

mixed migration research series

explaining people on the move

Abused & Abducted

the plight of female migrants
from the Horn of Africa in Yemen



RMMS

Regional
Mixed Migration
Secretariat



7

Study

October 2014

Abused & Abducted: the plight of female migrants from the Horn of Africa in Yemen

This is the seventh of a series of studies (Explaining People on the Move) focusing on different aspects of mixed migration associated with the Horn of Africa and Yemen region.

Abstract

In reviewing, compiling and analysing existing information on the migration of female migrants from the Horn of Africa to Yemen, the study provides insight into why women and girls from the Horn of Africa migrate; who they are and their experience during the journey and on arrival in Yemen. The study expounds on particular risks that they face and the existing protection gaps. In summary, the study aims to provide visibility to individuals who have, until now, been an invisible but particularly vulnerable group.

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The views and opinions of this report are entirely those of the RMMS, unless otherwise referenced.

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The Regional Mixed Migration Secretariat (RMMS)

Formed in 2011 and based in Nairobi, the overall objective of the RMMS is to support agencies, institutions and fora in the Horn of Africa and Yemen sub-region to improve the management of protection and assistance to people in mixed migration flows in the Horn of Africa and across the Gulf of Aden and Red Sea in Yemen. The co-founders and Steering Committee members for the RMMS include UNHCR, IOM, Danish Refugee Council (DRC), INTERSOS and the Yemen Mixed Migration Task Force. The RMMS is therefore a regional hub aiming to provide support and coordination, analysis and research, information, data management and advocacy. It acts as an independent agency, hosted by the DRC, to stimulate forward thinking and policy development in relation to mixed migration. Its overarching focus and emphasis is on human rights, protection and assistance.

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List of acronyms

CEDAW:	The Convention on the Elimination of All Forms of Discrimination against Women
DRC:	Danish Refugee Council
INGO:	International Non-Governmental Organization
IOM:	International Organization for Migration
ILO:	International Labour Organisation
MMTF:	Mixed Migration Task Force
MOLSA:	Ethiopian Ministry of Social Affairs
MSF:	<i>Médecines sans Frontières</i> (Doctors without borders)
NGO:	Non-Governmental Organization
OHCHR:	Office of the High Commissioner for Human Rights
PEA:	Private Employment Agencies
RMMS:	Regional Mixed Migration Secretariat
SHS:	Society for Humanitarian Solidarity
TIP Protocol:	UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000.
UNHCR:	United Nations High Commissioner for Refugees
USD:	United States Dollar
YRC:	Yemen Red Crescent

Glossary of terms

Selected definitions from the International Organization for Migration's Glossary on Migration 2004. (Definitions used here copied without editing: Full Glossary found at http://publications.iom.int/bookstore/free/IML_1_EN.pdf)

Abduction

The act of leading someone away by force or fraudulent persuasion.

Assisted Voluntary Return

Administrative, logistical, financial and reintegration support to rejected asylum seekers, victims of trafficking in human beings, stranded migrants, qualified nationals and other migrants unable or unwilling to remain in the host country who volunteer to return to their countries of origin.

Asylum seeker

A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.

Child

An individual being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier (Art. 1, UN Convention on the Rights of the Child, 1989). See also minor

Country of origin

The country that is a source of migratory flows (regular or irregular).

Irregular migration

Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfill the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons.

Irregular migrant

A person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country. The definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorized or subsequently taken up unauthorized employment (also called clandestine/undocumented migrant or migrant in an irregular situation). The term "irregular" is preferable to "illegal" because the latter carries a criminal connotation and is seen as denying migrants' humanity.

Kidnapping

Unlawful forcible abduction or detention of an individual or group of individuals usually accomplished for the purpose of extorting economic or political benefit from the victim of the kidnapping or from a third party. Kidnapping is normally subject to the national criminal legislation of individual states; there are, however, certain kidnappings that fall under international law.

Migrant

At the international level, no universally accepted definition for “migrant” exists. The term migrant was usually understood to cover all cases where the decision to migrate was taken freely by the individual concerned for reasons of “personal convenience” and without intervention of an external compelling factor; it therefore applied to persons, and family members, moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family. The United Nations defines migrant as an individual who has resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate. Under such a definition, those travelling for shorter periods as tourists and businesspersons would not be considered migrants. However, common usage includes certain kinds of shorter-term migrants, such as seasonal farm-workers who travel for short periods to work planting or harvesting farm products.

Migration

The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.

Minor

A person who, according to the law of the relevant country, is under the age of majority, i.e. is not yet entitled to exercise specific civil and political rights. See also **child**

Mixed flows

Complex population movements including refugees, asylum seekers, economic migrants and other migrants.

Refugee (mandate)

A person who, “owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. (Art. 1(A)(2), Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol).

Prima facie

At first sight, first appearance but subject to further evidence or information in the migration context, an application for immigrant status may undergo preliminary review to determine whether there is prima facie showing of all the basic requirements (often as a condition for receiving financial assistance or a work permit).

Smuggling

“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 or a permanent resident” (Art. 3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000). Smuggling, contrary to trafficking, does not require an element of exploitation, coercion, or violation of human rights. Smuggler-An intermediary who is moving people in furtherance of a contract with them, in order to illegal transport them across an internationally recognized state border.

Trafficking in persons

“The recruitment, transportation, transfer, harboring 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” (Art. 3(a), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention against Transnational Organized Crime, 2000). Trafficking in persons can take place within the borders of one State or may have a transnational character.

Exchange rates

All figures in this report are quoted in US Dollars (USD). The following exchange rates have been used:

1 Ethiopian Birr	= 0.051 USD
1 Djiboutian Franc	= 0.006 USD
1 Yemeni Rial	= 0.005 USD
1 Saudi Riyal	= 0.267 USD

Exchange rates as of 24 July 2014 (www.xe.com).

Executive Summary

Migrants travelling to Yemen from the Horn of Africa face various protection risks that are widely documented. Dangers are faced at every step of the journey – from when they leave their places of origin, while in transit through different countries in the Horn of Africa, during the sea journey and even on arriving in Yemen.

Despite the acknowledgement of the risks that smuggled African women journeying to or through Yemen face, there is a scarcity of academic inquiry into the magnitude of their plight. Studying human trafficking and migrant smuggling is difficult and dangerous because of its clandestine nature and the criminal elements involved. Nevertheless, this study provides an overview and analysis of existing information and data on the situation of and the protection risks faced by female migrants from the Horn of Africa journeying to Yemen and synthesizes that information in a single publication.

Many international organizations and NGOs including UNHCR, IOM and the Danish Refugee Council (DRC) as well as academics have published reports that, when read together, paint a clearer picture of the number of female migrants smuggled into Yemen from the Horn of Africa, the risks and violations they face as well as their possible situation in Yemen. In addition, this report utilises a unique and extensive data set of interviews with migrants over a specific time period (2011-2013).

Profiling female migrants

As part of the background context, this report offers statistical details on the number of female migrants registered with UNHCR as refugees or asylum seekers between 2011 to 2013, as well as the educational background of registered Somali and Ethiopian female refugees and asylum-seekers, their age, marital status, employment situation prior to departure and areas of origin. Interestingly, almost 60% of Ethiopian women were unemployed prior to departure while another 25% were already in domestic work. The profiling sections also offer explanations as to why Ethiopian and Somali women migrate to Yemen.

The process

The report charts out the process of recruitment, transportation (primarily through illegal entry into another country via smuggling), transfer, harbouring or receipt of migrants, the means of consent often obtained through deception, or coercion, or abuse of power, or fraud or 'abuse of a position of vulnerability or the giving or receiving of payments or benefits' and finally the cases of abuse many female migrants face once they are in Yemen.

Range of abuse and risks encountered

As the report highlights, many, if not most, migrants travelling to and through Yemen face a range of risk and abuses including: exposure to the elements, physical violence, sexual assault, abduction and torture, mental abuse and discrimination, economic deprivation, detention by the authorities, extortion, trafficking and enslavement, dehydration, starvation and loss of life. All migrants, irrespective of gender or age, face these risks, but female adults and minors are particularly vulnerable and appear more susceptible to abuse and possible exploitation. Upon arrival on the coast of Yemen, men and women are often separated with some of the females possibly being sold off as domestic workers as virtual slaves while others are used in clandestine sexual exploitation networks. Although this finding is speculative it is a possible (even probable) logical conclusion when the data and existing migrant testimony is considered.

Number of female migrants smuggled into Yemen

The exact number of African migrants smuggled into Yemen across the sea remains unknown but strong indications of the estimated numbers are available. UNHCR and the Yemen Mixed Migration Task Force and Secretariat have been collecting and collating data and information of migrants arriving at the Red Sea, Gulf of Aden and Arabian Sea coasts for almost eight years.¹

- Between 2006 and December 2013, UNHCR records that at least 512,538 migrants, mostly Somali and Ethiopian, were smuggled from the Horn of Africa to Yemen.
- From 2006 - when UNHCR and partners commenced tracking records of arrivals – till 2011, data on the estimated number of arrivals was not gender-disaggregated. The absence of specific data or information on female migrants has further largely been attributed to the fact that significant numbers of women are abducted upon arrival on the Red Sea/Gulf of Aden coast of Yemen making it difficult to establish how many arrive and where they end up.
- In 2008, DRC along with the Society of Humanitarian Solidarity (SHS) was tasked with collecting data and registering new arrivals. From 2011 onwards, disaggregated data on arrivals has been available. In the period 2011 to 2013, coastal patrolling teams encountered 112,618 (22,587 female and 90,031 male) migrants who had travelled irregularly into Yemen across the Red Sea or Gulf of Aden.
- All 112,618 migrants participated in individual interviews and/or focus group discussions with UNHCR and partner teams based at the reception centres or at the Bab el Mandeb transit centre. This unusually high number of statements included in the 36 DRC monthly reports drafted in the period 2011-2013 have informed this study.
- From these interviews, teams were able to extrapolate data and information of the estimated number of arrivals. Following this methodology, UNHCR concluded that in the period 2011 to 2013,

¹ This data collection effort is remarkable in scope, longevity and ability to track trends and migrant flows with unusual levels of accuracy. There are few of its kind globally.

275,338 (39,121 female and 236,217 male) migrants from the Horn of Africa had been smuggled into Yemen. However, as the patrolling teams only cover parts of the coast (particularly along known entry points) it is likely that the estimated numbers are an underrepresentation of the actual number of African migrants smuggled into Yemen.

Unaccounted for female migrants

From a comparison of UNHCR estimated number of female arrivals (as collected from the various sources and the actual number of female migrants that were met by UNHCR and patrolling teams), it appears that over 16,500 female migrants (both Somali and Ethiopian) arriving in the period 2011 to 2013 were unaccounted for.

The study suggests that migrants that were not met by UNHCR or partner coastal patrolling teams likely ended up in one of four situations:

- criminal gangs operating along the Red Sea/Gulf of Aden could have **abducted** them once they arrived and released them elsewhere, away from monitors who could have recorded their presence;
- they could have been **abducted and trafficked** within Yemen or outside Yemen for labour or sexual exploitation by the same groups that kidnap migrants or by other criminal groups;
- they **independently walked** north upon arrival in the hope of making it to the Saudi -Yemen border and somehow evaded detection by monitors and others;
- they walked towards areas such as Al Bayda and Dhamar governorates where migrants from the Horn of Africa **seek work as labourers** in Khat farms for determined periods before making their way towards Saudi Arabia. Alternatively, some may have made their ways to urban centres and found work and remained there or later returned to their home countries.

Based on witness reports from released abducted male and female migrants upon arrival in Yemen, female migrants are unlikely to seek employment in Khat farms and during 2011-2013 employment prospects in Yemen were reportedly poor as Somalis and Ethiopian reported that families were hiring less domestic workers during the turbulent politics of those years. While some may have found work or refuge elsewhere and evaded the NGOs and monitors, the main concern of this report is that a significant proportion of these unaccounted for 16,500 female migrants may have been abducted, smuggled, and/or trafficked. Their possible plight and the fact that there were so many unaccounted females, while their male co-migrants were accounted for, has until now, provoked no public comment or undergone any scrutiny.

...the main concern of this report is that a significant proportion of these unaccounted for 16,500 female migrants may have been abducted, smuggled, and/or trafficked.

Wide spread abduction and abuse of female migrants?

Witness statements and data collated from migrant interviews over a range of years indicate that female migrants that were encountered by protection staff and interviewed face considerable abuse in the Horn of Africa and Yemen as migrants. These findings are corroborated by numerous statements and findings from other research endeavours. Furthermore, there is an alarming number of female migrants who are unaccounted for.

To frame the issue from another collection of data; DRC in Yemen collects specific data on violations against migrants arriving on the Red Sea coast. Based on specific data and extensive direct contact/interviews with 2,819 female migrants that were recorded as having landed on the Red Sea coast of Yemen between April 2013 and December 2013, at least 1,648 (58%) could, once again, not be accounted for.

Female migrants are also abducted but they are separated from their male companions and frequently do not re-surface in the same way.

There is a high likelihood that some, or many, of these unaccounted for women could have been abducted. Kidnapping or abduction of newly arrived male migrants (normally for short periods if the ransom is paid) is extremely common. Female migrants are also abducted but they are separated from their male companions and frequently do not re-surface in the same way. This suggestion of wide spread abduction was made either by female migrants who themselves were abducted and then released, and from others who had witnessed abduction of fellow female migrants. Based on the same data collection, 12% were reportedly subjected to sexual or gender based violence. However, this is likely to be an under representation of the reality of the sexual assault of female migrants journeying to Yemen, which may be attributed to under-reporting by survivors of sexual violence due to the fear of stigmatization by their communities. Another recent RMMS study revealed that 59% of returned female Ethiopian migrants² had taken contraceptives in anticipation of possible rape. Witness and survivor accounts point to female migrants being subjected to rape and also to being 'rented out' to Yemeni men for the purposes of sexual exploitation. There are indications, however, that some females could be kidnapped and sold on for labour or other purposes.

This report attempts to chart the scope and scale of the vulnerabilities and risks female migrants face in the Horn of Africa and, in particular, in Yemen. As such it is the first collation of known facts, evidence and speculation of the magnitude and nature of abuse that face female migrants in Yemen. The report concludes with a section on where main protection gaps lie.

2 Meaning they had spent some time in Yemen and/or Saudi Arabia and then returned to Ethiopia either forcibly through deportation and expulsion, or, less often through voluntary return.

