

Yemen Realising the Rights of Persons with Disabilities

3 December 2022 – International Day of Persons with Disability



INTRODUCTION

In many countries, persons with disabilities are among the "forgotten" peoples in society, who face legal and societal discrimination, and at best are recipients of benevolence or charity. Provision and accessibility of healthcare, education, social support or employment opportunities for persons with disabilities are typically at the bottom of governments priorities. And those in rural areas, especially women and girls, can experience even more acute deprivation. Attention to intellectual and psychosocial disabilities barely registers.

In Yemen, the current armed conflict has vividly exposed the bleakness and stark inequalities with which persons with disabilities live.

This report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Yemen aims to highlight challenges to realising the rights of persons with disabilities in Yemen, advance the agenda, and proposes recommendations on the way forward.

Context

Since March 2015, when the conflict in Yemen expanded significantly with the participation of external actors, OHCHR has documented close to almost 8,500 civilian deaths, including over 2,000 children, and thousands more civilians injured.

Yemen's protracted conflict and sharp economic decline have pushed public institutions and services to the breaking point, and created enormous humanitarian needs. Yemen has been declared by the United Nations as the world's largest humanitarian crisis, with over four million persons internally displaced.

With the conflict, the situation has worsened for all Yemenis. It is estimated that the war has damaged a third of schools and almost half of health facilities and housing. Restrictions on air travels

for years prevented Yemenis from receiving urgent medical treatment available only abroad. The conflict has also decimated whatever government social safety nets existed to provide medical and social services and cash transfers.

Its impact on those most at risk of human rights violations, including girls, women, internally displaced persons, refugees, migrants, persons with disabilities, minorities and persons in detention, among others, has been exacerbated.

For persons with disabilities, in particular, those living amidst, or attempting to flee violence, conflict worsens existing living conditions. It also leads to newly acquired impairments, such as through injuries from the high contamination of landmines and unexploded ordnance, as well as trauma from violence and disruption of life.

Since 2020, the COVID-19 pandemic has added to the misery.

According to the human rights-based approach, effective governance is characterized by participation, inclusion, accountability of public officials, and attention to the dignity of those particularly at risk of human rights violations. For the Government of Yemen and the de facto authority, Ansar Allah, there is an even greater imperative, in these difficult times, to focus those limited efforts and resources on those especially at-risk, in line with the 'Leave No One Behind' principle of the 2030 Agenda for Sustainable Development.

LEGAL FRAMEWORK

The measure of enjoyment of human rights by persons with disabilities in Yemen correlates with how closely Yemeni laws, policies and programmes adhere to international standards. Persons with disabilities include persons with long-term physical, mental, intellectual or sensory impairments who face barriers which may hinder their full and effective participation in society on

an equal basis with others (art. 1 CRPD). Non-discrimination, protection of civil and political rights and economic social and cultural rights are at the core of international human rights obligations. International standards entail accessibility to the physical environment, to transportation, to information and communication and the concept of reasonable accommodation (i.e. necessary modifications and adjustments to, for example, the physical environment, access to information, technology, community services, and procedures to ensure persons with disabilities can enjoy on an equal basis all human rights).

The research was carried out by OHCHR Yemen. Between November 2019 and October 2021, it conducted visits to 15 governorates most affected by the conflict, including Amanat al-Asimah, Aden, Ta'izz, Dhale'e, Hudaydah, Lahj, Ma'rib, Hajjah, Amran, Dhamar, Ibb, Sa'dah, Abyan, Jawf and Shabwah. It included interviews with over 224 persons with disabilities, in 21 IDP camp and non-camp settings; more than 25 representatives of local and international non-governmental organizations; and at least 38 interviews with staff of IDP camps, the Handicap Care and Relief Fund, local offices of Ministries of Social Affairs and Labour and Human Rights, the Executive Unit for IDPs Camps, and other local actors concerned with IDPs. Stakeholders' consultations were also held in Aden in December 2021, and in Sana'a in November 2022 to discuss the draft report.

