

YEMEN COUNTRY STATEMENT

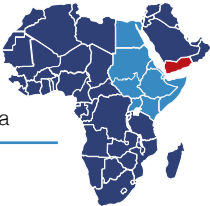
ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN EAST AFRICA

September 2017

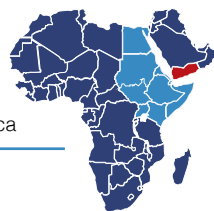
This report is one of 10 country statement reports covering:
Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen



FUNDED BY THE EU



Yemen Country Statement:
Addressing Migrant Smuggling and
Human Trafficking in East Africa



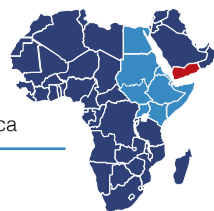
This report is one of a series of ten country statements, produced as part of the project '*Addressing Mixed Migration Flows in Eastern Africa*', funded by the European Commission (EC) and implemented by Expertise France.

The overall project consists of three components:

- Assisting national authorities in setting up or strengthening safe and rights-respectful reception offices for migrants/asylum seekers/refugees.
- Supporting and facilitating the fight against criminal networks through capacity building and assistance to partner countries in developing evidence-based policies and conducting criminal investigations, most notably by collecting and analysing information about criminal networks along migration routes.
- Supporting local authorities and NGOs in the provision of livelihoods and self-reliance opportunities for displaced persons and host communities in the neighbouring host countries.

As part of the second component, Expertise France contracted the Regional Mixed Migration Secretariat (RMMS) in Nairobi to implement the project '*Contributing to enhanced data collection systems and information sharing on criminal networks involved in facilitating irregular migration in the Eastern Africa region*'. This project aims to provide updated knowledge on migration trends and related issues, as well as technical assistance to partner countries on data collection, analysis and information sharing. In all the country statements, the focus is on human trafficking and migrant smuggling.

These country statements are the output of this project. They provide a technical appraisal of existing data related to mixed migration, including data on trafficking; insight on routes and *modi operandi* of criminal networks involved in facilitating irregular migration; and assessments of existing national data collection systems and government capacity to address migrant smuggling and human trafficking. The analysis highlights technical capacity gaps and challenges faced by officials in responding to such phenomena, aiding the identification of capacity building needs in the areas of data collection, analysis and information sharing.



Acknowledgements and disclaimer

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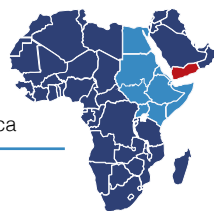
The research was commissioned by Expertise France, in the wider context of the EU-Horn of Africa Migration Route Initiative (the “Khartoum Process”). The research was conducted in 2016 by an international consultant, in cooperation with national researchers under the operational management and technical oversight of RMMS in Nairobi.

The lead researcher and author of this report was Mr. Peter Tinti (an international consultant). The final English editor was Mr. Anthony Morland.



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EXECUTIVE SUMMARY

The Republic of Yemen is strategically located in the southwestern corner of the Arabian Peninsula and serves as a conduit for populations that have long suffered from chronic poverty, economic underdevelopment, and conflict in the Horn of Africa to some of the world's wealthiest economies in the Middle East. Economic migrants and asylum seekers from East Africa and the Horn of Africa, notably from Ethiopia and Somalia, have been travelling to Yemen for decades in search of refuge and employment opportunities. In addition to being a destination country for mixed migration flows from East Africa and the Horn, Yemen also serves as a gateway through which irregular migrants, specifically Ethiopians, transit in order to access labour markets in the Gulf States, particularly Saudi Arabia. More recently, with the onset of civil war within its territory in March 2015, Yemen has emerged as a source country for refugees and return migrants fleeing conflict, with approximately 180,000 people, including over 60,000 Yemeni nationals, having fled the country since April 2015.¹

Yemen currently hosts 270,000 registered refugees, mostly from Somalia and to a lesser extent, Ethiopia.² The principal routes from the Horn of Africa to Yemen pass through Djibouti and Somalia, from where migrants cross the Red Sea and the Arabian Sea to reach the Yemeni coast. Between 2006 and 2016, over 813,000 migrants and refugees from the Horn of Africa are estimated to have arrived in Yemen from coastal departure points in Djibouti and Somalia, of whom an estimated 70 per cent came from Ethiopia. In recent years, more than 85 per cent of the arrivals have been from Ethiopia. Between 2008 and 2016 an estimated 372,000 departed from Djibouti, while the others left from Somalia (from the port of Bossaso in Puntland State in particular).³ In 2016, a record number (117,107) of migrants from the Horn of Africa arrived in Yemen. Previously, the highest recorded number was 107,532. This indicates a strong increase in the number of irregular arrivals in Yemen in 2016. Ethiopians, almost all of whom express a desire to transit through Yemen to Saudi Arabia, comprise the vast majority of these flows.⁴

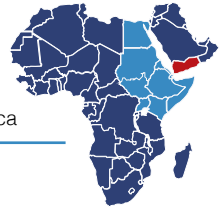
Migrant smuggling networks spanning several countries between the Horn of Africa and the Arabian Peninsula have emerged to facilitate these irregular flows. These networks, which have proven highly adaptable to the shifting security dynamics in Yemen, operate with varying degrees of organization and sophistication, taking on different structures and business models depending on the routes they operate and the migrants they move. Human

1 UNHCR (2016). Regional Refugee and Migration Response Plan. Available at: <http://data.unhcr.org/yemen/regional.php>

2 UNHCR (2016). Yemen Situation: UNHCR Regional Update #41. Available at: <http://reporting.unhcr.org/sites/default/files/UNHCR%20Yemen%20Situation%20Update%20-%20July%202016.pdf>

3 Numbers derived from monthly and quarterly reports published by RMMS as well as figures provided by UNHCR. In 2006 and 2007, no distinction was made in the date between departures from Djibouti or Somalia.

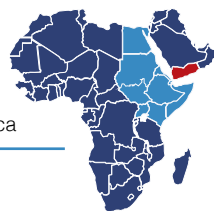
4 Ibid.



trafficking, including kidnapping for ransom and forced labour, often takes place within the context of these flows, as well as independently of them. Taken together, these networks generate revenues in the tens of millions of dollars.

For its part, the Yemeni government⁵ has struggled to counter these networks. Limited legal and institutional frameworks and an overall lack of capacity and resources, combined with alleged corruption and complicity by individuals in the Yemeni security forces, law enforcement and government, have allowed migrant smuggling and human trafficking networks to flourish and operate with a degree of impunity. Prior to the outbreak of civil war in 2015, the Yemeni government had been making some progress in bolstering its capacity to counter these networks, but the ongoing conflict has stunted the fledgling frameworks and institutions that were being developed. As a result, the Yemeni government has very limited capacity to collect, analyse and share information in order to combat migrant smuggling and human trafficking networks operating within its territory.

5 Refer to the introduction in chapter 2 for a brief explanation on what is meant in this report with ‘the Yemeni government’ amidst the ongoing conflict in Yemen.



1.0

METHODOLOGY

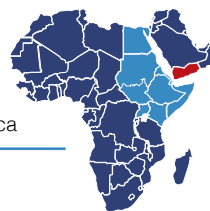
This technical report is a qualitative study combining field work in Yemen with a desk review of existing literature on issues of migrant smuggling and human trafficking in Yemen and the Horn of Africa. In addition to research conducted outside Yemen by an international consultant, fieldwork was carried out by local consultants in Yemen, specifically in the governorates of Aden, Abyan, Hudaydah, Shabwa, and Hadramawat. The report is also informed by fieldwork carried out by an international consultant in Djibouti and Somaliland, as well as by local consultants in Djibouti and Puntland.

Respondents included government officials, representatives from international organizations and local NGOs, foreign diplomats, and key interlocutors who are familiar with migrant smuggling and human trafficking networks in the region. Local consultants conducted interviews in Yemen with migrants and asylum seekers from Ethiopia and Somalia. Due to the sensitive nature of the subject, interviewees were granted anonymity on request.

Although there is considerable literature on mixed migration in Yemen, with a particular emphasis on irregular migrants transiting through Yemen to Saudi Arabia, there is relatively little information regarding the networks that facilitate irregular migration or on government capacity to counter these networks. Much of the existing literature is several years old and predates the current civil war in Yemen. Many newer reports present outdated facts and figures as if they were still current. Attempting to triangulate key pieces of information from all of the sources above, such as prices paid to smugglers and the structure of migrant smuggling and human trafficking networks, proved difficult. As a result, the author of this report erred on the side of caution in quoting alleged facts, figures, and statistics that are widely cited elsewhere, adding caveats where necessary. A select bibliography of pertinent literature is included at the end of this report.

This report uses the terms “migrant smuggling” and “human trafficking” according to the definitions outlined in the United Nations Convention against Transnational Organized Crime (UNTOC). Article 3 of the convention’s Protocol against the Smuggling of Migrants by Land, Sea and Air (the Migrant Smuggling Protocol) defines migrant smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national.”⁶

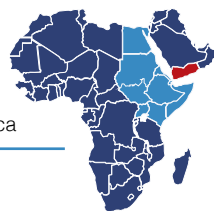
6 United Nations Office on Drugs and Crime (2004). United Nations Convention against Transnational Organized Crime and the Protocols Thereto. Available



The convention's Protocol to Prevent, Suppress and Punish Trafficking in Persons defines human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."⁷

at: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

7 Ibid.



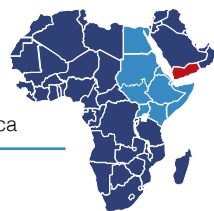
2.0

INTRODUCTION

The main objective of this study is to better inform the technical assistance given to partner countries to help them develop evidence based policies and build capacity to conduct criminal investigations, notably by collecting and analysing information on the criminal networks operating along the irregular migration routes into and through Yemen. This section provides a brief description of Yemen as a destination, transit and source country. Section 3 focuses on the migrant smuggling and human trafficking networks facilitating the flows into, through and out of Yemen, with a particular emphasis on their structure and *modi operandi*. Section 4 analyses the Yemeni government's capacity to respond to these phenomena by assessing the legal and institutional frameworks currently in place, and the government's ability to collect, analyse, and share information on migrant smuggling and human trafficking networks. The report concludes with Section 5, which offers several key technical-level recommendations for partner countries and organizations seeking to engage the Yemeni government on these issues.⁸

The current civil war in Yemen, which began in 2015, has divided the country between two rival governments. The internationally recognized government of President Abed Rabbo Mansour al-Hadi is currently based in the southern port city of Aden after being driven from the capital Sana'a in 2015 by Houthi rebels and armed forces loyal to former president Ali Abdullah Saleh. The Hadi government is backed by a coalition of allies including the US, UK, France, and Saudi Arabia, the latter of which has led a multi-country alliance of Gulf and African states to carry out military operations on behalf of the Hadi government. After taking over Sana'a, the Houthi rebels, who are allegedly backed by Iran, and members of the armed forces loyal to Saleh, established their own governing bodies, culminating in the formation of the Supreme Political Council and the National Salvation Government, neither of which are internationally recognized. In addition to the various forces loyal to the rival governments, a patchwork of tribal militias and insurgent groups, some with ties to Al Qaeda and the Islamic State group, are in control of, or operate within, certain territories. For this report, the term "Yemeni government" refers to the Hadi administration in Aden, while 'de facto authorities' refers to non-Hadi actors, such as Houthi forces and armed forces loyal to Saleh, who enjoy *de facto* control over large swathes of the country.

