest tier, especially for service delivery in the districts. The responsibility for direct service facilities, like schools, hospitals, police stations, courts, water and environmental services, etc. should be given to this tier.
- 174. Public lands are subject to the local councils in the districts, and they can deal with them according to plans that are approved by the authorities and councils in the governorates, and it is not allowed for anyone else to order or use them in other ways.
- 175. The experiences of countries that approved development in the lower management rungs have shown great successes, unlike those that have developed at the federal level. That is why the future development plan must start at the first rung administratively and institutionally (facilities and services), and this reaches the people directly. This is one of the most important features and benefits of federations.

**At the National Level:**

- 176. The government commits to quickly achieve and implement the law of trading in, owning, and carrying weapons. The trade and ownership of medium sized, heavy, and silenced weaponry must be prohibited.
- 177. The government commits to end wars and tribal vendettas by benefitting from the experience of the south in this matter.
- 178. The government works to establish a fund for natural disasters.
- 179. The government works to create job descriptions for all positions in the government, while determining the responsibilities and specialties of each position. This should all be done in accordance to international work standards.
- 180. Employees the legislative, executive, and judicial authorities should submit financial disclosures to the Supreme National Anti-Corruption Commission. This should include property they owns and liabilities, including that of their spouses and children. They should be subject to questioning on the sources of their unjustified income.
- 181. Restructuring all of the financial and economic agencies and institutions in the government in accordance with the decentralization strategy to achieve a government with distributed power and resources to all levels.

182. The government commits to creating an economic policy that aims to:
  - a. Strengthen Yemen's international economic capacity and develop the national economy.
  - b. Strengthen production in other non-oil economic sectors.
  - c. Achieve just and balanced development in allocating internal and external resources for development between the sectors and areas, and the economy and society, whether private or public. This should ensure sustainable and comprehensive development.
  - d. Providing work opportunities, limiting poverty, and developing the infrastructure and services while bettering the living standards of citizens and increasing their national economic abilities.
183. Strengthening the societal role in development at the local and federal levels in the fields of creating development plans, implementing them, supervising official performance, especially in protecting the environment, natural resources, and consumers, creating civil society organizations and independent youth in the Comprehensive National Dialogue Conference, with participation and supervision over the implementation of the outputs of the National Dialogue.
184. No group is allowed to lower the salaries of workers from foreign firms, whether internally or externally. They are also not allowed to take any of their rights, or undertake any action that would harm them or their interests.
185. The government commits to creating a management program in the academic and technical institutions that is based on the principles of equal opportunities, democracy, and the work of leadership centers in them.
186. The government creates a strategy for small level production, and encouraging productive families.
187. Returning the nationalized agencies that were taken by force to their owners.
188. The strategy of the government in the field of agriculture and water is based on building dams and establishing agricultural markets.
189. The government works on a mining strategy in all of its types, taking into consideration that it is a natural resource in the country.

**Cultural Development:**

1. Working to put in place a comprehensive cultural plan for Yemen that is based on reconnecting with national heritage, and ensures the right of cultural diversity. This plan should be based on the principles of freedom, democracy, diversity, justice, and equality, and that culture is a basic right of citizens. This plan should aim to create a national culture that is developed and renewable, and is able to create positive effects in the different aspects of development.
2. Taking advantage of social democratic, political, and journalistic dialogue that is public and raises the issues of a culture of dialogue, coexistence, forgiveness, and diversity. It should also strengthen the principles of right, goodness, and beauty as humanitarian principles that are

essential in life. This dialogue should also work to combat the culture of declaring others traitors, infidels, and sectarian and regional violence and hatred. All laws and regulations that enforce this should be passed.

3. Adopting and including cultural development in the national plans and strategies, and ensuring the independence of the programs for cultural development. A sufficient amount of funding should be given from the budget to meet the needs of the development programs in the field of culture.
4. Issuing legislation that ensures and guarantees the growth and thriving of cultural innovation, and supports and protects innovators in all different cultural fields.
5. Establishing a law of creative content, which ensures the protection of ideas, literature, writings, and inventions. There should be work to create legislation and regulations that give dignified living to artists, innovators, researchers, and workers in culture and arts, as well as the different fields of innovation and cultural production.
6. Deleting any laws that limit the rights of authors, and creating texts that are in accordance with the constitution and international legislation in the field of media. The absence of any texts that limit freedoms of expression should be ensured.
7. The government works to increase concern with Aden radio and television, while recording the complete archives into electronic storage along with its technical and cultural feats. Aden TV and radio should also be given all necessary modern tools to participate in its resurgence.
8. Issuing legislation and systems that provide a source of founding and an encouraging environment for scientific research and the research centers. Shared research between the different institutions in the public and private sectors should be encouraged, as well as research in universities and research centers.
9. Policies should be made that give special importance to the field of translation so that the most important achievements in science, civilization, and the humanities can be transferred from foreign languages to Arabic, and vice versa.
10. Issuing laws and approving a strategy and policies that lead to the development of scientific, organizational, and technological education. New generations should be prepared with the needed skills to control the tools that they will need to participate in a knowledge base society.
11. Care for culture related to social groups like women, children, youth, the marginalized, emigrants, and those with special needs. They should be provided with different methods of development and improvement, which includes the importance of giving them a suitable legislative environment, as well as financial and moral support of different kinds.
12. Giving children's culture priority by establishing libraries for children, as well as theaters, expos, and publishing cultural periodicals. All different facilities that contribute to their personal development should be provided.
13. The government works to encourage the building and establishment of cultural and technical working groups and institutions that are professional or amateur. Any initiatives should be

encourage if they work in developing culture and supporting partnership within society to ensure the development of the people.

14. The government commits to provide the organizational framework, infrastructure, and nurturing activities as well as the financial backing necessary to support and develop theaters, cinema, music, national folklore, arts, and calligraphy. Special need should be given to the national song and musical heritage, and work should be spent in establishing a college of arts in the different governorates.
15. Creating policies that provide appropriate financing to expand the establishing of general offices and centers for culture. These centers should be established in rural areas and cities, and should work to increase technological advances in the fields of information, communication, and the different fields of culture.
16. Enacting the cultural role of the educational institutions, including schools, institutes, colleges, and universities. Special importance should be given to all methods of spreading knowledge and culture, and through libraries, cultural and innovative expos, festivals, and cultural displays.
17. Creating strategies and policies that lead the academic institutions (universities, institutes, research centers) to carry a role of linking between the knowledge economy and the private sector.
18. Implementing time bound policies to end illiteracy through creating comprehensive national programs and strategies for both urban and rural areas. Steps should be taken to reach this point. The act of liberating individuals and society from ignorance should be considered key to true freedom. These programs should not stop at just teaching reading and writing skills; they should focus more on continuing education for adult to enable them to participate in the economy, society, and politics. Importance should be given to ending technological illiteracy, as well as focusing on modern technology commensurate with its importance in our society.
19. Working to maximize benefit from information technology in archiving systems, documents, and information, in a way that makes them easy to retrieve and achieves total benefit from this system.
20. Issuing a law of incentives and support for production that uses culture and art in its process, as well as modern technology. This starts from traditional handicrafts and goes all the way to electronic production. Taxes and customs should be waived for these methods, and the same should be done for books and the returns from publishing them.
21. Issuing laws and approving plans and policies to protect, preserve, and maintain the recording and archiving of Yemeni culture. This includes sites, objects, scrolls, documents, oral traditions, and sciences. The government should work towards issuing laws and taking steps to ensure the improvement of handicrafts and traditional production, while encouraging skilled workers in these fields to increase their production. The produced goods should be marketed throughout the local markets, and exported to foreign markets.
22. Issuing laws and regulations to ensure that all necessary steps to provide sources of financing to make the City of Taiz capital of Yemeni culture, and provide the necessary infrastructure

(theaters, museums, public libraries, art institutions, cultural channels, book fairs, various festivals, cultural publishing, protection of oral and tangible heritage, and digging for ancient cultural artifacts are taken. These should be a sign of dynamic cultural development.

23. Take quick and firm steps to provide sources of financing sufficient to provide for the restoration of the cultural heritage in the cities of Zabid and Tarim. Negligence of these cities should be criminalized as well as negligence facing the Old City of Sana'a, the Aden Reservoirs, the Seerah Castle, and Shibam Hadramout.
24. Serious work to find and dig for old Yemeni artifacts and preserving and maintaining them from abuse, thieves, and smuggling. Ancient sites like historical cities, and castles should also be renovated and protected from desertification, and they should be prepared for agricultural investment.
25. Work to organize a comprehensive national campaign to collect historical artifacts from individuals and groups. The artifacts should be organized in museums and named. Effort should be made to retrieve stolen and smuggled artifacts and relics outside of Yemen.
26. Establishment of a Yemeni heritage fund for cultural development. The fund should be used for legislative, administrative, structural, financial, and oversight reforms that leads to better utilization of resources and increase activities in public culture in the country.
27. Creating a national strategy, policies, and procedures that lead to the development of the tourism sector and preserve the pillars of tourism in the country. It should attempt to optimize benefit from tourism by encouraging national, private, and individual initiatives and directing investment activity in this field while improving tourism products and services.

#### **Social Development:**

1. Changing the name of the Ministry of Social Affairs and Work to the Ministry of Social Development (suggestion).
2. Achieving just social development by creating a strategy and policies, issuing legislation, and implementing procedures that achieve social justice in a wide and comprehensive manner. This will create an effective partnership between the people and the general management, just distribution of resources which will end the class differences and remove social classes, and will strengthen the role of the government and its institutions while diminishing the role of non official organizations and entities that conflict with the supremacy of the law. It will give a major role to youth, women, and the marginalized as well as other forces in civil society (including political parties, institutions, unions, and civil society associations).
3. Employing cultural and social differences and political diversity in strengthening the national identity that brings everyone together. This will lead to overcoming individual and local identities by spreading a national democratic identity throughout the official and private media and in the educational curriculums. A national plan should be made that creates a dignified living standards for the people, as well as giving them human freedom.
4. Working to combat all types of social discrimination that is based on religion, sect, denomination, region, race, gender, color, job, class, or social or economic status by creating social policies that are just and implementing reforms and economic plans that are just and

continuous. Legislation should also be issued that includes the merging of the group that has been most marginalized, who are called “the Akhdam,” into society in order to achieve social equality and equal opportunities.

5. Issuing legislation and regulations that ensure the quality of education while improving the educational curriculums and making them meet the challenges of the times. They should include a culture of coexistence and plurality, the principles of work and production, and should combat the culture of extremism, hate, and negativity. It should also work towards training and preparing workers in the field of education and improving the abilities of educational management, and work to expand in the infrastructure of education and provide the necessary capabilities for the field.
6. Giving priority to providing new methods of teaching, like open and distance learning, continuous learning, short term and long-term study, and providing the specialties that are demanded by the development plans and the labor market. The past graduates should also be trained to meet the demands of development and the labor markets.
7. Constant and organized review that ensures organized development of the standards necessary to modernize the components of the educational process (the curriculums, the methods of teaching, preparing the workers, evaluating and measuring performance, educational oversight, educational methods, etc.). This should be done with the goal of achieving a very high quality educational process.
8. Reviewing the distribution of universities so that their locations are appropriate with the population, as well as the financial and human capabilities.
9. Running joint research between the universities and research centers to help face the challenges that the government runs into in lack of water resources, environmental pollution, benefitting from ocean resources, desalination of ocean water, Food Security, desertification, finding alternative sources of energy, and finding agricultural alternatives to Qat.
10. Taking the necessary steps and approving incentives that led to expanding the family incentives programs that take the children of poor families to schools.
11. Ensuring human rights of justice for the poor and those with limited incomes, enforcing the legal and financial commitments of the government and private sector, which will ensure a dignified life for poor families by creating a system of social welfare and by including the poor in development programs that help reduce the harms that they face. These programs will also work to help them create a more productive and economic lifestyle.
12. Fixing the causes of the structure of the phenomenon of poverty, and fixing the policies and strategies that combat poverty in the country by achieving balance in the distribution of resources in society, and increasing the spending allocated for on social services in the government budget.
13. Creating a national strategy that is comprehensive and works to create a real change towards a national productive economy by creating national projects that focus on large and medium scale production. This will achieve the required economic development and raise the production capabilities to higher levels. It will also force the private sector to create

production projects and not focus on services or marketing only, and it will encourage light production through legislation, laws, and oversight mechanisms that achieve that.