1.1 Research Rationale

Information that smuggled migrants from the Horn of Africa face a wide range of protection risks as they travel through the Horn and Yemen is widely available. International media and a select group of international and national organizations responding to the humanitarian and protection needs of smuggled migrants have highlighted some of the risks that these migrants face. The abuses and risks include detention, trafficking, kidnapping, sexual exploitation, extortion, torture and loss of life.³ Evident from the published reports on the issue is that female adults and minors in mixed migration flows are particularly vulnerable to protection risks. Some reports, for example, indicate that an unquantified number of female migrants approach the International Organization for Migration (IOM) Migration Response Centre in Obock, Djibouti requesting birth control pills in anticipation of possible rape during the sea journey across the Red Sea/Gulf of Aden or upon arrival in Yemen.⁴ An RMMS (2012) report noted that upon arrival on the coast of Yemen, men and women are often separated, and according to some reports and testimony the women may be sold off as 'virtual slave domestic workers while others are used in clandestine sexual exploitation networks.'⁵ Despite the acknowledgement of the risks that smuggled African women journeying to or through Yemen face, there is a scarcity of academic inquiry into the magnitude of their plight. This may be part of the reason for the general lack of formal policy interventions specifically designed to respond to the situation of female migrants travelling to Yemen. Studying trafficking and smuggling is difficult and dangerous because of its clandestine nature and the criminal elements involved who do not want their activities investigated.

The exact number of African migrants smuggled into Yemen across the sea remains unknown. UNHCR and the Yemen Mixed Migration Task Force and Secretariat have, however, been collecting and collating data and information of migrants arriving at the Red Sea, Gulf of Aden, and Arabian Sea coasts. Regular monitoring of new arrivals commenced in 2006. Between 2006 and December 2013, UNHCR records that at least **512,538**⁶ migrants, mostly Somali and Ethiopian, were smuggled from the Horn of Africa to Yemen. The absence of specific data or information on female migrants has largely been attributed to the fact that significant numbers of women are kidnapped upon arrival on the Red Sea/Gulf of Aden coast of Yemen making it difficult to establish how many actually arrive and what happens to those that do. Many international organizations including UNHCR, IOM, the Danish Refugee Council (DRC) as well as academics have published reports that, when read together, paint a clearer picture of the number of female migrants smuggled into Yemen from the Horn of Africa, the risks and violations they face as well as their possible situation in Yemen.

3 RMMS, 2013a, p. 22.

4 Ibid.

5 RMMS, 2012a, p. 39.

6 UNHCR, 2013c.

The objective of this study is to provide an overview and analysis of existing information and data on the situation of and the protection risks faced by female migrants from the Horn of Africa journeying to Yemen and to synthesize that information in a single publication.

Purpose and objective:

The objective of this study is to provide an overview and analysis of existing information and data on the situation of and the protection risks faced by female migrants from the Horn of Africa journeying to Yemen and to synthesize that information in a single publication. This report may be used as an advocacy tool and may yield a valuable information reference point for humanitarian actors in the region in their quest to respond effectively to the protection needs of female Ethiopian and Somali migrants in Yemen. The report may also lead to further research on smuggling and trafficking of migrants from the Horn of Africa to Yemen.

Scope and focus:

The scope of the study will be to examine existing information and data on the situation and protection risks faced by female Ethiopian and Somali migrants in Yemen. This study will specifically address the following questions:

1. What is the estimated number of female Ethiopian / Somali migrants who travelled to Yemen irregularly across the Red Sea/Gulf of Aden/ Arabian Sea in the period of 2011 to 2013?
2. What is the profile of female migrants journeying from the Horn of Africa to Yemen?
3. What are the protection risks and violations faced by Ethiopian and Somali females as they journey across the Horn of Africa, during the sea passage and upon arrival in Yemen?
4. What are the gaps in the responses of the Yemeni government, United Nations, international and non-governmental organisations as they seek to ameliorate the situation facing female migrants from the Horn of Africa?

1.2 Methodology

This study is primarily a desk review of existing reports and qualitative and quantitative data collected by organisations in Yemen responding to the situation and protection needs of migrants in mixed migration flows from the Horn of Africa to Yemen. Reference is made particularly to statistical reports and abstracts shared by UNHCR, IOM, DRC, INTERSOS, and the Yemen Red Crescent Society (YRC). In the period 2011 to 2013, coastal patrolling teams encountered 112,618 (22,587 female and 90,031 male) migrants who had travelled irregularly to Yemen across the sea. All 112,618 migrants participated in individual interviews and/or focus group discussions with UNHCR and partner teams based at the reception centres or at the Bab el Mandeb transit centre. This unusually high number of statements included in the 36 monthly reports drafted in the period 2011-2013 have informed this study. Reference is also made to the various reports on mixed migration flows from the Horn of Africa published by the Regional Mixed Migration Secretariat.

The study gives due regard to relevant literature and journal articles on the 'feminization of migration' as well as reports on the trafficking of women from the Horn of Africa to the Middle East. The study carries a policy and legislative review including international instruments and relevant national laws related to human trafficking.

1.3 Limitations of the study

- A key issue to be explored in the study is that of unaccounted for female migrants. International organisations work with local organisations with mechanism they have developed that track some of the new arrivals. It is presumed that they track most new arrivals but this is uncertain as boats arrive in remote and unmonitored locations and as criminal groups abducting migrants on arrival increase their activities. Despite regular reports confirming that female migrants are smuggled into Yemen across the Red Sea/Gulf of Aden and Arabian Sea, there is very little information documenting what happens to them once they arrive. There is only anecdotal information from male migrants which may suggest that female migrants are 'taken' by criminal groups operating along the Red Sea coast of Yemen and possibly sold off. Due to their invisibility and the nature of this study, it is impossible to provide a clear indication of the location of the unaccounted for migrants.
- The Yemeni government, the UN, and a limited range of international and national organisations provide some level of protection and assistance to migrants in Yemen. There is, however, limited focus on the particular risks that female migrants face, possibly due to the limited access to African females smuggled to and/or trafficked in Yemen. This limitation is evident in the relatively small number of trafficking cases reported by organisations such as IOM and INTERSOS, notwithstanding that Yemen is a particularly complex and difficult environment to conduct migrant protection. This report, as such, is limited to the information that is accessible either online or from data and statistics shared by organisations (such as UNHCR, INTERSOS and DRC). As such, it cannot be viewed as an exhaustive analysis of the situation of female migrants in Yemen.
- It is acknowledged that female migrants from the Horn of Africa may arrive regularly to Yemen. This study is only focussed on those that are smuggled to Yemen across the Red Sea/Gulf of Aden and Arabian Sea. This is due to the assumption that those travelling irregularly are likely to face more risks, and because of the accessibility of data on smuggled migrants.
- The rising number of criminal gangs along the Red Sea coast of Yemen has blurred the distinction between smuggling and trafficking and has affirmed the vulnerability of smuggled migrants to trafficking. Many migrants report collusion between the smuggling crew and criminal gangs operating on the coast of Yemen. The criminal nature of their activities, however, makes it impossible to ascertain the extent of their networks. Whether the network is simply that of a smuggling crew or extends to local recruiters present in Ethiopian and Somali villages remains unclear.
- It must be appreciated that while the data of new arrivals gathered in Yemen is impressive insofar that few locations globally are able to provide such comprehensive information, it is by no means perfect. International agencies working with local NGOs have developed mechanism involving patrols that travel up and down coastal areas known to be prominent disembarkation points for smugglers and migrants and collect important data. However, they do not cover all coastal areas, and due to the recent (since 2011/12) rise in criminal abduction of migrants as they arrive on the shores it is uncertain how many of the boat loads of migrants they encounter. The detailed documentation of migrants that coastal patrols

limitations of the study

The rising number of criminal gangs along the Red Sea coast of Yemen has blurred the distinction between smuggling and trafficking and has affirmed the vulnerability of smuggled migrants to trafficking. Many migrants report collusion between the smuggling crew and criminal gangs operating on the coast of Yemen.

do encounter is impressive and provides this study with large sample sizes for analysis, but it should be appreciated that the estimates that are produced are inevitably only indicative and not absolute.

2. The migration of females from the Horn of Africa to Yemen

2.1 A brief history

Yemen is located on the south-western tip of the Arabian Peninsula and surrounded by the Red Sea, the Gulf of Aden, and the Arabian Sea, as well as Saudi Arabia to the north and Oman to the east. Its proximity to the Horn of Africa has long made it an important transit point and destination for people and goods.⁷ Its mostly unpatrolled 2,500 kilometre coastline,⁸ permeable borders, relatively liberal migration policy coupled with a fragile political situation has made it accessible to smugglers and migrants mostly from Somalia and Ethiopia. As the only country in the Arabian Peninsula that has signed the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol,⁹ Yemen has also been relatively receptive to Somali and Ethiopian refugees and asylum seekers, including granting Somali nationals and Ethiopian officers fleeing the overthrow of the Mengistu regime *prima facie* refugee status.¹⁰ Cultural and religious similarities with Somalia and Ethiopian Muslims (particularly those fleeing their country on account of religious persecution) have also made it a more welcome haven than other locations.

Box 1 Halima's experience travelling to Yemen from Ethiopia

20-year-old Halima does not know where her husband is. He was arrested due to his political views and she assumes that he has since died. After less than one year of not hearing from him, his brother attempted to inherit her and when she refused he forced himself on her and took her property. She decided to leave Ethiopia for Yemen. At the Obock port, she met an Ethiopian man who warned her of the risks she would face on her own, so she agreed to be 'his wife'. This man protected her as the smuggling crew attempted to rape her but the crew beat him and tore at her clothes. Rather than be raped, she jumped into the sea. She was in the water for at least 30 minutes but managed to swim to shore. She hid on the shore for four days without food or water. Facing starvation, she decided to approach a Yemeni village to beg for food but along the way she met with a Tigre man who kidnapped her. She worked as a house help in his house for one month as he looked for someone to 'buy her'. She somehow managed to convince him to release her and she found her way to a UNHCR reception centre. She believes she is very lucky.¹¹

7 De Regt, 2007, p. 6.

8 IRIN News, 2008a.

9 IRIN News 2008b.

10 Mixed Migration Taskforce Somalia, 2008, p. 14.

11 DRC, 2013d.

2.2 Somali nationals in Yemen:

By early 2014, of an estimated population of under 10 million Somalis, over one million Somali refugees were living as refugees in the Horn of Africa region and between one and two million were living in the diaspora (mainly) in Europe, North America and Australia. Many Somalis have also migrated to Yemen. At the end of 2013, UNHCR recorded 230,506 registered Somali refugees in Yemen, 99,186 of them female.¹² There are likely to be thousands of other Somalis that arrive in Yemen and fail to register with UNHCR.

Due to the influx in 1992, the Yemeni government formally requested the UNHCR for assistance in handling the thousands of Somali nationals smuggled into the country across the Red Sea/Gulf of Aden and the Arabian Sea.¹³ A UNHCR branch office was established in Sana'a soon thereafter and a sub-office opened in Aden.¹⁴ UNHCR runs the Kharaz refugee camp (around 150 kilometres from Aden) where refugees and asylum seekers can be hosted on a more permanent basis.¹⁵ Kharaz refugee camp hosts an estimated 17,000 refugees and asylum seekers at any one time, with a majority of those hosted being Somali refugees. Furthermore, UNHCR has reception centres in Kharaz, Mayfa'a (about 35 kilometres from the southern coast and about 165 kilometres from known entry points where Somalis and other migrants arrive aboard rickety boats that depart from the Bossaso port of Puntland)¹⁶ and Ahwar on the Abyan coast.¹⁷ This last reception centre is about 30 kilometres from the Arabian Sea coast and about 220 kilometres east from Aden.¹⁸

Many Somali refugees, as well as Ethiopian migrants sail directly from Obock, Djibouti across the Red Sea and Gulf of Aden. Amidst reports that over 1,000 people had died or gone missing while sailing across the Gulf of Aden in 2008,¹⁹ the Bab el Mandeb transit centre was opened that year. This centre is not far from the Bab el Mandeb strait, which is about 30 kilometres from the coast of Djibouti and closest point to Africa in the Arabian Peninsula.²⁰ Migrants in mixed migration flows are screened at the Bab el Mandeb centre, to determine if they are Somali refugees or other migrants wishing to seek asylum in Yemen. Somali nationals are granted prima facie refugee status by the government of Yemen while other nationals – such as Ethiopians, Iraqis and Eritreans – must lodge individual asylum claims with UNHCR.²¹ Until 2010 many non-Somali migrants were detained and deported without refugee determination or screening by the Yemen authorities.

12 UNHCR, 2013c.

13 De Regt, 2007, p. 6.

14 Ibid.

15 IRIN News, 2010.

16 Society for Humanitarian Solidarity.

17 UNHCR, 2007.

18 IRIN News, 2010.

19 Shifflette, 2009.

20 UNHCR, 2010.

21 De Regt, 2007 p. 6.

2.3 Ethiopian nationals in Yemen

In recent years, large numbers of Ethiopian migrants have migrated, and continue to migrate, to Yemen and beyond to Saudi Arabia and other Gulf countries. As of January 2014, at least 334,000 irregular Ethiopian migrants had arrived in Yemen since 2006.²² The search for economic opportunities is a key reason why Ethiopian women travel to Yemen irregularly.

At least four channels enabling or facilitating the regular migration of Ethiopian women to the Middle East seem to have emerged. Essentially, Ethiopian women could independently register with Ethiopian Ministry of Labour and Social Affairs (MoLSA) before or after seeking employment through personal contacts; or, engage the services of the Private Employment Agencies (PEAs) which also require registration with MoLSA; or, seek the services of illegal agents and brokers; and lastly, independently arrange travel and employment using personal contacts without registering with MoLSA or seeking the services of brokers.²³

There are at least 400 registered PEAs in Ethiopia, although all except 20 are suspected to be involved in facilitating irregular migration.²⁴ In September 2013, Ethiopia suspended labour migration to Middle Eastern countries to allow the Government to resolve irregularities in the operation of PEAs and the management of labour migration.²⁵ The ban on migration was followed by the deportation from Saudi Arabia of at least 160,000 Ethiopian migrants, 52,119 of them female, between November 2013 and April 2014. Prior to this development, there had been an evident increase in the number of Ethiopian labourers travelling regularly to the Middle East, with MoLSA records indicating that:

- At least 100,000 Ethiopians travelled to Saudi Arabia in 2011.
- Over 160,000 female domestic workers were recorded as having travelled to Saudi Arabia in the first half of 2012 using the services of the PEAs.²⁶
- Further, MoLSA reported that in the period between July 2012 and July 2013, at least 154,660 Ethiopian women, representing 96% of the recorded 161,787 labour migrants from Ethiopia, processed their migration through the PEAs.²⁷
- The International Labour Organisation (ILO) further estimates that the numbers of Ethiopians travelling irregularly are double those registered with MoLSA.²⁸
- The 2014 US State Department Trafficking in Persons (TIP) report noted while MoLSA records intimated that 1,500 Ethiopian migrants were legally departing Ethiopia every day, this only represented 30 to 40% of those migrating for organised, pre-arranged work. The other

Ethiopian nationals in Yemen

The search for economic opportunities is a key reason why Ethiopian women travel to Yemen irregularly.