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International human rights law

Yemen is a party to seven of the nine core international human rights treaties, including the following with particular attention to persons with disabilities:

- Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol to the Convention were ratified by Yemen on 26 March 2009. CRPD introduced the concepts of universal design and reasonable accommodation. Eight guiding principles underpin the CRPD: respect for inherent dignity; individual autonomy; independence of persons; non-discrimination; full and effective participation and inclusion in society; respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; equality of opportunity; accessibility; equality between men and women; respect for the evolving capacities of children with disabilities; and respect for the right of children with disabilities to preserve their identities.

Article 11 of the CRPD upholds obligations of States parties under international law, including international humanitarian law and international human rights law concerning persons with disabilities during situations of risk and humanitarian emergencies. It calls upon States parties to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters.

- Convention on the Rights of the Child (CRC) was ratified by Yemen on 1 May 1991.
- International Covenant on Economic, Social and Cultural Rights (ICESCR) was ratified by Yemen on 9 February 1987.
- International Covenant on Civil and Political Rights (ICCPR) was ratified by Yemen on 9 February 1987.
- Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) was ratified by Yemen on 30 May 1984.

International humanitarian law

The Government of Yemen and non-state armed actors, such as Ansar Allah, have obligations under

International humanitarian law to ensure unimpeded humanitarian relief to all civilians in need, and priority in the implementation of humanitarian relief includes persons with disabilities.

- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction was ratified by Yemen on 1 September 1998. The Convention includes provisions on "the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs", article 6(3).

International commitment to inclusive humanitarian action

In 2019, the first ever resolution on persons with disabilities was adopted by the Security Council, it focused on persons with disabilities in humanitarian contexts. Security Council Resolution 2475 (2019), based on the CRPD, called on Member States to enable the meaningful participation and representation of persons with disabilities, including their representative organizations, in humanitarian action, conflict prevention, resolution, reconciliation, reconstruction and peacebuilding, and called for states to implement the CRPD. It urged States to take all appropriate measures to eliminate discrimination and marginalization of persons on the basis of disability in situations of armed conflict.

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National legal framework

The rights of persons with disabilities as equal citizens are preserved in the Yemeni Constitution. Article 41 of the Yemeni Constitution declares that all citizens are “equal in rights and duties”. Article 56 provides that “the State shall guarantee social security for all citizens in cases of illness, disability, unemployment, old age or the loss of support. The State shall especially guarantee this, according to the law, for the families of those killed in war.” And yet the laws that should underpin this guarantee are a patchwork of weak rules, which in some cases reinforces discrimination.

Discrimination against persons with disabilities was identified as a concern by United Nations human rights treaty bodies:

- Discrimination of persons with disabilities, in particular women and girls, in education and employment (E/C.12/YEM/CO/2, paras. 12, 29);
- The conflict has exacerbated the precarious situation of women and girls with disabilities due to the stoppage of basic services and forced displacement without required support (para. 47, CEDAW/C/YEM/CO/7-8); and
- Discriminatory provisions against children with disabilities in the Nationality Act No. 6 of 1990 (para. 39, CRC/C/YEM/CO/4; para. 33, CEDAW/C/YEM/CO/7-8)

Yemen has not made any legislative amendments since joining the CRPD on 26 March 2009. Nor has it submitted its initial report, overdue for over 10 years.

