

The guarantees document of implementation the outputs of the comprehensive national dialogue conference

Introduction:

Gulf initiative and its executive mechanism and the UN Security Council Resolutions 2014 and 2051 decided to implement tasks to ensure the change of process that we look forward to and approved by the Yemenis, and at the top of that to resolve the southern issue in a fair way which ensures the security, stability and unity of Yemen.

The following document reflects the awareness and commitment of the political and social participating components in NDC. The need to complete the tasks of the Gulf initiative and its executive mechanism which began by the signing of the Gulf initiative and ending by the general election.

Completing the tasks of the Gulf initiative and its executive forms the first guarantee to success NDC and turning it to reality that can be touched by Yemenis, and mainly this document includes specific guarantees agreed by all the participants in NDC to implement the outputs of the NDC.

The principles:

According to the visions of the political and social components in the NDC about the guarantees, they agreed on the following principles:

- 1- The broad national partnership:** “Partners in lay the foundations, partners in the implementation”
- 2- The compatibility:** Establish the political transition process based on the compatibility and it will continue until elections are held.
- 3- Good governance:** the most important condition in this phase in is the principle of establishing the system of Good governance as a controlled frame to institutions and bodies that ensure implementing the outputs of the national dialogue.
- 4- The Permanent evaluation:** review and ongoing assessment to implement the stage’s tasks to ensure achieving them as required.
- 5- Make a real difference:** its effects **reflect in the political** process and people’s life in a realistic and tangible way.
- 6- The citizen is the focus of the political process and implementing his ambitions is its purpose:** raise Citizen’s confidence by the transition process and encourage him to participate in the political process, especially in the south.
- 7- Commitment of the participating parties in NDC to work hard to implement the outputs of the conference in their different policies and activities and events.**
- 8- Commitment of official media institutions and participating parties in NDC to adopt a media policy, and a useful and positive media speech which support the political process in general and the outputs of NDC in particular.**
- 9. Adoption of the guarantees contained in the task force reports and outputs of the comprehensive national dialogue conference.**
- 10- Importance of continuing the international community’s support for the political process in Yemen and responding the developmental needs to ensure the stability the situation and to complete arrangements to prepare to the referendum on the constitution and then elections.**

- **The necessary executive tasks to initialize for the referendum and elections. Implementing the following tasks according to specific timetable in a period more not than a year starting from the last day of NDC.**

The first station: The Referendum on the Constitution

a- the group of Procedural tasks

- Forming the committee of drafting the constitution.
- Achieving the electoral register.
- Drafting the constitution.
- Overseeing on drafting the Constitution and approving the draft constitution.
- The Preparation for the referendum on the constitution by the Supreme Committee for the current elections.
- Referendum on the constitution.

B- The group of the special tasks in popular initialize:

- Complete implementing the 20 and 11 points
 - Intensify awareness campaigns:
 - The NDC members are responsible to implement community awareness program about the outputs of NDC because they are main carrier of these outputs and they have a deep understanding of and faith in these outputs, and that during the period preparation the constitution.
 - Implementing Awareness campaigns about the outputs using the media, organizations, institutions and bodies.
 - issue legal and administrative instructions to the public prosecution, police departments, prisons and security to behave according to the international law and standards, and releasing those who detained illegally.
 - working to end all the armed conflicts.
- Complete returning the armed forces and the others military formations to their camps, and disarm in capital Sana'a and the other cities, and cleaning the capital and other cities of the irregular militias and armed groups.
- Take the necessary steps after the discussion with the other concerned parties to ensure stopping all the forms of violence and violations of humanitarian law, also stopping the clash between the armed forces, armed formations, militias and other armed groups, adding to ensure the free movement of all people across the country, and protecting civilians and other necessary measures to achieve security and stability in the country.
 - Complete removing roadblocks, checkpoints, fortifications in all provinces.
 - Complete the procedures of restructuring the army and security.
 - Take steps to achieve the Transitional justice, national reconciliation, and the necessary measures to ensure stopping Violations of human rights and humanitarian law in the future (issuing transitional justice law according to the outputs of NDC).
 - Complete forming the special Committee to investigate violations of 2011.
 - Releasing the detainees of youth revolution of change and peaceful Southern Alharak who were arrested outside the framework of the law.

