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WHAT THE WOMEN SAY

We Will Survive: Women's Rights and Civic Activism in Yemen's Endless War

Winter 2016

Brief 14

Key Issues

- Civilian casualties topped 8100 as bombing and shelling continued in January 2016. The UN states that 80% of Yemen's population is in need of emergency aid, and some 65% have no access to basic healthcare.
- Oxfam reports that rates of early marriage for girls are escalating due to the hardships of war and over 30% of displaced families headed by women facing greater difficulties accessing aid.
- The UN High Commissioner for Human Rights found that "almost two-thirds of reported civilian deaths had allegedly been caused by coalition airstrikes, which were also responsible for almost two-thirds of damaged or destroyed civilian public buildings including schools, hospitals, food and beverage factories.
- Despite the war, Yemen has a vibrant political landscape and an appetite for grassroots change. Retaining that vibrancy, bolstering civil society and channeling it into an inclusive peace process—should be a key objective of any international involvement in Yemen.
- The last five years gave a new generation of female activists the tools and the confidence to demand their rightful place in the next phase of Yemeni democracy.
- In the National Dialogue Conference (NDC) women made important advances in ensuring their effective political participation) and securing rights in the draft constitution, but the risk of backsliding is extremely high.
- The international community should be vigilant about the fragile democratic advances made after 2011 and insist on the inclusion of women in all peace and post-conflict processes.
- Since December 2014, despite Yemeni women's demands and UN's calls for women's participation, key warring parties have barred women from travel to peace talks. The UN has not called for inclusion of an independent delegation of women.

Key Recommendations to International Actors

- Prioritize and press for a sustained ceasefire and end to the violence, including if necessary through the deployment of observers and monitors;
- End arms and weapons transfers to Yemen or against Yemen.
- Lift the embargo on food, water, medicines, fuel and ensure immediate and unimpeded humanitarian access;
- Ensure safe passage for Yemeni nationals stranded abroad especially in Egypt and Jordan;
- Hold the parties including UN member states involved in the process and the UN SRSG accountable for systematic and structured engagement and inclusion of Yemeni women peacebuilders as an independent delegation in formal and informal dialogue and mediation efforts.
- Initiate an inclusive peace process based on the outcomes of the 2014 NDC with representation from all political and social groups

The Yemen war is all but forgotten in Western media, despite the staunch support that the U.S., France and the UK gave Saudi Arabia when it launched Operation Decisive Storm in March 2015. Nearly a year on for Yemenis stuck inside and outside the country, the violence has been relentless. By day and night, Saudi warplanes drop missiles and bombs on cities and countryside, its roads, ports and airports, its homes and its people. On the ground, Houthi militias continue their ground assaults and sieges. ISIS and Al Qaeda are also vying for power. Not surprisingly, given the country has long been awash with heavy weaponry, new local militias or splinter groups have also arisen.

"This is not the #Yemen we all wanted when we marched to push Saleh out of power."

- Nadwa Sari

As expected there is plenty of finger pointing as to who is to blame for the current state of affairs. Relations between local actors and regional states - notably Iran, Saudi Arabia and other members of the 2011 Gulf Council Cooperation (GCC) - have been fraught and worsening. The motivations

driving the violence are in flux. What is clear, however, is that there is little interest or will among any of the parties to stop the violence. Jamal Benomar, the UN Envoy who facilitated the inclusive National Dialogue Process from 2012 to 2014 was forced aside, in favor of Ismail Ould Cheikh Ahmed, whose mandate is to end the fighting and a kick-start a new political dialogue. So far there have been a string of violated ceasefire agreements, and more violence. Yemenis gathered in mass on January 8, 2016 to protest the unrelenting Saudi airstrikes as weak commitments to peace on the part of the Yemeni parties derailed the talks set for January 14, 2016.¹

Recent History in Brief

January 2011: Yemenis join the Arab revolution with uprising against Ali Abdullah Saleh regime.

November 2011: The Gulf Cooperation Council (GCC) proposes the removal of Saleh.

February 2012: Uncontested presidential elections with only former Deputy President Abd Rabbuh Mansur Hadi on the ballot. He wins.

2012-2013: With UN support, the National Dialogue Conference (NDC) is established.

January 2014: The NDC wraps up agreement on recommendations as the basis of new constitution.

February 2014: Constitutional drafting committee established with representatives selected by President Hadi.

September 2014: Houthis take control of the capitol, Sanaa.

January 2015: Houthis reject draft constitution that proposed division of the country into six federal regions and reject Hadi's presidency, forcing him to flee.

March 2015: Islamic State attacks Yemen; the Houthis move southward towards Aden; The Saudis launch Operation Decisive Action to push back Houthi advance and reinstate Hadi (who has taken shelter in Saudi Arabia).

September 2015: Hadi returns to Yemen.

January 2016: Saudi bombings and embargoes continue and Houthi siege ongoing.

¹ "Yemen government says peace talks may be postponed beyond mid-January," Reuters (January 9, 2016), <http://www.reuters.com/article/us-yemen-security-talks-idUSKCN0UN0J520160109>

Pressed by aid agencies to deliver aid, the Saudis have accepted brief humanitarian pauses, but much of the aid remains blockaded. Countless Yemenis are still stranded abroad, while those inside have no place to go. Women in particular face dire conditions as they have less access to aid and more young girls are being forced in early marriages.²

If the war is absent from mainstream media, it is ever-present on social media. On Twitter Yemeni citizens give regular heartbreaking updates to remind the world that they still exist. Their courage and humanity, humor and stoicism are often captured in 140 characters. Hisham Al Omeisy, an information analyst, offers balanced and often ironic updates reflecting the guilt and hypocrisy of all parties. About the Saudis on Christmas eve 2015 he wrote, *"Santa Salman & his Rudolf fighter jets busy last night dropping bombs under our Christmas trees :(#Yemen."* While of the Houthis in January 2016 he wrote, *"Elsewhere in Yemen, OHCHR says it is particularly concerned by the ongoing humanitarian catastrophe in Taiz, where Houthi forces have prevented humanitarian aid from reaching more than 200,000 residents."*

We are witnessing the limitless creativity of violence."

- Atiaf Zaid Alwazir, women's rights and peace activist. Public talk, April 15, 2015, Washington, D.C.

"We are just dying or waiting for death
By brother's bullets
Or neighbors' rockets."

- Hafez Albukari, May 27, 2015

Activists, writers, journalists, bloggers, and ordinary citizens post daily on Facebook and Twitter about their experiences (#KefayaWar, #YemenCrisis, #YemenChildren). Many Yemenis are eager to connect internationally and discuss what is happening in their communities. Internationally based blogs

such as "Woman from Yemen," "Yemen Peace Project," "NoonArabia," "Yemen-iaty," and others contributed to the steady flow of information in 2015.