8 Due to the security situation and ongoing conflict in Yemen, a 'gap analysis' workshop could not be organized. Contrary to most other reports in this series, this report therefore does not include an annex with outcomes of the workshop with government officials.



Strategic location of Yemen

Yemen is located on the southwestern tip of the Arabian Peninsula, of which it is the second-largest country, covering 527,970 square kilometres. It has more than 2,000 kilometres of coastline on the Red Sea to its west and the Gulf of Aden and the Arabian Sea to its south. While bordered by oil-rich Saudi Arabia to the north and Oman to the east, Yemen is the poorest country on the peninsula and is among the poorest in the world, ranking 160th of 188 states listed in the United Nations Human Development Index.⁹ After several years of political unrest, difficult economic circumstances, and local armed conflict, Yemen descended into civil war in March 2015, further exacerbating an already dire humanitarian situation. Amid heavy fighting between rival governments and their allies, the presence of armed Islamist groups including Al-Qaeda in the Arabian Peninsula (AQAP), and the effect of Saudi-led airstrikes, the UN estimates that 82 per cent of the population is in need of some form of humanitarian assistance.

Some 14 million people are food insecure, 19 million lack clean water and sanitation, and 14 million are without adequate healthcare.¹⁰

Due to its proximity to the Horn of Africa, Yemen has long served as a destination for irregular migrants from the Horn, the vast majority of whom arrive by boat via Djibouti by crossing the Red Sea, or from Somalia, crossing the Arabian Sea. Asylum seekers and economic migrants, primarily from Ethiopia and Somalia, travel to Yemen in search of international protection, as well as employment.¹¹ For Horn of Africa migrants seeking employment opportunities, Yemen has historically served as a transit country, due to its proximity to labour markets in neighbouring Saudi Arabia and other Gulf States. More recently, Yemen has emerged as a source country for mixed migration, with Yemeni nationals, as well as non-Yemenis living and working in Yemen, fleeing to neighbouring states in the Arabian Peninsula and the Horn of Africa.¹²

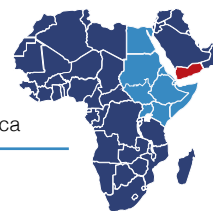
These flows from the Horn of Africa to Yemen, often for onward travel to Saudi Arabia, are enabled by migrant smuggling networks and, to a lesser extent, impacted by human trafficking networks. Human trafficking in Yemen takes place both within the context of these flows, and independently of them.

9 United Nations Development Programme (2015). Human Development Report 2015. Available at: http://hdr.undp.org/sites/default/files/2015_human_development_report_1.pdf

10 United Nations Office for Coordination of Humanitarian Affairs (2016). Crisis Overview: Yemen. Available at: <http://www.unocha.org/yemen/crisis-overview>

11 RMMS (2016). Country Profiles: Yemen. Available at: <http://www.regionalmms.org/index.php/country-profiles/yemen>

12 Ibid.



Yemen as a destination country

Yemen is a destination country for economic migrants and asylum seekers from East Africa and the Horn of Africa, and has historically been a hub for migration from the region due to its proximity to Djibouti and Somalia. The vast majority of irregular migrants arriving in Yemen come from the Horn of Africa, specifically Somalia and Ethiopia. Somalis arriving in Yemen seek international protection and benefit from various forms of aid granted to them as asylum seekers, and are granted *prima facie* refugee status by the Yemeni government.¹³ Approximately 18,000 Somali refugees live in the Kharaz refugee camp in Lahij Governorate, which is managed by the UN Refugee Agency (UNHCR). The majority of the nearly 270,000 registered refugees,¹⁴ over 90 per cent of whom are Somalis, are urban refugees who benefit from a range of local services, including legal assistance, cash assistance, health care and education services, as they live and work in cities such as Sana'a and Aden.¹⁵

Ethiopians are less likely to apply for or be granted asylum in Yemen and are usually treated by local authorities as “illegal immigrants” and are thus regularly detained, and in some cases, deported.¹⁶ In October 2016, for example, it was reported that Yemeni authorities were deporting hundreds of migrants, mainly from Ethiopia, to Djibouti. According to IOM, at that time, due to these sudden deportations, the Migration Response Centre (MRC) in Obock, a port city in Djibouti, which is designed to accommodate around 100 migrants, was hosting between 600 and 700. IOM feared thousands more would arrive if deportations from Yemen continued and if migrants became stranded in Djibouti. According to IOM, Djibouti authorities confirmed that at least 24 migrants died due to the conditions endured during their deportation. Separately, IOM has also been assisting the voluntary return of hundreds of stranded migrants from Yemen.¹⁷

Ethiopians who travel to Yemen without the intention of transiting directly to Saudi Arabia usually seek employment as unskilled labourers and domestic workers in urban areas, or as farmworkers or livestock herders in rural areas.¹⁸

13 Ibid.

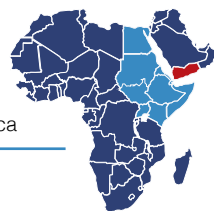
14 United Nations High Commissioner for Refugees (2016). Yemen Situation: UNHCR Regional Update #41. Available at: <http://reporting.unhcr.org/sites/default/files/UNHCR%20Yemen%20Situation%20Update%20-%20July%202016.pdf>

15 United Nations High Commissioner for Refugees (2016). UNHCR Operation Refugee Response in 2016. Available at: <http://data.unhcr.org/yemen/documents.php?page=1&view=list>

16 Voice of America (2016). IOM: African Migrants Deported From Yemen Under Deplorable Conditions. Available at: <http://www.voanews.com/a/yemen-deporations-horn-of-africa-djibouti/3595222.html>

17 IOM (2016). IOM Evacuation Operations See Return of Stranded Ethiopians and Somalis from Yemen. Available at: <http://reliefweb.int/report/yemen/iom-evacuation-operations-see-return-stranded-ethiopians-and-somalis-yemen>; Reuters (2016). Destitute migrants pile up in Djibouti as Yemen sends boats back. Available at: <http://www.reuters.com/article/us-djibouti-migrants-idUSKBN12E1TZ>.

18 RMMS (2016). Country Profiles: Yemen. Available at: <http://www.regionalmms.org/index.php/country-profiles/yemen>



An unknown number of Ethiopian migrants are also living in Yemen after failing to reach Saudi Arabia, having found themselves unable to pay for onward travel to the Gulf or to return to Ethiopia, or having been detained by Yemeni authorities or trafficking gangs.¹⁹ In addition to Somalis and Ethiopians, and other nationals from East Africa and the Horn, Yemen hosts migrants and asylum seekers from the Middle East, particularly from Syria and Iraq, who arrived in Yemen prior to the onset of the war in 2015.²⁰

Lastly, Yemen is reportedly a destination country for irregular migrants from the Horn of Africa travelling in order to participate in the ongoing conflict. Migrants interviewed in Yemen, as well as government officials in Somalia and Yemen, indicated that migrants travelling to Yemen have been recruited by armed groups, specifically anti-government Houthi rebels and Al Qaeda in the Arabian Peninsula.²¹ Although these reports have been cited by government officials in both Somalia and Yemen, as well as by migrants themselves in Yemen, they have not been substantiated and require further verification.

Yemen as a transit country

Although Yemen is one of the poorest countries in the world, it is a gateway to some of the wealthiest, and thus serves as a key transit country for migrants from the Horn of Africa seeking to access labour markets in the oil economies of the Gulf States.²² The vast majority of Ethiopian migrants travelling to Yemen, who comprised approximately 85 to 90 per cent of all irregular arrivals over the last two years²³, do so for the expressed purpose of onward movement to Saudi Arabia and other Gulf States.²⁴ Despite the ongoing conflict in Yemen that has internally displaced between 2.1 million and 2.8 million people (the number fluctuates depending on rates of returns and displacement at any given time)²⁵, the flow of irregular migrants to Yemen, primarily from Ethiopia, has continued unabated. In 2016, a record number of over 117,000 migrants from the Horn of Africa arrived in Yemen, exceeding the previous single-year record of 107,000 in 2012. These estimates likely undercount actual

19 Fernandez, B. (2010). Cheap and disposable? The impact of the global economic crisis on the migration of Ethiopian women domestic workers to the Gulf, *Gender & Development*, 18:2, 249-262.

20 Al Jazeera (2015). Syrians in Yemen: 'Back to Square One.' Available at: <http://www.aljazeera.com/news/2015/05/syrians-yemen-square-150519102335187.html>

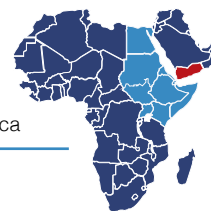
21 Key informant interviews in Somalia, June 2016. Key informant interviews in Yemen, July-August 2016.

