

WOMEN RIGHTS IN YEMEN

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The situation with human rights in Yemen shows, that in general, Yemeni women legally enjoy rights equal to those of their male counterparts. Unfortunately, despite of Women Rights in Islam and particularly in Yemeni legal system, are enshrined during last year's, their rights are often not respected. "Women remain among the most marginalized groups in Yemeni society" [8].

Yemen is a tribal views state with traditional attitudes. A female in such a man society is conceded to be just as a primitive substance [20]. Countries in which to be a mother, and provides indicators on health, education, political and children's status, gave Yemen a rank of 111th out of 117 countries in 2002 [24]. In 2004, the country fell to 112th out of 119 countries, tied with Chad and Sierra Leone [25]. Yemen is a tribal views state with traditional attitudes. A female in such a man society is conceded to be just as a primitive substance [20, 26, 27].

With a female literacy rate of 35 percent, a female to male income ratio of 30:100, and ranked 134 globally in education attainment for women, Yemen has been deemed the worst place to live as a woman. Women in Yemen have minimal rights to education, marriage, health care, and they are denied many basic human rights [12].

Women in Yemen also suffer from poor health care. Yemeni women lack basic health services during pregnancy, delivery and post partum care because the patient is a woman [23]. That is also partly due to family ignorance as well." As of May 2008, one in 39 women in Yemen die in childbirth. Since they are seen as unequal to their male counterparts women are denied many health care rights, which results in many pregnancy complications. In education attainment for women Yemen ranked 134 globally According to 2013data, literacy rate in women was 35%, a female to male income ratio of 30:100[12]. In 2013 a maternal mortality rate in Yemen had of 370 deaths per 100,000 live births. Approximately seven to eight women died each day from childbirth complications [14].

The murder of women by their family members in the case of suspect adultery, is called "honor killing". In 1997, there were 400 cases of women and girls being killed in Yemeni for honor crime. Honor killings still occur today. There are special points, when Yemeni law allows for leniency when dealing with perpetrators of violent assault or murder against female who is accused of the crimes. Article 232 of the Penal Code of Yemen states that "if a man kills his wife or her alleged lover in the act of committing adultery, or attacking them, causing disability, he may be fined or sentenced to imprisonment for a term not exceeding one year [13].

Child marriages remain widespread, exposing girls to domestic violence and truncating their education. Over a quarter of Yemen's young girls are married before the age of 15, that not only do they lose access to health and education, but their child brides are commonly subjected to physical, emotional and sexual violence in their forced marriages. One of the main issues is that there is currently no consistent established definition of a "child" that has been agreed upon worldwide. This leaves various interpretations within countries and little protection for those who are affected. Traditional tribal customs in some part of Yemeni forbid contact between men and women before marriage. In 2013, 15-year-old girl was burned to death by her father, because she talked to her fiancé before the wedding [5].

It was reported that the Right makes no provision "to protect women from underage, forced, and polygamous marriage" (HRW 2002), discriminates against female in questions of divorce, and prevents women from leaving their household without their husband's permission [6]. According to Country Reports 2003, some Yemeni girls marry as young as 9 years. In such an age a young girl is not ready for sexual relations or being mother. Females are legally forced to submit to their spouses, who may divorce them without legal justification, although the women are not entitled to the same right [4]. By the end of 2002, a proposal to protect women from under-age, forced, and polygamous marriage had yet to be passed by Parliament. Nothing had been changed for 12 years, until 2014 [13, 15].

The last terrible incident happened in last year (09/2013), when an eight year-old child bride died in Yemen on her wedding night after suffering internal injuries due to

sexual trauma. Human rights organizations are calling for the arrest of her husband, who was five times her age [2].

