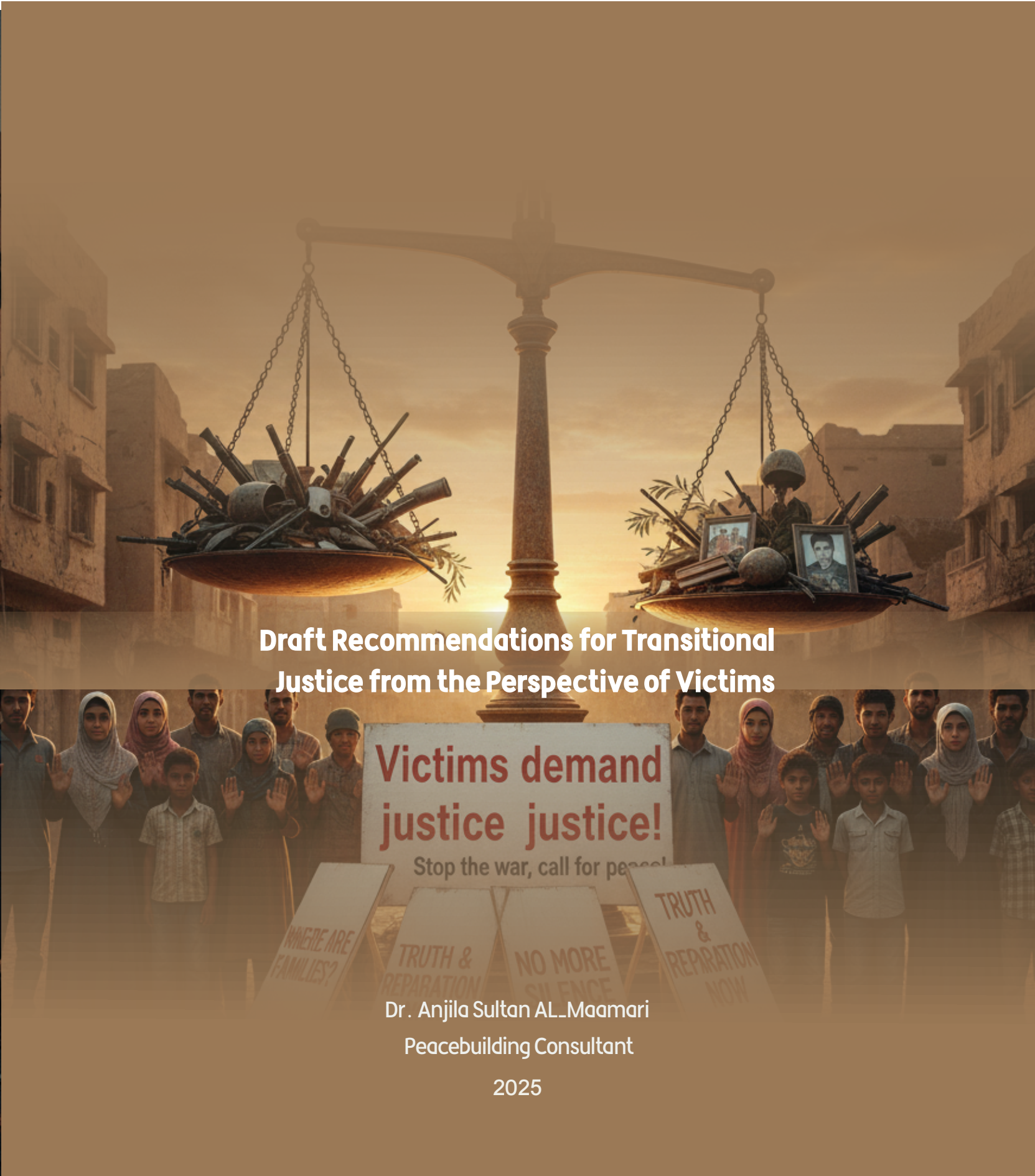




مركز الدراسات الاستراتيجية
لدعم المرأة والطفل
Center for Strategic Studies to
Supporting Women and Children



DT Institute



Draft Recommendations for Transitional Justice from the Perspective of Victims

**Victims demand
justice justice!**

Stop the war, call for peace!