22 RMMS (2014). The Letter of the Law: regular and irregular migration in Saudi Arabia in a context of rapid change. Available at: http://www.regionalmms.org/images/ResearchInitiatives/RMMS_Letter_of_the_Law_-_Saudi_Arabia_report.pdf

23 Numbers derived from monthly and quarterly reports published by RMMS, as well as figures provided by UNHCR.

24 RMMS (2016). Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

25 United Nations Office for Coordination of Humanitarian Affairs (2016). Humanitarian Needs Overview 2017: Yemen. Available at: https://docs.unocha.org/sites/dms/Yemen/YEMEN%202017%20HNO_Final.pdf



arrivals given that the ongoing conflict in Yemen has hindered monitoring efforts, and because many migrants try to avoid detection and registration during the course of their journey.²⁶ Between 2006 and 2016, more than 813,000 migrants and refugees from the Horn of Africa are estimated to have arrived in Yemen from coastal departure points in Djibouti and Somalia, of which an estimated 70 per cent were from Ethiopia (in recent years, more than 85 per cent of the arrivals are from Ethiopia).²⁷

Data collected over the last several months indicate that between 95 and 98 per cent of Ethiopian migrant arrivals in Yemen identified themselves as ethnic Oromos.²⁸ The majority of Ethiopians arriving in Yemen plan to hire smugglers to facilitate direct transit to Saudi Arabia, although others who cannot afford smuggler services, or who have been extorted or robbed during their journey, may plan to work in Aden or Sana'a to finance the next leg of their itinerary.²⁹ Some Somalis in Yemen who face difficulties in refugee camps or urban settings, or who are frustrated with the length of the process that determines refugee status or with the limited opportunities for resettlement and a lack of basic services, or who no longer wish to face the dangers of ongoing conflict, also seek onward transit to Saudi Arabia.³⁰

Representatives from the Ministry of Interior attribute the current increased flows from Ethiopia to Yemen to the breakdown of Yemen's central government institutions, including border control agencies, which were overburdened even before the war.³¹ Other government officials interviewed in both Yemen and Djibouti indicated that there is a perception among migrants that the chaos in Yemen makes it easier to transit through to Saudi Arabia.³² Government officials in Somalia also cited the current political situation in Ethiopia as another possible reason why flows to Yemen from Ethiopia are on the rise.³³ Transiting through Yemen itself is complicated, with a range of factors liable to affect migrants at different points on their journey. While the complete breakdown of state functions has in theory made it easier for smugglers to move migrants from one hub to the next toward Saudi Arabia, heavy fighting along key smuggling routes has at times made doing so more dangerous, with certain areas becoming bottlenecks as migrants wait for fighting closer to the Saudi border to subside. However, the conflict has drastically reduced border security

26 Numbers derived from monthly and quarterly reports published by RMMS, as well as figures provided by UNHCR.

27 Ibid.

28 Based on continuous data collection since 2006 through interviews with new arrivals in Yemen. Thousands of migrants are interviewed every year, by coastal monitoring patrol teams of the Danish Refugee Council and local Yemeni NGOs. The percentage of Oromo among new Ethiopian arrivals strongly increased in recent years, from an estimated 64% in 2014, to 95% as of October 2016. Monthly statistics are published in the RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

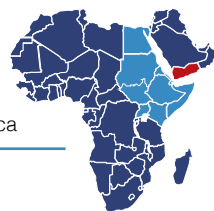
29 RMMS (2016). Country Profiles: Yemen. Available at: <http://www.regionalmms.org/index.php/country-profiles/yemen>

30 Ibid.

31 Key informant interviews in Yemen, July 2016.

32 Key informant interviews in Yemen, July 2016; Djibouti, May 2016.

33 Key informant interviews in Somalia, June-July 2016.



on the Yemeni side, and border posts on both sides of the border have been destroyed, which may make it easier to enter Saudi Arabia undetected.³⁴

There is emerging anecdotal evidence that some migrants are travelling from Somalia to Yemen only to embark on a second sea crossing to Sudan, from where they seek passage to North Africa and Europe.³⁵ Three Somali migrants in Yemen told researchers for this report that they witnessed negotiations and arrangements made with brokers in Bossaso for a second trip from Yemen to Sudan and onwards to Libya. They said the cost of such a trip from Bossaso to Yemen, then to Sudan, would be USD 1,000, with an additional USD 1,000 for the trip from Sudan to Libya.³⁶ A recent report by RMMS identified such an itinerary, in which migrants depart from Bossaso across the Gulf of Aden and arrive in the Yemeni port of Al Mukallah, from where they travel by land to the coastal town of Mokha, in western Yemen, then cross the Red Sea for Sudan. According to the RMMS report, the route first emerged in 2015 and is used exclusively by Somali youths aged between 15 and 25. The report also stated that, in the wake of reports that some Somali youths had gone missing, an inquiry by local officials revealed that they had travelled to Yemen in hopes of onward travel to Sudan and eventually to Europe.³⁷

Yemen as a source country

Although Yemenis have been migrating irregularly to Saudi Arabia in search of employment since the 1970s, with flows varying depending on a range of factors, including policy changes and deportations in Saudi Arabia,³⁸ Yemen recently emerged as a source country for mixed migration flows in the Arabian Peninsula and the Horn of Africa due to the ongoing conflict. Since 2015, approximately 180,000 people, including over 60,000 Yemeni nationals, have fled the country.³⁹

Of the 60,000 Yemeni nationals, the majority who registered with UNHCR fled to Saudi Arabia (30,000) and Djibouti (19,636), with smaller numbers arriving in Oman (5,000), Somalia (4,753), Sudan (1,531) and Ethiopia (1,426).⁴⁰

34 RMMS (2016). Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

35 Key informant interviews in Yemen, July 2016.

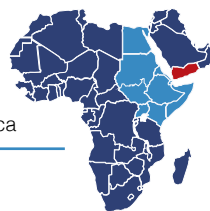
36 Ibid.

37 RMMS (2016). Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

38 RMMS (2014). The Letter of the Law: regular and irregular migration in Saudi Arabia in a context of rapid change. Available at: http://www.regionalmms.org/images/ResearchInitiatives/RMMS_Letter_of_the_Law_-_Saudi_Arabia_report.pdf

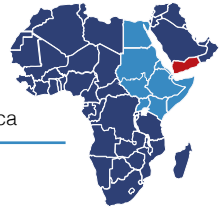
39 United Nations High Commissioner for Refugees (2016). Regional Refugee and Migration Response Plan. Available at: <http://data.unhcr.org/yemen/regional.php>

40 United Nations High Commissioner for Refugees (2016). Regional Refugee and Migration Response Plan. Available at: <http://data.unhcr.org/yemen/regional.php>



Of the total number of arrivals from Yemen - including Yemeni nationals, nationals returning to their country of origin, and third country nationals who had been living and working in Yemen - Oman has received the largest share since the outbreak of violence, taking in 51,000 individuals between April 2015 and the end of October 2016. Saudi Arabia received 39,880 arrivals from Yemen over this period, Djibouti 36,162, Somalia 33,960, Ethiopia 13,309, and Sudan 6,681. In the cases of Somalia, Ethiopia, and Sudan, the majority of those arrivals are nationals returning to their home country.⁴¹

41 Ibid.



3.0

MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN YEMEN

Migrant smuggling networks from Djibouti to Yemen

Irregular migrants from Ethiopia, Somalia and, to a lesser extent, Eritrea, have traditionally sought passage to Yemen via Djibouti by crossing the Red Sea. Between 2008 and 2016, over 365,000 irregular migrants were estimated to have arrived along Yemen's Red Sea coast, leaving from points near Obock, of whom an estimated 80 per cent were from Ethiopia.⁴² Contrary to expectations that the war in Yemen would reduce the flow of irregular migrants from Ethiopia to Yemen, such flows through Djibouti have in fact increased, with the total in 2016 (18,458) surpassing that of 2015 (14,090).⁴³

The profile of migrants using smuggler services to enter Yemen via Djibouti is fairly well understood. As of 2016, almost all of these irregular migrants are reported to be ethnic Oromo⁴⁴, and although Muslims comprise only about half of the Oromo population in Ethiopia, the Oromos passing through Djibouti are believed to be almost exclusively Muslim. Historical ties between Muslim communities in Ethiopia and Muslim Ethiopian diaspora communities in the Gulf, stretching back decades and developed around religious pilgrimages, work visas, and educational opportunities, formed the initial foundation for the culture of migration flows to the Arabian Peninsula.⁴⁵ Additionally, a history of real and perceived economic and political marginalization of the Oromo community at the hands of the Ethiopian state further explains, reportedly, why Oromos are seeking work opportunities abroad.⁴⁶ Finally, throughout 2016, almost all Ethiopian arrivals cited the drought in parts of Ethiopia as a major reason for migration.⁴⁷

42 RMMS (2016). Country Profiles: Djibouti. Available at: <http://www.regionalmms.org/index.php/country-profiles/djibouti>

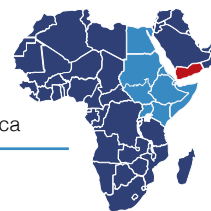
43 Numbers derived from monthly and quarterly reports published by RMMS as well as figures provided by UNHCR.