Women's rights activist, Bushra Al-Fusail posted photographs and reports on her activism. She saw the lack of gasoline supplies as an opportunity to teach women how to ride bikes to get around. They and others report on bombings in real-time and keep daily track of the lack of medicine and the rising cost of scarce produce. They serve as a constant reminder that in 2011 when Yemeni women and men, young and old, poured into the streets, they had aspirations for a very different future, and that they will not be silenced again. This is especially true for Yemeni women, who were the leaders of the 2011 revolution and staunchly struggled to maintain peaceful protests. Despite ensuing violence and entrenched resistance from many quarters, they successfully fought to ensure a minimum 30 percent representation in the National Dialogue Process and transitional government. They secured key rights in the draft constitution.

But with the situation unravelling and a new UN Envoy who has failed to include women's voices, women may again be silenced. Since December 2014, no women have participated in any major negotiations regarding the coup. As and when a political process takes shape, the international

² <https://www.oxfam.org/en/pressroom/pressreleases/2015-12-11/yemen-women-are-key-finding-political-solution-peace-talks>

Who are the Houthis?

Houthis are a Zaidi Shia group from Saada, northern Yemen founded by Hussein Badreddin al-Houthi. Zaidis make up 45 percent of the Yemeni population and they ruled Yemen for 1,000 years up until 1962. Al-Houthi Zaidis are estimated to be about 30 percent of the population, and according to Ahmed Addaghashi, a professor at Sanaa University, the Houthis began as a moderate theological movement that preached tolerance and held a broad-minded view of Yemeni people.

Hussein Badreddin al-Houthi led the group's first uprising in 2004 in an effort to win greater autonomy for their heartland of Saada province, and also to protect Zaidi religious and cultural traditions from the perceived threat of Saudi-influenced ideologies in Yemen. After Al-Houthi was killed by the Yemeni military in late 2004, his family took charge and led another five rebellions before a ceasefire was signed with the government in 2010.

The Houthis participated in the 2011 Yemeni Revolution, as well as the ensuing National Dialogue Conference (NDC). However, they rejected the provisions of the November 2011 Gulf Cooperation Council deal on the ground that "it divided Yemen into poor and wealthy regions" and also in response to assassination of their representative at NDC. In 2014-2015 Houthis took over the government in Sana'a, which led to the fall of the Saudi backed government of Abd Rabbuh Mansur Hadi and gained control of significant parts of Yemen. In May 2015, Houthis declared alliance with Yemen's former president Ali Abdullah Saleh.

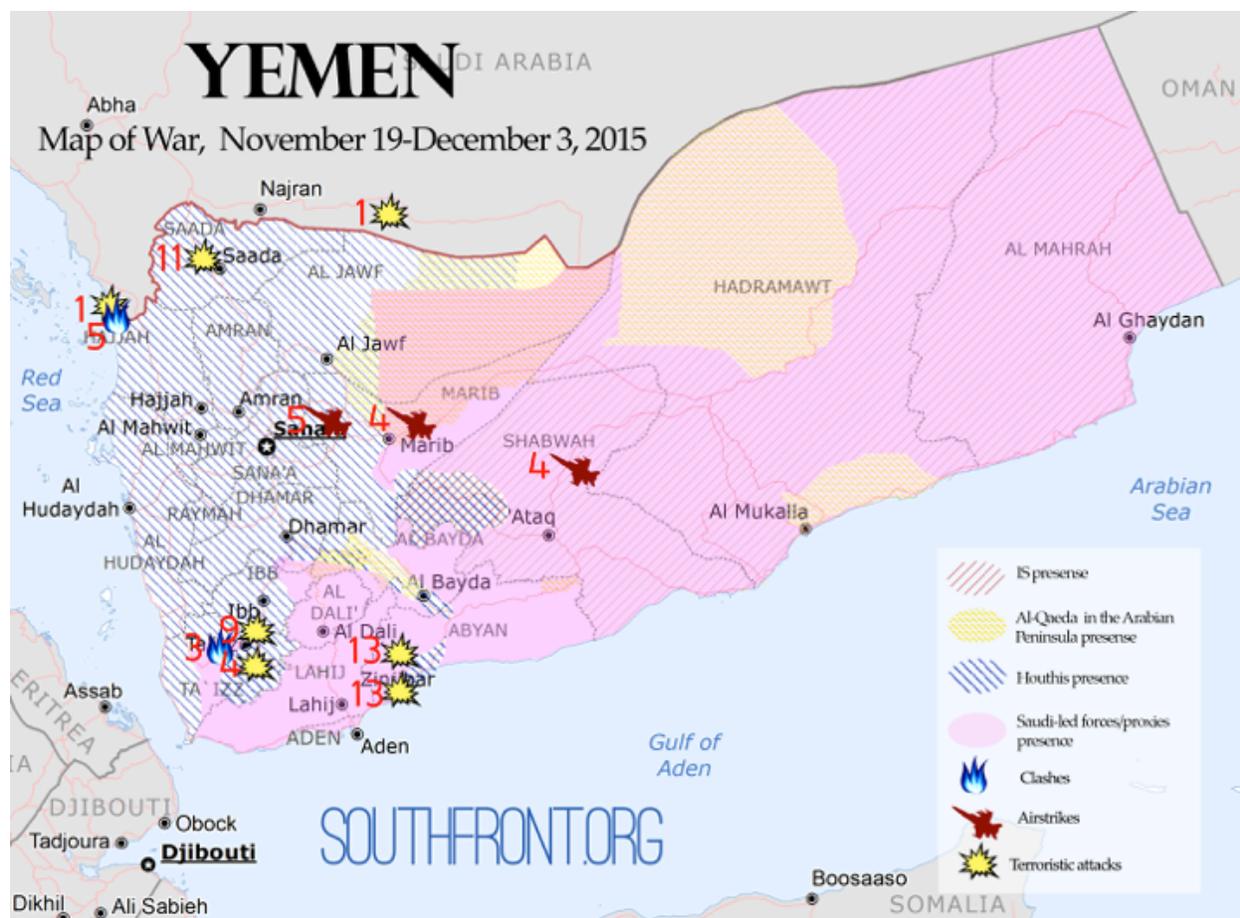
community's support for another inclusive process and adherence to the outcomes of the National Dialogue will be critical. Moving forward from the 15th anniversary (2015), the international community must uphold the values and spirit of United Nations Security Council Resolution 1325 (UNSCR 1325) and its sister resolutions and require the inclusion of women in all stages of a future peace process.³

Reflecting on the experiences of Yemeni women during the uprising, the transitional period and the national dialogue, this report provides a brief snapshot of the deteriorating humanitarian and socio-economic conditions, the security concerns, the thwarted constitutional process and evolving political landscape and its implication for women. It highlights key recommendations to international and domestic actors with regard to peace, security and equality for Yemenis in the future.