WHERE ARE
THE FAMILIES?

TRUTH &
REPARATION

NO MORE
SILENCE

TRUTH
&
REPARATION
NOW

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Executive Summary

This document provides a comprehensive and updated framework of recommendations for transitional justice in Yemen, addressed to all relevant actors at the national, regional, and international levels. The draft aims to address the grave legacy of human rights and international humanitarian law violations that occurred during the years of conflict and to lay the foundations for a future based on the principles of justice, equality, the rule of law, and sustainable peace. These recommendations were drawn from specialized reports, field studies, and direct input from victims, political parties, representatives of local authorities, judicial and security bodies, and civil society, with a focus on providing practical solutions and implementable proposals.

Key recommendations:

1. For all parties: Focus on ending the conflict, acknowledging violations, providing reparations, ensuring legal accountability, providing psychological support, and ensuring the active participation of victims in all stages of transitional justice.
2. For the international community and the United Nations: Call for the effective integration of transitional justice into the peace process, support accountability mechanisms, empower civil society, and adopt a victim-centered approach in all negotiations and agreements.
3. For the internationally recognized government: Emphasize the need for judicial and institutional reform, adopt a comprehensive national policy for transitional justice, and involve victims in the formulation and implementation of its programs.
4. For non-governmental organizations: Strengthen their role in monitoring and documentation, capacity building, mobilizing support, and raising community awareness, with a focus on engaging marginalized groups and designing programs that respond to their needs.
5. For political parties and the media: Call for the development of a unified national discourse that supports reconciliation, and adopt media policies that promote concepts of peace and provide space for victims to express their suffering and aspirations.
6. For the Arab Coalition to Support Legitimacy: Contribute effectively to achieving a just and comprehensive peace, support efforts to hold perpetrators accountable and provide redress to victims, and assist the government in unifying security and military institutions.

Introduction

This updated draft was prepared as an initiative of the Center for Strategic Studies to Support Women and Children (CSWC), in collaboration with the DT Institute, to provide a practical and focused recommendation document to address transitional justice issues in Yemen. This draft is based on an in-depth analysis of previous recommendations contained in various reports and studies, as well as the outcomes of consultations with victims and actors. It is part of national efforts to lay the foundations for transitional justice in Yemen, responding to the aspirations of victims and society for comprehensive justice that places human dignity at the heart of the peace process. The Center for Strategic Studies to Support Women and Children prepared this document as a qualitative initiative aimed at formulating a practical and realistic vision to address the legacy of gross violations of human rights and international humanitarian law that Yemen witnessed during the various stages of the conflict, leading to building a future of justice, equality, and national reconciliation.

The preparation of this draft was based on a participatory approach that combined scientific analysis of national and international reports and studies; direct listening to the testimonies and needs of the victims, who were five victims who participated with us during the open day and whose issues were highlighted; and a focus discussion session with representatives of political parties.

the local reconciliation committee, a representative of the security authorities, lawyers, representatives of the local mediation committees in the exchange of bodies and hidden persons, a representative of the marginalized group, the Association of the Wounded, and civil society. This process resulted in the formulation of an integrated set of recommendations based on the principles of truth, reparation, accountability, and non-impunity, with a special focus on involving women and marginalized groups in the transitional justice process.

The wounded and survivors of mines and shells are one of the most underappreciated groups in Yemen's transitional justice process. Their suffering is not limited to physical injuries and loss of limbs but also extends to a lack of official recognition, poor care services, and opportunities for community and economic integration.