14. Creating a strategy of starting a group of development projects with a lot of targets in the framework of the yearly development plans of the government with the goal of limiting unemployment by creating work opportunities for the labor market. Special priority in these projects should be given to rural areas and smaller cities, which will increase the flow of those seeking jobs to these areas and provide incentives to move there.
15. Issuing the necessary legislation to achieve participation in the administration of the public, cooperative, and private sectors, and paying out a share of the profits as incentives to increase them. A plan should be put in place to phase out the foreign laborers in the country who have skills that are available nationally, except those with rare skills. Opportunities should be provided to gain technical and vocational experience by allowing foreigners who are working in Yemen train their counterparts in the labor force during the period after their contracts have finished. The right to create unions, associations, as well as work and vocational groups should be protected to ensure the strengthening of their role and that they will carry out their role in different fields. Their complete independence should be preserved, and the government should never interfere in their affairs.
16. Creating binding legislation for the public, private, and joint sectors that protect the rights of workers to get appropriate wages and compensations, as well as their right to get suitable holidays and vacations that are paid. The house of work should be determined in the law, as well as a fair retirement system and a unique health and social insurance system. Protection should be given against work dangers and risks, and workplace safety should be provided. This legislation should also clarify the relationship between the employee and the employees, as well as their rights and responsibilities. It should also protect the right of workers to take their grievances to courts if they are fired or harmed in any way, and it should also confirm the right of the justice system to return them to work if need be. It should also confirm that the justice system, with regards to workplace cases, should work quickly.
17. Creating a modern information system for the workers as a basis for determining the labor market and its components.
18. Creating a comprehensive development plan for the labor market and raising the capabilities. This applies to those who are employed or unemployed, and should be done by establishing institutes for vocational specialties, and to train the workers and raise their work skills. Public, joint, and private institutions should be made to create continuous training programs for their employees to help them gain new skills and experience to allow them to move from low production to the higher level of production that is needed, and makes the economy more competitive.
19. Creating laws and legislations that put a job structure for the agencies of government. These structures should be created according to clear and transparent standards and criteria that include job descriptions and work to redistributing the workforce according to sector within government facilities. This system should end duplicity of positions and jobs in the different administrative hierarchies.

20. Limiting the newly created public institutions and reviewing their missions and structure in order to correctly redistribute their tasks and develop their structure of specialties in order to remove conflicting jobs between them, and limit bureaucracy that comes from duplicity in job descriptions.
21. Working to take the steps necessary to strengthen the joint sector as an effective tool to embody the social partnership in development. A law specifically for this partnership should be issued and should contain international standards and address the dire need for this institution, while confirming its independence so that it can help in development and carry its role.
22. Strict adherence to rotation of work positions, and this should be mandated by law.
23. Strengthening the competence and transparency in the budget department through a program of policies and financial reform, without wasting the resources for social development.
24. Tying increases in employee salaries for government workers to inflation rates and the rising rate of living, and issuing a law that determines the minimum wages and salaries so that the minimum is not less than the average expenses living expenses for a family.
25. Reforming the tax system and enacting it so that taxes play their role in adding to the resources of the budget, as well as being an economic, political, and social tool that is used effectively in redistributing the wealth and income and achieving social welfare. It should also ensure dignified living standards of the people by approving increased taxes at higher levels, and putting limits on spending with the needs of development and combating poverty. The direct and indirect taxes on foodstuffs and basic consumer goods should also be limited, and a high percentage of tax income should be allocated to improving social services like health and education. It should also strengthen the social welfare system, and the health insurance system. Legislation should be issued and steps taken to end tax and customs evasion.
26. Work towards constant development of the activities of cooperative agricultural, productive, and consumer groups by providing incentives and subsidies for their activities in order to enable them to carry out a more effective role in providing social services and welfare.
27. Raising the living standards of the population living in rural and poverty stricken areas by improving their economic incomes.
28. Creating research centers that specialize in grain and field income, the wildlife and marine resources, and alternatives to Qat. They will be supported as long as their programs are tied to reaching the goals of production, and solving the current problems that hinder agricultural development. They can also develop new production systems, and contribute in raising total production levels, and open doors for investment in different agricultural levels. This will help in achieving a large amount of self-sustenance, nutritional stability, and social solidarity.
29. Creating policies that help limit the weakness of marketing policies and the lack of competence of customs procedures. This should reach the achievement of the goals of increasing the components of agricultural production, trade, and competition of agricultural products in Yemen and regionally.

30. Increasing the centers for motherhood and childhood and providing them with the necessary capabilities so that they can provide their services to women and children in rural areas, and giving areas that have not had these services a priority in this. A policy that leads to organizing reproduction and clarifying the benefits of social, economic, health, and reproductive health of this problem, as well as its effect on families, individuals, and society.

31. Taking quick and effective steps to measure the complete performance at different levels of the financial and funding system, as well as the organizational and legislative structure of the insurance and social welfare and retirement organizations, whether they are public or private. The capabilities of these organizations should be increased, and it should be confirmed that they are completing the tasks that they are assigned to do. The effectiveness of their policies with regards to the needs of their beneficiaries should also be looked into, and their base in the long-term should be expanded. Internal requirements should be created to help them grow and develop, as a result of their clear strategies and good organizational and administrative structure. Their commitment to subjectivity and integrity, as well as aiming for the good of its beneficiaries, should be seen as follows:

- a. Expanding the social welfare and work system to increase competence as well as groups and funds - public and private related to them. Their funds should be efficiently used, and the right of employees and workers when changing from one job to another should be preserved. Legislation should be issued that achieves this goal.
- b. Constant development and modernization of the social welfare network is needed. It should be linked to a wider range of social policies in government so that its program becomes a part of a complete social vision within a wider social and economic framework. This should be done to ensure its effectiveness with regards to combating poverty and the lack of equality in society, as well as the importance of tying the benefits received from these programs by poor families to better their health and educational status.
- c. Complete adherence to transparency, effectiveness and subjectivity, as well as complete coverage of social welfare programs to ensure justice in the financial benefits and that they are given to deserving parties.
- d. Creating a just system for the retirement of workers in the public, private, and joint sectors, as well as entrepreneurs. The age of retirement should be determined, and the administrative and financial performance of the retirement funds should be improved so that the money of the retirees are invested and increased without losing value over time. There should be work to periodically reform and update the regulations and laws regarding retirement so that they are able to meet the needs and demands of its beneficiaries.
- e. Working to expand the role of social welfare and guidance and develop it. Nursing homes and retiree clubs should be improved, especially in the basic services that they provide, and the elderly should be able to use and invest their time positively in the service of society.

32. Depending when issuing important economic, political, social, and other decisions on previously done studies about the effects of the decisions.
33. Supporting scientific institutions that give decisions makers in the government research, studies, and reports that aim to develop the management, and create economic, social, cultural, scientific, educational, and health improvements.
34. True implementation of the ideal of partnership between the public and private sectors and removing the damaged image of the role of the private sector in solving the problems of poverty, unemployment, and increasing production and domestic product.
35. Allocating a sufficient amount of funds for small and medium sized institutions, and funding credit for exports through commercial banks. The financial loan law should also be enacted.
36. Creating a mid-term strategic plan to explore mineral resources and extract them, as they are a resource that the government can use to increase their income and spending on development projects to raise income levels.
37. That government officials who are responsible for economic matters be competent in their fields and have the necessary abilities and experience to innovate when solving economic problems and creating economic booms.
38. Taking great care of the social dimension of development and increasing popular participation in overseeing the performance of government agencies in this field. An environment that is morally, financially, and legislatively supportive of this enables disregarded groups, like women, the youth, those with special needs, and the marginalized to effectively participate in the development process.
39. Creating a group of legislations that take social and political steps to ensure legal, humanitarian, health, and social protection for children, through the following:
  - a. Comprehensive protection and nurturing, and making sure that they are not exploited for any reason whatsoever. Children should never be subjected to violence and abuse, or anything that will harm their well being, health, and education.
  - b. That they are released if they detained or jailed, except for those over the age of 18, and that their punishments work in a way that aims to reform them and should be proportionate to their ages. They should have a lawyer to defend them in all phases and procedures of their trials.
  - c. That they are not recruited or drafted in the armies or used in armed conflicts, and that they enjoy protection during times of armed conflict, disasters, and states of emergency.
  - d. That the first priority is given to children's best interests in all things relating to childhood.
  - e. Children are those who are under the age of 18.
40. Prioritizing youth and working to create sport festivals, boy scouts, and camps for youth activities. These should be held in all different parts of the country to create a spirit of

competitiveness and use the energy of the youth to innovate and coordinate their work. These programs should use any and all capabilities to develop society and its groups.

41. Taking care of the cases of emigrants and providing them with the necessary protection to allow them to overcome any difficulties that they face in countries that they have immigrated to and during their return to Yemen. They should be given a priority in the field of investment, and should be helped in presenting the necessary studies that will point them towards investing in better projects.
42. Issuing a law for the family that protects the humanitarian and social laws for women and protects them from all kinds of discrimination, violence, and inhumane treatment. It should also include the human rights of children and youth and protect them from abuse from parents or society. In many cases, this leads to them having problems in their personalities, and do not end up contributing to society as much as they could have. The law mentioned above should also include texts that protect the right of women in inheritance and choosing a life partner, as well as providing humanitarian, moral, and financial support, as well as compensation, to divorced and widowed women. This includes enough to end the phenomenon of very expensive dowries.
43. Creating residence projects for those with limited income that enable them to pay off their houses through easy installments over ten years, minimum, and at low interest rates.
44. Creating a comprehensive plan for the main and small cities on the basis of meeting the needs for cities in the coming decade. This is with regards to streets, squares, residence buildings, gardens, service facilities, and others. Random building on unzoned lands around major and minor cities should not be allowed until the lands have been zoned and planned, and all services are provided and the real estate record is organized and developed.
45. Preserving the natural, human, and architectural environment, and making sure during development to not allow anything to limit the supplies of natural building materials for future generations. It is also important to create natural preserves for trees in general, and especially those that are rare, as well has rare animals and birds or those that are threatened with extinction.
46. Issuing legislation that criminalizes materials that pollute the environment and prohibit coal stations and factories near residential areas. This legislation will ensure that the companies and factors are forced to provide compensation for those living near them, as well as Obligate them to participate in providing infrastructure, including roads, lighting, and other things.
47. Working to find and develop alternative sources of water, like water treatment on the coasts and increasing renewable sources of water. Legislation should be made to prohibit waste of the groundwater reserves, as well as random digging of wells. Factory, company, and workshop owners should clean chemical runoff that they cause to ensure the right of every citizen to get clean water at sufficient quantities for drinking and household use, and at appropriate prices.
48. The government works to end the phenomenon of beggary through social and legal solutions, by rehabilitating beggars and creating work opportunities for them.