44 See RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

45 Key informant interviews in Djibouti City, May 2016. Key informant interviews in Addis Ababa, Ethiopia, June 2016.

46 Interviews in Djibouti, May 2016.

47 See for example the RMMS Monthly Summary July 2016, available at: http://regionalmms.org/monthlysummary/RMMS_Mixed_Migration_Monthly_Summary_July_2016.pdf



Facilitating all of these flows are transnational networks of smugglers stretching from Ethiopia through Djibouti to Yemen. The structure of these networks is very consistent with the typologies outlined by the United Nations Office on Drugs and Crime (UNODC). In the case of networks facilitating flows from Ethiopia through Djibouti to Yemen, a range of individuals fulfil different roles within the broader network, such as coordinators and organizers, recruiters, transporters and guides, and service providers.⁴⁸ Migrant smuggling services used in Djibouti exist both in an *ad hoc* form, used only occasionally by migrants who otherwise travel independently, and in what UNODC calls “pre-organized stage-to-stage smuggling” where the whole journey is organized by smugglers, with smuggler services provided throughout.⁴⁹

According to irregular migrants who have travelled to Yemen, as well as Djiboutian officials who have interviewed smugglers, migrants pay smugglers to transport, escort, and guide them into Djibouti and through its territory to Obock, from where they engage with a new set of actors operating along the coast.⁵⁰

Once in Obock, migrants might be directly handed over to brokers and smugglers who operate along the coast, with money exchanging hands between different groups of smugglers. This is most common when migrants have paid for streamlined services that include both the overland journey as well as the sea crossing to Yemen. Other migrants may already have contact information for smugglers operating along the coast obtained from someone who has already made the trip, or provided by the smugglers who facilitated the overland journey from Ethiopia to the coast of Djibouti. In other cases, migrants reported finding someone who could facilitate the sea crossing only after having arrived in Obock.⁵¹

In Obock, smugglers work with crews who can navigate dhows and various types of fishing vessel across the Red Sea to Yemen.⁵² Migrants may spend several days, or even weeks, in Obock and its environs waiting to be transported to departure points north of Obock.⁵³ During this waiting period, migrants may be kept in smugglers’ or brokers’ safe houses, or even on beaches without shelter.⁵⁴

Prices for travel from Djibouti to Yemen vary according to a range of factors, including weather, time of year, availability of boats, prices of fuel, recent crackdowns and government patrols along the coast in Djibouti and in Yemen, as well as events related to the conflict in

48 UNODC (2010). Issue Paper: A Short Introduction to Migrant Smuggling. Vienna: United Nations Office on Drugs and Crime. Available at: https://www.unodc.org/documents/human-trafficking/Migrant-Smuggling/Issue-Papers/Issue_Paper_-_A_short_introduction_to_migrant_smuggling.pdf

49 Ibid.

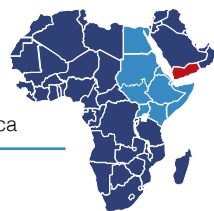
50 Key informant interviews in Djibouti, May 2016; Yemen, July-August 2016.

51 Key informant interviews in Djibouti, May 2016.

52 Ibid.; Yemen, July-August 2016.

53 Key informant interviews in Djibouti, May 2016.

54 RMMS (2013). Migrant Smuggling in the Horn of Africa and Yemen: the political economy and protection risks. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Migrant_Smuggling_in_the_Horn_of_Africa_and_Yemen_report.pdf



Yemen that limit onward movement through Yemen.⁵⁵ Estimates obtained during the course of this research from government officials, migrants, smugglers themselves and other sources were somewhat inconsistent, in part because of the aforementioned factors, but also because individuals interviewed were often familiar with only one part of the journey, rather than its entirety. Similarly, migrants themselves might give different prices depending on which aspects of the journey they include (food, public transport, lodging, etc.) in their costing.

A government official in Djibouti who investigates migrant smuggling networks reported that, on average, a trip from Ethiopia through Yemen to Saudi Arabia costs migrants between USD 330 and USD 550.⁵⁶ Monthly summaries published by RMMS provide similar estimates, with Ethiopian migrants arriving in Yemen from Djibouti reporting they usually paid in the range of USD 200-500 for the journey from Ethiopia to Yemen (but not onward to Saudi Arabia).⁵⁷

The amounts migrants pay to smugglers vary and the number of migrants transiting through are only estimates, but based on the assumption that 18,548 migrants transited from Ethiopia to Yemen through Djibouti in 2016, and that each one paid an average of USD 300, the migrant smuggling industry along the Ethiopia-Djibouti-Yemen corridor can be conservatively valued at almost USD 5.6 million.

When departing from the coast of Djibouti, migrants are loaded into boats, usually in groups of 40 to 50. Some will have already paid for their trip in advance, while others may have arranged to pay on arrival, in which case they are left particularly vulnerable to abuse and extortion in Yemen.⁵⁸

There is increasing evidence that smugglers operating between the points of embarkation in Obock and disembarkation in Yemen coordinate in sharing information on when boats depart and arrive. Once in Yemen, for example, migrants are often handed over to or abducted by armed actors who take them to smuggling dens for weeks on end until they are able to pay ransoms to secure their release.⁵⁹ The fact that some migrants are offered the option of paying on arrival, and that smugglers in Djibouti and Yemen coordinate with each other, indicates levels of cooperation and organization beyond those of other networks in the region where loose chains of facilitators tend merely to move irregular migrants from one destination to the next.

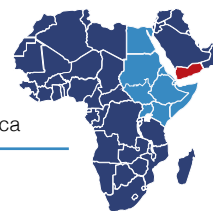
55 Key informant interviews in Djibouti, May 2016; Yemen, July-August 2016. RMMS (2016). See also: Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

56 Key informant interview in Djibouti, May 2016.

57 See RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

58 Key informant interviews in Djibouti, May 2016.

59 Akumu, O. (2016). Shifting Tides: The changing nature of mixed migration crossings to Yemen. Available at: <http://www.regionalmms.org/index.php/research-publications/feature-articles/item/1>



Migrant networks from Somalia to Yemen

Asylum seekers and economic migrants from Somalia and Ethiopia use smugglers to reach Yemen via Somalia, most notably via Arabian Sea departures from Bossaso in Puntland and to a lesser extent, Berbera, in Somaliland. While the specific departure and arrival points of these crossings may vary, those arriving on the Arabian Sea (as opposed to the Red Sea) coast of Yemen are likely to have set sail from Puntland or Somaliland. As with departures from Djibouti, flows from Somalia to Yemen have continued to increase in recent years, despite the ongoing conflict in Yemen. According to figures published by RMMS and UNHCR, just over 49,000 migrants arrived in Yemen via the Arabian Sea in 2014. In 2015, this number rose to 78,000. In 2016, Arabian Sea crossings from Somalia to Yemen reached 98,649. In total, over 384,000 migrants are estimated to have departed from Somalia to Yemen between 2008 and 2016.⁶⁰

Beginning in mid-2014, Somalia emerged as an increasingly popular transit country for Ethiopians seeking maritime passage to Yemen, surpassing neighbouring Djibouti as the most frequent country of embarkation.⁶¹ 2014 also marked the first year in which Ethiopians began constituting the majority of migrants departing for Yemen from Puntland and Somaliland. In 2013, Ethiopians comprised approximately 46 per cent of arrivals in Yemen via the Arabian Sea. In 2014 that proportion increased to 69 per cent, and rose again in 2015 to 88 per cent. Of those arriving in Yemen via the Arabian Sea in the first 10 months of 2016, 80 per cent were from Ethiopia, versus an estimated 20 per cent from Somalia.⁶²

These numbers, collected from RMMS and UNHCR reports, correlate closely with claims by authorities in Somaliland and Puntland that several hundred irregular migrants depart from Somali shores for Yemen every day.⁶³ Because insecurity in Yemen limits the ability of governments and international organizations to monitor departures and arrivals, the aforementioned numbers likely underreport actual arrivals, as many migrants arrive in Yemen completely undetected.

The majority of irregular migrants transiting through Somalia to Yemen are Ethiopians who pay smugglers to cross from Ethiopia into Somaliland. They enter near the official border crossing at Tog Wajaale and continue to coastal launching points, mostly of them near Bossaso. Ethiopians pay smugglers to facilitate irregular passage across the border, as well as to transit through Somaliland and Puntland until the coast. Other Ethiopian migrants will transit through the territory on their own, paying for smuggler services as they are deemed necessary.⁶⁴ While some Somalis migrating to Yemen pay smugglers to facilitate

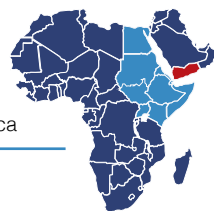
60 Numbers derived from monthly and quarterly reports published by RMMS as well as figures provided by UNHCR.

61 Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

62 Numbers derived from monthly and quarterly reports published by RMMS as well as figures provided by UNHCR.

63 Key informant interviews in Somalia, June-July 2016.

64 Ibid.



their journey from various parts of Somalia all the way to a coastal launching point, the majority are believed to travel to Bossaso or Berbera on their own, seeking smuggler services only once they have arrived.⁶⁵

According to monthly reports by RMMS, the majority of Somali nationals interviewed upon arrival in Yemen cite economic opportunities, fighting between Al Shabaab and government forces, as well as a desire to return to their lives in Saudi Arabia after being deported, as reasons for travelling to Yemen.⁶⁶ Similarly, Ethiopian migrants cited a lack of livelihood opportunities, poverty and related hardships, land seizures, as well as arbitrary arrest and mistreatment as a result of ongoing anti-government protests in Ethiopia as the motivating factors behind their decision to migrate.⁶⁷

The prices migrants pay for smuggling services from Somalia to Yemen vary widely. Determining factors include modes of transportation, starting points and final destinations, the time of year, the security situation in Yemen, and whether migrants pay to be escorted for an entire trip or separately at each leg, seeking the services of different smugglers at every stage. Interviews conducted for this report with migrants arriving in Yemen suggested prices ranged from USD 100 for wooden boats to USD 1,500 for higher quality, chartered vessels. Migrants most frequently cited price ranges between USD 100 and USD 250 for smuggler services from Somalia to Yemen, although it was not always clear if migrants were quoting for the entire cost of their journey, or just the maritime crossing.⁶⁸

Migrant smugglers in Somalia do not appear to be coordinating with counterparts in Yemen to the same extent as those operating along the Djibouti-Yemen route, but they are organized nonetheless. Interviews and survey results of random migrants arriving in Yemen indicate that boats carrying migrants from Somaliland and Puntland, and less frequently from Mogadishu and Kismayo, are individually owned and operated by regular fisherman, pirates, or transport companies that are contracted by smugglers operating along the coast.⁶⁹ Local authorities reported that in Puntland there are believed to be several camps monitored by armed guards where smugglers hold migrants until brokers have sufficient numbers to warrant a boat trip. One Somali migrant, who made the trip from Puntland to Yemen in June 2016, reported staying at a safe house owned by a local smuggler for two days as brokers assembled other migrants for the boat trip.⁷⁰ On his departure, men and women were segregated and put into two separate boats. He was put on a crowded fishing boat with 72 other passengers, including four armed guards led by a smuggler.⁷¹

65 Ibid.

66 See RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

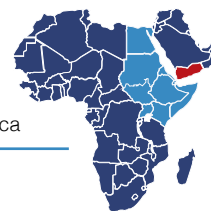
67 See RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

68 Key informant interviews with migrants in Yemen, June-July 2016.

69 Key informant interviews in Somalia, June-July 2016; Yemen, July 2016. See also: Africa

70 Key informant interviews in Somalia, June-July 2016.

71 Ibid.



Determining the value of the migrant smuggling industry from Somalia to Yemen is challenging. As previously mentioned, estimates of the number migrants taking this route provided by international organizations likely underrepresent the actual figures. But if one assumes that close to 100,000 arrived via the Arabian Sea in 2016, and that each paid a minimum of USD 100 for the Somalia-to-Yemen journey, one arrives at a total value of USD 10 million, a figure that does not include revenues generated for journeys *through* Somalia or onward *through* Yemen.