Here we include the voices of mine victims in the city of Taiz, who spoke about their vision of transitional justice and their basic needs to live in dignity and security:

- Justice begins with removing mines and clearing contaminated areas to ensure that the tragedy is not repeated with others. He believes that financial compensation is not sufficient unless it is accompanied by a national commitment to stop planting mines and provide permanent protection for civilians.
- Recognizing the war-wounded as civilian victims, and that true justice means living in dignity through job and training opportunities commensurate with the type of disability, not through immediate assistance that ends quickly.
- The need for specialized psychological and social support programs for wounded women and girls, and that justice must include psychological recovery and reintegration into society. "We lost our childhood, and we want to live the rest of our lives in peace."
- Justice begins with ending the war itself, because its continuation means the continued production of victims. "We need not only compensation but also a safe homeland in which we can move without fear," he added.
- Calling for an end to the war and the establishment of a just peace restores dignity to all victims, and believing that transitional justice must be a means of recovery and reconciliation, not just a legal or political framework

The document aims to establish a national guiding framework that promotes the integration of transitional justice into peace and development efforts, enabling national and international actors to adopt a victim-centered approach as the focus of any just and sustainable settlement. This draft represents a foundational step in the path of a broad national dialogue that balances the requirements of justice with the requirements of peace and prepares for building a new Yemen based on recognizing suffering, providing justice to victims, and restoring trust between the state and society.

Recommendations

1. Commitment to renew the humanitarian truce that began in April 2022 and build on its provisions to include a comprehensive ceasefire
 - o Form a joint committee to monitor the ceasefire, with powers to investigate violations and publish periodic reports to the public.
 - o Linking progress on the humanitarian field (opening roads, exchanging prisoners) to the course of political negotiations to ensure the sustainability of the truce.
2. Formal recognition of violations committed by all parties is a confidence-building step and the initiation of comprehensive reparations programs.
 - o Establish a "National Victims' Compensation Fund" with joint funding from the government and donors, focusing on material and moral compensation and rehabilitation.
 - o Launch "Memory and Truth" initiatives to document and disseminate victims' stories, and organize public (optional) hearings to give them a voice.
3. Commitment to holding accountable those responsible for gross human rights violations and ensuring that they do not go unpunished.
 - o Activating the role of the military and civilian judiciary to try those involved in war crimes, with technical and legal support from international experts to ensure the integrity of trials.
 - o Establish an "audit mechanism to reform security and military institutions, exclude individuals involved in violations, and pursue a policy of institutionalizing peace in executive and judicial institutions."
 - o Activating mechanisms for monitoring and reporting violations against civilians in cooperation with local and international organizations.
4. Immediately and unconditionally release all arbitrarily detained persons, and reveal the fate of the forcibly disappeared and the bodies.
 - o Forming an independent national committee with representatives of victims and civil society organizations to investigate cases of enforced disappearance and determine their whereabouts.
 - o Establish a binding timetable for prisoner and detainee exchanges.

Recommendations for the International Society and the United Nations

1. Integrate transitional justice into the peace process and make transitional justice an integral part of the agenda of UN-sponsored political negotiations, not a postponed post-conflict issue.
 - o Appointing a national expert on transitional justice to the UN envoy's team to provide technical advice and integrate its principles into any future peace agreement.
 - o Linking international reconstruction assistance with progress on transitional justice issues (accountability, redress, institutional reform).
2. Support national and international accountability mechanisms and provide technical and financial support to establish hybrid (national-international) accountability mechanisms to investigate and prosecute serious crimes and commit to non-recurrence.
 - o Call for the adoption of a Security Council resolution supporting the establishment of a special court for Yemen or an independent international investigation mechanism with broader powers than previous mechanisms.
 - o Providing technical support to build the capacity of Yemeni judges and investigators in the field of international criminal law.
3. Ensure the genuine participation of victims and civil society organizations in all tracks of political negotiations and peace processes.
 - o Allocate a portion of international funding to support victims' networks and local human rights initiatives.