22 UNHCR, 2013c.

23 RMMS, 2014a, p. 18 and 19. Also see Fernandez, 2011, p. 439 indicating that the Private Employment Agency Proclamation No. 104/1998 was promulgated in 1998 and seeks to regulate the recruitment of workers for employment abroad.

24 RMMS, 2014a, p. 18.

25 RMMS, 2014b, p. 36.

26 RMMS, 2014a, p. 17.

27 Ibid, p. 19.

28 Ibid, p. 18.

60 to 70% had likely engaged the services of illegal brokers (without organised employment waiting for them).²⁹

Despite the presence of PEAs, a recent RMMS and DRC study in Ethiopia and Yemen revealed that many Ethiopian migrants opt to travel irregularly due to the perception that the cost of irregular migration is cheaper than that of regular migration. Others claimed that the services of brokers are more readily available in their communities while others simply opted for irregular migration because it is the most common channel of migration known to their community.³⁰ Those travelling irregularly to Yemen may travel across the Afar desert to Bossaso, Puntland before embarking on a sea journey that takes between 36 to 48 hours. They arrive along Yemen's south-eastern Arabian Sea coast where they may be met by UNHCR partner patrolling teams and can be registered and assisted at the Ahwar and Mayfa'a reception centres. Others may take the Dire Dawa to Loya Ade to Djibouti route, mostly departing from the port of Obock across the Red Sea/Gulf of Aden. They sail for three to eight hours before arriving along Yemen's western Red Sea/Gulf of Aden coast. If not abducted by criminal gangs operating along this coast, they are likely to be encountered by NGO patrolling teams and provided with information and legal screening at the Bab el Mandeb transit centre, before being transported to Kharaz reception centre.

Although most Ethiopians migrate for economic reasons, a fear of persecution on account of nationality, race, political or religious views are other reasons why Ethiopians travel to Yemen irregularly. Indeed, when interviewed, a significant number of Ethiopian migrants cite other reasons, beyond economic necessity, as their dominant reason for moving. Some Ethiopian youth fleeing to Yemen said that they were being persecuted on account of their religious beliefs following the arrest or ill treatment of some Muslim youth in Ethiopia.³¹ Those leaving their country due to a fear of persecution can approach the UNHCR for registration and thereafter undergo an individual refugee status determination. At the end of 2013, UNHCR recorded that there were 5,740 Ethiopians registered as refugees, with 2,837 of them being female. Further, 5,834 Ethiopians including 1,506 female Ethiopians were registered as asylum seekers.³² Clearly, this means the vast majority of Ethiopian migrants do not register for asylum or are unsuccessful in their bid for refugee status.

2.4 Quantifying female migrants in Yemen: 2011 to 2013

UNHCR and its implementing partners, the Danish Refugee Council (DRC), Yemen Red Crescent Society (YRC) and the Society of Humanitarian Solidarity (SHS), patrol the coastal roads of the Red Sea, Gulf of Aden and the Arabian Sea in search of migrants arriving from the Horn of Africa. Once the patrolling teams meet them (on the shore or along the single

29 US Department of State, 2014, p. 171.

30 RMMS, 2014b, p. 7.

31 Human Rights Watch, 2012.

32 UNHCR, 2013d.

road running parallel to the coast) and after they have had an opportunity to rest at the UNHCR reception centres, the migrants are interviewed about their journey from the Horn of Africa to Yemen and the number of passengers in the smuggling boats in which they travelled. It is on this basis that UNHCR and partners can determine the estimated number of migrants from the Horn of Africa smuggled into Yemen across the Red Sea/Gulf of Aden/Arabian Sea. However, since 2011 and 2012 a rising number of reports indicated that many of the new arrivals were snatched by waiting gangs with trucks who force them into trucks and take them to remote compounds and enclosures in order to extort money from them, frequently using torture.

The following table presents the number of migrants actually encountered by UNHCR and partner patrolling teams.³³

Table 1:
Migrants met by the UNHCR and partner patrolling teams (referred to as ‘encountered’) in the period 2011 to 2013

Female migrants			Male migrants		Total encountered		
	Red Sea/Gulf of Aden	Arabian Sea	Red Sea/Gulf of Aden	Arabian Sea	Female	Male	Male +Female
Somali	7,280	9,530	15,717	26,616	16,810	42,333	59,143
Ethiopian	2,067	3,692	12,639	35,005	5,759	47,644	53,403
Other	12	6	40	14	18	54	72
Total	9,359	13,228	28,396	61,635	22,587	90,031	112,618

In the period 2011 to 2013, UNHCR and partner coastal patrolling teams encountered **112,618 (22,587 female and 90,031 male)**³⁴ migrants who had travelled irregularly to Yemen across the sea. However, as the patrolling teams only cover parts of the coast (particularly along known entry points) and some migrants are immediately abducted it is likely that these numbers are an underrepresentation of the actual number of African migrants smuggled into Yemen across the sea.

All 112,618 migrants participated in individual interviews and/or focus group discussions with UNHCR and partner teams based at the reception centres or at the Bab el Mandeb transit centre. Pursuant to those interviews, which included an inquiry as to the number, sex, gender and nationality of the migrants in the smuggling vessels, the teams were able to extrapolate data and information of the estimated number of arrivals. UNHCR then compiled the data and information from all three-reception centres and the transit centre relating to the number of migrants travelling in vessels bound for the Yemen coast as relayed by those met. Based on this methodology, the following table provides the estimated number of arrivals in the period 2011 to 2013.

33 The figures used in this section and elsewhere in the report need to be understood in the context of data limitations as mentioned at the start of the book. While it is recognized that the data has been systematically collected for many years it cannot, in view of the context in Yemen, be comprehensive and likely and underestimation of true movement numbers.

34 DRC, 2011-2013.

Table 2:
Estimated number of arrivals in the period 2011 to 2013 based on interviews with migrants

Female migrants			Male migrants		Total		
	Red Sea/ Gulf of Aden	Arabian Sea	Red Sea/ Gulf of Aden	Arabian Sea	Female	Male	Male + female
Somali	7,894	9,530	17,216	26,616	17,424	43,832	61,256
Ethiopian	17,982	3,692	157,138	35,005	21,674	192,143	213,817
Other*	17	6	228	14	23	242	265
Total	25,893	13,228	174,582	61,635	39,121	236,217	275,338

*Other refers to migrants of other African nationalities including Djiboutian, Eritrean, Kenyan, Sudanese and Congolese.

UNHCR concluded that in the period 2011 to 2013, **275,338³⁵ (39,121 female and 236,217 male)** migrants from the Horn of Africa had been smuggled into Yemen across the sea.³⁶

The next table shows the proportions of Horn of Africa migrant arrivals along either Yemen's Red Sea or Arabian Sea coasts.

Table 3:
A percentage representation of the coastal areas of entry for male and female migrants smuggled into Yemen in the period 2011 to 2013

	Estimated female arrivals		Estimated male arrivals		Male and female arrivals	
	Red Sea	Arabian Sea	Red Sea	Arabian Sea	Red Sea	Arabian Sea
Somali	45%	55%	39%	61%	41%	59%
Ethiopian	83%	17%	82%	18%	82%	18%
Other	74%	26%	94%	6%	92%	8%
Total	66%	34%	74%	26%	73%	27%

The percentages show that the majority of the estimated total of 275,338 migrants from the Horn of Africa travel from Djibouti, across the Red Sea/Gulf of Aden to Yemen. Especially a large majority of both male and female Ethiopians use this route, while a small majority of Somali migrants tend to use the Bossaso (Puntland) to Yemen route, arriving along Yemen's south-eastern Arabian Sea coast.

UNHCR and partner patrolling teams did not meet all 275,338 migrants as this figure is an estimation based on information provided by the 112,618 (22,587 female and 90,031 male)³⁷ that were actually encountered. The

35 DRC, 2011-2013.

36 Ibid. This does not include 667 migrants likely to be spontaneous arrivals to the Kharaz reception centre. UNHCR data include spontaneous arrivals and cumulatively 276,005 migrants are recorded as having arrived to Yemen irregularly across the seas. See UNHCR new arrival records 2011-2013.

37 DRC reports compiled at the Ahwar, Mayfa'a and Kharaz reception centres and the Bab el Mandab transit centre 2011 to 2013.

next table compares the estimated number of female and male migrants arriving in Yemen with those actually encountered by UNHCR and partner patrolling teams in the period 2011 to 2013.

Table 4:
The estimated number of female and male migrants arriving on the Red Sea, Gulf of Aden and Arabian Sea as compared with those encountered by UNHCR and partner patrolling teams in the period 2011 to 2013

	Estimated migrant arrivals			Migrants met by the UNHCR and partner patrolling teams (referred to as 'encountered'.)			Percentage of migrants encountered measured against estimated arrivals		
	Red Sea	Arabian Sea	Total	Red Sea	Arabian Sea	Total	Red Sea	Arabian Sea	Total
Somali	25,110	36,146	61,256	22,997	36,146	59,143	92%	100%	97%
Ethiopian	175,120	38,697	213,817	14,706	38,697	53,403	8%	100%	25%
Other	245	20	265	52	20	72	21%	100%	27%
Total	200,475	74,863	275,338	37,755	74,863	112,618	19%	100%	41%

When comparing the total numbers (both male and female) of those that were met by UNHCR and patrolling teams as against the estimated number of arrivals as compiled by UNHCR, one notes that only 41% (112,618) of the estimated 275,338 arrivals in the period 2011-2013 were actually encountered by UNHCR and partner teams.

Further, all 74,863 migrants recorded as having travelled to Yemen from the coast of Bossaso, Puntland, across the Arabian Sea were met by UNHCR and partner teams. Conversely, only 19% or 37,755 of the estimated 200,475 migrants from the Horn of Africa that travelled to Yemen having departed from Zeila (in Somaliland) or Obock (in Djibouti) and sailing across the Red Sea/Gulf of Aden, were met by UNHCR or partner teams.

The 162,720 (275,338 estimated minus 112,618 encountered) migrants that were not met by UNHCR or partner coastal patrolling teams may have ended up in one of four situations:

- criminal gangs operating along the Red Sea/Gulf of Aden could have **abducted** them once they arrived and released them elsewhere, away from monitors who could have recorded their presence;
- they could have been **abducted and trafficked** within Yemen or outside Yemen for labour or sexual exploitation by the same groups that kidnap migrants or by other criminal groups;
- they **independently walked** north upon arrival in the hope of making it to the Saudi -Yemen border and somehow evaded detection by monitors and others;
- they walked towards areas such as Al Bayda and Dhamar governorates where migrants from the Horn of Africa **seek work as labourers** in Khat farms for determined periods before making their way towards Saudi Arabia. Alternatively, some may have made their ways to urban centres and found work and remained there or later returned to their home countries.

During individual interviews and focus group discussions with these migrants, the patrolling teams learned of previously unrecorded vessels ferrying migrants who had been abducted upon arrival.

On some occasions, teams based in Bab el Mandeb patrolling along the Red Sea coast met migrants that had either escaped or been released from compounds/homesteads where they had been held hostage by criminal gangs. During individual interviews and focus group discussions with these migrants, the patrolling teams learned of previously unrecorded vessels ferrying migrants who had been abducted upon arrival. Information received from these survivors of abduction are added on to the UNHCR records of estimated arrivals. There are also other migrants, unaware of the presence of humanitarian agencies working along the Yemeni coast, who simply walk away on arrival in search of a refugee camp or one of the urban regions of Yemen. A DRC Mixed Migration Information Centre based in Aden recorded a number of Ethiopian nationals who, upon arrival on the Yemen Red Sea coast, had walked away in different directions in the hope of making it to an urban area. Many ended up lost before approaching Yemeni villages along the coast where they were pointed towards Aden or the Kharaz refugee camp, if not abducted.

The next table provides the same comparison for male migrants separately.

**Table 5:
The estimated number of male migrants arriving on the Red Sea, Gulf of Aden and Arabian Sea coasts as compared with those encountered by UNHCR and partner patrolling teams in the period 2011 to 2013**

	Estimated male arrivals			Male migrants met by the UNHCR and partner patrolling teams (referred to as 'encountered')			Percentage of male migrants encountered measured against estimated arrivals		
	Red Sea/ Gulf of Aden	Arabian Sea	Total	Red Sea / Gulf of Aden	Arabian Sea	Total	Red Sea/ Gulf of Aden	Arabian Sea	Total
Somali	17,216	26,616	43,832	15,717	26,616	42,333	91%	100%	97%
Ethiopian	157,138	35,005	192,143	12,639	35,005	47,644	8%	100%	25%
Other	228	14	242	40	14	54	18%	100%	22%
Total	174,582	61,635	236,217	28,396	61,635	90,031	16%	100%	38%

A review of the male migrants smuggled into Yemen yields the following findings:

- In total, **146,186** (236,217 estimated minus 90,031 encountered) male migrants are unaccounted for.
- Only 8% of the estimated male Ethiopian migrants smuggled into Yemen across the Red Sea/Gulf of Aden were actually encountered by UNHCR patrolling teams.
- At least 91% of the estimated male Somali arrivals smuggled across the Red Sea were encountered.
- UNHCR and the patrolling teams encountered all the estimated male Ethiopian and Somali migrants smuggled into Yemen across the Arabian Sea.

While it is likely that many male migrants moved on independently and found work as labourers in Khat farms or informal businesses such as car washing, this is less likely for female migrants. The next table provides the

comparison between estimated and encountered female arrivals.