The NDC failed to reconcile conflicting groups, stabilize the government, or address any of the popular demands driving the 2011 protests. For many, the failure of the NDC process was hardly surprising. "What would you expect from an autocratic hereditary monarchy heading a transition path for democracy?"

- Atiaf Zaid Alwazir, women's rights advocate and member of the nonviolence movement (remarks made at a public talk in Washington, D.C., April 15, 2015.)

³ See ICAN's *Better Peace Tool* for practical guidance in developing inclusive processes including solutions to six common barriers to inclusion and a four-part framework for the inclusion of women peacebuilders, offering proactive steps to broaden participation. www.betterpeacetool.org



I. THE SECURITY CONTEXT, HUMANITARIAN CRISIS AND IMPACT ON WOMEN

At the heart of the current conflict is disagreement over both Houthi and southern political representation and access to resources. From 2004-2010, Houthi factions in the north fought six wars in Sa'ada against the Yemeni army.⁴ Media blackouts on the wars meant that most Yemenis were unaware of the extent of the destruction in Sa'ada and the basis for Houthi grievances.⁵

The Houthis participated in the NDC, but withheld support from a final accord⁶ in early 2014 that extended Hadi's mandate in office for another year, and according to them, "divided Yemen into poor and wealthy regions."

⁴ Leslie Campbell, "Yemen: The Tribal Islamists," In *The Islamists are Coming: Who They Really Are*, edited by Robin Wright, USIP Press, 2012. Available at: <http://www.wilsoncenter.org/islamists/yemen-the-tribal-islamists>.

⁵ Interview, Atiaf Zaid Alwazir, April 23, 2015. See also "Targeting Saada: Unlawful Coalition Airstrikes on Saada City in Yemen," Human Rights Watch (June 30, 2015).

⁶ "A Houthis' spokesperson at the conference said that his political party does not stand behind the NDC's final document," Yemen Times (23 January 2014).

Yemen Humanitarian Crisis in Numbers from March to November 2015

- 21 million Yemenis require humanitarian aid, which counts for 82% of the population (UN)
- 20 million Yemenis have no access to safe drinking water or sanitation
- 13-14 million are considered food insecure, including 7.6 million severely food insecure (WFP)
- More than 1.2 million children projected to be suffering from moderate acute malnutrition and half a million are severely malnourished (UNICEF)
- 3 million children and pregnant or lactating women in need of malnutrition treatment or preventive services (UNICEF)
- At least 5,700 civilians have been killed, 830 of which are women and children (UN)
- Nearly 8,875 or an average of 43 human rights violations are occurring every day (UN)
- An average of eight children are being killed or maimed every day (UNICEF)
- 4,271 wounded in air strikes and fighting on the ground (UNHCR)
- Estimated 2.3 million people have been forced to flee their homes and an additional 120,000 have fled the country (UNHCR)
- 15.2 million people across Yemen now lack access to basic healthcare (UN)
- 1.82 million children have been out of school since mid-March (UNHCR)

President Hadi also proposed a “six-region solution” that exacerbated tensions, by limiting Houthi control to a landlocked region.⁷ Meanwhile, Houthis continued to strengthen militarily throughout the transition period. In September 2014, Houthi armed fighters advanced on Sana’a and forced the Hadi government to sign a power-sharing agreement. The central government continued to weaken and on January 22, 2015, the Hadi government formally resigned. Houthis assumed power of the presidency and placed Hadi under house arrest. A month later, he fled to Saudi Arabia and rescinded his resignation. By then, the Houthis had acknowledged they had allied with former President Saleh, who had leveraged his extensive political and military power against the Hadi government.⁸

At the invitation of exiled President Hadi, neighboring Saudi government initiated an airstrike offensive intended to dislodge the Houthis and restore Hadi to power. AQAP responded to the Houthis’ expanding territorial control by intensifying its campaign of bombings and assassinations. Elements of the Southern Movement rearmed against the Houthis and the Hadi government. And Local Popular Resistance Committees, made up of tribal militia fighters from various southern regions, took up arms against AQAP, the Houthis/Saleh, and one other.⁹

A Humanitarian Crisis that Just Gets Worse: Yemen was already struggling before the Saudi-led coalition strikes began in March 2015. Years of instability, poor governance, and lack of rule of law meant almost half of all Yemenis lived below the poverty line. Two-thirds of youth were unemployed,

⁷ Saeed Al Batati, “Al Houthis block Yemen’s new constitution,” Gulf News (January 5, 2015).

⁸ Saleh placed numerous members of his family in powerful roles in the military and intelligence over the years. His nephew Yahya Saleh heads the Central Security Forces and his son Ahmed Saleh is commander of the Republican Guards. Jane Ferguson, “Making Sense of Yemen’s Feuding Factions,” Al Jazeera (June 6, 2012).

⁹ Interactive: Fractured Yemen,” Al Jazeera (June 5, 2012).

and basic social services were on the verge of collapse. However, the already desperate humanitarian situation has severely deteriorated into “a humanitarian catastrophe,”¹⁰ after the strikes began.

Effect on Women: As is the case during wars and armed conflicts, women and children face a host of challenges. Before the Saudi-led strikes, there was an average of 9 percent female-headed households, while current estimates amount to 30 percent.¹¹ Due to insecurity and ongoing armed conflict, a comprehensive data analysis on the crisis faced by women and girls is yet to be established, however as UNFPA states, it is likely that the situation has deteriorated immensely.¹²

According to the 2009 Gender Gap Index, Yemeni women had a literacy rate of 50 percent and they earned 75% percent of what men earned. On top of this, 52 percent of Yemeni girls were married off before the age of 18.¹³ With the current security and humanitarian crisis, women are struggling against restrictions of mobility, lack of access to resources, livelihood opportunities, and protection.

Slander & Targeting of Women Peace and Rights Activists: Being at the heart of the anti-government protests in 2011, women became targets of harassment, violence, and slander. Those who loudly call for women’s rights suffer the most. In Yemen, damage to one’s reputation can have profound economic and social consequences, including loss of livelihood, divorce, even banishment. Female activists have been attacked and their personal reputations have been compromised. Some attacks have come from religious leaders in Islamist parties and members of parliament.¹⁴ Although the Penal Code defines defamation as a serious crime, cases are typically dismissed by courts.

We were sitting in our houses with pride and never thought we will go to the streets, [but when the government took our men] we came out and will never go back inside our houses.”

- A Hashimi woman who publicly protested when Hashimi men were jailed during the last Sa’ada war.