	Law	Contents
Employment	Civil Service Law No. 19 of 1991	Introduced a 5% quota for the public employment of persons with disabilities, and penalties for employment-related discrimination; introduced a variety of measures to facilitate the education of persons with disabilities.
	Labour Law No. 5 of 1995	Reaffirmed a 5% quota for the employment of people with disabilities, and provision for training.
Social rights	Council of Ministers Decree No. 147 of 1990	Established a National Plan for the Care and Rehabilitation of Persons with Disabilities.
	Council of Ministers Decree No. 150 of 1990	Established 9 December as National Day for Persons with Disabilities.
	Council of Ministers Decree No. 152 of 1990	Introduced study of care and rehabilitation of persons with disabilities in curricula of Sana'a and Aden universities.
	Presidential Decree No. 5 of 1991	Established the Supreme National Committee for the Care of Disabled Persons, which drives the formulation of national policies and programs aiming at caring and rehabilitating persons with disabilities, as well as, coordinating the work for providing care and rehabilitation services.
	Law No. 31 of 1996	Established the Social Welfare Fund, and identified persons with disabilities among at-risk groups eligible to receive unconditional pensions.
	Law No. 10 of 1997	Established the Social Fund for Development (SFD), tasked to align national social and economic development plans for poverty reduction.
	Law No. 61 of 1999, on the Care and Rehabilitation of Persons with Disabilities	Guaranteed persons with disabilities with the right to health care, employment, higher education and rehabilitation services and accessibility of public buildings.
	Minister of Education Decree No. 407 of 1999	Guaranteed education for all persons with disabilities and exempted them from tuition fees.
	Law No. 2 of 2002	Replaced Decree No. 5 of 1991; established the Handicap Care and Relief Fund (HCRF); funded by donors, duties, and taxes on airline tickets, cigarettes, cinema tickets, among other things; created to commission projects on rehabilitation services, and initiatives to improve accessibility of education and employment, including vocational training; and provision of health and education services, and assistive devices, and a source of funding of government centres and non-governmental organizations working with people with disabilities.
Child rights	Law No. 13 of 2002, on Elections	The law discriminates against persons with visual impairments as it requires candidates to complete applications in writing in-person to check their reading and writing proficiency (e.g. art. 57).
	Nationality Act No. 6 of 1990	Article 4(b) is a discriminatory provision which required that a child of foreign parents who has habitually resided in Yemen must be free of impairments that render him a burden on society.
Accessibility	Law No. 45 of 2002, on the rights of the child	Included nine articles on children with disabilities, providing access to social, mental, medical (e.g. provision of free prosthetics), and professional services.
	Law No. 19 of 2002, on construction	Did not contain provisions to guarantee accessibility, restrooms or parking for persons with disabilities.

The 2014 National Dialogue Conference Outcome document, in which Yemeni disability human rights defenders contributed, contained a number of references for improved community services and support to persons with disabilities, including establishing a national authority for persons with disabilities.

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In Yemen the enjoyment of human rights of persons with disabilities before the conflict was not a priority. Discrimination was experienced across the entire spectrum of economic, social, cultural, civil and political rights. In law and practice in Yemen, persons with disabilities did not enjoy legal capacity on an equal basis with others, were not included in decision-making processes, there was no accountability for violations and abuses against them, there was no recognition for their value, contributions in society, nor regard to their dignity in terms of prioritisation of assistance. The war deepened this situation.

Yemen has long been a party to the key international human rights treaties, which have elaborated the human rights of persons with disabilities and the obligations of authorities to realise them. Indeed, Yemen and its civil society have robustly participated in crafting them.

Yet today there are no measures to ensure inclusive participation of persons with disabilities on an equal basis with others, especially in matters that affect their lives; in private or public life; in education, health, employment, peace or other public decision-making processes.

The outdated medical and charity approaches to disability persist where the State and society are noble benefactors and persons with disabilities are passive recipients of "care" or services without agency or recognized as full citizens. This model has informed legislation, and State response, in general.

Persons with disabilities are subject to stigma, isolation and subject to entrenched discriminatory attitudes in society, from where they are ostracized.