- Facilitating securing the delivery of humanitarian aid to the suitable places

Second Station: the state establishment and conducting elections:

Legislative and procedural tasks to be implemented:

- Issuance of the Judiciary Law and form the Constitutional Court.
- The issuance of the necessary legislation and preparing the country's transition to a federal state according to the new constitution, including:
 - Regions Law
 - Regions Legislation.
 - The local administration in the provinces laws.
 - The laws of the territories division to local units.
 - Civil Service Law to regulate the work of the state.
- Regions configuration (design institutions and procedures required in the regions).
- The issuance of the new election law, according to the form of the new state.
- The formation of the Elections Supreme Committee.
- Prepare for the elections.
- Elections.

Determine the duration that need for the forming the authorities for the regional and federal state, and conducting the general election according to the Constitution agreed by.

- Start issuing appropriate legal and management instructions to all branches of the government sector for immediate commitment about the standards of good governance, the rule of law, human rights respect and the guarantor to reform. The priority to start should be given for the following authorities:
 - Civil Service, Finance Ministry, Central Bank, Central Agency for Control and Audit, the media, the public prosecutor, Presidency Office and Presidency of the Ministers Council, the local administration and any other legislation relating to the fight against corruption, rights and freedoms such as the law of parties, civil society organizations, the anti-corruption law, financial law and financial disclosure and the State Protection Act.
- Work to ensure the performance of governmental functions in an orderly manner, including the local administration in accordance with the principles of good governance, rule of law, human rights, transparency and accountability.
- Start of rehabilitation of those who don't meet the conditions of service in the armed forces and security agencies.
- Any other actions that would prevent the occurrence of an armed confrontation in Yemen.
- Take legal means and other means that will enhance the protection of vulnerable groups and their rights, including children and the advancement of women.

Institutions that will implement the tasks of this period

Executive and legislative institutions that ruling the transition:

- Presidency Institution.
- Government.
- Legislative institutions.

They agreed on:

First: presidency institution

Elected Yemeni President derives his legitimacy by the Yemeni people who went to the ballot boxes to elect new president for Yemen.

Based on the Gulf initiative and its mechanism, the executive mandate of the President ends the inauguration of President-elect, in accordance with the new constitution.

Second: Government

The President of the Republic practices his constitutional powers to make change in government in order to ensure efficiency, integrity and national partnership, as well as other executive agencies at the central and provinces level to ensure national partnership and efficiency.

Third: Legislative institutions

1. Expansion of the Shura Council to ensure the representation of all components, political and social that participated in the NDC is the same representation as in the NDC, including youth, women and civil society, with ensuring the 50% representation of the south.
2. Expansion of the Conciliation Commission and works as a national authority where all the components and activities of political and social participated in the NDC are also participating in it according to standards agreed in the NDC. Every component should have at least two seats, and to ensure 50% for the participation of the South, at least 30% for women and 20% of Youth and take into account in the selection of representatives that not be busy in ministerial or parliamentary or Shura Council positions to avoid hindering their obligations the works of the National Authority, their tasks are as follows:
 - 1) Supervision and follow-up the implementation of the NDC outputs.
 - 2) Follow-up and supervision of the constitution drafting committee, and to check the Constitution document and approval before they submit it to the Republic President to take the necessary constitutional procedures for referendum.

Standards of the constitution drafting committee

Introduction

After concluding the NDC, they have to form a constitution drafting committee according to a group of Standards that should be existed in the members of constitution drafting committee, adding to specify the supervision party on committee.

About the constitution drafting committee they agreed on the following:

- 1- The role of the constitution drafting committee is only technician. They do a Constitutional Drafting to the decisions of NDC
- 2- The National Commission emanating from NDC works in following up the constitution drafting committee, and emphasizing that the text accommodate the outputs of NDC, as well as the approval on the draft constitution before they are submitted to the President of the Republic to take the constitutional measures to a referendum.
- 3- The members of constitution drafting committee are seventeen with ensuring the representation of women and the south, according to the conditions below.
- 4- The Minimum educational level of the members of the Constitution Drafting Committee not less than tertiary qualification with ten years experience at least in specialized fields that related to the drafting of the constitution.

5- The member of constitution drafting committee has to be Yemeni and he doesn't have any judicial judgment on the issue effect badly in his reputation, unless it has been rehabilitated.

6- The President of the Republic and government discuss with the Conciliation Commission to choose the members constitution drafting committee.

7- Forming constitution drafting committee and starting its work after ending NDC immediately and issuing a republican decree that includes the names of the members and the mechanism of decision and work.