Recommendations for the Internationally Recognized Government

1. Adopting a national transitional justice strategy formulated through a broad consultative process based on a victim-centered approach, including legal experts, representatives of victims, civil society organizations, political parties, and gender-sensitive linking the strategy to development and reconstruction plans to ensure that the root causes of the conflict are addressed.
2. Giving priority to reforming the judicial system to ensure its independence and integrity, and restructuring security and military institutions on national and professional foundations.
 - o Activating and restructuring the Supreme Judicial Council to ensure its independence from the executive authority.
 - o Launching a national program for "disarmament, demobilization, and reintegration of combatants," with psychological and vocational rehabilitation programs.
 - o Support the establishment of family and child protection units.
3. Ratify major international human rights treaties, such as the Rome Statute of the International Criminal Court.
 - o Support the House of Representatives in its efforts to resume its legislative activity in accordance with national references and align Yemeni laws with Yemen's international human rights obligations.
4. Map all local reconciliation initiatives, identify opportunities, challenges, and lessons learned from their experiences, and explore ways to provide support and assistance to strengthen their efforts. Further emphasize the importance of adopting an approach to transitional justice that enhances its contribution to sustainable development and improving the establishment of specific linkages between justice and development in practice and policy.

Recommendations for Non-Governmental Organizations (International and Local)

1. Strengthen monitoring and documentation and support monitoring and documentation efforts for violations of human rights and international humanitarian law, with a focus on accurate and reliable methodologies.
 - o Building the capacity of local organizations and human rights activists to track the truth using modern documentation tools and techniques (such as digital documentation, data analysis, and satellite tracking mechanisms).
 - o Establish common platforms for exchanging information and experiences between organizations to enhance coordination and unify efforts.
2. Develop programs to build the capacity of workers in the areas of local mediation, community peace, monitoring violations, and mobilizing support for transitional justice issues.
 - o Design specialized training workshops on transitional justice, international law, and advocacy skills.
 - o Launching community awareness campaigns on the importance of transitional justice and its role in building sustainable peace.
3. Ensure the effective participation of women, children, and marginalized groups in transitional justice programs and activities.
 - o Allocate psychosocial support programs specifically designed for the needs of women and children affected by conflict.
 - o Integrate a gender perspective into all stages of the design and implementation of transitional justice programs.
4. Providing economic empowerment support to victims as part of reparation and community reintegration efforts.
 - o Launching small and medium-sized projects targeting victims while providing the necessary vocational training and funding.
 - o Coordinate with donors to direct support economic recovery programs for victims.

Recommendations for Political Parties and Components

1. Adopting a unified national narrative for transitional justice that ensures the comprehensiveness of solutions and avoids using them as a tool for political revenge.
 - o Holding comprehensive national dialogues between all political parties and components to reach consensus on the principles of transitional justice.
 - o Develop a national reference document for transitional justice that reflects the aspirations of all parties and ensures justice for victims.
2. Integrating transitional justice issues into the political solution, taking into account the need for justice for victims in all regions of Yemen.
 - o Include clear provisions on transitional justice in any future peace agreement, specifying the mechanisms for its implementation.
 - o Forming joint technical committees from political parties to study international best practices in integrating transitional justice into peace processes.
3. Identify a clear starting point for transitional justice processes for historical periods that need to be addressed first.
 - o Conduct a comprehensive historical study to identify key time periods and events that require transitional justice interventions.
 - o Prioritize periods that witnessed widespread, gross violations and a significant impact on victims.

Recommendations for the Official and National Media

1. Spreading awareness of transitional justice concepts and harnessing official and national media to raise citizens' awareness of human rights, transitional justice, and peacebuilding concepts.
 - o Producing media programs (documentary, dialogue, educational) on transitional justice and its importance.
 - o Use social media to spread awareness and educational messages targeting broad segments of society.
 - o Building the capabilities of media workers using modern technologies to track the truth.
 - o Pursue a policy of respecting and following the truth and non-discrimination, incitement, and fueling of political conflict.
2. Providing victims and marginalized people with the opportunity to speak and make their voices heard, which enhances community participation and ensures that the media does not monopolize political and military elites.
 - o Allocate media spaces (programs, articles, reports) for victims' stories and experiences.
 - o Training media professionals on how to deal with victims sensitively and professionally.