Migrant smuggling networks in Yemen

Obtaining credible, up-to-date information on the *modi operandi* of migrant smuggling networks facilitating flows from Yemen to Saudi Arabia for this report proved difficult due to the ongoing conflict and instability in Yemen. Interviews with government officials, representatives of aid organizations, and Ethiopian and Somali migrants indicated that smugglers have been varying their routes, methods, as well as departure dates and times, based on the presence of government security forces and in response to heavy fighting and the shifting frontlines of the conflict. These variations, however, are generally believed to be minor, with any delays being temporary, rather than entailing drastic changes to business models or overall activities.⁷² The fact that migrants continue to flow into Yemen and are still transiting through Yemeni territory to Saudi Arabia is a testament to the ability of migrant smugglers to regroup, adapt, and reorganize their business models within the context of a highly volatile security environment.⁷³

With those variations in mind, researchers for this report were able to identify smuggler-facilitated itineraries for migrants arriving in Yemen from Djibouti, via the Red Sea, and those arriving from Somalia, via the Arabian Sea.

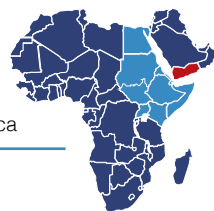
A Danish Refugee Council (DRC) and RMMS research paper published in 2012 reported that Ethiopian migrants transiting through Djibouti were often collected by “new smugglers or criminals as soon as they set foot on Yemen’s shores,” while others had made arrangements in their countries of origin to have trucks waiting for them to take them to the Saudi border.⁷⁴ DRC research in 2011 found that villagers in the disembarkation areas on the Red Sea coast appeared to be involved in smuggling, in alleged collusion with individuals in military authorities.⁷⁵ As noted above, the ever shifting security climate means that the smuggling process is now almost certainly less streamlined than it was before conflict broke out in 2015, with networks having to adapt to events on the ground. That said, smugglers in Djibouti are still reportedly coordinating with smugglers and criminal gangs to collect or

72 Ibid.

73 Akumu, O. (2016). Shifting Tides: The changing nature of mixed migration crossings to Yemen. Available at: <http://www.regionalmms.org/index.php/research-publications/feature-articles/item/1>

74 Danish Refugee Council and RMMS. (2012). Desperate Choices: Conditions, Risks & Protection Failures Affecting Ethiopian Migrants in Yemen. Available at: <http://www.regionalmms.org/images/ResearchInitiatives/RMMSbooklet.pdf>

75 Soucy, A. (2011). Mixed Migration from the Horn of Africa to Yemen: Protection Risks and Challenges. Nairobi: Danish Refugee Council.



receive migrants upon arrival in Yemen. Interviews in Yemen, including with officials who are directly involved in combatting migrant smuggling and human trafficking, suggested complicity between some individuals, local authorities and smugglers.⁷⁶ Monthly reports provided by RMMS indicate that hundreds of migrants are reportedly being abducted each month, either immediately after disembarking or as they continued their journey. (Monthly figures vary from less than a hundred to several hundred).⁷⁷

Migrants who arrive from Djibouti for onward passage to Saudi Arabia seek smuggler services to take them to key hubs in northern Yemen, from where irregular border crossings can be arranged. The majority of migrants, having arrived in either Ta'iz or Hudaydah governorates, first move to the city of Hudaydah, a major consolidation point for irregular migrants transiting toward Saudi Arabia. From there, some migrants will move on to Sana'a to make further arrangements, but the majority continue north through western Yemen to either Haradh or, less often, Midi. Migrants who do go to Sana'a after arriving on the Red Sea coast will often continue north, either by taking the road back west and then heading north to Haradh and the surrounding area, or by going directly north to the key hub of Sa'dah, from where smugglers will take them to areas near Baqim and Albuqa'a close to the Saudi border.⁷⁸

For Ethiopian and Somali migrants arriving from Somalia, the routes used by smugglers to move migrants from the Arabian Sea coast to Saudi Arabia are much less clearly defined. Interviews in Yemen indicated that most boats that depart from Somalia arrive in the area stretching along the coast between the port city of Mukalla and the village of R'as al Kalb, although there are believed to be arrivals throughout the ungoverned coastlines of Shabwa, and Hadramawat governorates, and as far west as the port city of Shoqra in Abyen governorate.⁷⁹

Upon arrival, migrants may seek transport to Aden and Sana'a, from where they can arrange onward journeys, or they may pay for smuggler services that take them directly to Saudi Arabia. Interviews in Yemen indicated that smugglers facilitating journeys that go directly from Hadramawat and Shabwa governorates toward Saudi Arabia follow three main routes to the city of Marib, from where onward journeys, mainly via Albuqa'a and Sa'adah, are arranged.

The smugglers facilitating these flows are typically local tribesman from Shabwa and Marib, who work and coordinate their routes with influential locals and sometimes government officials.⁸⁰

At key hubs closer to the Saudi border, such as Haradh, Sa'adah and Albuqa'a, migrants can find themselves waiting for weeks, even months, until an opportunity arrives for a smuggler to facilitate passage across the heavily guarded Saudi border. The Saudi government has

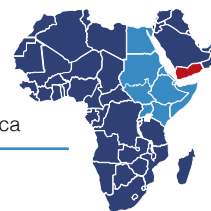
76 Key informant interviews in Yemen, July-August 2016.

77 See RMMS monthly summaries, available at: <http://www.regionalmms.org/index.php/data-trends/monthly-summaries>

78 Key informant interviews in Yemen, July-August 2016.

79 Ibid.

80 Key informant interviews in Yemen, July-August 2016.



invested significantly in tighter border control, including constructing a fence and installing floodlights, thermal cameras, and electric wires.⁸¹ Yet these efforts have failed to completely deter smuggling networks that move not only migrants, but also narcotics, arms, and a range of other licit and illicit goods between one of the world's poorest countries and one of its richest, and vice versa. Shortly after Saudi Arabia bolstered its efforts to secure its border in 2013 due to political unrest and various insurgencies within Yemeni territory, reports emerged that smugglers had found ways to bypass barriers and bribe government officials. In 2013 five Saudi border guards were reportedly killed along the border in shootouts with well-armed smugglers.⁸² In 2012, local authorities in Yemen were already describing their efforts to raid smugglers' houses as akin to fighting an insurgency, citing the fact that they often faced fierce resistance and shootouts.⁸³

It is unclear to what extent heavy clashes along the border, especially in areas controlled by Houthi rebels fighting the Saudi-backed Yemeni government, has made passage across the border more difficult because of the increased militarisation, or whether it has rather provided smugglers with new opportunities. The conflict has dramatically reduced border security on the Yemeni side, and border posts on both sides of the frontier have been destroyed, which may have made it easier for smugglers to transport migrants into Saudi Arabia undetected.⁸⁴ Still, Saudi Arabia has redoubled its efforts to guard its border amid continued clashes between its border guards and Yemeni militants.⁸⁵

Similarly, because of the fluid security situation on the ground and the diversity of itineraries and circumstances, researchers for this report were unable to obtain any credible estimates of how much migrants pay for smuggler services in order to transit through Yemen to Saudi Arabia. As previously noted, a government official in Djibouti who is in charge of investigating migrant smuggling networks indicated that the price from Ethiopia to Saudi Arabia ranges between USD 330 and USD 550, but these figures could not be confirmed.⁸⁶ A 2013 RMMS report on migrant smuggling, citing a 2011 DRC paper, reported smuggling fees of USD 100-300 for trips from Sana'a either to the Saudi border or all the way to Jeddah.⁸⁷ These figures, however, predate the current crisis, increased border controls, and mass deportations

81 Reuters. (2012). Migrant hunting, smuggling on Yemen-Saudi border. Available at: <http://www.reuters.com/article/us-yemen-migrants-idUSBRE84T0WU20120530>

82 BBC (2013). Saudi Arabia builds giant Yemen border fence. Available at: <http://www.bbc.com/news/world-middle-east-22086231>

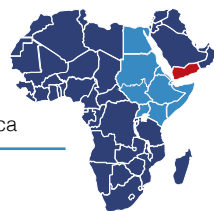
83 Reuters. (2012). Migrant hunting, smuggling on Yemen-Saudi border. Available at: <http://www.reuters.com/article/us-yemen-migrants-idUSBRE84T0WU20120530>

84 RMMS (2016). Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

85 Associated Press (2016). 5 Saudi guards killed in clashes; 2 pilots die in Yemen. Available at: <http://bigstory.ap.org/article/4cf46ac918ff4262b371c25b5867a9ed/armed-attack-yemen-border-kills-5-saudi-border-guards>

86 Key informant interview in Djibouti, May 2016.

87 RMMS (2013). Migrant Smuggling in the Horn of Africa and Yemen: the political economy and protection risks. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Migrant_Smuggling_in_the_Horn_of_Africa_and_Yemen_report.pdf



of Yemenis from Saudi Arabia that have taken place in recent years. Similarly, neither the estimate provided by the government official in Djibouti, nor that of the 2011 report, take into account the prevalence of extortion or kidnap for ransom. Estimates provided by key informant interviews in Yemen were inconsistent, but generally ranged between USD 200 and USD 500 for passage into Saudi Arabia, although none of these estimates came from migrants or smugglers themselves.⁸⁸

Human trafficking

Migrants arriving in Yemen are extremely vulnerable to being targeted during every phase of their journey, from the coast to the Saudi border, by a range of actors who seek to exploit them. A 2014 RMMS report found that 70 per cent of interviewed Ethiopian migrants who had returned from Yemen had either witnessed or experienced “extreme physical abuse, including burning, gunshot wounds and suspension of food for days.”⁸⁹ Abuse, extortion, kidnapping for ransom, indefinite detention, debt bondage, and unpaid labour often take place within the context of irregular migration flows facilitated by smugglers in Yemen. In many of these cases, the line between smuggling and trafficking is blurred. Smugglers may abuse and extort migrants within the process of facilitating a journey, thus taking on the role of both facilitator and exploiter. This means their activities and business models lie somewhere between traditional concepts of migrant smuggling and human trafficking.⁹⁰ Other actors specialize exclusively in activities that take place outside the context of smuggling, including kidnapping for ransom or human trafficking.