The death occurred in the tribal area of Harsh in northwestern Yemen, which borders Saudi Arabia. This brings even more attention to the already existing issue of forced child marriages in the Middle East. Yemen is one of the few countries in the region now without any legal minimum age for marriage. According to the United Nations Population Fund (UNFPA), between 2011 and 2020, more than 140 million girls will become child brides. Furthermore, of the 140 million girls who will marry before the age of 18, 50 million will be under the age of 15. Girls who marry young often drop out of school, are more likely to die in childbirth, and face a higher risk of physical and sexual abuse than women who marry at 18 or later. Girls who do not want to marry are often forced to do so by their families. Yemen was one of the few countries in the region now without any legal minimum age for marriage. “The draft minimum age law is a real beacon of hope for the thousands of Yemeni girls vulnerable to being married off while still children,” said [Nadim Houry](#), deputy Middle East and North Africa director. “The government should act quickly on this measure and develop enforcement mechanisms to prevent even more girls from becoming victims of early and forced marriage” [16]. Establishing this age limit is among the top priorities of groups like HRC which was responsible for publishing the 54-page report “How Come You Allow Little Girls to Get Married?” documenting the lifelong damage to girls who are forced to marry at young ages. Most pro age-limit organizations agree that 18 should be the legal age for marriage. In February 2009, a law was created in Yemen that set the minimum age for marriage at 17. Unfortunately, it was repealed after more conservative lawmakers called it un-Islamic [2].

The latest data is really optimistic, because the Yemeni government prepared the draft of Child Rights Law establishing 18 as [Yemen](#)'s minimum marriage age. On April 27, 2014, Legal Affairs Minister Mohammad Makhlafi submitted the proposed law to Prime Minister Mohammad Basindawa, who should ensure a cabinet review and submit it to parliament for prompt passage. The draft law in Article 242 (a) provides criminal penalties of between two months and one year in prison and a fine of up to YER 400,000 (US\$1,860) for any authorized person who draws up a marriage contract knowing that at least one party is under 18 [16].

Western mass media indicated that female genital mutilation (FGM) continues to affect women in Yemen, where between 20 and 23 per cent of women have undergone the procedure. [14] A report by the Office of the Senior Coordinator for International Women's Issues indicates that despite the absence of a law forbidding FGM in Yemen, a 9 January 2001 ministerial decree prohibits the procedure from taking place in all health care institutions [27]. However, the report mentioned that approximately 95 percent of FGM procedures are carried out in homes. The report also indicated the absence of any information on groups that supported or protected women from FGM [15]. In 2009, conservative Yemeni parliamentarians opposed the adoption of a nationwide criminal law against FGM [9].

According to the UNICEF 2013 report, FGM prevalence rate in Yemen's have not changed during last 30 years. While Yemeni laws theoretically protect women who are victims of violence, they are rarely put into practice. The Country Reports 2003 indicated that the punishment of up to 15 years imprisonment for rape was rarely enforced and sexual harassment was not prohibited by Yemeni law [7]. A UN report highlighted a lack of legislation criminalizing domestic and sexual violence [22]. In 1999, at Sana University was conducted a study on the reactions of police officers to assaults on women. It was found that some police officers were passive, while others feigned concern but ended up sexually abusing the victim instead of protecting her. The research felt that the lack of domestic violence legislation left much to a police officer's discretion [7]. Statistics on domestic violence are reportedly difficult to obtain. However, according to a Yemeni researcher who studied violence against women, approximately 67 per cent of women are mistreated by their husbands, 30 percent by their brothers, and 17 per cent by their parents, although these figures could not be corroborated [25].

Several sources highlighted the problem of violence against women in Yemen, which, in the estimation of some, is considered widespread and persistent.

The domestic violence, though common, was rarely reported to the police because victims are instead expected to report such incidents to a male relative, who should offer them the necessary protection [7]. Women victims of violence, also tend to cover up the crimes committed against them, fearing retribution from the assailant if the crimes are reported. Even doctors rarely report a case of assault. When cases of assault are reported to

the police, they often do not receive priority, attention, especially when the abuse was committed by a family member [25].

There existed a small shelter in Aden for women victims of violence, as well as telephone hotlines serving Aden and Sana'a, although the report did not indicate whether these services were run by the government or by an NGO [7]. As for the conditions of women in Yemen jails. According to Human Rights Minister Amat Alsoswa, "most of the women who are in prison do not want to leave the prison because they feel it is a safer place than home" [1]. The AFP article maintains that families can be unforgiving in the case of a female relative who is accused of what the family considers to be sexual impropriety, and many families do not believe a woman who says she was raped or sexually assaulted. According to one source, "in the case of an honor crime, it doesn't concern the law, the community or anything else. It's a family affair. The family "might beat her, they might kill her, they might do anything to her"[1].

According to Amnesty International Report 2003, Yemen has not signed the Optional Protocol to the United Nations (UN) Women's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), however, the Yemeni Ministry of Human Rights apparently planned to eventually ratify the Optional Protocol [3].