Photo Illustration: Saba Jallas/Facebook

¹⁰ Johannes Van Der Klaauw Humanitarian Coordinator, UN Office for the Coordination of Humanitarian Affairs August 2015

¹¹ Humanitarian Crisis in Yemen - Gender Alert July 2015 by the Inter-Agency Standing Committee

¹² <http://www.unfpa.org/news/yemen-conflict-drags-women’s-vulnerability-grows>

¹³ Ricardo Hausmann, Laura Tyson, and Saadia Zahidi, “Country Profile: Yemen,” Global Gender Gap Report 2009, *World Economic Forum*, Pg 189.

¹⁴ According to activist Suha Moh’d Saeed Bashren.

II. THE PALE SILVER LINING: YEMEN'S NASCENT BUT CREATIVE CIVIL SOCIETY STILL WORKING FOR PEACE AND RIGHTS

Prior to the war, a nascent civil society was emerging in Yemen. To outsiders it appeared as inherently weak, disorganized, and almost casual. There was little coordination, internal fragmentation, and a deep lack of trust between groups. Donors unintentionally exacerbated the isolation for groups based outside Sana'a, which increased competitiveness among groups for funding and visibility. The range of organizations also added to the complexity. Yemen expert Fernando Carjaval estimates 9,000 legally registered NGOs and alliances.¹⁵ Terminology matters, too: some groups prefer the term CSOs to NGOs, many groups are for-profit, and many excellent organizations are unregistered to avoid affiliation with official channels. Further, most political parties have NGOs—considered party-affiliated “clone” organizations—usually small-offices that achieve little but sometimes receive lavish international funding. Such groups help discredit CSOs and NGOs in the eyes of ordinary Yemenis.¹⁶

But numerous organizations did emerge including in the realm of women's rights. They conducted workshops and skills-training seminars, advocacy and awareness-raising campaigns to mobilize their communities on a range of issues: Mwatana and the Watan Coalition-Women for Social Peace focus on human rights and women's political participation. Sisters' Arab Forum for Human Rights (SAF) and Yemeni Women's Union focus on advocacy for women's rights. Search for Common Ground Yemen (SCGY) focuses on non-violence. Cultural Development Program Foundation (CDPF) works on health education for girls. Women's Forum for Research and Training (WFRT) advances rule of law on women's issues. Political watchdog groups such as Yemen Parliament Watch provide a vital function during and in between elections. PERCENT conducts quantitative and qualitative research.

Other groups are affiliated with research centers at universities, such as the Women Center for Research and Training (WCRT) at the University of Aden and the Gender Development Research and Studies Centre (GDRSC) at Sana'a University.

Civic activism amidst the violence: Some observers believe the environment is too politicized for CSOs to work effectively, as pressures are high to take sides in the conflict.¹⁷ Activists speak of the problem of a group's “independence”—referring to a group or person's party-affiliation or position vis-à-vis the war.¹⁸ Individuals and groups can be easily discredited by affiliation, and groups frequently fracture over disagreements about affiliation (or political positions).

As youth activist Mohammad Al-Shami puts it, youth have three options: “Stay home, fight, or organize.”

In 2014, Hadi's administration shut down media outlets with ties to the former Saleh regime and put pressure on outlets affiliated with the Houthis. Rights groups continue to report incidents of harassment, but some believe the arrests are a reflection of political affiliations rather than the rights

¹⁵ Phone interview, Fernando Carjaval, April 26, 2015.

¹⁶ Phone interview, Fernando Carjaval, April 26, 2015.

¹⁷ Phone interview, Dr. Nabeel Khoury, April 13, 2015.

¹⁸ Phone interview, Fernando Carjaval, April 26, 2015.

work itself.¹⁹ Other groups are rightly intimidated and have gone silent about the violations occurring around them.²⁰

Since the coup, Houthi forces have closed several dozen nongovernmental organizations, arrested many independent journalists and activists and as many as 100 individuals affiliated with the Islah party. Given the depth of insecurity, activists and groups are fearful and reluctant to document abuses, especially in the rural east²¹ or unify in their demands for international human rights standards.²² Few are able to withstand significant pressure from Yemen's regional neighbors.²³

As soon as the borders and airports open, donors should start sending Yemeni activists to places like Tunis and Amman to accomplish as much training and networking as possible before rebuilding begins. This training process would also give donors a chance to get to know which Yemeni CSO leaders are likely to be worth investing in down the line.

- Correspondence with William Picard of the Yemen Peace Project, April 23, 2015

But others disagree. Individuals, working under the umbrella term "initiative," or in loosely affiliated networks are active in communities. Most are not single-sector, instead they have arisen and adapted to needs such as providing emergency relief.²⁴

In the absence of humanitarian aid, locals have taken on the responsibility of working through the conflict. Some communities have organized Local Coordinating Committees to mobilize available resources, including asking

private business and individual donors to contribute food for internally displaced people. Youth are widely engaged, organizing rubble removal, street cleaning, food distribution, water stations, and mini schools.

Youth groups are also coalescing to sustain support for their organizations and visions for contemporary Yemen. Groups supporting non-violence staged protests up until the bombing began in March 2015.²⁵ Resourceful artists are using found objects to promote peace.²⁶ Al-Shami, who has been involved in numerous organizations on issues ranging from providing human rights training for the Yemeni military to organizing debating clubs to help youth articulate their political views, CSOs, he says, are the only groups with channels to reach both sides. They are the strongest sources of information, and the surest means of getting information to remote villages. He believes they are the only elements that can create conditions for peace.²⁷ Al-Shami points out that the inability of any one

¹⁹ Phone interview, Shoqi Maktary, April 25, 2015.

²⁰ Interview, Atiaf Zaid Alwazir, April 23, 2015.

²¹ Phone interview, Fernando Carjaval, April 26, 2015.

²² Phone interview, Nabeel Khoury, April 13, 2015.

²³ Interview, Atiaf Zaid Alwazir, April 23, 2015.

²⁴ Jeff Fox, "Heroes Behind Yemen's Front Lines," National Post (April 8, 2015).

²⁵ Phone interview, Shoqi Maktary, April 25, 2015.

²⁶ Hayes Brown, "Yemeni Artist Creates Beauty from Destruction," BuzzFeed (April 28, 2015). See also "Yemen Celebrates Female Photographers on International Women's Day," Yemen Times (March 9, 2015).

