



THE YEMEN DECLARATION FOR JUSTICE AND RECONCILIATION



OUR VISION

We, the undersigned members of Yemeni civil society, hereby declare our common demands to advance justice and reconciliation in Yemen. We set forth these demands as essential elements in achieving a just, inclusive, and sustainable peace in Yemen.

This Declaration seeks to contribute to a common vision of Yemeni civil society on issues concerning widespread rights abuses in Yemen. It pronounces our collective commitment to recognize and address our grievances through a rights-based approach to justice and reconciliation in Yemen. We share the common goal of building a future in Yemen with the participation of all its communities.

Through this Declaration, we seek to express our common vision and priorities for achieving justice and reconciliation in Yemen. We call for the recognition of these demands to be reflected in the peace process and future political settlements; the transitional justice roadmap; international initiatives; as well as in justice responses in Yemen and the region.

We deplore the historical disregard for the multiple grievances of the people of Yemen and are committed to ending cycles of violence by seeking reconciliation through justice.

This Declaration is independent of any political party or authority. It sets out principles we believe are necessary to advancing the human rights of all people in Yemen, as well achieving a just, inclusive, and sustainable peace for Yemen.

THE IMPORTANCE OF ADDRESSING PAST GRIEVANCES

We underline the importance of addressing past violations which have happened throughout and prior to the current conflict in Yemen, and its role in preventing recurrence and future cycles of violence.

The absence of justice maintains the causes of conflict unresolved, and risks triggering future conflict and suffering. We acknowledge that a long-lasting peace can only be achieved by addressing past atrocities and responding to current demands for justice. Neglecting past grievances has contributed significantly to the ongoing conflict, and we call on all stakeholders to avoid similar errors in the future.

We reject any political process that ignores our call for justice, or that seeks to compromise our demands in exchange for so-called political stability. Sustainable and lasting peace can only be achieved by welcoming reconciliation through justice.

This document serves as a point of departure for a post-conflict justice roadmap for Yemen, in recognition of the complex and diverse nature of our grievances. This roadmap will be guided by the historical, social, and economic context of Yemen.

OUR AIMS

We call on all relevant actors in Yemen, in the region, and in the international community to commit to post-conflict justice as a fundamental pillar for peace in Yemen, and to pursue the demands set out in this Declaration. Through this Declaration, we seek to inform:

Yemeni authorities and warring parties in their discussions towards a political settlement for Yemen;

- Domestic and foreign parties to the armed conflict in Yemen, as a basis for de-escalation of hostilities and for ceasefire agreements;
- The Office of the Special Envoy of the UN Secretary General for Yemen (OSESGY) and other mediators in their efforts to achieve a sustainable peace in Yemen;
- States, the United Nations, and the international community at large in their consideration to supporting peace, justice and reconstruction efforts in Yemen, and in their provision of financial aid, support to victims, civil society and public institutions, coordination, technical development, and political engagement;
- All relevant stakeholders in designing a participatory and inclusive roadmap for post-conflict justice in Yemen.

GUIDING PRINCIPLES

Our vision and aims are based upon a set of guiding principles that unite our pursuit for justice. These principles include:

- **Inclusivity and Participation**

We demand the inclusion of all stakeholders, namely women, youth, minorities, people with disabilities, marginalized groups, victims and survivors of rights abuses, and civil society organizations in Yemen's peace process and political future. Justice processes should similarly aim to uphold the rights of all people in Yemen, regardless of race, ethnicity, sex, gender, geography, age, religion, sect, health condition, economic situation, social background, political affiliation, or of any other personal or communal belief or identity.

- **Victim-Centred Approach**

We affirm that the voice, agency and needs of victims and survivors are critical in any justice process. Victims' demands should be defined by victims themselves, and victims' rights, including the right to remedy, should be respected. Victims must be given a key role in post-conflict justice processes, and their aspirations and needs must be central to ensuring a lasting peace in Yemen. We call on all stakeholders to commit to expanding and strengthening the capacity and role of victims and affected persons in discussions concerning justice and peace in Yemen, including peace negotiations and political settlements.

- **Gender equality and inclusivity**

We demand a transitional process that recognizes and respects the full human rights of women within Yemeni society, and a political process that is inclusive of women's voices and experiences. We recognize the differentiated experiences of women and girls as affected persons in the Yemeni conflict, and highlight the importance of addressing their grievances in any post-conflict justice setting. We commit to confront the social stigma that disproportionately affects women and girls that have suffered rights abuses during the conflict, while ensuring the importance of not adding to the harm caused to victims and survivors.

- **Truth and memorialization**

We assert the importance of pursuing truth as an essential element of justice. Credible information revealing the circumstances and truth about violations suffered by all people in Yemen are key to a sustainable peace, and should inform post-conflict justice initiatives, including memorialization. The truth must be determined through effective and credible investigations and documentation. Determining the truth must be followed by general acknowledgement by wrongdoing actors and be established as part of the historical memory in Yemen.