Table 6:
The estimated number of female migrants arriving on the Red Sea, Gulf of Aden and Arabian Sea coasts as compared with those encountered by UNHCR and partner patrolling teams in the period 2011 to 2013

	Estimated female arrivals			Female migrants met by the UNHCR and partner patrolling teams (referred to as 'encountered'.)			Percentage of female migrants encountered measured against estimated arrivals		
	Red Sea/ Gulf of Aden	Arabian Sea	Total	Red Sea/ Gulf of Aden	Arabian Sea	Total	Red Sea/ Gulf of Aden	Arabian Sea	Total
Somali	7,894	9,530	17,424	7,280	9,530	16,810	92%	100%	96%
Ethiopian	17,982	3,692	21,674	2,067	3,692	5,759	11%	100%	27%
Other	17	6	23	12	6	18	71%	100%	78%
Total	25,893	13,228	39,121	9,359	13,228	22,587	36%	100%	58%

A review of the estimated female arrivals to Yemen reveals the following:

- All female migrants recorded as having arrived (i.e. not part of the estimates but actual arrivals) on the Arabian Sea coast of Yemen were encountered by UNHCR and patrolling teams.
- 92% of the estimated female Somali migrants that arrived on the Red Sea/Gulf of Aden coast were met by UNHCR and patrolling teams. Thus 614 Somali female migrants were unaccounted for on arrival in Yemen over the span of the three years.
- Conversely, the patrolling teams met only 11% of the estimated female Ethiopian migrants that arrived in Yemen across the Red Sea/Gulf of Aden. This means a staggering 15,915 female Ethiopian migrants were unaccounted for.
- At least 5 female migrants of other African nationalities went missing on arrival on Yemen's Red Sea/Gulf of Aden coast, as only 12 of the estimated 17 arrivals were actually encountered by patrolling teams.
- In total, **16,534** female migrants (both Somali and Ethiopian, 39,121 estimated, minus 22,587 encountered) arriving in the period 2011 to 2013 are unaccounted for.

Unlike male migrants, female migrants are unlikely to seek employment in Khat farms although some may have found work in urban centres. A possible conclusion is that some of these **16,534** unaccounted for female migrants may have been abducted, smuggled, trafficked or walked away upon arriving at the Yemeni coast. A more in depth discussion of what could have happened to the **16,534** unaccounted for female migrants will be addressed in an upcoming chapter.

Box 2 The heightened dangers of arriving on the Red Sea/Gulf of Aden coast

From the data it is evident that all migrants arriving on the Arabian Sea coast were met by patrolling teams, but those arriving along the Red Sea/Gulf of Aden coast were less likely to be met. Other than the fact that those not met by UNHCR and patrolling teams may have been abducted, trafficked, smuggled or moved away independently, the following are some of the factors that could have contributed to fewer migrants being met by UNHCR/partner teams after they disembarked along the Red Sea/Gulf of Aden coast:

- a. **Smuggling vessels sailing from Bossaso, Puntland generally disembark along known entry points on the Arabian Sea coast.** Not only are the coastal areas generally safe in all locations, but increasingly, smugglers disembarking along the Arabian Sea coast do not risk arrest or detention. Conversely, a military battalion and coastal guard patrol part of the length of Red Sea coast/ Gulf of Aden coast, particularly along known smuggling entry points. In 2013, the Government of Yemen also established an 'anti-terrorism and smuggling' unit to patrol the Red Sea/ Gulf of Aden coast, with a charge of arresting smugglers and on some occasions, smuggled migrants. In addition, in March 2013, villagers along the Lahj coast located along the Red Sea/Gulf of Aden banded together against smuggling and trafficking. They established groups of armed civilian youth to arrest smugglers, who set up monitoring tents near known entry points. Although most of the smuggling vessels landing on the Red Sea/Gulf of Aden coast had previously disembarked on the Lahj coast, between March and December 2013, very few smuggling vessels were able to disembark along this coast. They were forced to either disembark further southward on the Taiz coast, risking arrest by the military battalion patrolling that coast. When the military came across smugglers, there were sometimes shoot-outs between the military and smugglers resulting in casualties. To evade arrest and detection along that coast, smugglers departing from either Zeila, Somaliland or Obock, Djibouti were more likely to travel in the cover of darkness so as to avoid military or coastal guard patrols. As a result, when patrolling teams departed for the coast at 08:00 in the morning, migrants arriving along that coast may have already dispersed or been abducted.
- b. **The rise of criminal gangs solely operating along the Red Sea/Gulf of Aden coast of Yemen in 2011, escalating in 2012 and 2013.** These gangs often work in collusion with smuggling crews, communicating with them before the smuggling vessel approaches land. Once the vessels docks on the Yemen Red Sea/Gulf of Aden shore, the migrants are reportedly abducted and transported to unknown smuggling homesteads or compounds, mostly located in the Taiz governorate of Yemen.

2.5 Migrants registered with UNHCR as refugees or asylum seekers: 2011 to 2013

migrants registered with UNHCR as refugees or asylum seekers

When met by UNHCR patrolling teams, migrants are informed of their rights and obligations under Yemen law. All migrants have the right to seek asylum but Somali nationals are granted automatic *prima facie* refugee status. All Somali refugees and those seeking asylum are then registered by DRC registration teams and provided with temporary registration documents or a 20-day registration attestation document for Ethiopian and other asylum seekers. Registration takes place at the UNHCR Reception centres of Ahwar, Mayfa'a and Kharaz. DRC has been carrying out registration on behalf of UNHCR since August 2008 with registration data available online since September 1, 2009.³⁸

The table provides a summary of refugees and asylum seekers registered in the period 2011 to 2013.

Table 7:
Male and female refugees and asylum seekers registered in 2011 to 2013

	Male	Female	Male + Female
Somali	41,969	16,798	58,767
Ethiopian	44,315	5,579	49,894
Djiboutian	14	7	21
Sudanese	3	4	7
Eritrean	25	5	30
Kenyan	1	1	2
Total	86,327	22,394	108,721

The next table provides a summary of the **22,394** female migrants registered as refugees (Somali nationals) or asylum seekers during the period 2011 to 2013.

³⁸ <http://registration.drcyemen.org/Statisticssmry.php>.

Table 8:
Female refugees and asylum seekers registered in the period 2011 to 2013

Age range	00-04	05-11	12-17	18-59	Over 60	Total
Djibouti	0	0	0	7	0	7
Eritrea	2	1	0	2	0	5
Ethiopian	41	31	169	5,336	2	5,579
Kenya	0	0	0	1	0	1
Somalia	303	649	1,820	13,951	75	16,798
Sudan	0	0	0	4	0	4
Total	346	681	1,989	19,301	77	22,394

A comparison between the 22,587 female migrants met by patrolling teams in 2011 to 2013 and the 22,394 registered at the UNHCR reception centres reveals that only 193 female migrants encountered were not registered. The 193 were 12 Somali, 180 Ethiopian and 1 of other African nationality. This means that most female migrants encountered by patrols actually register as refugees/asylum seekers even if they intend to travel to Saudi Arabia or simply seek economic opportunities in Yemen. This is because registration allows them to obtain documentation, which could aid their travel through Yemen. There have been instances, however, where migrants, possibly some of the 193 females not registered, are approached by smugglers/traffickers whilst they are waiting to be registered at the UNHCR reception centres and are convinced of the lack of importance of registration. Some of these smugglers/traffickers may pose as new arrivals in order to have access to newly arrived migrants. They are likely to tell Ethiopian and other migrants that documentation does not afford them any protection and that the refugee status determination process is long and tenuous. To avoid this possibility, UNHCR and partners provide information on the importance of registration to new arrivals as soon as they disembark from the trucks transporting them from the areas where they were encountered.

16,798 female Somali refugees registered had an option to register as 'camp based refugees' following which they would be hosted in the Kharaz refugee camp by UNHCR and partners. There they would have access to food rations, non-food items, water and sanitation, shelter, health, basic education and minimal livelihood assistance. As of 31 December 2013, there were **16,816** refugees and asylum seekers residing in Kharaz refugee camp.³⁹ 16,208 (including 7,863 females) were Somali refugees and 788 (including 215 females) were Ethiopian asylum seekers/refugees.⁴⁰

³⁹ UNHCR, 2013d.

⁴⁰ Ibid.

Table 9:
Kharaz camp refugee population breakdown by nationality

Nationality	Female	Male	Total
Ethiopian	215	573	788
Somali	7,863	8,165	16,028
Total	8,078	8,738	16,816

migrants registered with UNHCR as refugees or asylum seekers

The majority of the residents in the camp were between 18 and 59 years old. As the camp is located in an isolated semi-arid area with harsh climatic conditions and very few job opportunities, many Somalis opt to be registered as ‘urban based refugees’. In this case they must eke out their own living in urban areas such as Basateen, a slum like area in one of the suburbs of Aden where many migrants of African origin have settled. As of early 2014 there were **5,596** migrants who were not Somali seeking asylum in Yemen. Many of the 5,596 non-Somali migrants seeking asylum, however, would not have had the option of being camp based. Those with particular protection concerns, for example women subjected to gender based violence, may be allowed on an exceptional basis to reside in the camp for a determined period. The same option may not necessarily be offered to female unaccompanied minors of Ethiopian and other origins. The 20-day attestation document grants those seeking asylum passage to Aden or Sana’a where they can register as asylum seekers with UNHCR and thereafter undergo refugee status determination. These attestation documents are merely ‘appointment slips’ and are not government issued or stamped with the UNHCR logo. As a result they do not guarantee the bearer protection from arrest. According to a Human Rights Watch report: ‘the police do not respect the forms [attestation documents], so the people are not safe from the police.’⁴¹

Despite the Ahwar and Mayfa’a reception centres being quite far from Aden or Sana’a⁴², UNHCR and partners do not provide transportation to Ethiopian and other migrants after they are registered at the Ahwar and Mayfa’a reception centres. Ethiopian and other migrants are registered as individuals seeking asylum in Yemen and they must make their own way to the UNHCR offices in Aden and Sana’a. They are then registered as asylum seekers and issued with a six-month asylum certificate. For Ethiopian and other migrants that are met along the Red Sea coast and transported to the Bab el Mandeb transit centre, a UNHCR partner (the Yemen Red Crescent) may provide them transportation to the Kharaz reception centre for registration should they indicate a wish to seek asylum. The Bab el Mandeb transit centre only affords basic protection and health assistance to migrants and the screening of Ethiopian and other migrants to determine if they wish to seek asylum. Focusing on the overall well-being, DRC and IOM patrol teams offer water, a protection kit and medical services, as necessary, to those migrants who are not seeking asylum before they walk onward to their final destinations. Once they are transported to Kharaz reception centre and after registration,

41 Human Rights Watch, 2009, p. 33.

42 Mayfa’a Reception centre is at least 420 kilometers far from Aden; Ahwar is 220 kilometers far from Aden and Bab el Mandab is at least 120 kilometers far from Kharaz camp. Kharaz camp is about 120 kilometers far from Aden. See http://shsyemen.org/en/? Page_id=89.

Ethiopian and other migrants must leave the reception and refugee camp unless they meet the limited criteria allowing for stay. Many can be seen walking to Aden, which is about 120 kilometres away.

The limited protection afforded to Ethiopian and other migrants results from the narrow interpretation of the 1951 Refugee Convention by the Yemeni government. Notably, while the Yemen government is party to the above Convention and its Protocol, it has not translated these obligations into national law.

The limited protection afforded to Ethiopian and other migrants results from the narrow interpretation of the 1951 Refugee Convention by the Yemeni government. Notably, while the Yemen government is party to the above Convention and its Protocol, it has not translated these obligations into national law. As such, while Somalis are granted *prima facie* refugee status many authorities view other migrants from the Horn of Africa as irregular migrants even where such migrants indicate that they wish to seek asylum.⁴³ This has evolved into an unwritten policy of arrest and possible deportation of other migrants, with a Yemeni official quoted as stating: 'we are up to our ears with Somalis. We do not want another front of African migration to open.'⁴⁴ UNHCR, has, however, managed to negotiate passage for Ethiopians and other migrants that seek asylum in Yemen. But this allowance has not stopped the occasional arrest and detention of Ethiopian and other migrants if they arrive on the Red Sea/Gulf of Aden coast of Yemen. Their arrest, detention and possible deportation seems to follow from an order made in 2006 by the Yemen military to arrest all Ethiopian migrants.⁴⁵ In an interview with Human Rights Watch in 2009, a UNHCR country representative observed 'we do not transport Ethiopians to the camp. The authorities would order us to bring them to a detention centre.'⁴⁶

43 Human Rights Watch, 2009, p. 26.

44 Ibid.

45 Ibid, p. 28.

46 Ibid, p. 34.

3. Why do Ethiopian and Somali females migrate to Yemen?

The general assumption is that Somali females leave because of general insecurity following years of strife in Somalia. In light of the political gains made in Somalia in 2012 and 2013, it is important to understand why Somali females continue to travel to Yemen despite the inherent risks. Asking why Somali and Ethiopian females leave may improve the responses and activities of humanitarian actors responsible for delivering protection and assistance.

reasons why
Ethiopian females
migrate to Yemen

3.1 Reasons why Ethiopian females migrate to Yemen

Reports indicate that Ethiopian women mainly choose to or are coerced to leave their country to escape poverty. High levels of male unemployment may push them to take on the responsibility of providing family income.⁴⁷ Ethiopia is the second most populous country in Sub-Saharan Africa with a population of over 91.73 million.⁴⁸ Despite the large population, Ethiopia is also one of the poorest countries in the world with the World Bank indicating that it has a per capita income of 410 USD.⁴⁹ The country has, nonetheless, been recording over 10% economic growth over the last two years, with expansion in services and agricultural sectors mostly accounting for this growth.⁵⁰ In 2010, 29.6% of Ethiopians were, however, recorded as living in extreme poverty, with women suffering the brunt of the high poverty levels and maternal mortality rates standing at 590 per 100,000.⁵¹ Further, the low-income levels mean that employment opportunities for Ethiopian women are fewer, with physical labour or domestic work abroad often being the only possible means to earn a living and support their families.⁵² Ethiopian females reportedly face considerable risks of gender-based violence, including female genital mutilation, forced marriage and domestic violence.⁵³ Marriage by abduction, for example, is reportedly still present in some areas, with 8% of women reportedly abducted and forced into marriage.⁵⁴ Family members may also coerce young females to leave so as to seek employment abroad and support their families.