Migrants are most vulnerable to abuse at the hands of smugglers and traffickers upon arrival in Yemen from Djibouti. According to a 2014 report by Human Rights Watch (HRW), a “multi-million-dollar trafficking and extortion racket has developed in Yemen based on the migrants’ passage.” The report asserted that armed gangs of smugglers and traffickers with networks that extend to Djibouti, Somalia, Ethiopia and Saudi Arabia sell migrants from one gang to another, paying boat crews for each migrant and then demanding payment from each migrant. Migrants who cannot or refuse to pay are reportedly taken to isolated camps, of which there may have been as many as 200 at the time of the HRW report.

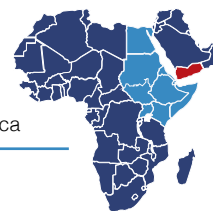
Once in the camps, migrants are beaten, tortured, and raped as they phone relatives to ask for ransom money.⁹¹

88 Key informant interviews in Yemen, July-August 2016.

89 RMMS (2014). *Blinded by Hope: Knowledge, Attitudes and Practices of Ethiopian migrants*. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Blinded_by_Hope.pdf

90 For more on these blurred distinctions, see: RMMS (2015). *Beyond Definitions: Global migration and the smuggling-trafficking nexus*. Available at: http://www.regionalmms.org/images/DiscussionPapers/Beyond_Definitions.pdf

91 Human Rights Watch (2014). *Yemen’s Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity*. Available at: <https://www.hrw.org/report/2014/05/25/yemens-torture-camps/abuse-migrants-human-traffickers-climate-impunity>



Migrants who are freed may find themselves kidnapped again as they continue their journey toward Saudi Arabia.⁹² According to the HRW report, elements within state security forces, police, military, and intelligence services in the area of Haradh, near the Saudi border, work in collusion with traffickers. HRW also reported that officials in Yemen have been complicit in trafficking, warning traffickers of impending raids, ensuring the release of arrested traffickers, and even providing assistance to traffickers.⁹³ In addition to the HRW report, which predates the current civil war in Yemen, IOM, in a July 2015 report, warned that extortion rackets were on the rise, with traffickers and armed groups taking advantage of the power vacuum in Yemen to kidnap migrants transiting to Saudi Arabia, holding them for ransom for anywhere between USD 600 and USD 1000.⁹⁴

Kidnapping migrants and holding them for ransom in rural areas of Yemen is also very common, according to migrants interviewed by RMMS in 2013 in Sana'a, who spoke of people in Ethiopia having to sell property to pay between USD 1,500 and USD 2,000 for the release of family members held in Yemen.⁹⁵ RMMS reported in 2013 that tighter border controls, combined with the expulsion of migrants from Saudi Arabia, or their being pushed back into Yemen at the border, had led to an increase in demand for smuggler services.

This in turn may have increased migrant desperation and vulnerability, making them more susceptible to human traffickers and abusive practices by their smugglers.⁹⁶

Women in particular find themselves at risk of being forced into sexual slavery and debt bondage - in some cases servicing local militias and state militaries - while men are forced into manual labour.⁹⁷ There have also been indications that several thousand women and girls "disappear" upon arrival in Yemen.⁹⁸ Reports from migrants themselves suggest that significant numbers of women from the Horn of Africa are separated upon arrival in Yemen

92 Akumu, O. (2016). Shifting Tides: The changing nature of mixed migration crossings to Yemen. Available at: <http://www.regionalmms.org/index.php/research-publications/feature-articles/item/1>

93 Human Rights Watch (2014). Yemen's Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity. Available at: <https://www.hrw.org/report/2014/05/25/yemens-torture-camps/abuse-migrants-human-traffickers-climate-impunity>

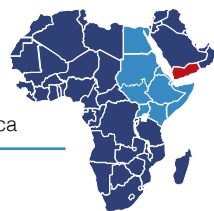
94 Middle East Eye (2016). For Yemen's migrants, troubles don't end at Saudi border. Available at: <http://www.middleeasteye.net/news/yemen-s-migrants-troubles-don-t-end-saudi-border-384186194>

95 RMMS (2014). The Letter of the Law: regular and irregular migration in Saudi Arabia in a context of rapid change. Available at: http://www.regionalmms.org/images/ResearchInitiatives/RMMS_Letter_of_the_Law_-_Saudi_Arabia_report.pdf

96 RMMS (2014). The Letter of the Law: regular and irregular migration in Saudi Arabia in a context of rapid change. Available at: http://www.regionalmms.org/images/ResearchInitiatives/RMMS_Letter_of_the_Law_-_Saudi_Arabia_report.pdf

97 Key informant interviews in Djibouti, July 2016.

98 RMMS (2014). Abused & Abducted: The plight of female migrants from the Horn of Africa in Yemen. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Abused___Abducted_RMMS.pdf



from the group with which they had been travelling and sold on to other actors or directly to “private buyers,” and that many women are never heard from again.⁹⁹

According to a recent publication by RMMS, the shift in migrant departure points from Djibouti to Bossaso since 2014 “can be directly attributed, at least in part, to the extent of the abuses witnessed and experienced on the Red Sea route.” The report cites anecdotal and unconfirmed accounts from migrants and refugees that smugglers and boat crews operating out of Bossaso treat migrants better than those in Djibouti.¹⁰⁰ Also according to RMMS, the shift may be in part attributed to the greater risk of detention irregular arrivals face along the Red Sea, and to intensified fighting in Ta’iz Governorate, where many departures from Djibouti land. “New arrivals have been hit by air strikes and more recently forcibly disembarked before reaching the coast to avoid detection by the Yemeni military or Saudi-led coalition forces, resulting in more migrants and refugees opting to use the Arabian Sea,” the report states.¹⁰¹

While there have been thousands of reported cases of abuse of migrants arriving in Yemen via the Red Sea, according to RMMS, as recently as May 2016, “no cases of abduction [had] ever been recorded along the Arabian Sea route.”¹⁰² Researchers for this report, however, spoke with migrants who had travelled from Bossaso to Yemen who said they had been abused and tortured after arriving along the Arabian Sea. One Somali who departed from Bossaso in June 2016 told researchers that his smugglers threw him off the boat as they approached the Yemeni coastline. Upon arriving ashore near the town of B’ir Ali, he and his fellow migrants were detained by armed Yemeni tribesman who moved them to a camp where they were tortured. The interviewee described his abductors, “a group of 18 men”, as well-armed and equipped with military grade weapons and telecommunications equipment. After 23 days of torture and abuse, the interviewee said his abductors let him go after realizing he could not pay the USD 500 they were demanding.¹⁰³

Subsequent monthly reports by RMMS have not documented any further cases of abduction by migrants arriving in Yemen via the Arabian Sea. This suggests that the case outlined above was either a rare exception or misreported, or that difficulties in monitoring the area prevent any emerging kidnap-for ransom-activities along the Arabian Sea being detected.

Over the course of the research for this report, authorities in Somaliland frequently referred to a trend of Ethiopians being recruited or forced into the war in Yemen, explaining that

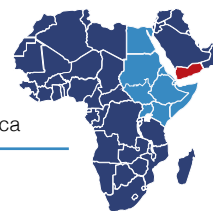
99 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf

100 Akumu, O. (2016). Shifting Tides: The changing nature of mixed migration crossings to Yemen. Available at: <http://www.regionalmms.org/index.php/research-publications/feature-articles/item/1>

101 Pushed and Pulled in Two Directions: An analysis of bi-directional refugee and migrant flow between the Horn of Africa and Yemen. Available at: http://regionalmms.org/images/briefing/Pushed_and_Pulled.pdf

102 Ibid.

103 Key informant interview in Yemen, July 2016.



Ethiopians were coveted by pro-government and anti-government militias as well as by Islamist rebels. It was unclear if the majority of Ethiopians allegedly joining these groups are forced to do so, are drawn into the conflict for religious or ideological reasons, or are paid mercenaries.¹⁰⁴ A source within the Ministry of Interior in Yemen described a similar phenomenon, saying that while authorities used to be concerned that Somali fighters were being smuggled into Yemen, they are now increasingly seeing other African nationals, mostly Ethiopians, being drawn into the conflict. According to the Yemeni official, ethnic Oromos are highly sought after because they are perceived to be tough fighters and their wages are “half that of a Yemeni.” In addition, they are perceived as easier to recruit because Ethiopians are often detained, deported¹⁰⁵, or mistreated by criminal gangs upon arriving in Yemen, so local groups willing to provide accommodation and pay can capitalize on their vulnerability in order to recruit them.¹⁰⁶ Most recently, dozens of African migrants, mostly from Ethiopia, were detained in Aden, where the head of security said they were held because authorities believed they had been recruited by Houthi rebels to fight the Yemeni government.¹⁰⁷ Such reports have not been fully substantiated, and require further verification.