²⁷ Mohammad Al-Shami, "Youth and Civil Society: The Missing Powers in Yemen," Viewpoints No. 82, Wilson Center (August 2015).

side to gain political and military advantage in Yemen means that in the chaos, CSOs still have space to operate. And when the fighting stops, CSOs will be able to act.²⁸

What is needed to help Yemeni CSOs: The 2015 crisis revealed the profound lack of strategic planning, the absence of emergency and contingency plans, and inability of the larger groups to function without flexible funding sources. Perhaps counter intuitively, some observers believe this may be an ideal time for donors to invest in training CSO leaders.²⁹ Yemenis are asking for a wide range of skills training linked to experience and practical application—basic bookkeeping, budgeting, grants management, proposal writing—in addition to leadership and executive capacity-building training. Yemenis do not lack for ideas for programs, just the skills to make good programs sustainable.³⁰

III. THE POLITICAL CONTEXT: CRISIS, TRANSITION, WAR AND WOMEN'S ACTIVISM

From Reality Back to Rhetoric: In October 2015, with support from UN Women, a group of Yemeni women convened in Cyprus to articulate a set of shared demands. Despite their diverse backgrounds and concern about engaging with each other under the fraught political circumstances, they found much common ground for

Images of women's mass participation surprised Western observers and revealed the vibrant force of Yemeni women as influential, yet previously unrecognized, change agents.

immediate actions and shared vision for the future of their country. Not surprisingly their priorities are focused on ending the violence, building peace and improving living conditions, while strongly demanding the need for their own inclusion in mediation and peace making efforts led by the UN. They also held the international community to account, pointing the eight Security Council resolutions on women's participation in peace processes, and the high rhetoric of gender equality in 2015.

The UN Envoy assured them that 'their opinions would be reflected' but has taken a tow-party approach and insisted that the parties include women in their delegations, instead of seeking support for an independent women's delegation. In reality Yemen women have remained excluded from the formal processes. In November 2015, Houthi rebels barred Dr. Shafiq Al-Wahsh, a member of the Women's National Committee in Yemen from traveling to preparatory meetings.³¹

This exclusion is a far cry from the heady days of 2011, when women not only joined the men in street protests but led efforts and demanded adherence to non-violence. Youth-led anti-government protests erupted in January 2011, following the ouster of the Tunisian government and simultaneously with the Egyptian revolution. Major street protests occurred in Yemen's capital, Sana'a, then spread to the south with somewhat aggressive protests in cities like Aden and Taiz. Initially, protesters demonstrated

²⁸ Mohammad Al-Shami, Public lecture, June 11, 2015, Washington, D.C., and Interview, June 19, 2015.

²⁹ Correspondence with William Picard, Yemen Peace Project, April 23, 2015.

³⁰ Phone Interview, Nadwa Al-Dawsari, August 21, 2015.

³¹ <https://www.hrw.org/news/2015/11/15/yemen-travel-ban-womens-rights-advocate>

Brief History of Women's Status and Rights in Yemen

Ancient times:

- In Roman times Yemen was known as 'Felix Arabia' or 'Happy Arabia' denoting its fertile lands.
- The Queen of Sheba was from present day Yemen. Women held positions of power and status in pre-Islamic and early Islamic times.
- From 1067-1138 Arwa b. Ahmad b. Muhammad al-Sulayhī reigned as queen. She was well versed in religious sciences, the Quran, poetry and history. Queen Arwa was also given the highest rank in the Yemeni Fatimid religious hierarchy. She was the first woman in Islamic history to have such authority. Her reign was marked by important construction and infrastructure projects, as well as integration into the wider Muslim world.*

Modern Times:

- In 1967 women won the right to vote.
- Yemen unified in 1990 when the southern socialist People's Democratic Republic of Yemen merged with northern Yemen Arab Republic. The south remains distinct from the north in key ways. A former British colony and a former Soviet-client state, the south generates the majority of Yemen's wealth through oil production in the east and Aden's fisheries, port, and refineries. Southerners have been arguing that the unification process ignored the regional disparity in population and resources.
- After the 1990 unification, women's expectations were high for improved rights and protections, especially in the north. Yet political leaders delayed discussion of "sensitive issues" such as women rights.
- Political bargains between the unification partners reversed democracy and women's rights. Some argue that former President Saleh strengthened the Islamist tribal groups as a move against the communists, eliminating leftist and liberal forces and espousing discriminatory practices based on tribal traditions.
- Even Southern leaders reneged on women's rights and undermined women's status in the unified Yemen.
- Structural gender discrimination were codified in the political framework through the 1992 Personal Status Law—with provisions that discriminate against women in marriage, divorce, child custody, and inheritance—and increasing conservatism has made gender discrimination an accepted attitude and practice of politicians and policymakers in Yemen.

against corruption, failing economy and a government plan to amend the constitution. However by late January, many demonstrators began to call openly for the ouster of Yemeni president, Ali Abdullah Saleh, who had been in power for 33 years.

Protests became regular sit-in protests and tent cities known as "Change Squares" or "Liberty Squares."³² Saleh responded with force, crushing rebellions across the country. By the end of February, several major tribes in Yemen had joined the anti-government protests and protests swelled in size.

³² See the La Voix du Yemen photo essay documenting the Sana'a Change Square over a one-year period, available at: <http://www.lavoixduyemen.com/en/2015/02/23/change-square/5409>

The turning point was March 18, 2011, now known as the “Friday of Dignity” massacre, when snipers opened fire on more than 50 young men praying in the Sana’a Change Square.³³

The GCC Initiative: After nearly 11 months of protests calling for Saleh’s removal, the Gulf Council Cooperation (GCC)³⁴ brokered a political settlement in November 2011.³⁵ The “Gulf Initiative” required Saleh to step down from power, but by design kept the political establishment largely intact by turning over power to Vice President Hadi during a two-year transition.³⁶ The agreement also mandated an inclusive National Dialogue Conference (NDC) to form a new government and constitution, but the NDC process left unresolved serious disagreements over the political and military division of power.

Women’s Voices at the Change Squares: During the 2011 revolution, women formed an estimated 20 percent of the protesters, joining as students, activists, working women, housewives, members of political parties, daughters, sisters, and mothers alone and with male relatives.³⁷

Women provided funds, food, medicine, and blankets, joined security officers, served in medical crews, mobilized their families and communities, and provided technical support to protesters by training them in organizing and advocacy. Since then, women have received a great deal of the credit for the hard work of the revolution.³⁸

One of the most striking examples of female activists in Yemen is Tawwakol Karman, the co-recipient of the 2011 Nobel Peace Prize. Karman is a Yemeni journalist, politician and senior member of the Islamist Al-Islah political party, and human rights activist. During the 2011 revolution, Karman organized student protests in Sana’a, led several other protests, of which is the February “Day of Rage”, and was arrested several times. Many Yemenis refer to Karman as the “Mother of the Revolution.”³⁹

In some cases, women strategically utilized their cultural status to put themselves on the frontlines of the protests to protect young male protesters.

³³ Human Rights Watch World Report 2012: Yemen.

³⁴ The Gulf Cooperation Council is a political and economic alliance formed in 1981 of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and United Arab Emirates. For a detailed discussion of the GCC Initiative, see Helen Lackner, “The International Community and the Crisis in Yemen,” *Open Democracy* (February 26, 2015).