*'Deep-rooted practices of gender discrimination that characterize Ethiopian communities have created a climate where migration of women is encouraged and the practice of trafficking in women is perceived as morally acceptable.'*⁵⁵

47 Caritas Internationalis, 2006.

48 World bank, 2014.

49 World Bank, 2013.

50 Ibid.

51 Ibid.

52 Kebede, 2001.

53 Oxfam, 2012.

54 Africa for Women's Rights, 2010.

55 ILO, 2011, p. 36.

Table 10:
Reasons for migration by Ethiopian migrants ⁵⁶

Reasons for migration	Captured responses	%
Seeking economic opportunities	4,699	50.75%
Lack of access to basic needs or services	1,688	18.23%
Other	811	8.76%
Insecurity due to the presence of armed groups nearby	693	7.48%
Insecurity due to direct harm	496	5.36%
Job offered/recruited	385	4.16%
Drought	320	3.46%
Clan conflict	85	0.92%
By force or eviction	21	0.23%
Forced military service	12	0.13%
Sold or kidnapped	12	0.13%
Forced marriage	9	0.10%
Flood	8	0.09%
Forced petty crime	8	0.09%
Forced labour	8	0.09%
Forced prostitution	4	0.04%
Total	9,259	100.00%

In carrying out the registration of refugees and asylum seekers on behalf of UNHCR, DRC registration teams also capture information on reasons for migration for 10% of those registered. While the data is not disaggregated according to age and sex, it provides a glimpse of the reasons why Ethiopians irregularly travel to Yemen.

The table captures 9,259 responses of reasons for migration from amongst 49,894 (male and female) Ethiopian migrants registered as asylum-seekers in Yemen in the period of 2011 to 2013. Some of the respondents gave more than one answer for each question. As may be expected, **migration in search of economic opportunities is mentioned by at least 50%**. Over 12%, however, noted that they had left their country due to either direct or indirect insecurity posed by state or non-state actors, but a larger proportion (18%) left due to the absence of basic services.

Such insecurity could have resulted from individual persecution on grounds of ethnicity, religious beliefs or political opinions. A US country report on human rights in Ethiopia noted that significant human rights violations included arrests and detention, ‘politically motivated trials’ as well as religious persecution, with the Ethiopian government having arrested over 1,000 Muslims on 8 August 2013 during religious celebrations.⁵⁷ A number of Ethiopian women of Oromo origin also indicated that they left after their husbands, fathers or brothers had been arrested on account of

⁵⁶ UNHCR/DRC migrant interviews

⁵⁷ US Department of State, 2013a.

membership of the Oromo Liberation Front. Some claimed that they had faced persecution after their relatives were arrested.

Also of note are the 4% that indicated that job offers had prompted their migration to Yemen. This category is likely to have opted for irregular migration channels where Ethiopians migrate with the assistance of brokers or travel independently having obtained job opportunities through personal contacts. In Yemen it seems that there are a number of employment agencies working without licenses from the Yemeni Ministry of Social Affairs and Labour to recruit labourers from Ethiopia.⁵⁸ Many simply cannot afford the 5,000 USD required by the Yemeni authorities to obtain licenses.⁵⁹ Others simply would like to avoid the scrutiny that may arise should they be registered. It seems that some Ethiopian women may come into contact with some brokers or agents who inform them of possible job opportunities in Yemen.⁶⁰ While the data does not specify the kinds of jobs offered, reports confirm that a vast majority of Ethiopian women engaged in labour migration to the Middle East are overwhelmingly unskilled or semi-skilled.⁶¹ They are as such likely to seek domestic work in Yemen or some other Middle Eastern country, even though they may not always know in advance how much they will be paid. One report indicates that while Yemen may be the poorest country in the Arabian Peninsula, there is a growing need for domestic labour in the country.⁶² For upwardly mobile Yemenis, foreign domestic workers are the only recourse as cultural and religious norms do not allow Yemeni women to work as domestic workers. The pay, however, is minimal with estimates in 2007 indicating that domestic workers could be paid as little as 50 USD while others were paid 150 USD per month.⁶³

It is also worth noting that 5% of the 1,704 Ethiopians registered as asylum seekers in 2013 were minors below the age of 18. There is a possibility that some of these children may have travelled with the consent of their parents or with the assistance of relatives. In 2013, UNICEF interviewed 271 Ethiopian children and youth (266 male and 5 female) awaiting assisted voluntary return to Ethiopia. A staggering 82% of them claimed to have survived kidnapping or trafficking. At least 9% admitted to travelling to Yemen with the consent of their parents, 42% with the assistance of a relative and only 13% had sought the services of a smuggler.⁶⁴ Further review of the responses of at least 40 Ethiopian female minors between the ages of 12 and 17 registered in the Mayfa'a reception centre provides additional credence to the view that many minors leaving Ethiopia do so with the consent of their parents.

58 de Regt, 2007, p. 18.

59 Ibid.

60 Ibid.

61 Human Rights Watch, 2010, p 35.

62 de Regt, 2009, p. 559 - 581.

63 de Regt, 2007, p. 13.

64 UNICEF, 2013.

'Girls largely consider themselves responsible to take care of the family. They work hard in household chores until they reach 15. From that age on they start to think about migration to take the support they provide to the family to another level; to a level where they are to be seen as key players for the upkeep and progress of the family. Parents also start to think that their daughter might be the last hope they have to get out of poverty.'

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3.2 Reasons why Somali females migrate to Yemen

Table 11:
Reasons for migration by Somali refugees

Reasons for migration by Somali refugees	Captured responses	%
Seeking economic opportunities	5,608	38.20%
Lack of access to basic needs and services	3,382	23.04%
Insecurity due to the presence of armed groups nearby	1,887	12.86%
Insecurity due to direct harm	1,326	9.03%
Drought	1,123	7.65%
Other	873	5.95%
Job offered/recruited	320	2.18%
Clan conflict	89	0.61%
Flood	25	0.17%
Forced marriage	12	0.08%
Forced military service	12	0.08%
Sold or kidnapped	12	0.08%
By force or eviction	8	0.05%
Forced petty crime	1	0.01%
Forced labor	1	0.01%
Total	14,679	100.00%

The table provides a summary of the 14,679 responses for 58,767 Somali refugees (male and female) who filled in a questionnaire following their registration as refugees at the UNHCR reception centres in the period of 2011 to 2013.

It essentially confirms that years of non-functional government in Somalia has largely contributed to the reasons behind the migration of Somali

65 RMMS, 2014b, p. 25.

nationals to Yemen. It also highlights that it is not only insecurity that has contributed to the migration. In fact, like Ethiopians, a general lack of economic opportunities and access to basic needs and services are the main reasons for migration. The findings are not so different from those of Ethiopian respondents. This should be surprising considering Somalia has been at war for two decades while Ethiopia has not.

Consequently, while the general registration data is not specific to why Somali female migrants leave their country, it confirms that at least 38.20% Somalis left their country to seek economic opportunities while 23% left because they had no access to services to meet basic needs. It is also noted that at least 2% of the Somali refugees arriving in Yemen did so after they had received a job offer. Bearing similarities to the findings from the Ethiopian nationals, it remains unclear what kinds of jobs were offered to prompt migration. There is a possibility that the offers related to menial jobs including domestic work for Yemeni families.

A review of the daily protection monitoring reports collated by the DRC between 2011 and 2013 also reveals that a very high number of female Somali refugees travelling to Yemen are divorced, separated or simply abandoned by their husbands. Often left with young families, many felt that their only option was to travel to Yemen and seek job opportunities.

Personal or general insecurity contributes to more than 20% of migration for Somali nationals. In 2013, a notable number of Somali women indicated they had left their country following a rise in cases of rape perpetrated by soldiers, authorities, and Al Shabab militia/members.⁶⁶ In one instance, a young Somali female indicated that a man with affiliation to the Al Shabab had demanded her hand in marriage. Her refusal would have resulted in harm to her and/or her family. Fearing possible retaliation should they refuse, her family attempted to convince her to marry the man but she decided to leave her country. Many similar stories of forced marriage or even sexual based violence have been reported.⁶⁷ The rise in sexual and gender-based violence in Somalia has been documented. In 2014, Human Rights Watch reported that sexual abuse and violence is 'pervasive in much of Somalia.'⁶⁸

66 DRC reports compiled at the Ahwar, Mayfa'a and Kharaz reception centres and the Bab el Mandab transit centre in 2013.

67 New York Times, 2011.

68 Human Rights Watch, 2014a, p. 1.

4. The profile of female migrants smuggled from the Horn of Africa to Yemen

Migration from Ethiopia and Somalia is mixed. It includes people fleeing from civil strife or individual persecution, as well as people seeking job opportunities and trafficked victims. As a result the background of the migrants is diverse. Some of the migrants are uneducated rural farmers while others are educated urban dwellers with professional skills.⁶⁹ The typical profile of Ethiopian migrant domestic workers to the Middle East has been that of 'young, unmarried and Muslim women with a secondary level education.'⁷⁰ Due to insecurity in Somalia and protection offered in Yemen, young, old, married and unmarried Somali women travel both independently or accompanied.

In 2013 alone, 4,611 female migrants from the Horn of Africa were registered as refugees or persons seeking asylum by the UNHCR/DRC teams. For the purpose of building a profile of female migrants details of this group have been used.

4.1 Age at the time of migration

Table 12:
Female migrants from the Horn of Africa registered as refugees in 2013

Age	00-04	05-11	12-17	18-59	Over 60	Total
Somali	68	117	370	2,333	12	2,900
Ethiopian	12	5	71	1,615	1	1,704
Djiboutian	0	0	0	3	0	3
Eritrean	2	1	0	1	0	4
Total	82	123	441	3,952	13	4,611

A majority of the female migrants smuggled into Yemen across the sea are adults between the ages of 18 and 59. They represent **86%** of the overall total of female migrants registered. **9%** of the female migrants were minors between the ages of 12-17. Somali migrants within the 12-17 age bracket represent about **13%** of the total number of Somali refugees registered.

As her unemployed parents could not pay her school fees, Nali, 16 years old, agreed to leave Hargeysa, Somaliland and join her aunt in Saudi Arabia. Her aunt provided the 205 USD needed for journey and promised to find her a job. She now waits in Kharaz refugee camp for her aunt to send the money for the trip to Saudi Arabia.

DRC Daily protection monitoring report-8
September 2013

69 RMMS, 2012a, p. 19.

70 Fernandez, 2010, cited in RMMS, 2014a, p. 19.

With the UNHCR/DRC teams identifying individuals with specific protection concerns, it is also noted that in 2013:

- 646 migrants below the age of 18 were registered as refugees or persons seeking asylum. At least 458 (**376 Somalis and 82 Ethiopian; 71%**) of them were unaccompanied or separated children.⁷¹
- 555 Somali children under the age of 18 were registered as refugees or persons seeking asylum. Of them, 376 (68%) were either unaccompanied or separated children.
- 88 Ethiopian children were registered, of which 93% were either unaccompanied or separated children.

4.2 Education background of Somali and Ethiopian refugees and asylum seekers

Various reports have noted that labour migration to Middle Eastern countries is often characterized by an overwhelming majority of unskilled and semi-skilled female workers.⁷² This seems to be confirmed by the data from the UNHCR/DRC registration database which reveals that only 8% of the 4,611 female refugees/individuals-seeking asylum registered in the period had post primary level education. Approximately 45% had no education at all. Less than 1% of the females registered had vocation training or university level education. From the data, it seems that more Ethiopians than Somali registrants had primary level education with 54% Ethiopians registered as such, while only 26% of Somali refugees registered as having post primary level education. Only 19 of the female migrants had university or post university level of education.

A connection has been made between the migration of Ethiopian girls and their access to education. The observation is that girls in Ethiopia have less opportunity to receive higher education than boys, which means that they have less opportunity to obtain employment.⁷³ Their only possible recourse to finding a source of income is to go abroad in search of employment requiring minimal education such as domestic work. Data indicating that only 13% of the Ethiopian registrants in Yemen had a secondary to post-secondary level of education seems to support this conclusion. Some reports have suggested that traffickers in Ethiopia particularly target girls that have failed in their high school education and are unemployed.⁷⁴

71 UNHCR defines an unaccompanied minor as a 'person below the age of 18 that has been separated from both parents and other relatives and is not being cared for by an adult who, by law or custom, is responsible for doing so'. A separated minor, on the other hand, is defined as a 'person below the age of 18 who is separated from both parents and his/her legal or customary primary caregiver, but not necessarily from other relatives.' Inter-Agency, 2004, p. 13.

72 ILO, 2011, p. 27.

73 Ibid.

74 Ibid.

Table 13:
**Level of education of female refugees and asylum seekers
registered in Yemen in 2013**

	Ethiopians	%	Somalis	%	Total	%
No education	688	40.4%	1,386	47.8%	2,078	45.07%
Informal education	5	0.3%	126	4.3%	131	2.84%
Quaranic school	86	5.0%	634	21.9%	720	15.61%
Primary/intermediate	705	41.4%	625	21.6%	1,333	28.91%
Secondary school	212	12.4%	117	4.0%	329	7.14%
Technical/vocation training	1	0.1%	0	0.0%	1	0.02%
University	6	0.4%	12	0.4%	18	0.39%
Post University	1	0.1%	0	0.0%	1	0.02%
Total	1,704	100.0%	2,900	100.0%	4,611	100%

4.3 Marital status

Some research has indicated that many women are more likely to migrate to join family members, including their spouses.⁷⁵ Data and information on female migrants registered in Yemen in 2013 suggests that a significant number of those smuggled into Yemen were single females. 49% of Somali female refugees were single while at least 50% of the Ethiopian female registered asylum-seekers were single.

Table 14:
Marital status of female Somali refugees registered in 2013

Single	1,425	49%
Engaged	4	0%
Married	735	25%
Separated	12	0%
Divorced	628	22%
Widowed	96	3%
Total	2,900	100%

75 Martin, 2003, p.4.

**Table 15:
Marital status of female Ethiopians seeking asylum
registered in 2013**

Single	858	50%
Engaged	2	0%
Married	674	40%
Separated	2	0%
Divorced	134	8%
Widowed	34	2%
Total	1,704	100%

It is also noted that not all females registered as married were accompanied by their spouses. For example, 45% of the 674 Ethiopian women registered as married were recorded as women at risk. Conversely, 32% of the 735 Somali females registered as married were recorded as women at risk. UNHCR defines a woman at risk as a woman '18 years old or above, who is at risk because of her gender, such as single mothers or caregivers, single women, widows, older women, women with disabilities and survivors of violence.'⁷⁶ Further, it is also noted that 32 of the Somalis registered as married were persons below the age of 18, while 21 Ethiopian female minors also indicated that they were married.

The high levels of Ethiopian married women travelling alone supports reports that women from areas such as Wollo, Jimma and Arsi, have an imposed or assumed duty to migrate to support their families. Some reports indicate that once Ethiopian girls get married, they are sent abroad to look for work as it is the duty of the husband to send the wife 'abroad...to support his family.'⁷⁷ In any case, irrespective of the marital status of the female migrant, their migration may be a 'household strategy to improve life chances of the migrants and their families,' particularly in light of reports that women migrants do 'send a larger proportion of their income home'.⁷⁸

⁷⁶ UNHCR, 2009.