A report by the Republic of Yemen Supreme Council for Women Affairs presented the opinion those services for protection and security of women victims of violence in Yemen were "inadequate and unsuitable". Another report, this one by the UN, took a similar stance, arguing that measures to combat domestic violence were insufficient and that the state should provide improved protection for victims [6, 25]. Simultaneously in those years some signs indicated the increased, support for women's rights, and a greater political and judicial presence. For example, there were 47 women judges in Yemen [7]. There was only one woman in the country's 301-seat legislature, and none in the Supreme Court [25].

As for current situation – some sources indicated progress with regard to the status of women in Yemen. CEDAW Report was submitted by the Government of Yemen later, only in 2007, March 13, (United Nations CEDAW/C/YEM/6 Convention on the Elimination of All Forms of Discrimination against Women [8].

The Yemeni Minister of Human Rights, appointed in 2003, was a woman named Amat al-Aleem Alsoswa [7, 22]. In 2003 Yemen had a very active women's movement,

which was continuing a campaign for women's rights and an end to violence against women. Several NGOs have assisted women with their careers, published studies on women and children, worked on improving health and education, and provided vocational training to women for example, by using a grant by the United Nations Development Fund for Women (UNIFEM) to pressure parliament to support domestic violence legislation (M2 Communications 4 Mar. 2003). The Amnesty International report mentioned a May 2003 training workshop on ending family violence held in Aden and hosted by the Yemen Women's Association, Oxfam, and the World Bank [3].

The Civic Democratic Initiatives Support Foundation hosted a workshop to examine amendments to discriminatory legislation, and to plan initiatives to end violence against women. The same month saw a visit by Amnesty International to Yemen where the NGO met with local NGOs concerning the campaign to end violence against women. Also, NGOs hosted several conferences to bring the issue of violence against women into the public spotlight [4]. Sisters Arabic Forum for Human Rights was one such NGO and together with the Human Rights. Information and Training Center, it discussed the treatment of women by police and in prison [13].

However, the Human Rights Watch is campaigning to change these living conditions. The Human Rights Watch sent in a letter to the head of the Rights and Freedom Working Group in hopes of alerting them to the situation. The Rights and Freedom Working Group is responsible for all human rights, and the goal of the letter was to get them to recommend a list of changes to apply to the current Yemen constitution regarding women's rights [15, 19].

In response to the discrimination against women, in 2012, 27 September, "Progressio" has launched the "Combating discrimination against women in Hodeida" project with generous support from the Embassy of the UK in Sana'a. The project will advocate for women's rights among broad sectors of society targeting some 25,000 women in two districts over nine months. The project is unique in that it aims to build women's capacity, both women from communities and our NGO partners, in advocacy. The project is also unique in that it is being jointly implemented by the Hodeida NGO forum with the Half of Society NGO taking the lead role. The project aims to respond to the issues highlighted by Hanan Omar (pictured below in her office): "We need to change the negative attitudes towards women that they are not only wives, mothers or sister, but also partners in the development

process.” She adds: “Islamic Shari ensured all civil rights for women but customs and traditions prevented enjoyment of those rights. So we need to enforce existing laws and legislation guaranteeing both men and women rights together, as opposed to the prevailing situation, and this includes addressing women’s rights with regard to inheritance and rights in polygamous marriages.” She says she speaks from personal experience: “I personally have suffered from this issue (of polygamy) and after a long and troubled marriage decided to separate. My point of view on polygamy is that we need to raise awareness and conduct a careful study to put in consideration female and male awareness about its principles and restrictions to ensure the rights of both parties. The absence of laws that protect women contributes to the further violation of their rights.” The poor status of women is apparent in that many still do not have basic ID cards or voter cards which are needed for participation in society. However, addressing the topic of women in Yemen is a sensitive and complicated issue and requires the leadership of understanding people like Hanan Omar. As she puts it: “The challenge we may face is that some project’s objectives may contradict some laws that are clear and explicit in the Qur’an and Sunnah. They should be avoided as it has a religious and cultural sensitivity which may lead to the failure of the project” [8].

Women in Yemen generally are excluded from public life but played an important role in anti-Saleh protests. Despite being the first state on the Arabian Peninsula to enfranchise women and create a multiparty electoral system, lack of progress on reforms and a decline in opposition party performance has led to frequent protests in early 2011 [14].