In Yemen, disability rights, at least until 2015, meant the State, mainly through civil society, provided persons with disabilities with services and cash for a dignified life: medical care, rehabilitation, vocational training, assistive devices, education, and employment quota in the public sector. Since 2015 these services were suspended because of the conflict,

NATIONAL ASSISTANCE FRAMEWORK

The Ministry of Social Affairs and Labour historically holds responsibility concerning persons with disabilities. Since 2002 national assistance to persons with disabilities was primarily entrusted to the Handicap Care and Rehabilitation Fund (HCRF). Established by Law No. 2 of 2002, the Fund commissioned projects for rehabilitation services, and initiatives to improve accessibility of education, employment, including vocational training, infrastructure, and sports, and institutional capacity-building. It provided health and education services, assistive devices, and cash grants; and was a source of funding of government centres and non-governmental organizations working with people with disabilities. The Fund was financed by duties, and taxes on airline tickets, telecoms, and cement and cigarettes, among other sources.

The HCRF was the vehicle to realise the State's disability policy, and with a relatively sizeable budget sought to implement its mandate through civil society service providers via a funding facility. The system effectively created a dependency on handouts by civil society service providers to beneficiaries. It served to engender the welfare model in Yemeni society, even among civil society (e.g. there was no funding for advocacy-based activities about barriers and concerns of persons with disabilities and promotion of their rights). With the absence of a multi-

sectoral approach to accommodate persons with disabilities in mainstream community services, public employment, nor a mandate to promote private sector employment opportunities, the system created a type of welfare dependency.

A move towards a human rights approach?

The adoption of Yemen's 2014-2018 National Strategy document on persons with disabilities showed signs of progress made by the National Federation of Disabled Persons' Associations (NFDPA), among other organizations. It included amendment to the Strategy for 2021 – 2026, which provided for requirements of persons with disability according to a human rights based approach. It required the State to address the "attitudinal and environmental barriers" faced by persons with disabilities and thus ensure the full and effective participation of persons with disabilities in society. The strategy was ambitious in that it sought to change public perception of disability, remove barriers to the full participation of persons with disabilities, accommodate persons with disabilities in all national policies and projects, plans, capacity building of public and private institutions, and the development of a nationwide information system. However, the execution of the strategy effectively rested with the HCRF, NFDPA and other centres and forums concerned with persons with disability, with no means to carry it forward.

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Public freedoms, and access to justice

There was no information available to document the quality of how public freedoms (i.e. freedoms of expression, association, peaceful assembly and participation in public life) were exercised by persons with disabilities in Yemen. Most civil society observers have expressed that since the adoption of the 2014-2018 National Strategy, and the onset of hostilities in 2015, rights-based advocacy work by disability advocacy committees and associations all but ceased. The momentum and promise for greater rights created by the elaboration of the Strategy has stopped. There was no information available about accessibility of information; the existence of a conducive public and political environment which valued and encouraged civic contribution of persons with disabilities or associations representing them, including through high-level statements, awards and honours; participation in policy development, planning and decision-making processes; or even representation in high-level administrative or government posts. There was no information available about access to justice and the judiciary by persons with disabilities.

Access to healthcare and services

Health services have become increasingly inaccessible as a result of the ongoing conflict. Half of all health facilities have had to suspend their services, and costs associated with services, such as travel, have become prohibitive, especially for persons with disabilities who were more likely to require specialist services. Depreciation of the Yemeni rial, especially in areas administered by the Government of Yemen, has meant the majority of medicines are too costly for most Yemenis. In Ansar Allah-controlled areas, some persons with disabilities complained of suspension of therapeutic services and medicines accessible before the war.

Mental health services have historically been an area poorly resourced in Yemen. Yemen's National Mental Health Strategy 2011-2015, was never implemented due to civil unrest. There were only an estimated 130 trained therapists, and the number of psychiatrists in the entire country does not exceed 59. Most primary healthcare centres were unprepared to offer any type of mental health and psychosocial support. For the majority of Yemenis, religious and traditional healers were more accessible. It is not unusual for persons with psychosocial disabilities to be imprisoned due to disability.

Father of a 13-year-old child with cerebral palsy, displaced to Al-Mashkha'a camp, Lahj Governorate.

My son used to receive treatment in Taizz with the support from the HCRF prior to the war, but has not received medical treatment since. The support from the HCRF was discontinued, and the overall well-being of my son has deteriorated. I have not received any support from any humanitarian organization, despite repeated appeals.