⁷⁷ ILO, 2011, p. 23.

⁷⁸ Ibid, p. 71.

4.4 Employment situation prior to departure

At least 64% of the 1,704 female Ethiopians registered and 58% of the 2,900 Somalis females registered in 2013 indicated that they had been unemployed prior to leaving their country. The number of females who were employed as domestic workers prior to leaving their country was also relatively high. 25% of the Somali registered refugees and 16% of registered Ethiopians were domestic workers before their departure.

Table 16:
Recorded occupations of female Somali refugees prior to departure as derived from registration data for 2013

Aid agency worker	4	0.14%
Cattle herder	49	1.69%
Domestic work	727	25.07%
Farmer	179	6.17%
Government worker	3	0.10%
Merchant	39	1.34%
Petty trade	204	7.03%
Private enterprise work	4	0.14%
Teacher	4	0.14%
Unemployed	1,687	58.17%
Total	2900	100.00%

Table 17:
Recorded occupations of female Ethiopian registrants prior to departure as derived from registration data in 2013

Cattle herder	10	0.59%
Construction work	3	0.18%
Domestic work	278	16.31%
Farmer	267	15.67%
Merchant	17	1.00%
Petty trade	33	1.94%
Private enterprise work	1	0.06%
Teacher	3	0.18%
Unemployed	1,092	64.08%
Total	1,704	100.00%

4.5 Areas of origin registered female Somali refugees (2013)

Data drawn from a sample of 2,900 female Somali refugees registered in 2013 shows that a majority (71%) of female Somalis smuggled into Yemen are from south and central Somalia. At least 44% of female Somalis from south and central Somalia were from Banadir, 21% from Lower Shabelle and 18% from Middle Shabelle. At least 4% of those registered as Somali nationals had ambiguous origins, with their mostly nomadic families moving between Ethiopia and Somalia.

25-year-old Kadija left Kismayo after her husband abandoned her and their four children. A friend informed her that there were job opportunities in Yemen and so she decided to leave her children with her mother and travel to Loya Ade, travelling through Mogadishu and taking a flight to Hargeysa before making it to Loya Ade. She paid 180 USD to a smuggler who helped her avoid the border guards.

DRC-January 2014

Some reports have pointed to a connection between migration and clans in Somalia.⁷⁹ While displacement has occurred in most parts of south and central Somalia, members of minority clans in a mostly heterogeneous south seem to have suffered the brunt of the conflict. Individuals belonging to clans such as the Rahanweyn and the Somali Bantu (referred to as Jareer), for example, lacked the political voice or enough arms to protect themselves. They were as such likely to be dispossessed of their land and property and hence have no means to eke out a living. Individuals from minority clans such as Digil Mirifle, Jareer and other minority clans represented at least 32% of the Somalis registered, while members of the Hawiye clan were 35%, Dir 26% and Darood 8%.

4.6 Areas of origin registered Ethiopian refugees and asylum-seekers (2013)

Most of the 1,704 Ethiopian females registered as refugees in 2013 were from the Oromia region (35%). There was also a notable number of female migrants from the Amhara (31%) and Tigray regions of Ethiopia. Within Oromia, many were from East and West Hararge, with others hailing from East Wellega, Arsi and Jimma districts. Almost all of those from Amhara were from North Wollo districts. For migrants from the Tigray region, an equal number was drawn from East Tigray as were from Mekelle. Others were from central, south and west Tigray. Only 5% of those registered indicated that they were from the Somali region of Ethiopia. This may be because a larger number registered as Somali nationals; Somali Ethiopians reside at the border with Somalia and do engage in nomadic activities. Moreover, Somali nationals are granted *prima facie* refugee status while Somali Ethiopians have to undergo an individual refugee status determination in Yemen. While registration teams may carry out interviews to verify nationalities, the fact that almost none of the migrants have documents coupled with low levels of education makes nationality determination problematic.

Areas of origin particularly within the Oromia, Amhara and Tigray regions, tally with information of 'poverty levels' or poverty distribution in Ethiopia or a general lack of access to education/employment for Ethiopian females.⁸⁰

⁷⁹ Hammond, 2014.

⁸⁰ ILO, 2011, p. 34 - 36.

In Jimma, for example, it is reported that overpopulation and lack of access to land is a key reason why female Ethiopians opt to migrate. As access to education for girls is limited, their only other recourse is often early marriage, which for some may not be an agreeable option.⁸¹

There are reports which indicate that a number of trafficking victims originate from these areas.⁸² In 2009, a representative of the Dire Dawa Police Commission reported that migrants passing through Dire Dawa with the intention of travelling onward to either Djibouti or Yemen primarily hailed from 'Arsi-Bale, Jimma, Western Hararge and Wollo, while others hailed from North Shewa (Selale), Tigray, Gondar, and Gojam'. Indeed, of 13 suspected cases of trafficking that were tried by the Federal High Court in Dire Dawa in the period between January and July 2009, more than half the victims, or 27 out of 50, had been recruited from Jimma, while others were from 'Bale, Arsi, Tigray, and Western Hararge.'⁸³ Interestingly, while East Hararge was not mentioned, at least 60% of females from Oromia region were from this district.

The lack of access to education as well as forced early marriage has also been cited as reasons why girls may wish to migrate from the Amhara Regional State. A little less than two thirds of girls in that region are reported to have been married while under the age of 14 as compared to the national average where only one third of girls are married by the age of 13.⁸⁴ Nationally, the average age of marriage for girls in Ethiopia is, reportedly, 17 years.

81 ILO, 2011, p. 21.

82 Ibid, p. 41.

83 Ibid.

84 IOM, 2006.

5. Migration, at what costs and risks?

migration, at what costs and risks?

5.1 The risks facing females smuggled from the Horn of Africa to Yemen

Migrants travelling to Yemen from the Horn of Africa face various protection risks that are widely documented. Dangers are faced at every step of the journey – from when they leave their villages of origin, while in transit through different countries in the Horn of Africa, during the sea journey and particularly on arriving in Yemen. Transiting Yemen and entering and moving around and working in Saudi Arabia also carries considerable risks that are also documented. Reports like RMMS's *'Desperate Choices'* observed that some of the many dangers faced by migrants included 'exposure to the elements, physical violence, kidnapping and torture, mental abuse and discrimination, economic deprivation, detention by the authorities, trafficking and slavery'.⁸⁵ A more recent study revealed that at least 70% of interviewed Ethiopians that had returned from Yemen had either witnessed or experienced 'extreme physical abuse, including burning, gun shot wounds, suspension of food for days' perpetrated by smugglers and traffickers in Yemen.⁸⁶ Further, at least 49% of the returnees interviewed had either experienced or witnessed sexual abuse including rape, while an equal percentage witnessed murder of migrants or the threat of it.⁸⁷ All migrants, irrespective of gender or age, face these risks, but females are particularly vulnerable and so more susceptible to potential exploitation.

Box 3

Experience of 18 year old Ethiopian female who escaped two months of captivity: At about 3:00 a.m. a Yemeni man entered into the room where the six of us were locked in. He was with an Ethiopian woman. We were all scared and huddled together to protect ourselves from the man. The man spoke to us in Arabic but we did not understand what he was saying. He then told the Ethiopian female to translate for him. She tried to convince us to have sex with him but we refused. He started hitting one of the girls shouting. We were crying, all afraid. He then left. He returned with two other men. They were drunk and they had their way with us.⁸⁸

A more recent study revealed that at least 70% of interviewed Ethiopians who had returned from Yemen had either witnessed or experienced 'extreme physical abuse, including burning, gun shot wounds, suspension of food for days' perpetrated by smugglers and traffickers in Yemen.

In order to shed light on the types of violations female migrants are likely to be subjected to, data captured by DRC/YRC patrolling teams in Bab el Mandeb will be referred to in the following section. The DRC team began

85 RMMS, 2012a, p. 35.

86 RMMS, 2014b, p. 47.

87 Ibid, p. 47-48.

88 DRC, 2013c.

collating statistical data on the violations faced by migrants in April 2013. It was based on information from the survivor of the violation or witness testimony as provided by migrants encountered by the patrolling teams. In order to ensure that there was little or no duplication of data, the teams recorded information of violations where other factors relating to the victim of the violation were evident. This included their date of arrival, number of migrants that arrived in that particular vessel and if any of those migrants had been encountered by UNHCR patrolling teams and interviewed. Only information on violations previously unrecorded is included. The following table provides a summary of the violations recorded from April 2013 to December 2013. The data relates only to female migrants who sailed from the coastal areas / ports of Djibouti or Zeila area in Somaliland across the Red Sea/Gulf of Aden to Yemen.

Table 18:
Records of protection violations against female migrants provided by survivors and witnesses and relating to 2,819 female migrants that arrived in Yemen, April 2013 to December 2013

Violation	Number of victims	% relative to 2,819 estimated arrivals
Suspected Kidnapping	1,648	58%
Sexual and gender based violence	348	12%
Physically assaulted	474	17%
Trafficked	0	0%
Intercepted at sea*	111	4%
Paid ransom	68	2%
Detained	69	2%
Robbery/extortion	175	6%
Forced labor	0	0%
Killed/missing (believed to be dead)	1	0%
Dehydration	0	0%
Forced landing	48	2%
Drowned	1	0%
Shooting leading to injury	180	6%
Torture	3	0%

**One of categories listed in the survey but not necessarily a risk or violation.*

During this period – between April 2013 and December 2013 – it is estimated that **2,819** female migrants (**1,159 Somali, 1,659 Ethiopian and 1 African female of another nationality**) were smuggled into Yemen across the Red Sea/Gulf of Aden coast. In the same period 1,049 female migrants (813 Somali and 236 Ethiopian) were actually encountered by the team.

This means that UNHCR and partner patrolling teams did not meet at least 1,770 of the estimated newly arrived female migrants. There is a high likelihood that some, or many, of these ‘missing’ women could have been

abducted. This suggestion of abduction was made either by female migrants who themselves were abducted and then released, and from others who had witnessed kidnapping and abduction of fellow female migrants.

Data on putative kidnapping is likely to be relatively accurate as it is based on witness reports and survivor testimonies of those released by their captors or eluding those who try to abduct and kidnap the women. The conclusion that 12% of female migrants were subjected to sexual and gender based violence is, on the other hand, likely to be an underrepresentation of the reality of the sexual assault of female migrants journeying to Yemen. This may be attributed to underreporting by survivors of sexual violence due to the fear of stigmatization by their communities.

Notably, many of the migrants (male and female) who arrive on the Red Sea coast are likely to be abducted by criminal gangs and held in homesteads/ compounds in mountainous regions in the Taiz governorate or even further in Haradh, Hajjah governorate. Following Yemeni government efforts to curb smuggling and trafficking, raids on smuggling/trafficking hovels were carried out with at least 2,000 migrants freed from smuggling camps in Haradh by June 2013.⁸⁹ According to briefings from IOM, in June 2014, Yemeni authorities released 92 migrants from smugglers houses in Haradh, many of them women.⁹⁰ Reports indicate that during their captivity, migrants are not only severely ill treated, but that many females are raped.⁹¹ An Ethiopian girl freed from captivity informed the BBC that ‘they tortured other girls in front of me. They beat us and they raped us at gunpoint. I was terrified.’⁹² Another Ethiopian woman held in captivity for three months had noted ‘the women get raped and the men are burned...they take people’s eyes out.’⁹³ 16 year old Asma also released from one of the reported 200 ‘kidnapping camps’ informed the BBC that she had been raped ‘by up to three men every day for two months.’⁹⁴ During their investigative piece, a BBC journalist had gained access to one of those ‘kidnapping camps’ only to learn that a female migrant was being raped as they filmed.⁹⁵ Information on the ill treatment of female migrants while captured is further confirmed by Médecins Sans Frontières (MSF), an organisation providing medical assistance to migrants in Haradh. On 7th April 2013, Yemeni authorities claimed to have released 1,620 migrants, mostly Ethiopian, held in a ‘kidnapping camp’. 62 of those released were children while 142 were women. MSF noted that not only were most of those released victims of trafficking, but they also showed ‘signs of torture, physical and sexual abuse from their captors’. Torture included the burning of skin with plastic, pulling at genitals, physical assault and even the hacking of abducted victims to death.⁹⁶

If migrants are released or escape from their kidnappers some are likely to walk northwards towards Saudi Arabia. With Saudi authorities redoubling

the risks facing females smuggled from the Horn of Africa to Yemen

... ‘they tortured other girls in front of me. They beat us and they raped us at gunpoint. I was terrified.’

... ‘the women get raped and the men are burned...they take people’s eyes out.’

89 IRIN News, 2013a.

90 IOM, 2014.

91 Human Rights Watch, 2014b, p 40-43.

92 BBC, 2013.

93 Ibid.

94 Ibid.

95 Yemen Observer, 2013.

96 Human Rights Watch, 2014b, p 40-43.

efforts to police their borders, many of those walking towards Saudi Arabia were likely to end up stranded in Haradh, Hajjah governorate, within proximity to the Saudi border. In May 2013, IOM and government sources estimated that there were over 25,000 migrants, mostly Ethiopian nationals, stranded in Haradh. This number had gone down to about 500 in January 2014.⁹⁷ IOM provides food, medical assistance and the possibility of assisted voluntary return for stranded and the most vulnerable migrants at their Migrants' Response Centre in Haradh. Following a health assessment of migrant women in their centre in May 2012, IOM reported that there was a high prevalence of psychological problems amongst migrant women who made their way to Haradh, near the border to Saudi Arabia. IOM further concluded that the severe depression most suffered from was due to abuses during the travel although there was the likelihood that some already had pre-existing vulnerabilities to mental health.⁹⁸ In 2012, an IOM staffer in Haradh had summarised the risks that migrants faced in Haradh, noting that 'kidnapping, robbery and sexual abuse, is part of everyday life here. It's become a business, an industry in itself.'⁹⁹

... 'kidnapping, robbery and sexual abuse, is part of everyday life here. It's become a business, an industry in itself.'

52,119 of those returned were women, with international agencies observing that at least 95% of female returnees were either pregnant or breastfeeding.