³⁵ Elham Manea, “Yemen’s Contentious Transitional Justice and Fragile Peace,” *Middle East Institute* (February 24, 2014).

³⁶ According to scholar Elham Manea, the GCC initiative mandated a national unity government equally divided between competing elite factions: Saleh’s ruling party—the General People’s Congress (GPC)—and its allies, and the National Council. The National Council includes the Joint Meeting Parties (JMP), a coalition of political parties the core of which is the Islamist Yemeni Congregation for Reform (Islah), the Yemen Socialist Party (YSP), and their partners. Both sides were part of the governing regime in Yemen before and after unification, and the main actors—the GPC, Islah, and YSP—are alleged human rights violators during Yemen’s recurrent civil wars and before and after unification. Elham Manea, “Yemen’s Contentious Transitional Justice and Fragile Peace,” *Middle East Institute* (February 24, 2014).

³⁷ Saleem Haddad, “Women’s Rights and Revolution in Yemen: A Local Perspective,” *Muftah* (August 2, 2012) and Afrah Nasser, “Yemen is Experiencing Two Revolutions, says Female Activist,” *CNN* (November 17, 2011).

³⁸ Ibrahim Al-Ansi, “The Women of Yemen’s Freedom Square,” *Safe World for Women*, orig. pub. *Yemen Times*. [Accessed September 1, 2015].

³⁹ United States Institute of Peace, “Tawakkol Karman: A Nobel Peace Prize Winner Reflects on Yemen Today” (September 8, 2015), <http://www.usip.org/events/tawakkol-karman-nobel-peace-prize-winner-reflects-yemen-today>

Despite their role, women continued to face discrimination and violence: Throughout the 2011 revolution, women were harassed, slandered, subject to public beatings, kidnapping, and death threats by religious and pro-regime forces. Some religious leaders issued fatwas accusing them of apostasy.⁴⁰



Journalist Bushra Al-Maqtari wrote, "It's pretty sad for women to go out and protest against their own right of living and social participation, and against having a voice in this world. ... They say it's against Sharia [Islamic law] and I don't know why they involve Islam in such a loathsome way."

Photo-Al Jazeera

The Organizational Committee of the Change Squares⁴¹ divided men and women by allocating certain spaces and routes for women, prohibiting marches they did not authorize, and harassing women staying in the square.⁴² Even state media criticized women's involvement in public protests⁴³ and political groups openly used women and women's rights as pawns in a game of piety politics.⁴⁴ Every major group—the Houthis, Hadi, and Saleh—has at various moments made political gestures of support for women's rights and later contradicted those positions.⁴⁵ As a result, though many women withdrew from public activism, others were galvanized to continue to fight for public space and presence.⁴⁶

IV. A FRAGILE BUT HOPEFUL TRANSITION: THE NATIONAL DIALOGUE'S GAINS AND CHALLENGES FOR WOMEN

The GCC Initiative that removed President Saleh also created a framework to secure peace by creating an inclusive National Dialogue Conference (NDC) as a forum to address the country's entrenched political problems. The results of the two-year NDC process were to form the basis for a new

⁴⁰ Bushra Al-Maqtari, activist, revolutionary, and member of the Socialist Party wrote an article about the battle of Khidar; religious leaders issued a fatwa accusing her of apostasy. See Judith Spiegel, "Killing Me is a Ticket to Heaven for Them," Radio Netherlands Worldwide (n.d.).

⁴¹ The Organizational Committee managed logistics and security within the Change Squares. Committee members included the Joint Meeting Parties (JMP), comprised of the northern-based Islamist-oriented Yemeni Congregation for Reform (Islah), the southern secular Yemeni Socialist Party (YSP), Hizb Al-Haq, the Unionist party, and the Popular Forces Union party.

⁴² Hamza Hendawi, "Yemen Uprising: Women from Many Walks of Life Bind," Huffington Post (November 5, 2011).

⁴³ Mohammed Al Qadhi, "Protesting Yemeni women angered by Saleh's criticism," The National (April 19, 2011).

⁴⁴ "Female Agency in The Yemeni Transition," Yemen-iaty (April 3, 2013).

⁴⁵ Fareed Al-Homaid, "What Does the Houthis' Rise Mean For Women? (Part 1)," Yemen Times (March 2, 2015).

⁴⁶ According to activist Suha Moh'd Saeed Bashren.

constitution and new government to conclude the transitional period. The conference provided an important, if imperfect, participatory platform for 565 delegates, including high numbers of youth, women, and civil society activists, as well as tribes and representatives from the north and south, and in this regard was an achievement.⁴⁷

Women's participation in Yemeni politics and the NDC: It would be a mistake to assume that all or most politically active women are politically progressive: instead, Yemeni women identify culturally acceptable ways to participate politically and seldom identify with gender-specific interests,⁴⁸ viewing their participation as part of a wider struggle against oppression and in support of justice and equality for all Yemeni citizens.

Deep divisions illustrate the difficulty of building broad-based consensus across clan, tribe, economic, religious, and geographic divisions. For example, in 2010, hundreds of women protested in favor of child marriage, supported by political conservatives, the

"Marry off your daughter at eight, and I will guarantee [her well-being]."

- Yemeni saying

Shari'a Committee, and other religious institutions.⁴⁹ In 2013, hundreds of women from Al-Islah party protested against women's representation quota. "We will not agree to issues that oppose Islamic Sharia," said Mona Ali Kulaib from the party. Even Tawakkol Karman, the 2011 Nobel Peace Prize winner has been criticized by Yemeni activists for promoting Islah's agenda over women's rights, she is also in favor of Saudi-led strikes against the Houthis.

In the current political climate, polarization among activists is a real risk, as political positions divide groups.⁵⁰ Key figures are not necessarily unifying figures,⁵¹ as some prominent female leaders are in favor of the Saudi airstrikes against the Houthis, and some prioritize the Southern Question over women's rights.⁵²

Do not tell us that ... it's not the time to fight for our rights. There's no convenient time; we have to always be fighting."

- Bushra Al-Fusail, artist and women's rights activist, quoted in "Yemen celebrates female photographers"

⁴⁷ Elham Manea, "Yemen's Contentious Transitional Justice and Fragile Peace," Middle East Institute (February 24, 2014) and Marieke Transfeld, "Yemen: GCC Map to Nowhere: Elite Bargaining and Political Infighting Block Meaningful Transition," SWP Comments 20, Shiftung Wissenschaft and Politik (May 2014).

⁴⁸ Hamza Hendawi, "Yemen Uprising: Women from Many Walks of Life Bind," Huffington Post (November 5, 2011).

⁴⁹ Phone interview, Kate Nevens, Saferworld, April 29, 2015.