Jamila, aged 45, a mother of four children with disabilities.

Three of my children were born with psychosocial disabilities, while the fourth, a girl, has a physical disability because of missile shrapnel which struck our home. My children, teenagers now, never had access to education, and do not have access to health care although they have ID cards from the Association of Persons with Physical Disability. Their father is unable to provide for their requirements because his salary is currently suspended.

Ibrahim, aged 34, with a minor intellectual disability.

I'm studying for a pharmacy diploma and in receipt of a study grant from the HCRF, but there are delays in the payment of the grant. Other challenges are poorly designed school infrastructure which did not take in account the requirements of persons with disabilities. I am concerned about my employment prospects after graduation.

Inclusive education

The 2005 Household Budget Survey found that 50 per cent of children with disabilities were not in school. Despite Yemen's establishment of a Department for Inclusive Education at the Ministry of Education, the provision of education to persons with disability has been primarily by civil society organizations funded by the HCRF. Children with disabilities were denied access to schools due to shortages in teaching facilities, learning materials, and teaching aids for persons with disability. Meanwhile, there is sharp shortage of trained staff who are trained on inclusive teaching methodologies. Teachers did not feel confident they had the necessary skills to support children with disabilities, particularly children who require high levels of support, or children with intellectual disabilities in mainstream classrooms. According to HCRF's statistics, there were 9,565 students of both sexes affected by the war directly and indirectly at primary, secondary, tertiary and postgraduate levels, such as suspension of educational programmes or disbursement of education grants. Income and salary cuts due to the conflict forced families to move to their villages in search of cheaper accommodation or to live with extended family, away from services such as schools clustered in urban centres.

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Intersectional discrimination in focus

Rural communities

Seventy-six per cent of persons with disabilities resided in rural areas, which was consistent with the overall distribution of the country's population. To improve accessibility, some organizations established branches in rural governorates. However, the HCRF did not have branches in all governorates, including in predominantly rural governorates with sizeable populations such as Lahj and Hajjah Governorates (they were served by Aden and Amran Governorate branches, respectively).

A 35-year-old man with a physical disability, displaced from Haydan district, Sa'ada Governorate.
Before the war our lives were "dignified" and we did not need help from anyone. I had farm income and did not need support from aid agencies. After the war broke out in 2015, my family fled to Khamir district, Amran Governorate, leaving everything behind. Now we find it difficult to find work and have no source of income.

Fatima, a displaced mother of two children, one with intellectual disabilities and the other with physical disabilities.

Both children have epileptic episodes. Because of the uneven camp terrain and bare tent floors, the children are prone to falls and scrapes after epileptic seizures. I have been unable to obtain ointments for this from humanitarian organizations.

Women and girls

Women and girls with disabilities have long suffered entrenched social exclusion and discrimination as a result of cultural norms. They are at higher risk for gender-based violence. Female-headed households were especially vulnerable as women find it disproportionately difficult to access livelihood opportunities and jobs. Consequently, they are even more likely to struggle with the cost of health services and medicines, as well as, all other essential costs.

Laila, a 37-year-old blind woman, living in As Salam IDP camp, Ibb Governorate.

I suffer much due to my visual impairment. I cannot move or come out without being assisted by my daughter or husband. My husband struggles to provide medicine and other basic needs. No one pays attention to the disabled cases in the camp. Neither me nor my children have access to free medical care in the camp.

Muhamasheen ('marginalised' community)

The *muhamasheen* community have been excluded from mainstream society for centuries, and they continued to be subjected to severe forms of descent-based discrimination because of their alleged African origin.

Father, Ja'ar district, Abyan Governorate.

My twin sons, aged 17, were born with physical impairments and now live rough, without water, food, or even a change of clothing. We, along with our muhamasheen community, were forcibly evicted from our homes in the Zarah neighbourhood, Lawder district by the Security Belt Forces.

Thirteen-year-old Hussein's father, whose family was displaced to Al Matun district, Al Jawf Governorate, because of fighting in their village.