Further information collected from Ethiopian migrant women returned to Ethiopia from Saudi Arabia may lend additional credence to the idea that they face exploitation – although the perpetrators in this instance may be unclear. In 2013, Saudi Arabia mounted a campaign to deport all irregular migrants and by early February 2014, at least 158,125 Ethiopian migrants had been deported.¹⁰⁰ 52,119 of those returned were women, with international agencies observing that at least 95% of female returnees were either pregnant or breastfeeding.¹⁰¹ This data may be read together with the results from RMMS's *'Blinded by Hope: Knowledge, Attitudes and Practices of Ethiopian migrants'* study where 47% of the returnees (male and female) interviewed were married.¹⁰² Further, at least 59% of the 143 Ethiopian returnees surveyed in the *'Blinded by Hope'* study had taken contraceptives in anticipation of possible rape.¹⁰³

As mentioned above, many female migrants are reluctant to reveal that they have been subjected to sexual and gender based violence due to the fear of being ostracized from their community. It has been reported that among Somali women, there is a strong stigma attached to rape as it often leads to rejection by family members and the community.¹⁰⁴ For example, while the YRC and IOM work in Bab el Mandeb to provide first aid and health assistance to migrants encountered, only 1 Somali and 3 Ethiopians admitted at the point of first assistance to having been subjected to sexual violence. Reports of violations were more likely to be unearthed during screening or registration after migrants had been assured of the confidentiality of the information shared.

97 RMMS, 2014a, p. 18.

98 IOM, 2012b.

99 Reuters, 2012.

100 RMMS, 2014b, p. 53-54. Also see European Commission, 2013.

101 RMMS, 2014a, p. 70.

102 RMMS, 2014b, p. 20.

103 Ibid, p. 47.

104 de Regt, 2007, p. 7.

While the numbers and data may provide an indication of the extent of the protection risks faced by female migrants, witness and survivor testimonies of actual events humanize the victims and provide further elaboration of the gravity of the violations and abuse of female migrants travelling from the Horn of Africa to Yemen. The remainder of this report will therefore provide further qualitative information and personal stories.

5.2 Protection risks during the journey through the Horn of Africa

Robbery and Extortion

When speaking to protection patrolling teams many migrants revealed that they no longer carried money during the journey and relied heavily on a money transfer system to pay brokers and smugglers along the way. Migrants with more financial resources also resorted to seeking the assistance of smuggling networks based out of their countries of origin, such as established brokers in Mogadishu, Dire Dawa or Addis Ababa. They would pay about 450 USD for the journey to Yemen and so avoid the need to carry large amounts of money during the trip. Female migrants, however, did not always escape banditry or robbery while travelling across the Horn.

Box 4

After her parents divorced, 20 year old Nasiha decided to leave Hargeisa, Somaliland for Yemen in search of economic opportunities. She crossed the Djibouti border by paying 100 USD to a smuggler with at least 50 USD being paid out as bribe to the checkpoint guards. She went to Djibouti city where she remained for 5 days while searching for a broker to assist her in the journey to Yemen. While there, her two cell phones were stolen. She met a broker who she paid 150 USD for the boat trip across the Red Sea. They travelled in his car to Obock, and he housed her for about two months while waiting for other passengers. After the two months, he demanded that she pay him another 150 USD, denying that he had received the initial fee she had paid. She reported meeting many Ethiopian migrants that were also stranded in Obock after brokers they had engaged denied having received initial fees paid. She had no choice but to contact her mother, requesting that she send another 150 USD for the trip to Yemen.¹⁰⁵

Arrest, detention and deportation

In 2013, some Ethiopians indicated that there had been tightened security at the Djiboutian/Ethiopian border of Dawalle. Any individual caught attempting to cross irregularly was likely to be subjected to arrest and possibly even a beating before the Djiboutian authorities handed them over to the Ethiopian authorities.¹⁰⁶ Ethiopian authorities reportedly paid 46 USD and 102 USD to male and female returnees respectively as an incentive

¹⁰⁵ DRC, 2014a.

¹⁰⁶ Ibid.

against irregular migration and towards reintegration assistance.¹⁰⁷ Arrest and detention was not limited to Ethiopians, these risks also extended to Somalis travelling in Puntland as well as those traversing Djibouti.

Box 5

Randa a 20-year-old Somali female was travelling with a group of Somali men and women. While crossing into Djibouti at Loya Ade, they were arrested by border guards. Fearing sexual assault, she claimed that she was the wife of a man in the group. She was deported together with that man and six other Somali men. Three other Somali women also in the group, however, remained in custody. Randa never saw those three women again but she later heard they had been raped.¹⁰⁸

Enslavement

Box 6

Hamda, a 22-year-old Oromo girl from East Hararge, was intent on finding a job in Saudi Arabia. She travelled on her own from her village through Jijiga, Borama and finally to Loya Ade. She then began to look for a buyer to purchase a golden necklace which would provide money to pay for her journey to Yemen. She met with a Tigre man who accepted the necklace to assist her cross into Djibouti and thereafter to Yemen. Once she had crossed the border he convinced her to pass by his house. Trusting him she did. Upon arrival at his house she said: 'I was beaten badly and he had his way with me. When he was finished, he took me to another house and forced me to work with no payment for two months. I managed to escape with the assistance of two other Somali females.'¹⁰⁹

While this is Hamda's story, many other women report similar stories that point not only to their enslavement, but also to the vulnerability of women from the Horn of Africa to trafficking for sexual or labour exploitation during the journey to or upon arrival in Yemen.

107 DRC, 2014a.

108 DRC, 2013g.

109 DRC, 2014a.

Physical Assault

protection risks
during the journey
through the Horn
of Africa

Box 7

Two female Ethiopians travelled from Dire Dawa and Harar with the assistance of a broker they met in Dire Dawa. He accompanied them on the journey to Jijiga and onward to Borama, for which he demanded a fee of 76 USD. Paying 61 USD per person, they then took a small bus in Borama heading for Loya Ade. On arrival at Loya Ade, they approached two Somali men who they were informed assisted other migrants to cross into Djibouti. The men, however, took advantage of them, taking the 200 USD per person they provided as a fee for the journey to Yemen, before beating and raping them. They were left injured and without any money. They were only able to continue with the journey after calling their relatives and requesting that they send them more money for the onward trip.¹¹⁰

Sexual Assault

Many of the female migrants who provided information of violations faced during the journey to Yemen indicated that they had also been sexually assaulted. Assaults of this nature were likely to take place during the border crossing at Loya Ade or while female migrants were waiting to depart for Yemen at the Obock departure point. Although there were instances where sexual assaults were perpetrated by a fellow migrant,¹¹¹ most cases of rape were perpetrated by brokers or smugglers pretending to assist the female migrant. Whereas some women admitted to having been subjected to rape, in most cases Somali women referred to other women having been raped, claiming that they had been lucky to escape.

Box 8

While waiting to depart for Yemen at the Obock village, four female Somalis were informed by two men of Afari origin that their boat was about to depart soon for Yemen. Believing them, they followed them towards the Obock departure point, about 7 kilometres away from the village. Upon arrival at the departure point they met about 15 other Somali women waiting to depart for Yemen. Among them were two women in a very sorry state. They found out that the two women had been raped by their broker and no longer wished to continue with their journey to Yemen as they feared they would be raped again. They also did not want to return to their country because of the shame of having been raped.¹¹²

110 DRC, 2014b.

111 Such as the case of a female Ethiopian who died in Djibouti following injuries resulting from violent rape by a Somali migrant. Her Somali assailant was later accosted by other migrants and handed over to Djiboutian authorities. DRC, 2013f.

112 DRC, 2013c.

Box 9

Zahra, a 26-year-old Ethiopian woman was travelling with her four-year-old daughter. They managed to cross into Djibouti together with other migrants and proceeded onward to Djibouti city. There, she was introduced to a man of Afari origin who was to facilitate her journey to Yemen. Instead of assisting her, he locked her up in his house for 15 days where he attempted to rape her every night. He also robbed her of 90 USD.¹¹³

Box 10

Alima an 18 year old from Milesso, Ethiopia recounted: 'I paid a broker 120 USD to take me to the island of Obock, where we would take a boat to Yemen. Thugs captured us and demanded more money when we arrived in Obock. Because I had no money, they raped me. Men who did not have money were beaten and the women were raped. Eventually, I contacted my family and convinced them to send me 200 USD.'¹¹⁴

In September 2011, the Djiboutian government reported they had found about 60 Ethiopian corpses near the Lake Asal, a salt-water lake.

Dehydration and starvation

Almost all migrants arriving in Yemen report that they face dehydration and possible dehydration as they traversed the road between Djibouti Ville and the coastal town of Obock. Those walking face a harsh environment in an arid area with temperatures averaging between 34 degrees Celsius in winter and 52 degrees Celsius in summer. Some migrants reportedly succumb to lack of water and food. In September 2011, the Djiboutian government reported they had found about 60 Ethiopian corpses near the Lake Asal, a salt-water lake.¹¹⁵

5.3 Protection risks during the sea crossing

Sexual and physical assault

The boat trip across the Red Sea/Gulf of Aden from the Obock departure to the Yemen coast takes between three to eight hours. But for most migrant women aboard the hours are arduous and in many cases traumatic. Many women report that they are asked to sit separately from the men - usually near the engine - and once they are at sea the crew, often drunk or reportedly under the influence of drugs, proceed to rape certain of the women, while the other passengers on board were forced to witness.

113 DRC, 2014a.

114 IRIN News, 2013b.

115 IRIN News, 2011.

Box 11

Halima, Fatuma and Fardowsa are Somali females between the ages of 18 and 23. Once they embarked on the vessel, they were asked to sit near the engine, far apart from others on the boat. One hour into the sea journey, the two male Yemeni crew approached them fumbling at their clothes. They screamed for help. The Somali men in the boat came to their defence and the crew had no choice but to leave them alone. Two Ethiopian women, however, were not as lucky. The crew turned their attention to them and no one came to their rescue even as they cried for assistance.¹¹⁶

More narratives of rape or attempted rape during the boat trips are similar. Somali men come to the rescue of Somali females while Ethiopian women are raped within sight of other passengers who fail to come to their rescue.

Box 12

Samira, an 18-year-old Somali woman reported: 'We were sitting in the hold-next to the engine. The crew approached us, speaking in Arabic. I did not know what they were saying but my friend Fadumo did. She told me that they were asking us to have sex with them. We started screaming and shouting that we would not allow them to have their way with us. When they realised that Fadumo could speak Arabic, they started to beat her. They did not have any mercy on her and beat her with a pipe. Her guilt was that she understood Arabic and convinced us to stand our ground against their attempt to rape us.'¹¹⁷

Some Somali women indicated that they were lucky not to have been raped. They indicated that while the crew had made sexual advances, they had screamed and fought, with Somali men often coming to their rescue. While some Somali men often recounted having come to the rescue of Somali females under threat of rape, in some instances, protection teams suspected that Somali females were less likely to admit to sexual assault. In one report by the DRC team on 18 May 2013, the team recorded that they had found a 16-year-old Somali girl in a state of undress. Her eyes were full of tears and it was evident that she had faced recent trauma. She would not speak with any member of the protection team.

Irrespective of their age, however, some Ethiopian females face the risk of rape during the boat trip.

In one report by the DRC team on 18 May 2013, the team recorded that they had found a 16-year-old Somali girl in a state of undress. Her eyes were full of tears and it was evident that she had faced recent trauma. She would not speak with any member of the protection team.

116 DRC, 2013f.

117 Ibid.

Box 13

Saa'da, a Somali female shared this witness report: 'We were very tired, sitting behind each other in a very narrow part on the boat. Two of the Yemeni crew approached us and signalled that we should follow them. They were speaking in Arabic and we responded that we were Somali and did not understand what they were saying. They scowled at us and moved on towards a very small Ethiopian girl that was no more than 15 years old. They tore at her clothes as we watched. She was screaming and screaming, begging other passengers to help her. Everyone looked away. She was beaten and slapped cruelly before one man after the other raped her. It was really a very tough moment.'¹¹⁸

Threats and Extortion

There are reports of smugglers taking advantage of migrants during the sea journey and demanding additional payment for them to continue the trip to the coast of Yemen. Other reports indicate that the smuggling crew may also attempt to stall the trip in their attempt to rape female migrants.

Box 14

A 22-year-old Somali named Saada recounted how the smuggling crew had approached her in an attempt to rape her. She had screamed for assistance and Somali men aboard the boat came to her rescue. The crew, who were all intoxicated, had taken out knives and threatened to kill anyone that attempted to derail their quest to rape Saada. The Somali men in the boat in turn threatened to capsize the boat and have everyone drown before they allowed the crew to rape her. She had escaped.¹¹⁹

Drowning

Female migrants also risk drowning during the sea crossing from Puntland, Somaliland, or from Obock in Djibouti. While travelling in smuggling vessels from Bossaso, Puntland across the Arabian Sea, migrants report being crammed into the vessels, with 150 migrants sometimes being crammed in boats that can only carry 70-80 people. Reportedly, the smuggling crew even cram migrants into the small cargo holds below deck. As there is a risk that the boat may capsize during the 36 to 48 hour journey, migrants report that they have to remain still or risk being beaten or thrown overboard.

¹¹⁸ DRC, 2012b.

¹¹⁹ Ibid.

Box 15

In 2008, a migrant told Human Rights Watch: 'There was a girl behind me. They beat her and then she fell into the sea but a boy and I got her back into the boat. It was in the middle of the ocean-we jumped off the boat and got her back into it. When we got her back, the smugglers put her in a very small place near the motor where she could not even move her legs. They were beating her because she kept moving'¹²⁰

The threats of being thrown overboard were also issued to parents with distraught children. One woman recalled that her two-month old baby boy was taken from her arms because he would not stop crying. The crew dipped him into the sea with a warning to her – if she failed to keep him quiet he would be thrown overboard.¹²¹

Those travelling across the Red Sea from the port of Djibouti also face the risk of drowning, even if the crossing is less than 100 miles and takes between three and eight hours. Boats are also overcrowded with the smuggling crew using whips and sticks to beat any person who moves during the crossing. With smugglers wishing to avoid military or coastal patrols along the coast, there were instances where migrants were asked to disembark prior to approaching land between 2009 and 2011.

Box 16

In an example of forced landing, Marta, an Ethiopian woman in her mid-thirties reported: 'The night-time journey across the Red Sea was calm until the end. As we neared the Yemeni coast, the owner of the boat, who was part of the smuggling operation, threw us into the sea. No one knew how to swim because in Ethiopia, we don't have a sea, just lakes. The brokers and their thugs were waiting for us as we came to shore. They raped me and the other women. I'm 19 weeks pregnant with a child from that night.'¹²²

The drowning and attempted drowning of migrants at sea may also result from smuggling crews' desire to avoid being prosecuted for sexually assaulting their passengers.