49. Taking a number of procedures to deal with Qat as an economic and social phenomenon, including, for example:

- a. Enforce the farming of other plants other than Qat, and every farmer cannot plant more Qat than nutritional crops. This will allow farmers to farm Qat, but will force them to grow strategically important crops as well.
- b. Enforce criteria for the marketing and selling of Qat, including: giving Qat dealers licenses to sell it, specifying areas for its sale, running random searches on the product that is being sold and checking for pesticides and other chemicals in its production, Obligate farmers and clean and wash Qat before it is sold on the market, and having oversight agencies follow the implementation of these procedures and enforcing punishments in the case of any law being broken, especially the health code.
- c. Creating a tax system to collect tax income from Qat in a more effective way, and that a part of this income be allocated to encourage agricultural development program like planting vegetables, fruits, and cotton.
- d. Consider Qat importation from neighboring countries (Ethiopia, for example), where competition might lead to price reduction of locally produced Qat, especially since Qat cheaper there than in Yemen. Qat there is also known for not having any pesticides, which is a positive point for the health of Qat users.
- e. The government should work to encourage drip irrigation for Qat.
- f. Creating a communication method between international and regional organizations (like the Food and Agriculture Organization, the World Health Organization, and the United Nations) in order to have them participate in funding studies and programs related to Qat.

#### **Political Development:**

1. Building and strengthening the basis of political development in a framework of true partnership between the institutions of the government and groups in society. A model should be created to show modern civil society that is open, coexists among its different parts, and is all one part of a whole that participates in public life.
2. Deepening the basis of political development and civil life by creating a group of legislation and laws, as well as the guaranteeing mechanisms, and ensuring the achievement of this.
3. Bringing back the subject of civil education in the curriculums and making it a basic subject that must be studied at the elementary, middle, and high school levels in public schools with the goal of raising a new generation with the principles of citizenship, equality, respect for system, work, production, forgiveness, coexistence, plurality, brotherhood, and the right to have different opinions.
4. Taking the necessary steps to ensure the end all racist, regional, and sectarian abuses and face the calls for sectarian violence. This should be done through legislation that criminalizes and increase punishment for any group or individual who participates in any way through action

speech. There should also be an end to all types of violence and abuse of human rights and international law, and work to end all armed conflicts in the country.

5. Implementing the law organizing the ownership and carrying of personal weapons.
6. Working to remove military bases from cities, as well as heavy arms, and working to remove any heavy arms owned by the different armed groups and confiscate them for the government. Accurate and strict steps should be taken to increase trust in the security apparatus of the government.
7. Reviewing and evaluating the legislative system and national laws and regulations for judicial oversight, and making sure that they meet the principles set forth by the international agreements and treaties relating to human rights that were ratified by our country.
8. Issuing the necessary laws to end the committing of any abuse of public freedoms, and ensuring that Yemen is a suitable environment for the development of laws, regulations, and practices that ensure individual and group freedoms during practice of political rights.
9. Issuing a transitional justice law and taking the necessary institutional steps and procedures to implement it.
10. Reforming the election legislations by issuing laws and regulations that ensure that and reflect the national accord by showing the new social contract that is a result of the Comprehensive National Dialogue Conference. An electronic election record should be prepared, and it must be transparent and accurate. Elections should be held under the laws of the new constitution, and the oversight and supervision of the election should be done by local and international groups, and show oversee all election activities at all levels.
11. Creating criteria for the appointing high government officials (the Prime Minister, his deputies, governors, agency and institution heads), and it should be based on competence, experience, and ability to manage the affairs of the country, as well as integrity and prioritizing public good.
12. Creating executive laws in the constitution that determine the number of terms and term lengths in high positions of government, including the President of the Republic, the head of the government, ministers of independent ministries, etc.
13. Legislating a supervision mechanism (parliamentary, judicial, media, and rights), as well as popular supervision to ensure that the practices and actions of government are in accordance with the constitution, and criteria should be created to punish those who break the law.
14. Enacting laws relating to the work of civil society organizations, charitable organizations, and missionary organizations, and Obligate them to work in accordance with the principles of transparency and clarity in front of the people, as well as being completely accountable for all of their work and activities.
15. Issuing a law and organizational regulations, as well as more efforts, in order to institute good governance and ensuring that the government combats corruption and takes all necessary steps in this field.

16. Working to take a national stance on foreign policy that focuses on the fundamentals of international law and shared interests that are just, and preserve national sovereignty.

**Health:**

1. Redirecting finances towards investment in the field of health services in areas that need it the most, especially poor rural areas. Effective steps need to be taken to improve the health insurance system and expand the free programs for children and the poor.
2. Adopting media policies that aim to increase awareness about the dangers of malnutrition of children in Yemen, and the reasons affecting that, especially incorrect traditional practices regarding alternatives to natural breastfeeding. There should be a greater focus on the thousand day window in the lives of children, from pregnancy until they reach two years old, considering that natural breastfeeding is a very important factor in limiting malnutrition.
3. Adopting zoned plans on the level of the government, in cooperation with the sponsors, civil society, and the private sector, to face the problem of malnutrition and its harms.
4. Enforcing strict supervision on imported alternatives to natural breastfeeding and their marketing in Yemeni markets, and creating a penalty for those who break this law.
5. Directing finances to the field of improving the water resources and preserving them from waste and random well drilling, and improving the water networks and sewage systems in poor and rural areas.
6. Taking steps in order to improve prevention of diseases, especially those relating to pollution in the water, like cholera. This can be done by purifying the contaminated waters and supporting appropriate cleanliness practices, and providing soap and household treatment materials. These materials can be given to the families that are most at risk of any danger (the displaced, the poor, and those in rural areas).
7. Adopting legislative solutions to ensure the implementation of the national strategy to combat cancer, as well as government policies, programs, and financing that is need to implement these policies and programs.
8. Putting anti-cancer campaigns among the priorities in the plans, as it affects a wide group of productive people in society, and they do not have easy access to its medicine because of its exorbitant prices.
9. Strengthening the partnership in fighting cancer and implementing its strategies with the related groups, like the health, education, youth, agriculture, production, and environmental sectors.
10. Increasing the principle of social participation with civil society organizations in order to improve the quality of services provided.
11. Combating harmful traditions that are considered one of the main causes of cancer in the general and individual environment of Yemen.
12. Making sure those organizations in the field of cancer research and fighting are being run through sound management schemes that have digital information systems.

13. Preparing a number of medical cadres in the field, and using the principle of multi-disciplinary working groups to provide the needed health insurance to this cadre because of the dangers that they face due to waves and other things.
14. Raising the six components in the fight against cancer to equal levels to ensure prevention, create a cancer record for early discovery, taking care of the patient, moral support, and research and studies.
15. Encouraging investment in cancer prevention, early discovery, and moral support.
16. Creating strict regulations regarding tobacco, Qat, and pesticides, and enforcing a percentage of profits on all of these materials to treat the negative effects and sickness like cancer and environmental pollution.
17. Waiving taxes on vaccinations and customs to ensure that they are stored according to international standards.
18. Increasing the finances allocated to vaccination programs, in accordance with the institutional work that is provided by the program on all levels.
19. Supporting and providing the necessary capabilities to provide complete service at all health centers to ensure that the service reaches those it targets, and to incentivize society to get to these centers and get vaccinated.
20. Mandating the vaccination of all children and linking the vaccination record to the enrollment and studying in schools.
21. Increasing social participation from all classes in support of activities and services of vaccination, and creating a link between society and the providers of these services.
22. Approving a law of checkups before marriage for hereditary disease to investigate that both partners do not have contagious or heredity diseases that will affect their children's lives or abilities.
23. Establishing centers to provide care, treatment, and prevention service for people thalassemia and hereditary blood diseases.
24. Committing the necessary resources to achieve the health policies and programs in raising awareness about family planning and safe motherhood, and strengthening the public facilities that provide reproductive health services to ensure the best possible services are given. The abilities of the workers in this field should be rebuilt, especially the family cadres, to cover the needs of the women in rural and marginalized areas.
25. Ensuring the complete coordination between the different related sectors in the field of reproductive health, and ensuring their effective participation in creating, following up on, and creating national policies in this field. The necessary funds and efforts should be aimed at improving these services and ensuring their efficacy.
26. Taking all necessary steps in order to develop a program in the field of prevention of harms caused by environmental pollution and combating them, as well as taking the necessary steps in order for the media to play a constructive and effective role in disease prevention and health

instruction, especially on the subjects of children's health and nutrition, the benefits of natural breastfeeding, prevention of accidents and harms of second hand smoke for children, the harms of Qat and its negative effective of children, the harms of alternatives to natural breastfeeding and their marketing.

27. Taking all necessary steps in order to support prevention of inheriting the AIDS virus, and taking the necessary steps with the goal of improving the health awareness and education regarding this virus for the general population, especially children.
28. Taking all appropriate steps in order to avoid early pregnancy and provide appropriate information, programs, and instructions to raise awareness in society about the dangers of early pregnancy to the women and the child.
29. Quickly adopted legislative texts that criminalize harmful health practices like female genital mutilation, and creating a board of doctors and health workers to oversee the practice of such customs, and increasing awareness in society about the dangers of this phenomenon. The most effective methods of getting the message across should be used, and religious reasons should be used to try to stop it.
30. Creating a program to train workers in the field of child and mother health to prepare them to achieve the principles and goals that embody the right of all children and mothers to receive the highest level of health care possible. There should be a system to record and follow up the various programs and policies for this reason, and it should be created in cooperation with the specialized entities and related groups and organizations.
31. Prohibiting the use of banned nutrition for children and their marketing in any way, unless they are recorded and have received the necessary licensing. Then they should be taken in the way that is advertised by the proper authorities, and that is done in accordance with the criteria and procedures that are issued by decisions from the proper authorities.
32. Creating legislation that mandates that everyone remove medical waste and throw them in separate areas so that they do not harm patients, medical employees, doctors, or specialists. Hospitals must create a place for this waste to be burnt, and it must meet all standards for safe disposal of the waste so that no contagions are spread.
33. Including medical waste management in the curriculums of medical schools and institutes.
34. Developing and providing literature of the methods and technology for dealing with dangerous hospital waste.
35. Working to strengthen personal health and its importance to general health by creating the appropriate infrastructure for mental health services to be provided in hospitals in the major cities, the capitals of the governorates, and throughout the country. The necessary funding should be provided for mental health services, and the cadres working in this field should be trained.
36. Prioritizing and focusing on mental health programs for children and youth, and a personal health program in schools.
37. Taking the appropriate steps in order to strengthen school health services so that it can play its role in disease prevention and health guidance so it can benefit both males and females equally.