Despite Hussein having intellectual disabilities since birth, he did not receive any support. His mother and I struggle to cover his medical care expenses. Meanwhile, the community views a disabled person negatively. Persons with disabilities do not have access to their rights, and the Government has not provided any care homes. Our condition has not changed, neither before displacement nor after displacement.

Internally displaced persons

Conflict has contributed to the displacement of over four million persons. Of those, persons with disabilities who were living in camps found themselves in especially difficult circumstances: increased vulnerability to communicable diseases at displacement camps due to seasonal rains, floods, poor sanitation and hygiene; barriers associated with the physical environment; and limited access to education and healthcare services.

Despite the scale of displacement, especially in Hudaydah, Ibb, Lahj, Ma'rib, Taizz and Aden Governorates, only nine national aid organizations were providing assistance, and none had programmes specifically tailored to needs of persons with disabilities. Most internally displaced persons with disabilities lived in camps. Layouts of IDP camps did not consider the situation of persons with disabilities, which affected access to services. Internally displaced women and girls with disabilities struggled even more to secure access to basic services such as water, sanitation, health and education.

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In Abyan Governorate, HCRF funding has ceased since 2011 resulting in a complete lack of services for ten years. In Al-Bayda Governorate funding cuts for local associations has affected nearly 3,000 persons, including women and children with disabilities. The Association of People with Disabilities, the Deaf and Mute Association, and the Community Rehabilitation Centre in Rada'a district, Amran Governorate, have suspended activities for over four years now. The Movement for the Handicapped, Hudaydah Governorate, had stopped working because of the lack of support from the HCRF. In the same governorate, another service provider for people with psychosocial or intellectual disabilities had to scale back most of its services, only able to provide limited support to 116 cases on the basis of charitable donations.

As the conflict divided the country and saw the existence of two administrations, capacities and capabilities of state institutions likewise divided and diverged. Twin incarnations of the HCRF have seen financing severely restricted. Cessation or deep cuts in funding has meant fewer civil society service providers operating and a consequent devastating impact on beneficiaries.

POVERTY AND SOCIAL SAFETY NETS

The war accelerated Yemen's economic collapse. According to the 2020 UNDP Human Development Report, Yemen ranked 179 out of 189 countries listed—down from 153 at the start of the conflict in 2015. Divided economic zones and the steep devaluation of the Yemeni rial, worsened income and livelihood opportunities, disrupted public salary payments, caused a sharp rise in prices of basic goods, including fuel and food, and further pushed Yemenis into poverty. A lifeline for the poor, Yemen's primary social welfare safety net financed by the Social Welfare

Fund was forced to suspend operations at the end of 2014, but with emergency international assistance was able to resume operations. With a reliance on pre-conflict beneficiary lists, in a context of mass displacement and a declining rial, even emergency measures did not suffice to meet the needs of recipients. It was more so for persons with disabilities, the majority of whom were entirely dependent on aid for survival. Also, it is challenging to resume service delivery to persons with disabilities in the context of the ongoing conflict.

There have been perceptible efforts to improve service provision in areas administered by Ansar Allah, such as through the approval of updated regulations for HCRF in 2020, the introduction of an electronic case management system, the preparation of a draft survey on disabilities, and increased funding for prosthetics.

International humanitarian organisations have sought to meet the basic needs of 80 per cent of Yemenis, including persons with disabilities, and even developed rights-based initiatives for improved delivery of services to persons with disabilities. For the sake of expediency, international organisations established new temporary assistance mechanisms that provided assistance in cash and in-kind.

TOWARDS EMPOWERMENT OF PERSONS WITH DISABILITIES

A resolution between warring parties is the single most urgent imperative in order to restore security, and stability across Yemen to begin rebuilding the country.

In the short and medium term, emergency aid needs to be increased and prioritised for at-risk groups, including persons with disabilities.