According to the US State Department 2016 Trafficking in Persons Report, “the ongoing conflict, lack of rule of law, and deteriorating economy in 2015 disrupted some trafficking patterns and exacerbated others.”¹⁰⁸ According to the report, Yemeni children, mostly boys, are subjected to forced labour in domestic service or small shops, or forced into begging after migrating to cities within Yemen or to Saudi Arabia and, to a lesser extent, Oman. The report also asserts that traffickers, security officials, and employers force children into prostitution in Saudi Arabia, and to smuggle drugs into Saudi Arabia. Girls as young as 15 are reportedly exploited for commercial sex in hotels and clubs.¹⁰⁹ Women from Ethiopia and Somalia who voluntarily transit through Yemen in the hope of finding work in Saudi Arabia or other Gulf States are vulnerable to falling victim to sex trafficking or domestic servitude in Yemen. Some receive fraudulent job offers and become victims of forced labour or forced prostitution.¹¹⁰

104 Key informant interviews in Somalia, June 2016.

105 AFP (2016). Yemen deports 220 African migrants: officials. Available at: <http://sports.yahoo.com/news/yemen-deports-220-african-migrants-officials-181525247.html>

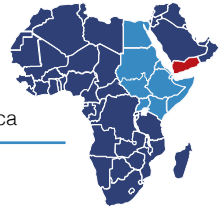
106 Key informant interviews in Yemen, June-July 2016.

107 AFP (2016). Illegal African migrants detained in Yemen. Available at: <http://www.africanews.com/2016/09/20/illegal-african-migrants-detained-in-yemen/>

108 US State Department (2016). Trafficking in Persons Report: Yemen. Available at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258893.htm>

109 Ibid.

110 US State Department (2015). Trafficking in Persons Report: Yemen. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243564.htm>



4.0

THE YEMENI GOVERNMENT'S FRAMEWORK TO RESPOND

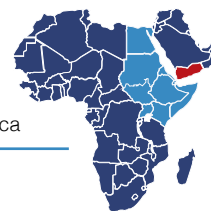
4.1 Legal and institutional frameworks

Yemen signed the United Nations Convention against Transnational Organized Crime in 2000 and ratified the treaty in 2010.¹¹¹ The Yemeni government has not, however, ratified the convention's supplementary Protocol against the Smuggling of Migrants by Land, Sea and Air or its Protocol to Prevent, Suppress and Punish Trafficking in Persons.

In lieu of national legislation that specifically outlaws migrant smuggling and human trafficking in accordance with international standards outlined by the aforementioned instruments, prosecutions for migrant smuggling and human trafficking are pursued under the Yemeni Penal Code. Article 248 of the code prescribes 10 years' imprisonment for any person who "buys, sells, or gives as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him."¹¹² Article 161 of the Child Rights Law criminalizes the prostitution of children.¹¹³ Neither article explicitly prohibits debt bondage or other forms of forced labour and prostitution.¹¹⁴

In October 2012, in an attempt to bolster efforts and capabilities to combat human trafficking, the Ministry of Human Rights established the inter-ministerial National Technical Committee for Combating Trafficking (NTCCT), via ministerial cabinet decree No. 46. The NTCCT has high-level representation from a number of ministries, notably those of defence, justice, the interior and planning, and was established with the support of IOM.¹¹⁵

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- 111 United Nations Treaty Collection). United Nations Convention against Transnational Organized. Available at: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en
- 112 US State Department (2014). Trafficking in Persons Report: Yemen. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226849.htm>
- 113 Ibid.
- 114 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf
- 115 United Nations Development Programme (2013). Violence against women is neither inevitable nor acceptable. Available at: <http://www.arabstates.undp.org/content/rbas/en/home/ourperspective/ourperspectivearticles/2013/03/08/violence-against-women-is-neither-inevitable-nor-acceptable.html>



The NTCCT is tasked with developing a national strategy to combat human trafficking, with support from IOM, UNODC, and the International Labour Organization (ILO). It has drafted a plan that includes raising awareness, increasing cooperation with other countries, training officials in victim identification and instituting procedures to protect and provide assistance to victims.¹¹⁶ In 2013, also with the assistance of IOM, UNODC and ILO, the NTCCT drafted legislation consisting of five chapters and 42 articles to combat human trafficking and smuggling. The legislation received preliminary cabinet approval in July 2013 and was published in the national newspapers with the aim of informing the public ahead of submission to parliament. However, due to instability in 2013-2014 that peaked with the Houthi takeover of Sana'a, followed by the suspension of parliament and the war that broke in 2015, the legislation is still awaiting parliamentary endorsement. Thus the implementation of the national strategy to combat trafficking, initially scheduled to be rolled out in 2015, has stalled.¹¹⁷ The initiatives outlined above focus on human trafficking, and it is unclear to what extent they incorporate migrant smuggling.

Several ministries and government agencies are directly or indirectly involved with issues pertaining to migrant smuggling and human trafficking in Yemen. The Ministry of the Interior, which oversees the Department of Immigration and the Immigration and Passport Authority, as well as the Coast Guard, is tasked with immigration and border control.¹¹⁸ Police agencies within the Ministry of the Interior handle human trafficking investigations.¹¹⁹ The Refugee Affairs Department, established in 2000, is headed by the deputy foreign minister and is comprised of officials from the ministries of foreign affairs, the interior, and justice, as well as the Office of Political Security.¹²⁰ Within the Ministry of Social Affairs and Labour, there is a Combatting Child Labour Unit,¹²¹ and within the Ministry of Interior a Women and Children Unit which produced formal standard operating procedures to help officials proactively identify trafficking victims among high-risk persons with whom they come in contact.¹²² The Ministry of Justice, tasked with enforcing and prosecuting existing laws, the Ministry of Human Rights, which launched the NTCCT, and the Ministry of Defence, which includes the army, navy, and air force, are also directly implicated in efforts to combat migrant smuggling and human trafficking.

116 US State Department (2015). Trafficking in Persons Report: Yemen. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2015/243564.htm>

117 Key informant interviews in Yemen, July-August 2016.

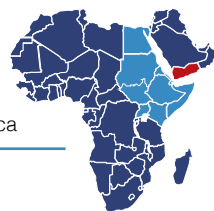
118 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf

119 United States Department of Labor Bureau of International Affairs (2015). Child Labor and Forced Labor Reports: Yemen. Available at: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/yemen>

120 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf

121 IRIN (2008). <https://www.irinnews.org/fr/node/240120>

122 US State Department (2014). Trafficking in Persons Report: Yemen. Available at: <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226849.htm>



In addition to the NTCCT, other coordinating bodies are involved in combating human trafficking, such as the National Steering Committee to Combat Child Labour, (comprised of representatives from the Ministry of Social Affairs and Labour, the Higher Council for Motherhood and Childhood, the Chamber of Commerce, the ILO’s International Programme on the Elimination of Child Labour, and local NGOs), and the Joint Technical Committee to Prevent Recruitment of Children in the Yemeni Armed Forces (comprised of the Ministry of Defence, the Higher Council for Motherhood and Childhood, the Civil Status and Registration Authority, and UN representatives), which is in charge of implementing and monitoring Yemen’s action plan to end and prevent recruitment of children into the Yemeni Armed Forces.¹²³ The Yemeni government signed an action plan with the United Nations to end and prevent recruitment of children by the Yemeni Armed Forces in May 2014.¹²⁴

In addition to these government ministries and coordinating bodies, Yemeni NGOs are also involved in countering human trafficking networks. The Yemen Organization for Combating Human Trafficking (YOCHT) established in 2009, is the first legal and authorized Yemeni organization specialising in this field. YOCHT works in partnership with local, national, and international actors to provide direct support to victims, raise awareness about human trafficking, provide legal aid, train law enforcement officials, and report and monitor instances of human trafficking. According to its website, YOCHT is a member of NTCCT and participated in drafting the national anti-trafficking legislation.¹²⁵

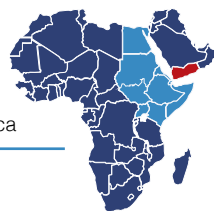
Created in 2008 under the auspices of the UN Country Team in Yemen, the Yemen Mixed Migration Task Force (MMTF) works to “ensure a comprehensive and coordinated response by all concerned stakeholders to the protection and humanitarian needs of refugees, asylum seekers and migrants arriving on Yemen’s shores from the Horn of Africa.” The MMTF is jointly chaired by UNHCR and IOM, with DRC hosting its secretariat. According to the infrequently updated MMTF website, INTERSOS (an Italian humanitarian aid organisation) the Society for Humanitarian Solidarity, UNICEF, the World Food Programme, Save the Children Sweden, the Yemen Red Crescent, Care International and the Government of Yemen are all current members. The MMTF’s operations are supported by funding from the Swiss Agency for Development and Cooperation, UNHCR, and IOM.¹²⁶

123 United States Department of Labor Bureau of International Affairs (2015). Child Labor and Forced Labor Reports: Yemen. Available at: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/yemen>

124 United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (2014). Children, Not Soldiers: Yemen Signs Action Plan to End Recruitment and Use of Children by Armed Forces Available at: <https://childrenandarmedconflict.un.org/press-release/yemen-signs-action-plan/>

125 Yemen Organization for Combatting Human Trafficking: <http://www.yocht.org/?lang=en>

126 Yemen Mixed Migration Task Force: http://www.mmyemen.org/?page_id=17



4.2 Government structures to collect, analyse and share information

According to representatives from the NTCCT and the Ministry of the Interior, Yemen already had a limited capacity to collect, analyse, and share information on migrant smuggling and human trafficking networks before the current conflict. Such information was not collected or shared across government bodies in a systemic or coordinated manner, and what little data collection and intelligence gathering took place before 2015 has since been suspended. Flows of information and data within government bodies, and between the government and non-governmental bodies through informal mechanisms or on case by case bases, have stopped almost completely, and the NTCCT itself has suspended almost 90 per cent of its operations, including data collection, outreach, and field visits.¹²⁷

According to the director of the General Administration of the Command and Control Centre at the Ministry of Interior, the centre was destroyed by a Saudi airstrike, thus hindering any operations and monitoring activities aimed at combating smuggling and trafficking.¹²⁸ Furthermore, the conflict and the resulting expulsion of government officials from large swaths of Yemeni territory has severely limited communication and coordination with police and regional authorities.¹²⁹

Despite its lack of adequate legal and institutional frameworks to combat migrant smuggling and human trafficking, Yemen did conduct some anti-smuggling and anti-trafficking activities shortly before the start of the current conflict, most notably in 2012 and 2013, which indicates a prior ability to act upon intelligence gathering. In January 2012, after directors at police stations in Taiz Governorate were suspended over trafficking and smuggling activities, authorities reportedly assembled known smugglers and sheikhs involved in smuggling from Ras-alara to Suqaya, warning them against participating in trafficking and smuggling activities.¹³⁰

In February 2012, The Ministry of Interior said police in Haradh arrested two suspects, one accused of holding 49 “Ethiopian illegal immigrants” and another holding 79.¹³¹ In March 2012, police and heavily armed soldiers conducted two raids in Haradh.¹³² According to local authorities, the raids led to the rescue of 70 Oromos and ethnic Somalis from Ethiopia who had been held in Haradh city, and who were found battered and wearing only their

127 Key informant interviews in Yemen, July-August 2016.

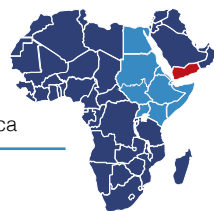
128 Key informant interview in Yemen, July 2016.