38. Ensuring the provision of effective and safe medications of high quality to citizens, and ensuring their safety and ease of getting these medicines on a continuous basis. The procedures of buying and recording the quality of these medicines should be organized and carried out throughout the factories where these medicines are made, where they are distributed, and where they are stored. Their prices and usage should be regulated, and the government should provide funds and supplies, spare parts, the system for purchasing, distributing, storing, and maintaining them.
39. The commitment of pharmacies to provide all basic medications.
40. Establishing an independent committee for nutrition and medicine that is tasked with legal and legislative roles that are clear.
41. Working to ensure the provision of preventative health care and treatment, and raising the areas that are covered by basic health care services. This should be done through supporting and developing the framework of providing these health services at the different levels, and according to high standards of quality. The services should also be provided at appropriate costs at the different levels, and should meet the health needs of the people and gain their satisfaction.
42. Developing, managing, and organizing the human resources in the medical field in order to raise their level of performance and their satisfaction with their careers. An encouraging and attractive work environment should be created to achieve career stability by raising salaries and incentives, while including rural and remote areas (which should be a priority in this aspect). This is done to ensure that the level of quality of medical services is raised, as is the level of satisfaction of the beneficiaries of these programs.
43. Preparing a clear strategic vision for development of the human resources in the medical fields and the medical schools, public or private, and developing the educational and training plan and continuing to train the technical and administrative cadres in accordance with the needs of society.
44. Allocating a percentage for enrollment in medical education institutions in the rural and remote areas, while taking into account a just distribution between males and females.
45. Implementing the mandatory rural service for new graduates, while providing the necessary incentives for that.
46. Ending duplicate positions between the public and private sectors.
47. Having a more equal distribution of the health cadre in all areas according to the needs, with a focus on remote areas. The necessary incentives should be provided to the workers.
48. Working to ensure the provision of correct medical information and improving them, while increasing their value and use at the right time while ensuring their accuracy. This should be done by developing a simplified health information system that is unified and is able to provide correct and accurate information at the right time to help in making the correct decisions. It will also help in increasing organizational development in the health field for investment in this system.
49. Creating and developing a single record for licensing for medical careers. This should be done in cooperation with the related groups in order to build the ability to create a strategy for the health care cadres and their numbers and specialties. This will also help achieve equality between the

genders as well as in the distribution of the employees between the different areas, and it will decrease conflict between the related groups and increase coordination and clearer roles.

50. Establishing an entity to develop and increase the quality of the services provided by medical facilities, and giving certificates through programs and standards that ensure high quality services.
51. Creating legislation and laws that protect patients and try medical malpractice, and compensate the patients who were harmed.
52. The government commits to being prepared to face natural disasters, epidemics, and states of emergency.
53. Issuing legislation and laws that prohibit smoking in public areas and regulate the sale and production of cigarettes. The sale of cigarettes to underage children should also be prohibited.
54. The government protects children and youth from the dangers of using drugs, and it takes strict steps against drug dealers.
55. The outputs of the National health Strategy for 2010-2025 that were issued by the Ministry of Health and Residence in 2009 are adopted.
56. Establishing an independent entity to evaluate the quality of health services and running scientific research and studies about how to develop the performance of the different health care institutions.

**Education and Human Development:**

1. Every citizen has the right to an education that meets international quality standards.
2. All educational institutions, public, private, or otherwise, adhere to the national educational plan and its goals.
3. Approving electronic education at all levels, and employing information and communication technology to benefit from the successful experiences in this field.
4. The government commits to supporting literacy drives and adult education.
5. Continuously improving and developing all of the components of the educational system according to international standards in education quality.
6. Encouraging scientific research and developing the mechanisms of expanding its fields in order to contribute to development and raising the scientific and economic level in the country.
7. The government commits to the education and care for children and youth in order to ensure their continued and comprehensive personal development in all aspects, including their personality, behavior, culture, social skills, and body.
8. The government adheres to caring for those with special health, educational, economic, and social needs, and providing work opportunities for them. It will also raise the social culture towards them, and prepare public facilities that meet their needs.
9. Expanding practical sciences in order to ensure that all of the needs of society are met.

10. Expanding technical education and vocational training while developing its programs and methods to meet the needs of the national and international labor markets.
11. Improving the performance of universities and academic colleges in order to ensure the implementation of quality standards and academic approval, and expanding the number of specialized universities being established in order to meet the demands of development.
12. Encouraging the private sector to provide all types and levels of education according to the standards of quality, and ensuring that their educational output and the necessary grants.
13. Focusing on finding competent teachers, and working on training and incentivizing them while raising their living standards and providing them with a suitable environment to better their production, and enable them to develop their performance in the educational process.
14. Developing the school administration systems and develop professional criteria to ensure the required competence in school management.
15. Preparing continuous plans and programs to train teachers.
16. The government commits to organizing the standards, criteria, and procedures for acceptance into higher education institutions.
17. Establishing a national database to tie scientific research to the services and productions fields.
18. Creating a retirement plan for teachers and professors in order to ensure that they can be of benefit after they retire.
19. Establishing a unified database between all of the central and branch educational institutions.
20. Creating legislation that protects the rights of researchers, inventors, and innovators.
21. Increasing the participation of the national and foreign private sectors in creating educational and training policies with government agencies, and opening the door, without limitations, to the national and foreign private sectors to invest in the fields of education and training.
22. Creating a vision for educational and vocational training institutions in order to allow them to improve the quality of their work, and increasing their role in bettering society.
23. Encouraging the private sector to participate in scientific research.
24. Restructuring institutions of technical education and dividing the work there according to specialties. The fields of education should also be reviewed and reformed in accordance with the needs of development.
25. The government adopts a strategic plan to oversee the different educational systems in order to unify visions regarding the outputs required of education in order to meet the current and future needs of development.
26. Ensuring the participation of the private sector and civil society organizations with the government in creating a strategy to implement general programs, and providing the infrastructure for education.
27. Approving modern methods in teaching science.

28. Creating a mechanism that ensures the achieving of a balance between technical and general education in order to meet all development and production needs.
29. Approving a literacy program as well as adult education in the government's social and development plans. There should also be a program to combat poverty and linking it to work, and all of this should be done in the general educational curriculums.
30. Enacting educational reforms that lead to strengthening all of the aspects of the system and reaching a stage of comprehensive and sustainable national development that is in accordance with the changes in technology, and accommodates them.
31. Enacting the joint programs with international partners, and opening the door for more cooperation through a national program with international partners.
32. Developing the educational environment to meet the needs for quantity and quality during the coming period through:
  - a. Providing the required technical supplies in the school environment, and using information and communication technology. These technologies should be merged into the educational process, and learning through computer programs and other sources of education should be expanded.
  - b. Developing educational buildings and facilities and building new ones, and providing the necessary curriculums and tools for them to be built. This will enable them to accommodate and accept increasing numbers of students at all levels of education.
  - c. Using school map techniques to distribute educational services.
  - d. Improving the safety precautions in schools and educational facilities.
33. Building advanced educational curriculums that achieve the comprehensive development of students, and enable them to contribute to building their society through:
  - a. Linking educational goals with development goals, as well as their social and economic aspects.
  - b. Including the development of all aspects and groups that are in the educational system, starting with teachers, coordinators, the curriculum, the methods of teaching, evaluation methods, and focusing on continuous teaching methods.
  - c. Achieving pride in the students in their country and religion.
  - d. Linking education and development, and doing this through coordination between the programs and curriculums that are being taught in schools and universities.
  - e. Teaching students the thinking, analytical, communication, and other necessary skills that they will need in different social situations, as well as the skills for self and lifelong learning, as well as how to deal with information and knowledge.
  - f. Providing flexibility in the curriculum to deal with changes and advances in technology and information.

- g. Focusing on teaching the subjects that are important today (languages, sciences, math, technology, and computer skills), or teaching them in modern ways to make students who can be trained and hired and retrained. This will help prepare students for the information demands of the economy in the information age.
- h. Reiterating the importance of knowledge and its role, so that students realize the link between the experiences that they get in the classroom and labs and the practical applications and skills in their lives. The value of work and production should be strengthened in students.
- i. Confirming the development of scientific and logical innovation and thinking, and developing the skills and abilities for communication, critical thinking, problem solving, decision making. This means that rote memorization will be decreased substantially.
- j. Including in the educational curriculums texts about women's constitutional, social, and economic rights.

34. Increasing the specialized competence of the workers in the field of education in order to achieve the goals of a modern educational curriculum through:

- a. Developing the methods of educational and administrative training and planning, and implementing the plans in accordance to modern educational methods.
- b. Developing the training and evaluation program in the educational system.
- c. Periodic training of teachers every five years.
- d. Implementing periodic tests of the teachers' competence.
- e. Raising the percentage of teachers who have graduate educational certificates that are required by the system.
- f. Developing the incentives program in order to allow it to keep its exceptional educational components.

35. Providing unique activities for building a balanced character in students so that they serve their religion, their society, and their country. This should be done by:

- a. Instilling behavior according to Islamic and social principles in the students.
- b. Strengthening loyalty and patriotism to the country and governorates.
- c. Nurturing the principles of hard work and positive health, mental, personal, and social habits.
- d. Enabling all students to discover their skills and talents, and developing them.
- e. Helping students learn the necessary life skills to positively live in society.
- f. Enriching the theoretical and practical portions of the school subjects in all specialties.
- g. Preparing students for their roles as leaders in the march to build and develop the country.

- h. Providing recreational and educational chances and programs that aim to invest students' free time.

36. Improving the educational system inside and out, and raising the level of output for general education through:

- a. Managing general education on an economic level and striving to put the appropriate criteria to measure its returns. As the cost of education rises, and difficulties are faced in finding funding, then competence must be raised to end all instances of waste.
- b. Creating advanced exams and evaluations to record levels and implement them.
- c. Improving the levels of administrators that work in the educational field.
- d. Preparing students during high school to continue studying in college.
- e. Giving students the appropriate and need skills to enter the job market.
- f. Developing the methods and ways of teaching.
- g. Developing the methods of educational supervision in accordance with the goals of educational development.
- h. Creating behavioral regulations for students that includes their rights and responsibilities. This code of conduct should include descriptions of the various school infractions and the punishments that will be taken for each infraction at all levels in the educational system.
- i. Creating a policy of testing the second level of students in public education to enable them to overcome the school period with success, which will better the outputs of education.

37. Preparing children between the ages of 4 and 6 to join the education system by:

- a. Expanding the amount of children between 4 and 6 years old that can be accommodated.
- b. Updating the programs and activities for early childhood.
- c. Providing specialized caretakers in day care facilities to prepare the children for school.
- d. Developing the program and tools to measure the readiness of children in the age before school.
- e. Encouraging the private sector to invest in day care facilities.
- f. Developing programs to prepare teachers for day care.

38. Developing the educational administrative systems and their components, and changing the system to a decentralized one through:

- a. Improving the administrative procedures in the education system.
- b. Reengineering the structure and organization in order to allow the needed development in the field of education.

- c. Developing and improving the methods for choosing, appointing, and promoting employees according to their legal rights, job descriptions, and them meeting the minimum criteria for the job.
  - d. Raising the percentage of those who have graduate administrative diplomas in the educational system.
  - e. Giving more power to the branches and limiting centralization so that development is more local.
  - f. Developing the administrations of school to make them rely more on self-administration.
  - g. Establishing complete mechanisms for accountability and supervision.
  - h. Raising the level of educational administration in schools to develop their abilities and achieve change and modernization.
39. Raising the level of the talented student education systems, as well as the special needs and adult education systems through:
- a. Developing educational programs for gifted students in the fields of science and innovation.
  - b. Raising the level of special education to meet modern international methods.
  - c. Developing the educational programs for different disabilities.
  - d. Providing a suitable educational environment for students with special needs.
  - e. Increasing the career growth for teachers in order to achieve better education for students with special needs.
  - f. Increasing the participation of the private sector in providing education for special groups.
  - g. Achieving social participation in protecting the rights of children with special needs.
  - h. Providing educational TV channels to help those who are not enrolled in schools to learn.
  - i. Enabling adults to get educational services and literacy programs in the areas where they are most needed.
  - j. Improving the educational programs for teaching adults.
40. Implementing the programs and criteria of high quality in education through:
- a. Using quality systems and criteria in the field of education.
  - b. Implementing total quality evaluations for schools every five years.
  - c. Implementing the educational criteria to all charter schools.
  - d. Continuing in evaluating the education systems and updating them so that they are more in line with the needs of society and development.