Modifying rules or laws, that guide attitudes and behaviours of Yemeni society and government institutions will sustainably shift forward the experience of persons with disabilities. This is a key starting point, and a concerted effort to press for this by authorities, civil society, and the international community will be required.

The vision is for a country where the rights of persons with disabilities to equality and non-discrimination is respected and protected, their contributions and value to society are recognized, and participation in decision-making processes and enjoyment of all rights secured. This is what empowerment is about.

In Yemen today, in the face of open conflict, and humanitarian, economic, political and governance challenges, the path to realise this vision seems impassable.

Positive social change in the very best of conditions, even peacetime, anywhere in the world, is notoriously slow, and inertia and resistance—to doing something differently or thinking differently—by some persons or groups is guaranteed.

And yet for Yemenis, persons with disabilities, civil society actors, public officials and international partners who desire something better, waiting for better conditions is not an alternative and the work that began, for example with the 2014-2018 National Strategy document, must continue with greater focus on the meaningful participation of representative organizations of persons with disabilities.

A tested strategy from human rights movements, including disability rights, over history and around the world can be considered here:

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- Accurately measure and quantify the gaps in the enjoyment of civil, political, economic, social and cultural rights of persons with disabilities through local and national data collection and research.

- A network of relationships between rules (social, legislative, regulatory, etc.), institutions and persons, at all levels, operate to sustain discrimination against persons with disabilities. Map the relationships, identify who are potential allies and spoilers, and what resources are available and what are needed.

- The struggle for rights for persons with disabilities has been successfully realised by others elsewhere. Explore the tactics and activities that have been used to build alliances and mobilise public support, and disrupt relationships that sustain discrimination.

- Elaborate what advocacy strategies and tactics to employ, when, how often, by whom.

The Office of the United Nations High Commissioner for Human Rights in Yemen together with the UN system stand ready to support persons with disabilities, civil society actors, public officials and international partners to realise the rights of persons with disabilities through provision of technical assistance to representative organizations of persons with disabilities and those concerned with rights of persons with disabilities.

General Recommendations

Legislative and policy frameworks

1. Review legislation and policies and bring them into line with the human rights model of disability in the Convention on the Rights of Persons with Disabilities, and enforce such legislation and policies. Ensure cross-

sectoral mandates, concerning disability rights, including appointing focal points as established in article 31 of the CRPD.

Accessibility

2. Identify and eliminate barriers of accessibility of: physical environment (i.e. buildings, facilities, transportation, workplaces, etc., of public and private entities), including enforcement of construction standards; and information and communication services, including through signage of Braille.

Social protection

3. Mainstream the rights of persons with disabilities in public policies and earmark adequate resources to address situations of disadvantage and exclusion.

4. Prioritize persons with disabilities in the socioeconomic response to the COVID-19 pandemic.

5. Ensure participation of persons with disabilities, in particular women with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities, on boards of organisations and funds related to persons with disabilities, including the board of the Handicap Care and Rehabilitation Fund and the Social Fund for Development. Establish mechanisms to actively involve and consult with persons with disabilities in matters concerning their lives as stated by the CRPD (art. 4 (3)).

Data collection

6. Increase the availability of high-quality, timely and reliable data disaggregated by socioeconomic status, gender, age, race, ethnicity, migratory status, disability, geographic location and other relevant characteristics, and strengthen the

capacity and resources for the collection, management, analysis and dissemination of statistics and data concerning persons with disabilities, and survey persons with disabilities in all Yemeni governorates to create an accurate and integrated database on the total number of persons with disabilities from different age groups to ensure easier service delivery to them.

Awareness-raising

7. With active involvement of persons with disabilities, through their representative organizations, revive and update the national strategy and undertake public awareness-raising campaigns to reinforce a positive image of persons with disabilities as holders of all human rights, enjoying citizenship and human dignity.

Participation in public life

8. Promote the participation of persons with disabilities, particularly women, girls and youth with disabilities, in political and public life and decision-making.