- **Redress and Reparations**

We demand the recognition of victims and affected persons' right to obtain redress and reparations for the material and moral losses and harm they have suffered. Redress and reparations should be provided to all victims and affected persons without any form of discrimination, and should not be deemed as a substitute for any other right owed to them. Reparations should be adequate, effective and prompt, proportional to gravity of the violation and the harm suffered, and include acknowledgment of the wrong done. Reparations should meet the needs of victims and affected persons, as defined by them.

- **Accountability**

We call for independent, impartial, and fair accountability for all crimes under international humanitarian law and international human rights law committed in Yemen. We reject general immunities or selective justice, and support accountability for any and all parties to the conflict. Failure to address atrocities in the past has led to a culture of impunity throughout generations, which has in turn resulted in the marginalization of several victims and communities in Yemen.

- **Reconciliation, social cohesion, and prevention of future violence**

We demand a post-conflict process that seeks to end cyclical violence in Yemen, and achieves social cohesion and reconciliation. We seek to prevent future conflicts by identifying and addressing their underlying causes, and pursuing guarantees of non-repetition. We reject acts of revenge and collective punishment, and embrace future

generations in Yemen. We also acknowledge the importance of local forms of justice and conflict resolution, and perceive these traditional processes as an integral part of a just, inclusive and sustainable peace in Yemen.

- **Solidarity and universality of human rights**

We emphasize that the rights of all people in Yemen are essential elements of our collective vision for justice, and stand in solidarity with all communities in Yemen affected throughout the cycles of violence. We recognize the universality of human rights, and call for the applicability of key international legal instruments to inform peace negotiations, a political settlement, and a post-conflict justice process, including United Nations Charter, the Universal Declaration on Human Rights, the Geneva Conventions, human rights treaties under the United Nations system, the U.N. Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims, and peremptory norms under customary international law.

- **Respect for local laws, customs, and traditions**

We affirm the importance of and our respect for Yemen's mechanisms, laws and traditions that are consistent with international human rights standards. We perceive local customs and traditions as an essential element of promoting and achieving reconciliation, and seek to actively engage with communities throughout Yemen.

OUR GRIEVANCES

Our grievances are not exclusive to a single region or social group. Instead, our grievances are shared and interconnected, extending across the country and manifesting in diverse ways. We express solidarity with all grievances arising from human rights abuses, humanitarian law violations, and international crimes against people in Yemen, and recognize that many of these offenses are interrelated. We recognize the involvement of various national and international parties to the conflict and their involvement in the violation of the rights of the people of Yemen. While it is impossible to list all our grievances, we demand that any post-conflict justice process for Yemen address the violations arising in the following contexts:

- Shelling and airstrikes targeting civilian areas;
- Torture and ill-treatment in detention;
- Enforced disappearances and abductions;
- Arbitrary detention and violations of fair trial rights;
- Forced displacement of populations;
- Discrimination and persecution on the basis of gender, religion and social group;
- Sexual and gender-based violence against women, children and men;
- Forced starvation and lack of access to clean water;

- Proliferation of landmines, especially in civilian areas;
- Extra-judicial killings;
- Offenses against children, namely the recruitment and use of child soldiers, child marriage, and deprivation from essential services;
- Psychosocial harm;
- Pillaging and the confiscation of property;
- Environmental degradation by armed conflict and irresponsible economic activity;
- Attacks against freedom of expression and freedom of assembly;
- The collapse of the justice system;
- Violations of against the economic and labour sector;
- Targeting of the educational and healthcare system and their staff;
- Cyber-attacks disproportionately affecting women and vulnerable populations;
- Destruction and pillage of cultural heritage;
- Political weaponization of public services;
- Loss of livelihoods resulting from discriminatory and politically-motivated dismissals, unemployment, and withholding of salaries;
- Sieges, roadblocks, and other limitations to freedom of movement, as well as their consequences.

CONCLUSION

We set forth our vision, aims, guiding principles and grievances as an initial step towards engaging in deeper discussions concerning post-conflict justice in Yemen. We acknowledge that implementing our vision and demands will entail immediate and longer-term measures; we are prepared to engage with all relevant stakeholders to initiate these steps.

A successful justice and reconciliation process will require planning, time, resources and extensive consultations. We call for regional and international action to support these justice demands. We believe that it is crucial to advance discussions on justice in Yemen as soon as possible, and that delaying the process further will prolong the suffering of victims and affected persons.

We, the undersigned members of Yemeni civil society, hereby unite around this document to declare our commitment to a just, inclusive and sustainable peace for Yemen's current and future generations.

This Declaration is open for signature for any member of Yemeni civil society that endorses the principles and priorities contained in this document.

To add your signature and join these efforts, please visit yemenjustice.org to fill in your information.