Recommendations for the Arab Coalition to Support Legitimacy

1. Effective contribution to finding a just and comprehensive peace in Yemen, based on respect for human rights, holding perpetrators of violations accountable, and justice for victims.
 - o Support international and regional mediation efforts to reach a comprehensive political solution that guarantees transitional justice.
 - o Providing support to rebuild judicial and security institutions in Yemen to ensure their independence and integrity.
2. Supporting the Yemeni government in integrating and unifying the security services and military forces to ensure security, stability, and development.
 - o Providing technical and logistical support for disarmament, demobilization, and reintegration programs for combatants.
 - o Support the reform of the security and military sector to ensure its loyalty to the state and its institutions.
3. Allocating support for transitional justice from the support provided to Yemen for transitional justice programs and projects.
 - o Establish a special fund to support transitional justice initiatives in Yemen, in cooperation with the Yemeni government and international organizations.
 - o Directing support towards the programs of reparation, rehabilitation, and building the capacities of the relevant institutions in justice.

Conclusion

This document of recommendations represents an ambitious framework for transitional justice in Yemen and is the result of a collective effort that has crystallized from various reports and opinions of the most relevant parties and individuals in determining the reality of transitional justice in Yemen. It seeks to transform the victims' voice and their suffering into a clear and tangible program of action. It is not merely a list of demands and procedures but rather an expression of the will of civil society, victims, parties, actors, and relevant international bodies, through which we look forward to a future based on solid foundations of justice, fairness, human dignity, and equality.

Achieving these recommendations requires a real political will from all Yemeni parties, effective and sustainable international and regional support, and broad participation from civil society organizations, the victims themselves, and donors. It also requires a strategic vision that integrates justice, peace, and development and makes the interests and rights of victims a permanent focus in any upcoming agreements or negotiations. Transitional justice is not a luxury but rather a necessity to restore trust between the state and the citizen and to build a just and lasting peace. It is an investment in the future, a guarantee that violations will not be repeated, and a tool for achieving reconciliation with the past and anticipating a better future for all Yemenis.

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Program Name: Supporting Peace in Yemen through Accountability, Reconciliation, and Knowledge Sharing (SPARK)

This policy paper was written and published under SPARK Program in Yemen, funded by the DT Institute. The SPARK program aims to empower local communities and civil society organizations to better understand, apply, and develop mechanisms of transitional justice. It seeks to enhance inclusive community participation in Yemen's transitional justice process, recognizing it as a prerequisite for achieving sustainable national peace.

The program operates in close coordination with the Justice 4 Yemen Pact (J4YP), a coalition of ten (10) Yemeni civil society organizations advocating for justice, accountability, and peacebuilding for victims of human rights violations across Yemen. Within this framework, SPARK partners and J4YP members engage local communities and political stakeholders in reconciliation and restorative justice initiatives, aiming to strengthen their capacities to participate effectively in transitional justice processes.

About DT Institute

DT Institute is a 501(c)(3) non-profit organization committed to “doing development differently.” It implements complex global development programs in conflict, fragile, and closed environments. It also funds thought leadership initiatives that drive innovation and improve lives through evidence-based programming.

Center for Strategic Studies to Supporting Women and Children (CSSWC)

Center for Strategic Studies in Support of Women and Children – Yemen, operates as an independent, non-profit civil society organization based in Taiz. The center's primary goal is to produce strategic knowledge using scientific research tools that will improve society's understanding of issues affecting women, children, and vulnerable and marginalized groups through its various institutions (both formal and informal), and to have a tangible positive impact on the policy environment and public institutions targeting these groups, thereby contributing to the creation of an enabling and supportive environment that promotes preventive and protective practices that reject various forms of violence, exclusion, marginalization, and exclusion, addressing their effects and circumstances, and eliminating their causes, with a view to achieving a society where positive and sustainable peace prevails. The Center works with all individuals and entities around the world who share its belief in these lofty goals.