Women and girls

9. Take effective measures, with the active involvement of organizations of women and girls with disabilities, to mainstream a disability perspective into all gender-specific policies and legislation.

Situations of risk and humanitarian emergencies

10. Allocate the human, technical and financial resources necessary to provide services, including rehabilitation and mental health services, and education and vocational training, to persons with disabilities, including in camps and prioritise the situation and requirements of women

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and children with disabilities in humanitarian action.

11. In compliance with the Sendai Framework for Disaster Risk Reduction 2015–2030, ensure that national legislation, policies and programmes that address situations of risk and humanitarian emergencies are disability-inclusive.

12. Permanently re-open commercial international air traffic to multiple destinations, and stop impeding movement of aid supplies and aid workers.

Peace process

13. Intensify commitment to Yemen's peace efforts, and expedite negotiations to reach a sustainable peace deal.

14. Ensure active involvement and meaningful participation of persons with disabilities in decision-making processes related to peace, transitional justice and reparations.

15. In related processes, ensure adequate resources for explosive ordnance disposal, demining and mine awareness, especially for children.

Education

17. Take prompt measures to ensure that all children with disabilities have access to inclusive, high-quality and free education at all levels, and create an enabling learning environment for all age groups.

17. Ensure new or renovated school buildings are accessible, and teacher training is most important for inclusive education.

Health

18. Increase the number and strengthen the capacity of

comprehensive community-based health-care services inclusive for persons with disabilities, in particular persons with intellectual or psychosocial disabilities, children with disabilities, persons with disabilities living in rural areas, from the *muhamasheen* community, and persons with disabilities who are internally displaced.

19. Ensure adequate programmes for the rehabilitation of victims of landmines and remnants of war, and conflict-related mental health issues.

20. Ensure accessibility and accommodation for detained persons with disabilities requiring high levels of support, and provide them with adequate health care services, including habilitation and rehabilitation.

21. Support and assist organizations of persons with disabilities and civil society organizations working on disability rights in general.

Employment

22. Adopt measures to ensure the effective implementation of the 5 per cent employment quota in Civil Service Law No. 19 of 1991 and Labour Law No. 5 of 1995, and to raise awareness among public and private companies about the requirement to provide individualized support. Ensure accessibility of persons with disabilities to employment in the open labour market and prohibit the denial of reasonable accommodations at work, as well as pay welfare benefits of persons with disabilities that have been suspended since the start of the war, and secure resources to finance scholarships for talented individuals to encourage them to join the labour market.

International cooperation

23. Ensure that policies and programmes for implementing the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, are disability-inclusive and are undertaken in consultation with and with the involvement of persons with disabilities through their representative organizations.

24. Ensure that the implementation of the Yemen UN Sustainable Development Cooperation Framework provides required resources for activities benefitting the rights of persons with disabilities and other inter-sectional issues.

25. Ensure the 2023 Yemen Humanitarian Response Plan is fully funded, especially for service provision and protection programming for persons with disabilities, and enhance oversight on international and local donor/humanitarian organizations and other relevant state actors to secure the rights of beneficiaries, ensured by law.

Monitoring

26. Facilitate the effective and meaningful participation of persons with disabilities, and their representative organisations in the entire process of monitoring the implementation of the rights of persons with disabilities, including UN human rights mechanisms.

27. Encourage submission of Yemen's initial report to the CRPD, overdue since April 2011 and provide support for the preparation of parallel reports by civil society organizations, including organizations of persons with disabilities. Yemen should also seize its review by the Committee on Economic, Social and Cultural Rights in February 2023 by providing all available

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information in response to the 2020
List of Issues (E/C.12/YEM/Q/3) and
send an appropriate delegation.

Resources:

Protection of the rights of persons with
disabilities in the context of armed
conflict, Report of the Special
Rapporteur on the rights of persons
with disabilities
<https://undocs.org/en/A/76/146>

OHCHR and the rights of persons with
disabilities
<https://www.ohchr.org/EN/Issues/Disability/Pages/DisabilityIndex.aspx>