



## المركز اليمني للعدالة الانتقالية Yemen Center for Transitional Justice (YCTJ)

التاريخ : \* June 14, 2012 الرقم : ( )

### Recommendations

#### **First conference of the Yemeni Center for Transitional Justice:**

#### **"Justice through peace, reconciliation and building the new Yemen"**

**Taiz on June 14, 2012**

On 14 June 2012, the "Yemeni Center for Transitional Justice" (YCTJ) held its first conference in the city of Taiz, Yemen, with the participation of representatives of local and international organizations working in the field of transitional justice (TJ), a sensitive stage that serves as a transition between rule of dictatorship and rule of law and civil rights and liberties. During the conference, several papers were discussed with special focus on the proposed Yemeni Transitional Justice law being examined currently by the Yemeni government, which fails in meeting needs of the Yemeni people and the international standards in the view of YCTJ and other components of the Yemeni civil society.

The conference closed its sessions by issuing the following recommendations:

1 – To submit an open letter to the President of the Republic, the Prime Minister, the Speaker of Parliament and the Minister of Legal Affairs of Yemen urging them not to rush in the issuance of the Transitional Justice law as it is a fundamental pillar of the transitional phase between the state of injustice and oppression and the state of rule of law and social justice. This law cannot achieve success without the participation and commitment of the various components of Yemeni society.

2 – To examine the observations submitted to the Ministry of Legal Affairs on the TJ draft law by different components of the Yemeni society, especially those involved in the current national dialogue, and to take these observations together with the results of the national dialogue into consideration when issuing the TJ Law.



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3 – To ensure the endorsement of the final version of the TJ Law by the majority of the Yemeni society components, including youth, women, minorities and marginalized groups, noting that the drafters should take a positive approach and make efforts to gain a wide national support to this law before approving it.

4 – To review Yemeni legislations in the parliament in order to ensure integrity with the fundamental principles of international human rights law and humanitarian law, in order to issue national legislations that end impunity and criminalize those responsible for human rights violations and protect the rights of minorities and marginalized groups, and to provide a good environment for a just transition.

5 – To ratify the international treaties related to Human Rights and International Justice, and particularly the Rome Statute treaty that established the International Criminal Court (ICC), for the Yemeni people to be protected against from any future gross violations of human rights and grave crimes on its territory by governmental, non-governmental, local or international entities or individuals. In this regard, the YCTJ announced a plan for launching a national campaign for the ratification of Rome Statute in collaboration with partners within the Yemeni civil society, and vowed to interact with the ICC for this purpose.

6 – To stress on refusing any exemption from accountability for those responsible of human rights violations under any justification including Time Limit, and to include an explicit provision in this meaning in the new Yemeni Constitution. On this occasion, the YCTJ and other Yemeni partners rejected the new Immunity Law granted to the former Yemeni President Ali Abdullah Saleh as it violates in the same time divine laws and human rights and international criminal justice treaties.

7 – To establish a fact-finding body with strict deadlines in order to disclose the truth about the crimes that took place in Yemen during the recent revolution, as a first step, as it should be to be followed by seeking truth about all human rights violations and serious crimes that took place in Yemen since the revolution of September 26, 1962. It is important to benefit in this area from the lessons learnt in the Moroccan experience and the countries that underwent transitional phases and set up fact-finding bodies.



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8 – To establish as soon as possible a Reparations body to ensure a just settlement for victims of grave crimes and human rights crimes through physical, psychological and moral reparations. In this framework, Yemen could also benefit from the Moroccan and international expertise.

9 – To ensure special procedures for the children soldiers who were abused and recruited during the recent revolution, whether perpetrators or victims, including confidentiality, rehabilitation and facilitation of legal aid.

10 – To establish a body that plans and oversees awareness projects about transitional justice among various segments of society in all provinces and regions of Yemen without exception, and to make the transitional justice process understood by the general public, especially via media tools and educational and outreach programs.

11 – To organize workshops, seminars and building capacities' activities on transitional justice targeting governmental officials in the ministries and institutions engaged in the implementation of the TJ Law, including security forces, judiciary, lawyers, academics, professors and educational institutions.

12 – To engage Youth, women, minorities and marginalized groups in the executive bodies that will derive from the TJ Law.

13 – The YCTJ pledges to publish a booklet compiling the papers that were discussed during this conference in order to distribute it among the interested and concerned individuals and entities in Yemen for awareness purpose. This should be sponsored by the government in order to enable a free access of knowledge to the Yemeni people.

**Issued by "the Yemeni Center for Transitional Justice"**

**Taiz on June 14, 2012**