- e. Achieving international levels for students in scientific and vocational education.
41. Expanding social participation in education through:
- a. Choosing social figures in the programs of the Ministry of Education.
  - b. Horizontal expansion in charter schools.
  - c. Increasing the participation of parents and social groups that have influence in the development of education.
  - d. Using modern technological systems to increase communication between the schools and social organizations.
42. It is prohibited for more than one educational union to be established.
43. The government commits to encourage and support girls in rural areas to join specialized institutes and universities at a rate of not less than 10% of all students.
44. Establishing a unique agency to ensure the quality of education and academic approval. This agency must be independent and has its own influence and importance. It is under the Cabinet, and has offices in the governorates. It aims to ensure the quality of education and its continuous development by spreading awareness about the culture of quality and coordinating with educational institutions in order to make sure that they have received all of the criteria and fundamentals for development and evaluation. This agency will use international criteria and total evaluation of educational institutions and their programs according to strict and approved standards for each level and each type of institution.
45. Reviewing the institutions of higher education and colleges, including their goals and job positions, what their output is like, their meeting the goals of development, and also from the aspect of preparing the future political leadership and workforce.
46. The appointing of college deans and their deputies, deans of individual colleges and scientific centers and their deputies, as well as the heads of scientific departments in colleges is done according to an election system where the candidate has to fit the professional criteria. Other things that should be taken into account are his Yemeni citizenship, their educational and academic title, scientific and work experience, their education level and competence in educational administration, their service to the university that they are applying to, the scientific and academic activities that they were a part of, their conduct and social reputation, and the lack of a judicial conviction. A mechanism for elections that is clear and accurate is then put in place after it is agreed up by the Union of Yemeni Universities and other related groups.
47. Increasing relationships between universities and production companies to give opportunities to train as students in a work environment, and in this way the private sector contributes to the educational system.
48. Making sure universities, and research centers and institutions focus on running practical research that meets the needs of the production institutions, and putting in place a comprehensive long term strategy for practical studies.

49. Developing the programs and curriculums in universities, and modernizing the programs that are required by development as well as the changes in and needs of the market.
50. That there is acceptance in the institutes of higher learning and universities to meet the needs of the development plans, and prepare the human resources and developing them.
51. Focusing on practical and technical higher education to prepare technicians of the first and third level.
52. Benefiting from the experiences of advanced developed countries, and in a way that is appropriate for our environment.
53. Focusing on environmental and resource sciences, and increasing the raising of awareness so that students have the ability to deal with the environment.
54. Creating the regulations for Yemeni universities.
55. Providing a legal project that organizes the academic, financial, and administrative aspects of private and continuing education during the coming six months, and presenting it to the council.
56. The importance of giving government universities complete financial and administrative independence.
57. Improving the salaries of the teachers to the extent where they can carry out their academic and scientific tasks at the required level. There should be a project for salary structure for teachers and their assistants, and it should be comparable to salaries for teachers in neighboring countries (the GCC) in agreement with the High Commission for Yemeni Universities and the Professors' and Assistants' in Yemeni Universities Union.
58. The universities provide comprehensive health insurance to their teachers, assistants, and families (spouse, children, parents), and working to give them medical treatment wherever needed. The health coverage budget should be added to the university's yearly budget.
59. The importance of universities carrying their responsibilities in the fields of scientific research, and creating research policies in the field of developing and improving society.
60. Public colleges begin looking for internal funding in accordance with the current constitution and laws.
61. The Ministry of Education should give Yemeni universities copies of the results of the high school exams as soon as they are finished.
62. Reviewing the criteria for accepting student teachers in education colleges so that the criteria are changed to ensure the quality of the output of the education colleges. This should be done by raising the diploma necessary for acceptance from a high school diploma to the same that is required by the colleges of medicine and engineering. The Ministry of Education should also present a file with all of the work and behavior of the applicant to be tested in the college of education. There will also be an interview with a licensed psychiatrist to check if the applicant is suitable for the job.

63. Universities should adhere to criteria of appointing and promoting its teaching staff and assistants according to the law and current regulations, and anyone who does not will be tried in a court of law.
64. Reviewing the university centers and their performance in accordance with the needs of the university and society.
65. The importance of having enough cash reserves for academic development, participation in scientific conferences, and training for the professors and administrative cadre of the university. These opportunities should be distributed equally.
66. Approving a higher education strategy that reviews the state of higher education and work and restructures universities to meet the demands of development.
67. The importance of studying the state of higher education in government universities and ranking those states and preparing them in accordance with the finances and capabilities to serve the goals of national development.
68. The importance of periodic review of the academic curriculum and developing that curriculum to keep up with scientific advances in the world, in addition to completing all of the buildings, labs, and workshops for the colleges of medicine, engineering, and science.
69. Making universities stop random appointments that do not take into account the departments and experts.
70. Completion of unfinished projects that were being implemented according to the investment project of the government and the contracts from the contractors. It is important that they are audited and looked at carefully when they get the tenders, and it is also important to make sure that the contractors who get the job are chosen carefully.
71. Renovation and maintenance of current buildings in government universities, especially those which have not been renovated in a long time.
72. Obligate the government, represented by the Ministry of Finance, to declare the university's budget immediately after parliament ratification of the budget. The Government should release the final budget during the first month of the New Year.
73. The true capital of the country is its human resource that shall be the objective of development.
74. Providing a healthy environment for children and ensuring appropriate nutrition so that they can grow without any problems.
75. Preparing families to create a family environment for learning and innovation in the different fields of life, and to ensure an increase in social participation.
76. Preparing modern programs for guidance and raising awareness of students to choose appropriate majors, and encouraging them to choose majors that meet the needs of the national and international labor markets.
77. Developing the training mechanism for youth and children in different fields, and making it meet the needs of development.

78. Creating a partnership between the private and public sectors to train individuals and workers, and meet the needs of the labor market.
79. Studying the market and knowing the needs for workers and working to provide them.
80. Organizing families to lower population growth and encourage development.
81. The government provides vocational training to women and the disabled.
82. The government commits to integrating women in the different rural development programs with the goal of raising the living standard of women and families and enabling them to get the necessary funding for production projects, and easing the flow of information necessary for agriculture and animal production in order to enable them to carry out their roles in developing Yemen.

#### **Annexes**

**Annex 1: The Names of the Members of the Working Group**

**Annex 2: The Plan of the Working Group**

**Annex 3: the Working Group's Report submitted to the Second Plenary Session**

**Annex 4: Signatures of the Members of the Working Group On the Final Report**

**Annex 5: Any Other annexure**

## **Section Two: Statements from the Comprehensive National Dialogue Conference**

### **Statement issued on the Comprehensive National Dialogue Conference, 7 January 2014**

The Comprehensive National Dialogue Conference unanimously confirm the following points:

1. The outputs of the conference and all its documents which will form the determinants of the Constitution cannot conflict with the Gulf Initiative, its executive mechanism and general principles or with the Security Council resolutions 2014 and 2051.
2. The outputs of the conference and all its documents will not establish any divisions or sectarianism threatening Yemen's unity, security and stability, and it will ensure a comprehensive and just solution to the issue of the South within the framework of a unified state on a federal and democratic basis in accordance with the principles of justice, law and equal citizenship.
3. The outputs of the conference and all its documents all aim at addressing the grievances of the victims of all political conflicts, within the limits of the possibilities of transitional justice and national reconciliation.
4. The new constitution should include definitive texts preserving the unity of Yemen and the identity of its lands and people, preventing any claims that prejudice them.
5. The conference considers this statement a document of the National Dialogue Conference.

### **Statement of the Second Plenary Meeting**

In a spirit of national responsibility and deep concern for the success of the National Dialogue Conference and its outputs, the second plenary session was held between 8-30 June , 2013, with all political and social components participating, whom have reviewed and read reports from all conference working groups, annotating them and enriching them. Over nearly 70 days the working groups have worked and through extensive discussions, in the spirit of compromise, they reached positive results in spite of all differences. In this session, the conference reached a mid-point, thereby ending the diagnostic phase and leading into the most important stages of the dialogue conference which will result in the guidelines that will establish the parameters of a new Yemen.

The first phase of the dialogue conference was distinct in the bridges of communication being built between the posts and participants from all political and social components [of Yemen], thereby achieving a convergence of views in the public interest.

During the work of the working groups and the second plenary, more than 200 observers visited from within and outside Yemen. Also, more than 100 national and international experts were present offering their experience and expertise to the benefit of the participants in the theses and discourse outputs of the various working groups.

The stage was also characterized by targeted community outreach and positive messages send back and forth between the dialogue conference and the general public via field visits and various means of communication including direct contact through civil society organisations, tents, ambassadors and the website and social media pages for the dialogue as well as other media.

Also provided were the various reports by the working groups field teams that reflect the needs and views of those individuals and institutions that were met, that were absorbed into the working groups outcomes during this stage and also in future stages... It was also key to address the repeated interruptions in electricity due to acts of deliberate sabotage and achieve security and stability, and reduce militarized aspects of security and disorder and make perpetrators accountable.

The need for strict implementation of the resolutions of the conference and the 20 points drafted by the Technical Preparations Committee for the NDC and the 11 points of the Working Group on the Southern Issue in the conference, because of its impact on the success of our dialogue conference outputs.

Working groups have absorbed observations from the second plenary session on some of its findings and recommendations, and synchronized when versions have been modified to approve the results of the work that is agreed to be final until the southern issue, sa'adah and statebuilding working groups decide to finalize.

Chapter II: 277 Conference data will be the final vote on the outputs of the comprehensive national dialogue conference at the closing session of the conference.

First: Team South issue:

The team reach a consensual vision on the roots of the case and the content of the southern political dimensions, legal, human rights, economic, social and cultural (Attachment No. 1)

Secondly, the issue of Saada team:

The team reach a consensual vision on the root cause of Saada various dimensions (Attachment No. 2).

Third, state-building team:

It provided the political components visions about state-building

### **Statement of the First Plenary Meeting**

[Summarizes the process of the NDC up until the first plenary meeting: 4 pages in Outcomes document.]

### **Section Three: Criteria of the Constitutional Drafting Committee**

## **Section Four: Guarantees of Outcomes of the Comprehensive National Dialogue Conference**

### **Introduction**

The Gulf Initiative and its Implementation Mechanism as well as Security Council resolutions 2014 and 2051 required the implementation of a package of tasks and entitlements to ensure the creation of a process of change desired and agreed upon by Yemenis, on top of that a solution for the South issue; a fair solution that ensures the security, stability and unity of Yemen.

Accordingly, the following document reflects the awareness and commitment of the political and social constituencies which participated in the Comprehensive National Dialogue Conference (NDC) on the need to complete the tasks contained in the Gulf Initiative and its Implementation Mechanism, which started with the signing of the Initiative and ends in general elections.

