

International, independent probe of alleged violations in Yemen needed – UN deputy rights chief

23 March 2017 – Describing the situation in Yemen as one of the world's worst humanitarian crises – 'and one that is entirely man-made' – the United Nations human rights deputy chief today urged the national commission of inquiry to fulfill its mandate of investigating all alleged violations of international and Yemeni laws.

"We encourage the Yemeni National Commission to make progress on all aspects of its mandate to investigate all allegations of violations of international law and Yemeni law, including those that go beyond the extent of the Commission's cooperation with OHCHR [the Office of the UN High Commissioner for Human Rights]," UN Deputy High Commissioner for Human Rights Kate Gilmore told a UN Human Rights Council session in Geneva yesterday.

She said that OHCHR has re-established its engagement with the National Commission on a programme of joint activities and a list of thematic priorities. The first of these activities took place from 21 to 23 February, in Doha, Qatar, which was a capacity-building workshop on international humanitarian law, investigative methodologies and lessons learnt from UN commissions of inquiry.

The de facto authorities in the capital, Sana'a, have officially communicated their intention not to extend cooperation to the National Commission or to any OHCHR team tasked with implementing the Human Rights Council resolution.

In response, OHCHR has urged the authorities to reconsider that decision and called on all parties to follow through on their commitment to cooperate with the National Commission and OHCHR.

She said that calls for an international and independent commission of investigation have been dismissed by some as potentially undermining the National Commission.

However, there are no persuasive reasons to believe that an international and independent investigation could not operate alongside a national commission of inquiry as the existence of one does not exclude the other, she explained.

The National Commission's first publications failed to comply with internationally recognized standards of methodology and impartiality, she pointed out.

Still, Ms. Gilmore argued that the violations allegedly committed in the ongoing conflict are of such gravity that impunity simply cannot be accepted. In the absence of credible mechanisms for national remedy, international and independent alternatives are essential.

“The High Commissioner has no choice but to reiterate his call for an international and independent commission of inquiry into all allegations of violations of human rights and humanitarian law, regardless of the alleged perpetrators,” she said.

Such an approach would also support the efforts of the Secretary-General’s Special Envoy on Yemen to reach a negotiated and durable settlement of the conflict, she added.