According the Sana’a University’s data, in spite of the fact that Yemen, as a government, had signed on most of the international agreements related to women’s rights, yet the structure of the Yemeni society still enforces a number of reservations concerning women and women’s liberations in Yemen. Yemen is considered one of the deeply conservative countries where the tribalism status and strong principles persist in every aspect of the social life even today. So if Yemeni women would be enabled to reach the decision-making positions and get a relative fair chance to participate in the political activities, then a quota system should be implemented. Through their preserved seats in all governmental institutes and establishments, women would be able to practice their rights and contribute in the political situation in Yemen. Yemeni women live a critical controversy today; there is the modernization movement which calls for equality between the two genders, and

encourages women's participation in all activities, in the same time there is the living in a traditional manner than is inherited from cultural and social norms for generations, these rituals that conflict with the first point and mock the call for equality and liberties to become merely empty lines [4].

In the March 2012 document presented by the Women's National Committee in collaboration with national women's movements on the occasion of International Women's Day, the number on demand was a 30 per cent quota in all elected and non-elected decision-making positions. This demand has not emerged from a vacuum – in fact, in 2006 female activists held wide-ranging demonstrations and marched to the presidential palace demanding a quota for women, which was a new concept at the time [10].

The winner of the World Press Photo of the Year 2011 was a picture taken by Samuel Aranda in Yemen. The photo shows a Yemeni woman covered entirely in black except for her white-gloved hands with which she holds her son, injured in the 2011 uprising against the regime, to her chest. Having a Yemeni woman as the subject of an international photo contest is something entirely new to Yemen and its culture. Thanks to the uprising of 2011, the visibility of women in Yemen has skyrocketed, which can be attributed to the revolutionary activist Nobel Peace Prize winner Tawakkul Karman, as well as the thousands of women who took to the streets demanding change [18, 21].

Tawakkul Karman – a female journalist, human rights activist, and a leader in the political movement [11] – is widely considered to have started the movement in Yemen. She was arrested in January 2011 after she took part in a student demonstration of solidarity with the protests in Tunisia and calling on Yemeni President Ali Abdullah Saleh to step down. The international community has learned that in situations of prolonged insecurity such as in the Democratic Republic of Congo, Somalia and Afghanistan women are not only the primary victims of violence, they also lose ground in the public arena, as society becomes more militarized and less democratic. Therefore, it is in the interest of Yemeni women that the transition addresses both the political and economic causes of conflict in the country. It is very important that the international community support Yemeni women during the transition process. “We must avoid what occurred in Egypt, where although women were part of the revolution, they have been absent from the table during the constitutional and institutional reform processes,” says Gellman. Of course, not all women want the same

things. Thus, while some support a quota system for parliamentary seats, others oppose it, saying that in light of women's present status in Yemen, such a system would merely give too much power to the political parties. Yemeni women will have to reach an agreement among themselves about this and many other legislative and policy issues. However, there are some issues on which there is broad-based agreement. One is the need for strong support to civil society, since women will likely continue to exercise most of their leadership in the nongovernmental sector for the foreseeable future. As usually Human Rights Watch is campaigning to change women living conditions in Yemeni. The Human Rights Watch sent in a letter to the head of the Rights and Freedom Working Group in hopes of alerting them to the situation. The Rights and Freedom Working Group is responsible for all human rights, and the goal of the letter was to get them to recommend a list of changes to apply to the current Yemen constitution regarding women's rights [15].

The Human Rights Watch believes that gender based discrimination and gender based violence need to be more recognized, and changes need to be made to the Constitution of Yemen to direct authorities to prevent these things. The organization is also campaigning to get all provisions that discriminate against women removed, as well as granting women equal rights within marriages, and setting a minimal age for marriage at age 18 [14, 15].

The Human Rights Watch is also planning plans for public awareness campaigns, and their goal is to bring social awareness to the injustice in Yemen, as well as support for Yemeni women to become leaders. Yemen's current share of women in Assembly of Representatives is less than 1 percent, making it one of the lowest globally. Women deserve to have equal human rights globally, and the lack of rights in Yemen is a matter that needs to be recognized and solved [17].

At a United States Institute of Peace workshop in October 2010 with 34 Yemeni female activists, the most frequently made recommendation regarding the international community was that it provides sustained support for women's networks and coalitions. Workshop participants said that women are much more likely than men to be effective in building bridges across the cleavages that plague Yemen [14]. The international community is well positioned to ensure that linkages are built and strengthened between women from all segments of society and from all geographical regions, urban and rural. This can best be done by supporting networks and coalitions that are truly inclusive and by creating the space

for them to identify common goals and develop national, regional, and local strategies to achieve them. This will increase participation and enhance representation in the public arena for all Yemeni women, not just for the urban elite.