The completion of the tasks and entitlements of the Gulf Initiative and its Implementation Mechanism constitutes the foremost guarantee for the success of the NDC and its transformation into a tangible reality to be felt by all Yemenis.

This document also contains mainly specific guarantees which were the subject of consensus between the participants in the NDC for the implementation of the outcomes of the Conference.

### **Principles**

Based on the visions by the political and social constituencies in the NDC on political and social guarantees, a consensus was reached on the following set of principles:

1. **A Broad National Partnership:** Based on the principle of (partners in laying the foundations, partners in implementation).
2. **Consensus:** The political transition was based on consensus, thus consensus shall be the norm up to the organization of general elections.
3. **Good Governance:** The most important condition for this stage is the principle of establishing a system of good governance as a governing framework for all Institutions and bodies guarantors of the implementation of the outcomes of the NDC.
4. **On-going Review:** On-going review and evaluation of progress to accomplish the tasks for each stage to ensure that they are implemented as intended.

5. **Real Change:** A change with an impact reflected in the political process and on the lives of citizens in a realistic and concrete form.
6. The political process shall people people-centred for meeting the aspirations and goals of the people: Increase the level of confidence of the citizen in the transitional process and encouragement of the people in ensure their participation in the political process, especially in the South.
7. Commitment of the parties involved in NDC to seriously work for the implementation of the outcomes of the Conference in their policies, activities and different events.
8. The official media institutions and parties involved in the NDC shall commit to a constructive, positive and supportive media discourse on the political process in general and on the outcomes of the Conference in particular.
9. Adoption of the guarantees contained in the reports of the working groups and outcomes of NDC.
10. The continued support of the international community to the political process in Yemen and the development needs are crucial to ensure stability of the situation and completion of arrangements for the organization of the referendum on the constitution and elections thereafter.

## **Required Executive Tasks Required for the Preparation for the Referendum and Elections.**

The following tasks shall be implemented within a specific timetable for a period not to exceed one year from the closing of the NDC.

### **First Milestone: Referendum on the Constitution**

#### **a. Procedural tasks package**

- Establishment of the Constitution Drafting Commission.
- Completion of the Electoral Registry.
- Drafting of the Constitution.
- Oversight over the drafting of the Constitution and the adoption of the draft.
- Preparations for the referendum on the Constitution by the current Supreme Committee for Elections and Referendums.
- Referendum on the Constitution.

#### **b. Package of Tasks to for Public Mobilization**

- Completion of the implementation of the 20+11 points.
- Intensification of the awareness campaigns :
  - During the constitution drafting period, members of the NDC shall be assigned to implement a field community awareness program on the outcomes of the NDC; considering that they are the main torch bearers and have an in-depth understanding and faith on the outcomes.
  - Awareness and media campaigns on the outcomes shall be carried out by media outlets, organizations, foundations and institutions.
- Clear legal and administrative instructions shall be given to the public prosecutor, the police departments, prisons and security forces to act in accordance with the law and international standards, and for the release of those who are in illegal detention.
- Work to end all armed conflicts.
- Completion of the process of returning the armed forces and other military formations to their camps, end to signs of militarization in public in the capital city of Sana'a and other cities and evacuation of militias, armed groups and irregular formations from the city of Sana'a and other cities.
- Adoption of necessary steps, in consultation with all other stakeholders, to ensure a cessation of all forms of violence and violations of the International Humanitarian Law, disengagement between the armed forces, armed formations, militias and other armed groups, ensuring that they are returned to their barracks and guarantee of freedom of movement for everyone in all parts of the country , protection of civilians and other necessary measures to achieve security, stability and the extension of state control .
- Completion of removal of roadblocks, checkpoints and fortifications created in all governorates.
- Complete of actions for the restructuring the army and security forces.
- Take steps designed to achieve transitional justice and national reconciliation and necessary measures to ensure that no violations of human rights and the International Humanitarian Law are not repeated in the future (Passage of the Transitional Justice law in accordance with the outcomes of the NDC).
- Completion of the formation of the commission of enquiry into the 2011 violations.
- Release of the change revolution's youth and peaceful members of the peaceful Southern Movement who were arrested outside the law.
- Facilitate and secure the deliveries of humanitarian aid where needed.

## **Second Milestone: Constituting the State and Organization of Elections:**

The timeframe for the constituting period of the State's regional and federal authorities shall be determined. General elections shall be held in accordance with the provisions of the Constitution adopted in the referendum.

## **Legislative and Procedural Tasks to be Implemented:**

- Issuance of the Judiciary Law and the formation of the Constitutional Court.
- Issuance of the necessary legislations to pave the way for the transition from a unitary state to the Federal State structure in accordance with the new constitution , including:
  - Law of the regions.
  - Regional legislations.
  - Local Administration laws in the regions.
  - Laws to divide the regions to local units.
  - Civil Service Act to regulate the work of the State.
- Constituting the regions (Design of institutions and procedures required in the regions).
- Issuance of the new elections law in line with the new shape of the State.
- Formation of the Supreme Elections Commission.
- Preparation for the elections.
- Elections.
- Initiate legal and management instructions to all branches of the government sector to comply with standards of good governance, rule of law and respect for human rights that ensure reforms. These must be initiated in the following priority bodies: Civil Service, the Ministry of Finance, the Central Bank, the Central Control and Auditing Organization, the media, the Public Prosecutor, the Office of the Presidency, the Presidency of the Council of Ministers and local administration.

Any other legislation relevant to combating of corruption and rights and freedoms; such as the political parties law, CSO's law, anti-corruption law, the finance and financial disclosure law and the law on protection of the State ( these legislations should be given priority).

- Work to ensure that the government functions in an orderly fashion, including local administration in accordance with the principles of Good governance, rule of law, human rights, transparency and accountability.

- Initiate re-training for those who do not meet conditions of service in the armed forces and Security services.
- Any other action that would prevent the occurrence of an armed confrontation in Yemen.
- Take legal measures and any other mean for enhancing and protection of vulnerable groups, their rights; including children and the advancement of women.

## **Institutions Responsible for the Implementation of the Tasks at this Stage**

### **Ruling Executive and Legislative Institutions for the Transition:**

- The Presidential Institution
- The Government
- The legislative Institutions

**Consensus was reached on the following:**

#### **First: The presidential Institution.**

The elected Yemeni President derived legitimacy from the Yemeni people who went to the polls, in such a large turnout, to elect a new president for Yemen.

Based on the Gulf Initiative and its Implementation Mechanism, the executive mandate of the President ends at the time of the inauguration of elected president in accordance with the new Constitution.

#### **Second: Government**

The President of the Republic exercises his constitutional powers to achieve change in the government by ensuring competence, integrity and national partnership, as well as other executive agencies at the central level and the governorates to ensure national partnership and efficiency.

#### **Third:**

1. Expansion of the Shura Council to ensure representation of all constituencies and political and social actors who took part in the NDC. Representation shall be in the same percentages as that in the Conference to include youth, women and civil society, while ensuring 50% representation for the south.

2. Expansion of the Consensus Committee, which shall function as national body where all political and social actors which took part in the NDC shall be represented using the same ratios and the same criteria agreed upon in the NDC. Each constituency should have at least two seats. 50% should be given to the South, at least 30% to women and 20% for youth. Selection of representatives selection should take into account that those chosen have no other position in the cabinet, parliament or the Shura Council so that their other obligations do not hinder their performance in this national body which shall have the following functions:-
  - Supervision and follow-up on the implementation of the outcomes of the NDC.
  - Follow-up and supervision over the work of the Constitution Drafting Commission; review the draft constitution document and approve it before submission to the President of the Republic for the required constitutional actions for a referendum.

## **Chapter Three: Closing Statements**

### **First: An Overview**

The comprehensive National Dialogue Conference (NDC) provided a unique forum of its kind, and an unmatched political process which has no precedence in the history of Yemen neither the entire Arab region. As such, and for nearly a year, it became an all- inclusive national workshop where we studied the roots of all our problems and worked to verify their contents, and dimensions and we reached consensus on how to address them to create a participatory future that draws new foundations for a modern civil Yemeni state.

For the first time in the history of Yemen, we didn't engage in dialogue as authority and opposition, but we were meeting as representatives of all constituencies. We all got together in Sanaa beginning the eighteenth of March 2013 and continued until the sixteenth of January 2014. WE had always kept in mind the ultimate goal of supporting stability and the building of the new Federal Yemen on the basis of the principles of law, human rights and good governance, and to work on the established of sustainable development for all the Yemeni people.

Today, the Conference is a great testament to the capabilities of the Yemeni people in bringing about a peaceful political transition basing it on a proven legacy in the practice of democracy, as recorded by history in its most poignant pages. This would be the transition founded on a deep faith in comprehensive national partnership for building the new Yemen; a Yemen that is built upon the foundations of good governance, the peaceful transfer of power, consolidation of the role of the State and its institutions to foster the needs, interests and aspirations of the Yemeni people, while ensuring that these institutions are accountable to the people.

### **Second: Framework, structure and functioning of the Conference**

The Gulf Cooperation Council's initiative and its Implementation Mechanism, signed on November 23, 2011 provided that the President of the Republic and the National Reconciliation Government are responsible for organizing a comprehensive national Dialogue Conference involving all political actors, including youth, the Southern Movement, the Houthis and other political parties in addition to civil society and women. Security Council resolutions 2014 (issued in 2011) and 2051 (issued in 2012) were issued emphasizing the need for an inclusive political process led by Yemenis themselves to respond to the legitimate demands and aspirations of the Yemeni people for peaceful change and political, economic and social reforms.

According to Presidential Decree No. 13, dated May 6, 2012, a liaison committee was established to build bridges with all political parties, the youth, civil society and women in order to mobilize support and ensure their participation in the conference. After that, Presidential Decree No. 30 dated July 14, 2012 was issued to establish a technical committee for the preparations and organization of the Conference. This Committee commenced its activities on the sixth of August and continued until December 2012. The Committee embarked on designing a comprehensive process with wide representation of all regions and social groups in order to enable members of the Conference to engage in full participation within a free roofless atmosphere. The mechanism adopted provided for a 30:20:50 ratio of participation to represent the South, youth and women respectively. The Committee formulated the twenty points (attached) as a confidence building measure to create a positive atmosphere for the conference and to support the political transition process as a whole. The

report of the Conference emphasized the urgent need to complete full implementation of the twenty points in addition to the 11 points submitted by the Working Group on the Southern issue.

Later, Presidential Decree No. 5 was issued in January 18, 2013 establishing the General Secretariat for the NDC and designated the Secretary-General and two deputies. The General Secretariat would work as a technical organ to support the process run by the Presidium of the Conference. Presidential Decree No. 11 issued on March 16, 2013 adopted the Rules of Procedures, prepared by the Technical Committee to regulate the Dialogue Conference. The various political and social constituencies designated their representatives within the confines of the 565 membership of the Conference. Decree No. 11 was issued endorsing the names the members followed by members of the designation of the 9 members Premium of the Conference in decree No. 12.

The 565 members of the Conference came from all over the country, representing all segments and groups of society to participate actively in the discussions on the core issues that shape the future of the nation.

