**POSITION PAPER**

**Country:** Yemen

**Committee:** Comission On The Status Of Women

**Agenda Item:** Recognition and Visibility of Trans-gender Women

**Delegate:** Buğra Kiremit

The Republic of Yemen is located in middle east, bordering the Arabian Sea, Gulf of Aden and Red Sea, between Oman and Saudi Arabia. The population is more than 27 million. Yemen’s capital is Sana’a.

Transgender is an umbrella term that referred to people whose gender identity does not match with the sex that is assigned at birth. As gender identity, there is another term that is more than just a basic idea, non-binary. Non-binary people can be seen as someone whose gender does not fall within social binaries. A similar but different term from non-binary is gender non-conforming.The term refers to people who do not behave in the ways of society or whose gender expression does not fit precisely into a category.

The Constitution of Republic of Yemen, amended in 2001, does not explicitly address LGBT rights. It does guarantee certain human rights to all citizens, with the condition that all legislation must be compatible with principles of Islamic Shariah law.

Punishment for [homosexuality](https://en.wikipedia.org/wiki/Homosexuality%22%20%5Co%20%22Homosexuality) in Yemen can originate from the codified [penal code](https://en.wikipedia.org/wiki/Penal_code%22%20%5Co%20%22Penal%20code), or from people seeking to enforce traditional [Islamic morality](https://en.wikipedia.org/wiki/Islamic_morality%22%20%5Co%20%22Islamic%20morality).

Article 264 of the national penal code prohibits private consensual [homosexual acts](https://en.wikipedia.org/wiki/Homosexual_acts%22%20%5Co%20%22Homosexual%20acts) between adult men. The stipulated punishment in the law for unmarried men is 100 lashes and up to a year in prison. The law stipulates that married men convicted of homosexuality are to be [put to death](https://en.wikipedia.org/wiki/Capital_punishment_in_Yemen%22%20%5Co%20%22Capital%20punishment%20in%20Yemen).

Article 268 of the national penal code prohibits private consensual homosexual acts between adult women. The law stipulates that premeditated acts of [lesbianism](https://en.wikipedia.org/wiki/Lesbianism%22%20%5Co%20%22Lesbianism) are punished with up to three years in prison.

In addition to the penal code, punishment for homosexuality can originate from people seeking to enforce traditional Islamic morality within their own family or for the broader society. In vigilante cases such as this, the punishment for homosexuality is oftentimes death.

When it comes to the solution, Yemeni government should educate its citizens better in terms of the religion and human rights. Because in Islam there is no place for discrimination. People of Yemen had better understand the context of transgenders. Certainly, individuals can chose their sexual identity wisely. Moreover, in order to advance transgender rights TV and films can be used to change hearts and minds of the people and show them that transgenders are human beings as well.