⁵⁰ Phone interview, Kate Nevens, Saferworld, April 29, 2015.

⁵¹ Tom Finn, "Yemen's Women Revolutionaries," Dissent (Winter 2015). Finn argues that for Nobel Prize winner Tawakkol Karman, "her fame has estranged her from some in the Islah party, while for many of the Change Square protesters her participation in the national dialogue compromised her role as a rebel leader. She remains a symbol of the 2011 uprising but today appears increasingly politically isolated...."

⁵² Rebecca Murray, "Yemen Women Divided over Rights Fight," Al Jazeera (Apr 20, 2013).

Progressive voices continue to rise and to fight, like Amal Basha, who is the chairperson of the Sisters' Arab Forum for Human Rights (SAF), Advisor for the International Coalition on the Criminal Court and for the Ministry of Human Rights in Yemen. Although repeatedly harassed and had an attempt on her life, Basha continues the fight for progressive women's rights in Yemen. In April 2015 she was among international women peace activists who gathered in the Hague demanding an end to the war. The demands were as follows:⁵³

1. An immediate and complete cessation of all hostilities including military and militant actions by all actors inside and outside Yemen.
2. Ensure an immediate and permanent cessation of the transfer of arms to Yemen.
3. Immediate and unimpeded humanitarian access and the lifting of the embargo on essential goods and services including food, water, medicines, medical equipment and fuel.
4. Safe passage of return for thousands of Yemeni nationals stranded across the world especially in Egypt and Jordan.
5. Accountability for all crimes and violations perpetrated by state or non-state actors under international law.
6. All international actors including the newly appointed UN Envoy on Yemen must ensure immediate and systematic engagement with Yemeni women civil society activists and reinstate the minimum 30 percent of women's representation in any future peace negotiations.
7. Initiation of an inclusive peace negotiation based on the outcome of the 2014 national dialogue with representation from all political and social groups involved in that dialogue.

Another example of women fighting against entrenched cultural issues is Amal Al-Jaradi, who formed the National Initiative for Combating Child Marriage in 2013 to eradicate the practice of legitimized rape. Dedicated to spreading awareness and providing support to victims of child marriage, they hold symposiums, lectures, and conduct field advocacy in areas of the country where child marriage is prevalent—Hajja, Amran, Sana'a, Mahweet, Taiz, and Ibb.

Despite such polarization, the extent of women's participation and influence in the NDC was remarkable - even to the political parties that supported women's inclusion - and exhibited the diversity of women's social, political, and technical backgrounds.⁵⁴ Though the GCC Initiative had only mandated "adequate" levels of women's participation without specifying any quota, women participated in all aspects of the process.

- Women comprised 25 percent of the first political body formulated to prepare for the NDC and 28 percent of overall NDC membership;⁵⁵
- Women had both a women's delegation as well as a quota for female representation in other delegations;⁵⁶

⁵³ Women's International League for Peace and Freedom, April 28, 2015, <http://wilpf.org/wp-content/uploads/2015/04/letters.pdf>

⁵⁴ NoonArabia, "Yemen: Mixed Reactions as Saleh Finally Signs GCC Deal," Global Voices (November 25, 2011).

⁵⁵ Atiaf Zaid Alwazir, "The Myth of the 'Yemen Model,'" World Post (May 29, 2013).

⁵⁶ "National Dialogue: A Victory for Yemeni Women," Gender & Development Newsletter, Gender Development Research and Study Center, Issue 3 (2014).

- Women led three of the nine NDC working groups;⁵⁷
- They comprised nine percent of the judges on the Order and Standards Committee; and
- Women comprised 25 percent of the Consensus Committee.

A SNAPSHOT OF KEY ISSUES FACING YEMENI WOMEN TODAY

Violence against women and children

The U.S. Department of State's Human Rights Reports for Yemen document the widespread extent of violence against women and children. Violence is considered a family matter and is more likely handled through tribal arbitration than through the formal justice system. Rape is reportedly common against women and children; however, the Yemeni government keeps no official statistics and most cases go unreported. Though the punishment for rape is imprisonment for up to 15 years, in practice this sentence is seldom imposed while rape victims may be charged with extramarital sex and imprisoned for adultery. Yemen's Penal Code provides lenient sentences for those convicted of "honor crimes"—assaults or killings of women by family members for alleged immoral behavior.

*According to Human Rights Watch, about **14 percent of girls in Yemen are married before age 15, more than 50 percent of all girls in Yemen are married before age 18, and 78 percent of child brides are wed to husbands 10-14 years older than the girls.** Traditionalists say that early marriage ensures girls are virgins at the time of marriage. Only four children have been able to obtain divorces.*

Child marriage

In 2014, Yemen was poised to vote on a comprehensive "Child Rights Act," which would have banned both child marriage and female genital mutilation. The legislation, led by former Minister of Human Rights Hooria Mashhoor, would have brought Yemeni law in line with international law by setting the minimum marriage age at 18. Article 124 of the January 2015 draft constitution sets age 18 as the legal age for marriage; however, the 2015 constitution has not been ratified. Child marriage remains legal in Yemen and widespread. There is no legal minimum age for marriage, and in practice, girls as young as eight are married.

Enforced Disappearances

Since the 1960s, enforced disappearances—the secret arrest, detention, or abduction of a citizen by the state or its agents, denied or concealed by the state with the intention of placing the victim outside the protection of the law—have been a significant security concern. Politically motivated disappearances of activists and journalists, as well as kidnappings, continue to rise.

According to the United Nations High Commissioner for Human Rights' Report of September 2015, hundreds of Yemenis were illegally detained between November 2014 and February 2015 alone. Wives and mothers bear a massive part of the burden of these abuses, as they lose financial support once salaries stop. The only way to receive the pension of the disappeared person is to pronounce them deceased, which most families decline to do.

⁵⁷ The nine NDC working groups: (1) The southern issue, (2) the Sa'ada (Houthi) issue, (3) Transitional Justice, (4) State Building, (5) Good Governance, (6) Military/Security, (7) Independence of Special Entities, (8) Rights and Freedoms, and (9) Sustainable Development.

Advances in political participation: The daily interaction of politicians with women for almost ten months resulted in small advances for women's political participation.⁵⁸ Women in the NDC collected signatures to present to the political parties in support of a 30 percent constitutional quota for women. Some parties subsequently took steps to increase women's leadership within their parties.

The NDC recommendations for women's inclusion and where they stand now: The most important NDC recommendation was that the future constitution should ensure that women hold at least 30 percent of parliamentary seats and 30 percent of the leadership of independent bodies. The recommendation alone was widely hailed as a significant milestone for women's participation in Yemeni politics and governance. But this recommendation - and every other gain - failed to materialize.