The conference opened on the eighteenth of March in a public plenary session during which members of the Conference performed the oath to follow the dictates of their conscience and to respect the bylaws of the conference. This was followed by a series of session in which Members of the Conference expressed their aims and hopes for the conference and the country, after which, members joined the nine thematic working groups defined by the Rules of procedures, namely:

- Working Group on the Southern Question
- Working Group on the Sa'adah Issue
- Working group on issues of National Dimension, National Reconciliation and Transitional Justice
- Working Group on State-Building
- Working Group on Good Governance
- Working Group on Building the Foundations and the Role of the Army and Security Agencies
- Working Group on Independent Bodies and Special Social and Environmental issues
- Working Group on Rights and Freedoms
- Working Group on Comprehensive, Integrated and Sustainable Development

After the distribution of member of the Conference to the working groups, each working group elected a chair, two deputies, and a rapporteur. It was decided that the chairs of the working groups should come from constituencies not represented in the presidium of the Conference. There was a condition that women and youth should be represented in the chairs of the working groups. The working groups started in earnest to develop their plans to include objectives of the group, mechanisms for implementation and to determine the roles of members of the group. Due to the large number of membership in the working groups, the groups tended to break into smaller sub-committees to facilitate and accelerate the work in the context based on issues being discussed by the group. From day one of their meetings, the General Secretariat provided the working groups highly qualified national facilitators who contributed to supporting the groups to accomplish their tasks.

On June 2, 2013 The Consensus Committee was set-up pursuant to Presidential Decree No. 41. The Committee was entrusted with the task of reconciling views of the working groups and within each group and coordination and harmonization of the Conference's outcomes, as well as interpretation of regulations of the Conference and monitoring the post-conference implementation of the outcomes.

The Conference attached great importance to the Principle of transparency making all documents and discussions in the conference accessible to the public. Intensive efforts to be reckoned with were made in the community outreach. 1578 visions, ideas and contributions were received from various groups and segments of society from all over the country. The working groups, represented by 219 members, made field visits to 18 governorates to get a firsthand look and to listen closely to the public.

Aware of the importance of community participation, the General Secretariat of the Conference encouraged organizations, community initiatives and government institutions to play a role which lead to the engagement of about two and a half million citizens in more than 3,500 event and discussion activity.

The media actively participated by broadcasting, through the various television networks, of more than 7,700 hours of coverage in addition to the publication of 2653 articles on the NDC in the printed press.

Working Groups were provided with more than 250 national and international experts who presented case studies, comparative experiences and best practices to support the deliberations of the working groups. 120 international observers flocked to the conference from Yemen and abroad in more than 300 visits to the NDC for closer observation of the proceedings of the Conference.

The open multi-dimensional and unique nature of the conference, as well as its seriousness, captured the hearts and minds of people. It became the most prominent political transition in terms of participation and transparency in the Arab region. The strong and sustained participation of the international community highlighted the keenness and concern for supporting a unified, peaceful and stable Yemen.

## **Course of Action**

The working groups met for more than 180 days (with the exception of the work "8 +8" mini committee on the Southern Question). The working group engaged in serious discussions which, often times were heated but were characterized by a desire shared by everyone to reaching a consensus. The working groups sought to diagnose the many challenges facing the country, including the recognition of injustice and grievances, particularly in the south, as well as to determine the guiding principles for the new constitution and for the formulation of policies. The outcomes of each working groups were presented and deliberated in three public plenary sessions.

The first public plenary meeting commenced on the eighteenth of March, 2013 and continued until the twenty-seventh of the same month. The second and midterm plenary convened on the eighth of June, 2013 and continued until the eighth of July, 2013. The third plenary (closing) started in earnest on the eighth of October and continued intermittently until the eleventh of January, 2014. The final session started on the sixteenth and continued until the twenty first of January, 2014.

**The following are highlights of what has been agreed upon, making-up the most prominent features for building the new Yemen.**

## **Third: A quick overview of the outcomes of the NDC**

For nearly a year, we have accomplished a great national feat. All the major national issues were placed on the table for study and discussion in an objective and rational manner. The target was to lay the ground for an optimal future and the creation of an environment that translates our ambitions and aspirations. Together, we drew the path that we will all tread on in partnership both on interests and common fate.

## A New Beginning

Today, Yemen is engaged in an unprecedented political transition in the region through a new structure for the state and consolidation of the pillars of a system of good governance and democracy, as well as establishment of the building blocks for sustainable development and partnership in wealth and power.

The Gulf initiative (GCC) signed on November 23, 2011, led to the transfer of power. It was widely welcomed and supported by the international community's. This was in itself an achievement since it presented a glimmer of hope and a favorable opportunity for change and the making of the future at the hands of Yemenis. This was reflected through the outcomes of NDC and through the decisive work shouldered by Technical Preparatory Committee.

The vision for the modern civil federal Yemeni state emerged out of the seriousness and sincerity in dealing with the many challenges that beset the people and the nation. It also emerged from the accurate diagnosis of the past and recognition of the mistakes committed; particularly abuse of power and corruption, which is became endemic in all joints of the state leaving behind inclusive suffering by all the people. This situation was and would have remained a vital process to make room for reparation for all the grievances, to achieve transitional justice, and to begin the process of national reconciliation. This in itself constitutes a milestone in the emancipation process from the past and an end to dragging the effects of the past to the future. In the core of this transition process sits a social contract produced by popular will through a participatory collective action. The will of the masses yearning to have a responsible, accountable, transparent and effective government, where everyone is equal before the law and responds to the needs, interests and aspirations of the People.

In order to restore the confidence of the people on the State, radical reforms in State institutions and an end to corruption and abuse of power will take root. This includes the building of a professional non-partisan, non-politicized, national security sector. It is also necessary that the rule of law and social justice should form the backbone of the new federal republic in Yemen; one that respects human rights, protects human dignity and achieves sustainable development.

The transfer of powers and responsibilities from the center to the new regional authorities will put an end to the monopoly of power, will ensure equitable distribution of wealth and brings the institutions of governance closer to local communities. In this context, the electoral legal frameworks will reflect representative democracy, popular choices and the inclusiveness of the transitional process, especially the active participation of representatives of women and youth sectors in the democratic system.

Taking into account the fact that Yemen is an ancient country with young people of diverse needs, interests and aspirations, a matter that simply require the creation of new structures and system of governance. We stand committed to building it as we are on the verge of embarking on the journey of construction and building.

## **Emancipation from the past**

The process of political transition that we are experiencing today is, in its core, a process of changing. The NDC had taken the responsibility of formulating the goals which everyone aims to achieve and the map that will guide the nation. On this basis, issues and challenges were diagnosed through collective determination using practical and objective mechanisms which enabled lively and active deliberations on ways and means of overcoming them and find appropriate solutions. The results are a collective commitment to ensure due reparation, including fair compensation, healing of past wounds and the establishment of a climate of trust between citizens with each other, and with public institutions and to reconfirm our determination not to repeat mistakes and wounds of the past.

We have pledged to find frameworks and processes to achieve these goals that will accomplish our full commitment to justice so as to liberate society and remove the heavy burdens placed on the shoulders of citizens and to liberate ourselves with them so to move forward toward our ultimate goal for social development and prosperity. The organizations and measures put in place, which were designed to suit the requirement of transitional justice, will strive to meet the needs as best as they can. At the same time, we also initiate the process of judicial reforms and the building and strengthening of institutions to ensure non-recurrence of grievances.

We cannot ignore the fact that many Yemenis have been martyred and fallen victims to extra-judicial killings and that forced disappearances, torture and assassinations have occurred; and that victims were killed as they were demonstrating peacefully, and land have been taken and looted, and that people who had been unlawfully dismissed from their jobs. We must remember that in order to correct the mistakes of the past, and to embark on a healthy relationship with the future.

It is our duty to be guided and enlightened by the principles and ideals of justice, including accountability and justice in rights and protection of such rights. We should avoid apathy towards abuses and serve the punishment whenever they occur. We also have to make sure we meet our international commitments and put them into practice; especially obligations that we have accepted willingly as a sovereign state and as a responsible member of the international community working for the benefit of its people first and foremost.

We didn't contend to put aside our difficult issues, rather than that we put them on top of the list of issues and we devoted the attention they deserved; especially the Southern Question, the flag of which was raised by the Peaceful Southern Movement. The Movement was founded in 2007 setting the finest examples of the kind of peaceful and civic activities that laid the ground for comprehensive change in the nation. We've reached an agreement to address the complex Southern Question. It provides a consensual and fair solution and paves the way for guarantees for fulfillment and implementation.

If those who have suffered more than others have distrust and doubts, then words should be followed with immediate actions and only then, would we regain the confidence and show the value and importance of the new path. On this respect, we must take steps; in fact we have done that already, to address the many legitimate grievances, especially those included in the 20-points and the 11-

points. At the same time, we have to renew our determination and sense of purpose in maintaining the unity of Yemen through new federal structures based on the empowerment of the new states and regions to manage their own affairs in line with their needs and interests.

Many violent and bloody wars have occurred since 2004 until 2010 in the Governorate of Sa'ada and surroundings which left thousands of people wounded and killed. Hundreds of thousands of civilians have been displaced. These wars have left behind vast destruction in the infrastructure and livelihoods of people; all that was the product of many factors including weakness of the State, failures of its institutions, weak development and foreign influences. For all of that, the new Yemen which we will build will be home to all of its citizens tolerant and based on rule of law. It will be based on addressing the grievances, restitution and reparations within the framework of transitional justice that would include compensation and national reconciliation.

Through the new institutions or those which would be reformed, all Yemenis would be able to safely return their homes without any restrictions. Real and effective solutions will be through building a strong state that embodies law and order, provides needed services, and ensures sustainable development for all citizens, guarantees rights and freedoms, builds a strong national army and where religious, political and intellectual rights are protected.

In 2011, Yemenis offered their finest youth as sacrifice on the path to achieve the desired change. This was the first spark that led to the peaceful transition of power. Now, we stand unanimous to work to accomplish the objectives they sought when they took to the streets and offered everything precious and dear to them.

The turning of pages of the past is a substantial and crucial pillar of the new social contract. It's an irreversible emancipation and there should be no fear from shortcomings of the past. It's a pillar that lays the ground for a rebirth of our people; for a stage where powers are not concentrated in the hands of the few in the center of the country; instead, power and responsibilities are to be entrusted to newly elected and democratic governments in the new region to bring them closer to the people who are the capital of Yemen. The principle of partnership will be reflected in its utmost beautiful forms and will return the natural resources to their natural place as a genuine inheritance for the Yemeni people to be divided among them on fair basis.

In the Federal Republic of Yemen, every citizen will enjoy equal rights irrespective of their place of birth, creed, place or gender based on the principle of equal citizenship, social justice and non-discrimination. We are charting a new path for ourselves based solidly on the principles of rule of law, a new federal constitution free from domination and monopoly and maintain the vital interests of the regions.

## A Modern Civil State

We must ensure full emancipation from the past by ending the centralization and abuse of power. Therefore, the new constitution will establish the ground for a federal state. The new constitution It

draw clear lines for the division of powers between the various levels of government starting with the region and the state in order to ensure broad popular, efficient and effective participation in the decision-making process to enable regional and local governments to perform their roles as specified in the Constitution. The Constitutional Court to be established will work to ensure the soundness of the interpretation of the Constitution and compliance in line with the principles of democracy and pluralism for the sake of building a broader base of support and confidence of the people of Yemen.

Yemen has been and will always remain an independent sovereign state. Its religion is Islam, Arabic its language and is an integral part of the Arab and Islamic nation; where all of its citizens are equal before the law without discrimination on the basis of gender, race, ethnic origin, color, religion, sect, belief, opinion or social status.