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WOMEN RIGHTS IN YEMEN

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(Overview)

SUMMARY

The situation with women rights in Yemen shows, that women lack basic health services during pregnancy, delivery and post partum care. In 2013 a maternal mortality rate in Yemen had of 370 deaths per 100,000 live births. The murder of women by their family members in the case of suspect adultery, called “honor killing”, still occur today.

Child marriages remain widespread, exposing girls to domestic violence and trunk acting their education. On April 27, 2014 Yemeni government prepared the draft of Child Rights Law establishing 18 as [Yemen](#)'s minimum marriage age.

Some sources indicated current progress with regard to the status of women in Yemen. The international community is well positioned to ensure that linkages are built and strengthened between women from all segments of society and from all geographical regions, urban and rural. This will increase participation and enhance representation in the public arena for all Yemeni women.

Key words: Women's Rights, domestic violence, Health, Yemen

ПРАВА ЖЕНЩИН В ЙЕМЕНЕ

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РЕЗЮМЕ

Ситуация с правами женщин в Йемене показывает, что женщины не имеют базовые медицинские услуги во время беременности, родов и в после родовой период. В 2013 году показатель материнской смертности в Йемене было 370 смертей на 100 000

новорожденных. На сегодняшний день все еще продолжают т.н. "убийства чести" – убийства женщин членами их семей, в случае подозрения на прелюбодеяние.

Детские браки остаются широко распространенными, подвергая девушек семейному насилию и препятствуя получению им образования. 27 апреля 2014, Йеменское правительство подготовило проект закона о правах ребенка и принятии 18 лет, в качестве минимального брачного возраста в Йемене.

Некоторые источники сообщают о текущем прогрессе в положении женщин в Йемене. Международное сообщество использует все возможности для повышения самосознания женщин и укрепления связей между женщинами из всех слоев общества и всех географических, городских и сельских регионов. Это позволит увеличить участие и повысить представительство всех йеменских женщин в общественной жизни.

Ключевые слова: права женщин, семейное насилие, здоровье, Йемен

ქალთა უფლებები იემენში

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პათოლოგიის და პათოფიზიოლოგიის ინსტიტუტი

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რეზიუმე

ქალთა უფლებების მდგომარეობა იემენში გვიჩვენებს, რომ ქალებს არ გააჩნიათ საბაზისო სამედიცინო მოსახურება ორსულობის, მშობიარობის და მშობიარობის შემდეგ პერიოდში. 2013 წელს, დედათა სიკვდილიანობის მაჩვენებელი, 100 000 ცოცხლად დაბადებულზე შეადგენდა 370-ს. იემენში დღესჯერ კიდევ შირია ე.წ. "ღირსების მკვლელობის" შემთხვევები – ქალების მკვლელობები ღალატზე ეჭვის შემთხვევაში, მათი ვეოჯახის წევრების მიერ.

იემენში ფართოდ არის გავრცელებული ბავშვთა ქორწინება, რაც ხელს უშლის გოგონების განათლებას და ხდება ოჯახური და სექსუალური ძალადობის მიზეზი. 2014 წლის 27 აპრილს, იემენის მთავრობამ მოამზადა კანონპროექტი ბავშვთა უფლებების შესახებ და ქორწინების მინიმალურ ასაკად 18 წელი დააწესა.

ზოგიერთი წყაროს მონაცემებით, უკანასკნელ პერიოდში იემენში აღინიშნება ქალთა მდგომარეობის გაუმჯობესება.

საერთაშორისო თანამეგობრობა იყენებს ყველა შესაძლებლობას,

რათა გაზრდოს ქალების ცნობიერება და გაძლიეროს კავშირები ქალებს შორის იემენის ყველა გეოგრაფიულ რეგიონში, ქალაქებსა და სოფლებში. ყოველივე ეს იემენელ ქალბატონებს საშუალებას მისცემს, გაზარდონ წარმომადგენლობა და სრულფასოვანი მონაწილეობა მიიღონ საზოგადოებრივ ცხოვრებაში.

საკვანძოსიტყვები: ქალთა უფლებები, ოჯახური ძალადობა, ჯანმრთელობა, იემენი