129 Key informant interviews in Yemen, July-August 2016.

130 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf

131 IRIN (2012). Tortured for Ransom. Available at: <http://www.irinnews.org/news/2012/03/12/tortured-ransom>

132 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf



underwear. The victims told investigators that their captors had “beaten them with pipes, burned them with cigarettes and poured liniment in their eyes, making them scream in pain.”¹³³

From March to May 2013, Yemeni security forces launched a series of raids to rescue migrants being held in camps.¹³⁴ During one four-week period, army raids around the town of Haradh reportedly freed 1,620 migrants.¹³⁵ The border guard commander who coordinated the raids told HRW that between 50 and 55 camps were raided and 7,000 migrants released between March and May 2013, though other officials suggested these figures were inflated, with one offering the more modest, but equally unverifiable figure of 3,000.¹³⁶ Citing an inability to provide adequate food and shelter for migrants upon freeing them, authorities discontinued the raids in May 2013. The following year HRW reported that “authorities have done little to stop trafficking.”¹³⁷ The US State Department Trafficking in Persons reports for 2014, 2015 and 2016 have supported this assertion, maintaining that the Yemeni government does not fully comply with the minimum standards for the elimination of trafficking. The 2016 report said the government “made no efforts to prevent trafficking during the reporting period.”¹³⁸

Officials acknowledged that the camps that security forces raided in 2013 were functioning again soon afterwards. HRW found that in some cases soldiers had warned traffickers before arriving at a camp and that those they did arrest – or chose not to warn – had probably failed to make a pay-off. Although government officials told HRW that between 14 and 20 traffickers had been charged, HRW could not verify successful prosecutions of traffickers.¹³⁹ Representatives from the Ministry of Interior told researchers for this report that several cases, in which both Yemeni nationals and foreigners were accused of smuggling and human trafficking, have been referred to courts for prosecution, but that the complexity of cases and ambiguities in existing laws hinder decisive rulings.¹⁴⁰ Other reporting alleges the involvement of powerful and influential locals, including a number of government officials, influencing prosecutors and judiciary officials to avoid processing such cases. Lower- and

133 IRIN (2012). Tortured for Ransom. Available at: <http://www.irinnews.org/news/2012/03/12/tortured-ransom>

134 Human Rights Watch (2014). Yemen’s Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity. Available at: <https://www.hrw.org/report/2014/05/25/yemens-torture-camps/abuse-migrants-human-traffickers-climate-impunity>

135 IRIN (2013). Raids free enslaved migrants/refugees in Yemen. Available at: <http://www.irinnews.org/report/97961/brief-raids-free-enslaved-migrantsrefugees-yemen>

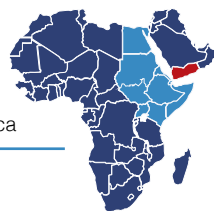
136 Human Rights Watch (2014). Yemen’s Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity. Available at: <https://www.hrw.org/report/2014/05/25/yemens-torture-camps/abuse-migrants-human-traffickers-climate-impunity>

137 Ibid.

138 US State Department (2016). Trafficking in Persons Report: Yemen. Available at: <https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258893.htm>

139 Human Rights Watch (2014). Yemen’s Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity. Available at: <https://www.hrw.org/report/2014/05/25/yemens-torture-camps/abuse-migrants-human-traffickers-climate-impunity>

140 Key informant interviews in Yemen, July-August 2016.



mid-level government officials who feared being personally targeted either immediately dismissed cases or indefinitely prolonged them so that they would get lost in the system.¹⁴¹

The examples above show that the collection and analysis of actionable information did lead to raids and arrests prior to the 2015 civil war. However, it also shows the extent to which Yemen's already limited capacity was undermined by broader issues of corruption, complicity, and weak legal and institutional frameworks.

Outside support

Since the early 2000s, several international organizations have provided capacity building assistance to the Yemeni government to help counter migrant smuggling and human trafficking within the context of managing mixed migration flows. IOM, for example, signed its first status agreement with the Government of Yemen in 2001, and, in coordination with UNICEF, began providing counter-trafficking technical assistance in Haradh to build the capacity of shelters for Yemeni minors in 2006.¹⁴² Several agencies, including UNHCR, IOM, DRC, and the Yemeni Red Crescent, had also been working with the Yemeni government to strengthen the capacity of local and national authorities, providing "legal and rights-based training of government officials in their treatment of migrants; strengthening human, technical and infrastructural capability at key air, land and sea ports; and improving the support and assistance capacity among civil society organizations and government agencies."¹⁴³

As previously noted, prior to the current conflict, international organizations such as IOM, UNHCR, UNODC and ILO also provided support to the Yemeni government in developing national anti-trafficking legislation and a national action plan to combat human trafficking. This was reinforced by training government officials and providing counter trafficking technical assistance. Since Yemen's descent into civil war, however, most support provided by international actors that pertains to combatting migrant smuggling and human trafficking networks, most notably from IOM, DRC, UNHCR, and UNICEF, takes place within the context of refugee and migrant protection.

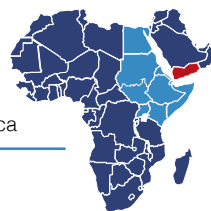
Strengthening the capacity of the Government of Yemen to protect migrants and combat human smuggling and trafficking is one of the main objectives of a GBP 800,000 project titled "Strengthening the protection of vulnerable migrants in Yemen through humanitarian assistance, capacity building and better migration information management," funded by the UK Department for International Development and implemented by IOM and DRC.¹⁴⁴ According to its own website, IOM provides support to combat human trafficking within

141 Ibid.

142 IOM (2016). Yemen Overview: IOM Migration Activities. Available at: <https://www.iom.int/countries/yemen>

143 RMMS (2013). Responses to mixed migration in the Horn of Africa & Yemen: policies and assistance responses in a fast-changing context. Available at: http://www.regionalmms.org/images/ResearchInitiatives/series_three_booklet.pdf

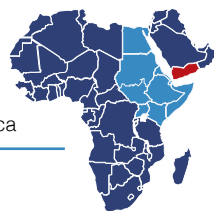
144 Danish Refugee Council (2016). DRC Accountability Framework. Available at: <https://drc.dk/media/2571389/yemen-accountability-framework-2016.pdf>



the context of its migrant assistance and protection programming, which aims to protect and assist vulnerable migrants, including third country nationals and Yemenis on the move.¹⁴⁵ As part of its ongoing migration and border management programming funded by the European Union and the Government of Japan, IOM also “delivers training and workshops to government ministries, institutions and coastguards on topics such as border security, referral and registration, and documentation” and helps government of Yemen “establish/refurbish government-run migration reception facilities.”¹⁴⁶

145 IOM (2016). Yemen Overview: IOM Migration Activities. Available at: <https://www.iom.int/countries/yemen>

146 Ibid.

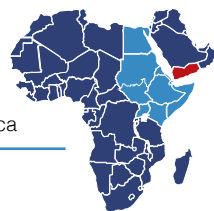


5.0

RECOMMENDATIONS

To the extent possible given the current security environment in Yemen:

- Provide support to the Government of Yemen in acceding to the Protocol against the Smuggling of Migrants by Land, Sea and Air and the supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons.
- Provide support to the Government of Yemen in prioritising parliamentary approval of the national anti-trafficking law.
- Provide support to the Government of Yemen in drafting legislation that specifically addresses migrant smuggling, in accordance with the norms outlined in the Protocol against Smuggling of Migrants by Land Sea and Air.
- Encourage the Government of Yemen to prosecute those engaging in human trafficking, under Article 248 of the penal code, so as to end the impunity with which human trafficking takes place in Yemen.
- Encourage the Government of Yemen, as well as *de facto* authorities, to resume raids on known migrant smuggling dens and torture houses, but in partnership and coordination with humanitarian organizations and aid agencies so that the protection needs of those rescued are adequately met.
- Increase support and training to the Yemeni coastguard to enable it to effectively monitor Yemen's maritime borders, with particular emphasis on migrant protection.
- Continue to provide humanitarian support to irregular migrants arriving and transiting through Yemen, and offer renewed training to Yemeni authorities on how to deal with irregular migrants and victims of human trafficking; work with both the Yemeni government and *de facto* authorities to develop a clear referral mechanism for migrants seeking protection.
- Within the framework of providing assistance to irregular migrants and refugees in Yemen, consider incorporating mechanisms for collecting better information about migrant smuggling and human trafficking networks operating within Yemen.



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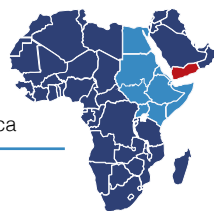
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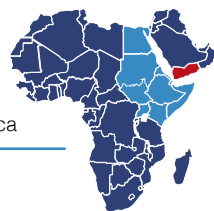
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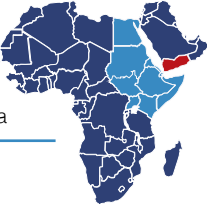
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This report is one of a series of ten country statements, produced as part of the project *Addressing Mixed Migration Flows in Eastern Africa*. These reports provide an updated overview of migrant smuggling and human trafficking trends and dynamics and the modus operandi of criminal networks involved in facilitating irregular migration. The reports also highlight capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. The project is managed by Expertise France and is funded by the European Commission in the context of the EU-Horn of Africa Migration Route Initiative (the Khartoum Process).

This report is one of 10 country statement reports covering:
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