In order for the people to regain full confidence on the State, institutional guarantees will include independence of the judicial jurisdiction of the regions. The independence of the judiciary will undergo a process of re-building and accountability of all state employees to the highest levels; the neutrality of State institutions and professionalism of civil, judicial, military and security institutions.

We have agreed on clear and unambiguous standards for the elections and the election commissions to ensure that democracy reflects the will of the people; not just on paper, but on the ground in order to facilitate listening to the voice of the people and true representation and to ensure that the legitimate interests remain part of the public decision-making.

While we recognize and acknowledge the pivotal role played by women and youth in the revolution and in the Dialogue Conference, we emphasize the need for them to continue to play this role in the new Federal Yemen. Therefore, we will ensure that we promote their roles in the legislatures and in other governance structures.

The will of the people should be the guiding principle in the formulation of the new Constitution which will respond to their political, economic and social needs. Out of keenness to see this principle at play, we have developed clear criteria for members of the Constitutional Drafting Committee who would be express and stressed the need for the participation of the South, women and youth and to continue the same approach in structures and effectiveness laid down by the NDC.

## **A Strong State**

A strong, just and responsible State is the cornerstone in the transition process. The State will impose respect for the law and check their compliance with the law. This is the State that will work for its citizens... and will devote itself entirely to them.

Yemeni people are aspiring to see a transparent, accountable and participatory government which would be responsive to their needs and aspirations. This is the cornerstone of True democratic, effective and good governance. We are in need of a government that would operate at full capacity to steer the process of development to the right track in the country, facilitates economic growth and creates sustainable political and vital process at all levels, including at the local level.

The new Yemen will, through the new governance institutions of that will be built, will work to strengthen the capacity of local governments and establish the principle of accountability of officials.

We affirm that the concept of active civic participation will be promoted. All Yemenis will be called upon to play their roles without fear or shame and free from any favors.

Out of keenness to confront the rampant corruption in the country, corruption that wastes money desperately needed by public services, harms the safety of the people and undermines the sense of solidarity and trust, will subject government officials, political parties, civil society organizations and the media to standards of institutional and individual responsibility. This would be done to pave the way for human-centered sustainable development. We have set a legal framework to ensure transparency and accountability of government funding, including control over the government's use of funds to ensure that outlets of corruption are closed in all areas of the public sector.

In order to ensure equitable distribution of resources, the Constitution will provide for the broadening of the base of participation of all levels of control, at the regional level and local units in the supervision and control over companies operating in the extraction of natural resources.

We are fully aware that the absence of effective institutions of government allowed the penetration of narrow interests of the few to control and manipulate and even seize power to serve their goals and ends. For this, and in order to ensure the effectiveness of the government, that all of us will rely upon, we have deliberately established clear criteria for the creation of truly independent institutions that would be able to promote and ensure efficiency and accountability of government and dry up sources of corruption, especially in the field of oil and gas exploration.

Because the state is at the service of the public, we must act without delay in order to raise the standard of living of all Yemenis, and to ensure that all citizens enjoy right of access to basic public services and without discrimination. Regional and local institutions and political and administrative actions shall work to achieve the best response to the rights and needs of the citizens served by these institutions.

The Federal Republic of Yemen will be based on broad national partnership, representation of the regions and enable citizens to exercise their political rights and participation in governance. To this end, we have identified the guarantees for equal opportunities in employment through the civil service by fostering a transparent and competitive process.

The injustices endured by Yemenis have made necessary for the State to abide by its international obligations with respect to human rights obligations which it committed to voluntarily. Therefore, there is urgency for the establishment of an independent human rights commission to prevent abuses at all levels, to provide citizens with means for compensation and reparation and promote a culture of respect for human rights. Other independent bodies will foster care for youth, women, children and the elderly. The new Yemen, meanwhile, will regulates the use of personal weapons, criminalizes armed groups, and prohibits foreign entities from infringing on the sovereignty of Yemen or the exploitation of its resources. Tribal revenge issues will be address through the courts and through national mechanisms entrusted with the tackling these conflicts.

We have also reached important consensus to regulate the functioning of political parties, organizations and bodies in a manner that would ensure that they operate freely, in full transparency and responsibility.

## A Just Society

No wonder that justice is the basis of government and the foundation of the State. In this regard, we have pledged to ensure and guarantee free and dignified life for all Yemenis. This will undoubtedly represent the project for change and its essence. This was the reason for demands for dignity and equality which were the hallmark of the Yemeni struggle and was a fundamental pillar in the political transition process side by side with transitional justice and national reconciliation.

Further to this, the State is committed to ensure legal protection and guarantees the fundamental rights and freedoms of each individual, regardless of gender, color, ethnic origin or social affiliation, opinions, ideas or beliefs. Every Yemeni citizen should enjoy full rights and responsibilities that would allow progress for our society in fairness, peace and confidence towards development and prosperity. This is the essence of the new social contract for Yemen and the only guarantee to achieve full citizenship. It is the basis of equal authority of the law; therefore, we should all work for the application of international standards in this regard.

Guaranteeing respect for human rights and prevention of any form of discrimination is our collective responsibility. We have to pay special attention to the vulnerable and marginalized groups, including women, youth, children, the elderly and people with disabilities, the poor and minorities. Out of full awareness and recognizing the need to keep the holistic form of the transition process and the active participation of women and youth, we've found a quota of 30 percent representation of women in all state institutions and 20 per cent for youth to contribute to the management of the political, economic, social and cultural affairs of the State.

Citizens are looking forward to the establishment of a participatory and effective democratic system of governance. This would mean guaranteeing the rights of political participation, particularly the freedoms of thought, expression, assembly and association and the right to demonstrate. To ensure liberation from fear and poverty, The State will ensure social and economic rights as well, such as the right to own property, development and the right of establishment, employment and participation in trade unions, the right to enjoy a decent life, to enjoy the highest standards of health and education possible, as well as housing and the rights of the family.

We will also work to maintain and facilitate the development of our rich culture which defines our identity. We will celebrate our diversity and preserve our national heritage and our cultural rights, including the right to artistic expression and intellectual diversity, including the Mahari and Socotri languages.

The protection of human rights and human dignity is the cornerstone of this transition process for the sake of a new Yemen. This must become a reflection of our society and this is why it is of utmost importance in addressing and resolving all other outstanding issues. Over all, these rights and freedoms in Yemen contribute to ensuring Yemen which is fair socially and aims to achieve equal opportunities for all his children, unleashes their enormous human energies, which we are desperately in need of to tread towards a better tomorrow; one which we all aspire to.

## A Safe Society

There is no doubt that establishing the pillars of justice, fairness and equality, will lead to a coherent civil society. In this regard, honesty, integrity and social harmony is closely linked to the presence of an effective security sector which commands full confidence of Yemenis at all levels and in all areas and is governed by loyalty to God, legitimate State authority and no other, and a genuine commitment to the protection of Yemenis from all threats and risks.

The armed and security forces should be established to ensure the territorial integrity of the country and border protection from foreign interference or invasion. The police and judiciary and prison services shall work to contribute to the strengthening of internal stability.

The State shall apply basic principles for rebuilding the relationship of the military and security institution with the people so that these institutions will be the protective fence for interests, security and stability of the people. A new identity, culture and doctrine for the military will be formulated for all the military and security institutions, including the police, judiciary and prisons organizations. The State will work to tighten civilian control over the armed forces and security services and will ensure the formation of a professional non-partisan and non-politicized security sector which is subject to the law, accountability and respect for human rights and civil liberties through an alerted conscience. It would prohibit the assignment of the security services, the armed forces and intelligence services in favor of any political party, group or individual. Furthermore, it will determine the scope of powers and the roles and responsibilities of the intelligence organization in a clear manner and would carefully regulate its work by law to ensure respect for human rights and non-interference in governance.

In an effort to address the threats to internal and external security of the Federal Republic of Yemen, and for protection of its sovereignty, a national council for defense and security should be established to analysis risks and develops suitable structures and appropriate responses. Security services must be reformed (including the police) accordingly. Suitable structure the right combination and a suitable capacity should be created to deal with different requirements. More specifically, the police should be placed under suitable public administration at the regional and local levels and shall be subject to accountability. Similarly, the armed and security forces, intelligence services and border guards should be able to meet our numerous needs. In short, we have to contribute to regional peace and stability as dictated by our strategic geographical location in this world.

## **Prosperous Society**

When we enjoy our freedom fully in a fair environment and we reach social harmony and peace, we will then be able to pursue our economic and social development on a sustainable basis using our own resources and energies.

The Yemeni people have suffered from the scourge of the state's inability to provide even the most basic elements of infrastructure such as electricity and water, while the country is facing a raging crisis from food insecurity. We have entered into this transition process with great hope and aspiration that we will be able to provide our society and our future generations a decent and safe life and opportunities to realize their full potential and hopes. Therefore, we have developed a comprehensive agenda for the State to realize its promises of a new social contract, to promote economic, social, cultural, health and educational development. This includes programs to eradicate illiteracy and provide health care for all and enable the social security system which will facilitate equal opportunities and enrich the diversity of the individual's life in paths of their choice in full freedom and development. Thus, we would have achieved not only welfare for all citizens along national lines, but even contributed to the enrichment of the spiritual integrity of the Yemeni individual.

Yemen is facing many challenges that necessitate re-shaping of roles and responsibilities of the State, the private sector, civil society and every individual to confront these challenges and to maximize benefits from our resources while achieving sustainable development objectives. Here, however, we have to pay tribute to the pivotal role played by women in the transition process. The real measure of progress towards what we aspire to is to raise the level of interaction and participation of all sectors of society and; therefore, we must create conditions for the protection and empowerment of our vulnerable and marginalized groups as promising stakeholders in collective progress towards the broad horizons of the future.

## A New Yemen

We started this Conference with open minds and broad hopes. We all stated publicly with a unanimous voice, that we will perform our duties sincerely towards each other despite our differences. We thank God that we have fulfilled this promise by observing ethical conduct which will be established by our subsequent effort to transform words into actions. We no longer have time to waste.

At each stage that we have accomplished, we shall not forget to pay tribute to the support of our brothers in the Gulf Cooperation Council (GCC), its Secretary General, Dr. Abdul-latif Al-Zayanni, the Assistant United Nations Secretary-General and Special Adviser on Yemen, Dr. Jamal Benomar, his technical team and all our friends who have been great supporters as we walked the path of dialogue. We are thankful and appreciate their keenness and continued support. we also extend our thanks to diplomatic missions and embassies working in Yemen; those of brotherly countries led by the GCC and all other friendly missions.

Above all, we should not forget, to recognize that our work will only be judged by our fellow citizens and God before them. The judgment of God followed by our consciences will be our guide. They were the two best help in meeting our shared responsibilities, promising future and our common destiny - together and soon, God willing, we will complete our march toward a new Yemen.

The National Dialogue Conference has succeeded in bringing us together and reformulating an image for the future of the entire country based on a new vision for a modern, civil, democratic federal and effective State that will safeguard the foundations of a just, symbiotic and prosperous society for the benefit of all Yemenis. We have to free ourselves from our past and roll out our sleeves to build our new Yemen to be established on the basis of shared responsibility, common heritage, diverse resources - granted us to by the Almighty the most Merciful, lead by human beings who have creative energy and absolute faith as well as hard work in collective action towards our future and the future of generations to come. This is our social contract ... This is the promise.

## **Chapter Four: Annexes**

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