Other recommendations included:

- Universities and other higher education institutions to reserve 30 percent of seats for the admission of female students.⁵⁹
- An independent candidate law allowing independent candidates with 5,000 signatures to stand for election, which would allow independent female candidates to enter the arena. This law has yet to be enacted.
- A "guarantee" that women would represent 30 percent of the team writing the constitution. Women received only 4 of 17 seats.
- The new constitution should include the language: "the state will take legal measures to empower women to practice their political rights and participate positively in public life according to the provisions of the constitution."⁶⁰ It did not.

The 2015 draft constitution was more regressive than the promise of the NDC: The gains women made during the NDC were already at risk from the political establishment, as evidenced in the draft constitution completed in January 2015. While the draft constitution establishes equal rights for all, sets the marriage age at 18, and guarantees seats for youth in elected governing bodies, it does not establish individual rights. Instead women are still identified based on their roles in the family and in relation to men.⁶¹ It also fails to guarantee elected legislative seats for women, offering only "access to at least 30 percent in various authorities and bodies" - which is not the same as guaranteed seats in parliament.⁶² Women's rights advocates view this document as evidence of the difficulties ahead in securing their place in any new political framework.

The draft constitution does not yet have the force of law and is unlikely to be implemented even in the event of a political resolution in favor of a Hadi government.

⁵⁸ Erica Gaston, "Process Lessons Learned in Yemen's National Dialogue Conference," USIP Special Report 342 (February 2014).

⁵⁹ <http://blog.partnersglobal.org/yemeni-women-national-dialogue/>

⁶⁰ "Outcomes of Yemen's National Dialogue Conference: A Step Toward Conflict Resolution and State Building?," Arab Center for Research and Policy Studies (February 27, 2014).

⁶¹ Article (59) of the draft constitution: "The family is the foundation of society, and the State shall endeavor to pass legislation to protect its social and economic rights, which ensures its unity and stability, and the protection of the family entity and the entrenchment of religious, moral and patriotic values. The State shall support and protect motherhood and childhood. Reproduction is considered a responsibility, the burden of which shall be borne by the family and the State."

⁶² Article (76) of the draft constitution: "To give effect to the principle of equal citizenship, the State shall enact legislation and take measures to achieve effective political participation for women to ensure access to at least 30% in various authorities and bodies."

Progress for women since the 2011 revolution remains limited and gains precarious, and despite the active work of women's organizations, advocates fear that gains for women are in serious danger of reversal from entrenched political actors who may use the fraught security environment once again as an alibi to defer structural reform for women.



#BikeForYemen Photo: Bushra al-Fusail

RECOMMENDATIONS

The last five years have given a new generation of female activists the tools and the confidence to demand their rightful place in the next phase of Yemeni democracy. Women's involvement in the youth revolution of 2011 opened new possibilities to become political actors in the country, challenging the popular assumption in Yemen that women are incapable of political work. Women's participation in the NDC process further illustrated that ability and willingness. As Yemen puts into place new legal and governance institutions, it is critical that women's rights and opportunities receive full support.

Although the war has devastated the country and social institutions, Yemen has a vibrant political landscape and an appetite for grassroots change. Retaining that vibrancy—and channeling it into an effective civil society—should be a key objective of any international involvement in Yemen. Yemenis need support to translate their political energy into real change on the ground. The playing field for women's and human rights will remain extremely fragile in Yemen, and further progress on the rights-front will be achieved only with commitment and great difficulty. The international community should be watching for signs of protection for the fragile democratic advances made after 2011 and for inclusion of women in all peace and post-conflict processes.

Recommendations to the international community including parties supporting the conflict:

- ✔ Prioritize and press for a sustained ceasefire and end to the violence, including if necessary through the deployment of observers and monitors;
- ✔ End arms and weapons transfers to Yemen or against Yemen;
- ✔ Lift the embargo on food, water, medicines, fuel and ensure immediate and unimpeded humanitarian access;
- ✔ Ensure safe passage for Yemeni nationals stranded abroad especially in Egypt and Jordan;
- ✔ Hold the parties including UN member states involved in the process and the UN SRSG accountable for systematic and structured engagement and inclusion of Yemeni women peacebuilders as an independent delegation in formal and informal dialogue and mediation efforts;
- ✔ Initiate an inclusive peace process based on the outcomes of the 2014 NDC with representation from all political and social groups;
- ✔ Stay in contact with CSOs and NGOs across the country and learn what they need. Consider flexible funding initiatives that allow activists to respond with innovation and urgency to changing circumstances on the ground;
- ✔ Ensure that humanitarian aid and early recovery planning and programs are fully sensitive to the differential needs and changed circumstances of women and men;
- ✔ Provide leadership training opportunities and capacity-building initiatives even in unstable security environments. Design applied experiential training;
- ✔ Facilitate dialogue among activists to foster understanding and help groups stay mission-focused. Shift focus from national-level to local-level, and include the tribes; and
- ✔ Initiate a process for justice and reconciliation to address the crimes and violations committed against civilians by all parties - Yemeni and international.

Recommendations to the Yemeni conflict parties:

- ✔ Commit to a ceasefire and resumption of inclusive political and societal talks to shape the country's future;
- ✔ Open access for humanitarian aid and urge all parties to stop blockades and embargoes;
- ✔ Immediately state your public commitment to protecting civil society activists such as human rights defenders, especially women, from all threats and acts of harassment. Carry out prompt, thorough, independent, and impartial investigations into any reported acts of harassment;
- ✔ Publicly state your commitment to protecting the equal and individual rights for all citizens, notable women, under all new political agreements;
- ✔ Fully implement the NDC-recommended 30 percent quota for women in official bodies; and
- ✔ Reform the personal status law in consultation with women's rights advocates to reflect protections for women and children, including criminalizing family violence.

Recommendations to women's groups, NGOs, and CSOs:

- ✔ In interactions with international actors, assert your right to be included as an independent delegation in formal and informal mediation efforts to end the war and bring peace to Yemen with reference to the precedence set in the NDC;
- ✔ Seek concrete political support from international actors supporting the Yemen dialogue such as ensuring your inclusion in key gatherings, echoing your demands in public and private with conflict parties;

- ☑ Seek technical support for your efforts in articulating solutions to key security and governance challenges and other critical issues at the roots of the conflict;
- ☑ Develop a peace plan addressing the key root causes of the conflict and provide solutions;
- ☑ Strengthen trust and coordination with newly formed youth groups and rights groups across the country and adopt complementary ways of working together;
- ☑ Engage tribal leaders in their areas of expertise: security and conflict-resolution. Build coalitions of support for local-level non-violent conflict resolution; and
- ☑ Mobilize Yemenis' voices across the country and abroad to end the fighting and promote a culture of equality, anti-discrimination, and non-violence.



Photo: Khaled Abdullah/Reuters

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