120 Human Rights Watch, 2009, p. 18.

121 Ibid, p. 19.

122 IRIN News, 2011.

Box 17

A woman in her mid-thirties, recounted how her aunt was raped and then thrown overboard: 'They threw my aunt into the sea. They raped her first. She said to them, "When I reach Yemen I will tell the government and the UN," and she was shouting and abusing them. That's when they threw her into the sea. At that time I tried to shout but some of the crew came and beat me on the head many times. The other passengers said if you talk they will kill you. So I became quiet. I had only this aunt in my life and at that time I decided to die. I tried to throw myself into the sea but the other passengers caught me. Now I am alone.'¹²³

Migrants are increasingly seen as a valuable commodity by the smugglers, who in turn have a greater incentive to ensure they reach the coast alive. The decrease in the numbers of deaths at sea has coincided with a rise in kidnapping and extortion of smuggled migrants.

In March 2014 a smuggling boat capsized off the coast of southern Yemen carrying an estimated 77 men, women and children on-board. Of the 33 migrants who were rescued all but one were male.

In May 2013, three Somali women reported to the Bab el Mandeb team that they had nearly drowned when they were forcefully evicted from a boat as the crew attempted to avoid military patrols along the coast.¹²⁴ This is not uncommon. Between 2008 and 2009, there were reports that many migrants died during the sea crossing, with Human Rights Watch indicating that at least 1,000 died during the crossing in 2008 alone. At least 445 migrants reportedly drowned or died under unclear circumstances in 2009 with 153 migrants reportedly missing at sea in that year.¹²⁵ UNHCR reports that at least 179 migrants died or went missing, possibly at sea during the period of 2011 to 2013.¹²⁶

What is also evident is that in the period of 2011 to 2013, there had been a continual decrease in the number of reported cases of drowning, with 131 reported in 2011, 43 in 2012 and 5 recorded in 2013. In making a link between the decreasing number of drowning cases and the increasing number of kidnappings, RMMS observed that the "commoditisation" of abducted migrants had become a lucrative business in Yemen.¹²⁷ As migrants are increasingly seen as a valuable commodity by the smugglers, who in turn have a greater incentive to ensure they reach the coast alive. The decrease in the numbers of deaths at sea has coincided with a rise in kidnapping and extortion of smuggled migrants.¹²⁸

Of the thousands that have reportedly drowned during the sea crossing since 2008, it remains unclear how many of them were female. Nonetheless, a recent incident may suggest that women are particularly vulnerable to drowning in the event of a boat capsize. In March 2014 a smuggling boat capsized off the coast of southern Yemen carrying an estimated 77 men, women and children on-board. Of the 33 migrants who were rescued all but one were male.¹²⁹

123 Human Rights Watch, 2009, p. 20.

124 DRC, 2013d.

125 Human Rights Watch, 2009, p. 16.

126 UNHCR, 2013c.

127 RMMS, 2012a, p.36.

128 RMMS, 2013a, p. 42.

129 UNHCR, 2014b.

5.4 Protection risks on arrival in Yemen

Kidnapping

The international media, international organisations, and organisations such as the Regional Mixed Migration Secretariat have widely reported on the organised kidnapping of migrants once they arrive on the Yemen Red Sea/Gulf of Aden coast. Although the journey between the Bossaso port and the Arabian Sea coast of Yemen is quite long (taking between two to three days), reports seem to indicate that once the migrants arrive on shore their relationship with the smugglers ends. The same does not apply for smugglers travelling from Obock, Djibouti across the Red Sea/Gulf of Aden coast. IOM, for example, has confirmed that migrants arriving along the Red Sea coast are abducted and transferred to criminal gangs holdings along the Taiz coast of Yemen, including in areas such as Al Jaded, Al-Hareqah Al Azaf, Al Qadhi, Al Somaitah and Tooralbaha.¹³⁰

Another report observed that the taking of hostages was not carried out by poorly resourced disparate gangs but by 'organised and coordinated international networks of smugglers and criminal gangs.'¹³¹ The existence of such organised criminal groups and their possible collusion with Yemeni authorities was illustrated by reports of the kidnapping of 9 Ethiopian women after they had sought refuge at a military checkpoint.¹³² Some of these smuggling yards are also located near military installations further supporting the conclusion of possible collusion between the criminals and authorities.¹³³ The Human Rights Watch 2014 publication, *Yemen's Torture Camps: Abuse of Migrants by Human Traffickers in a Climate of Impunity*, suggests that the level of collusion and complicity between certain state authorities and traffickers / criminals may be high and very common.

In the latter half of 2013, it seems possible that female migrants were required to pay more than the 'usual demanded' ransom of between 200-500 USD, with some reporting demands of up to 1,200 USD to secure their release. As female migrants were almost always subjected to sexual abuse during their period of kidnapping, their families would have no choice but to pay the hefty sum.¹³⁴ Those who cannot pay such high sums run the risk of being 'sold' or subjected to daily sexual assault. Such was the fate of Saeeda, a 23-year-old female from Somalia who was taken hostage soon after arriving in Yemen. She reported that while at sea the crew stalled the boat for about two hours. Once they received a call confirming that others were waiting on land they continued the journey toward the coast. Upon arrival, she and others on the boat were taken to a mountainous region where they were asked to contact family members to send a ransom.¹³⁵

It is also of note that while many migrants are abducted as soon as they arrive and held in smugglers' yards in Taiz governorate, others may be transported further north towards Haradh. Traffickers and smugglers

130 IOM, 2012a.

131 RMMS, 2012a, p. 38. Also see RMMS, 2012b.

132 DRC, 2012a.

133 Ibid.

134 DRC, 2013e.

135 Ibid.

interviewed by Human Rights Watch confirmed this, adding that criminals kidnapping migrants along the Red Sea/Gulf of Aden coast may opt to 'sell them' to criminals operating further north in Haradh.¹³⁶ After the rescue of 70 migrants that had been abducted and ill-treated in a remote area of Yemen's Hajjah Governorate near the Saudi Arabian border, a Yemen Interior Ministry report revealed that at least 170 migrants from the Horn of Africa had been held captive, tortured and ill-treated by criminals in Haradh between January 2011 and February 2012.¹³⁷ These included 91 men, 10 women, 50 children and 19 elderly men. The Haradh Security Department had also identified 19 proprietors of yards with high walls in which abducted migrants were housed. UNHCR, in suggesting that numbers were higher than the 170 indicated, reported that approximately 3,000 women had been abducted in Haradh, where many of them were subjected to sexual violence.¹³⁸ The possibility that thousands of migrants are held captive in Haradh and surrounding areas may be supported by evidence of between 30 to 200 existing criminal hovels or torture camps where migrants are held.¹³⁹

Sexual assault

As mentioned, upon arrival in Yemen female migrants also face sexual assault including rape. In certain instances migrants travelling with female migrants may perpetrate sexual assault.

Box 18

Sahara a twenty-six year old travelling with her daughter recounted in January 2014: 'After we walked a long distance, we stopped and my daughter and I fell asleep. The three Ethiopian men we were walking with started to touch me. They wanted to rape me. I shouted at them to stop and they went, leaving us alone.'¹⁴⁰

Overwhelmingly, however, female migrants are likely to be raped once they are abducted and held in the myriads of criminal and smuggling hide-outs located along the stretch of villages near the Red Sea/Gulf of Aden coast.

Overwhelmingly, however, female migrants are likely to be raped once they are abducted and held in the myriads of criminal and smuggling hide-outs located along the stretch of villages near the Red Sea/Gulf of Aden coast. Once captured, male and female migrants are separated and held in different areas. It seems from repeated testimony from female survivors that the separation is most likely to facilitate access and selection of females for rape or sexual abuse as well as any other 'special treatment' their captor may plan for them, including, it may be presumed, sale to traffickers or other 'clients'.

136 Human Rights Watch, 2014 b, p. 32.

137 RMMS, 2013b.

138 Ibid.

139 Human Rights Watch, 2014b, p. 38.

140 DRC, 2014a.

Box 19

A sixteen-year-old Ethiopian girl subjected to gang rape after being abducted narrated: 'I was caught by the gangsters. There were other women who were caught along with me. I was separated from my [male] cousin thereafter. The men and women were not kept in the same place. So I had no contact with my cousin thereafter.'¹⁴¹

Box 20

In June 2013, a 23-year-old Ethiopian girl relayed the following to a DRC patrolling team: 'After we arrived we were taken to a yard where we were held for two weeks. There was an Oromo, a Djiboutian and a Yemeni smuggler who separated the women from the men. We were taken outside into a yard where we were told that we were being taken to call our families. Suddenly, they started to beat us in a brutal way asking us to have sex with them. I screamed that I was a virgin and did not want to. I was brutally violated with my friends and forced to have sex with them, I resisted and screamed for help but no one could hear and help me. I was tied with chains and raped by the Yemeni, Djibouti and the Oromo smuggler. I don't know what to do because I am not a virgin anymore. Who will marry me? My future and life was lost the moment I was raped.'¹⁴²

Eighteen migrants interviewed by Human Rights Watch in the period between June 2012 to March 2014 also confirmed that they had either 'witnessed the rape of women, or overheard it, or, overheard talk of it.'¹⁴³ In interviews with health professionals working in Haradh, a Yemeni border town close to Saudi Arabia, Human Rights Watch learned that medical responders 'commonly saw migrants with injuries including lacerations from rape...'¹⁴⁴ In indicating that nearly every woman who made it to Haradh had been raped, three health personnel interviewed by Human Rights Watch further stated that at least '9 out of 10 female migrants they see had been raped, along with 1 in 10 of male patients.'¹⁴⁵ A humanitarian worker in Haradh further confirmed reports of the rape of migrant women during captivity indicating that the migrant women he had interviewed had informed him that their captors had 'raped them and then burned their inner thighs with hot irons, leaving visible scars.'¹⁴⁶

Human Rights Watch further stated that at least '9 out of 10 female migrants they see had been raped, along with 1 in 10 of male patients.'

Human Rights Watch, 2014b, p.44.

Physical assault and other violence

Often in the quest to abduct migrants, criminal gangs are not averse to physically assaulting women or even shooting at them. On the 4th of March 2013, protection teams learned that a female migrant had been shot and

141 RMMS, 2012a, p. 39.

142 DRC, 2013e.

143 Human Rights Watch, 2014b, p. 43.

144 Ibid, p. 44.

145 Ibid.

146 Ibid, p. 43.

injured as she and others escaped from a motorcycle gang attempting to kidnap them. On that day an Ethiopian man died of his injuries inflicted during the same attack.

Arrest and detention

Somali migrants are granted *prima facie* refugee status in Yemen and hence female Somalis are less likely to be arrested and detained and, if they are, are more likely to be released into the custody of UNHCR. Ethiopian and other migrants may not always be released, although authorities have on occasion released them, for example, where there are a lack of female detention facilities.

There were instances in 2013 when female migrants were arrested and detained at the Taiz central prison pending their possible deportation. On 12 May 2013, for example, the Yemeni military intercepted a boat at sea carrying 53 migrants, 40 of whom were of Somali nationality. The 40 Somalis were released into the custody of UNHCR partners while 13 Ethiopians including 4 women (one of who had been subjected to rape during the sea journey) were transported to the Taiz Central Prison. It was unclear if any of the Ethiopians wished to seek asylum as no access was granted to humanitarian actors.

Some incidents suggest that Yemeni authorities may also extort money from migrants with the threat of possible arrest and detention should they fail to pay up.

Some incidents suggest that Yemeni authorities may also extort money from migrants with the threat of possible arrest and detention should they fail to pay up. In 2009, an earlier Human Rights Watch report recounted the experience of an Ethiopian refugee in Sana'a. In June 2009, the refugee received a call from her 24-year-old daughter saying she needed at least 250 USD to avoid arrest and possible detention at the Taiz prison. When she tried to call her daughter afterwards, she received a message that the phone number was no longer in service. One month after the call she had still not received word of her daughter's situation.¹⁴⁷

Forced marriage

On the 4th of December 2011, the YRC/DRC patrolling team learned that a Yemeni smuggler had abducted an Ethiopian female with the intention of making her his wife. As she did not speak Arabic, another Ethiopian female who spoke Arabic was to accompany her to his village of Suwaida. The villagers of Suwaida protested against the marriage after learning that the Ethiopian had not consented. They asked the smuggler to send the girls to the Bab el Mandeb transit centre so that it could be determined if they wished to seek asylum. The Ethiopian girls indicated that they did. The next day, however, it emerged that they had changed their minds and no longer wished to seek asylum. It seems that the Ethiopian female taken for a wife by the smuggler decided she wanted to marry another villager. The smuggler that had initially indicated that he wished to marry her demanded that he be reimbursed 20 USD being the price that he had paid for her. With the intervention of the Sheikh of Suwaida and the Dubab security, the two females later stated that they wished to seek asylum and were transported to the Kharaz reception centre.

¹⁴⁷ Human Rights Watch, 2009, p. 32 - 33.

6. Trafficking of Horn of Africa female migrants to Yemen

trafficking of Horn of Africa female migrants to Yemen

On 16 January 2012, criminal gangs surrounded the UNHCR transit centre in Bab el Mandeb demanding that 18 Ethiopian women, who they claimed to have 'purchased' at a cost of 50 USD each, be released to their custody. They intended to 'sell' the 18 women for at least 100 USD each and demanded the humanitarian organisation pay 1,800 USD in exchange for 'keeping' the women. While it was never clear at what point these women had been 'purchased', the criminals claimed that they had paid a broker in Obock, Djibouti for the women and intended to sell them off to Yemeni men or to foreigners. Needless to say, the women were not handed over to the gang.

INTERSOS, an organisation working in Yemen to identify and provide assistance to victims and suspected victims of trafficking, confirm the trafficking of Ethiopian women. In one report, INTERSOS indicated that they identified at least 215 victims of trafficking and 44 suspected victims of trafficking in 2013. Of these, 36 were female migrants. In admitting that this was an under representation of the actual problem of the trafficking of female migrants, the report observed: 'According to the interviews, women are transported to Haradh or handed over to other Yemenis. Females are therefore more seldom freed by criminals (even after the ransom is paid) and have limited possibility to reach INTERSOS in the South. Moreover females are under stricter surveillance and have difficulty in escaping. The few female victims of trafficking interviewed were released for health issues or managed to escape.'¹⁴⁸

At the time of writing, Yemen has signed and ratified the United Nations Convention against Transnational Organized Crime¹⁴⁹ but not its relevant protocols including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (herein after referred to as 'TIP Protocol');¹⁵⁰ and the Protocol against the Smuggling of Migrants by Land, Sea and Air.¹⁵¹

The 2014 *US State Department Trafficking in Persons (TIP) Report* notes that Somalia and Ethiopia are source and transit countries¹⁵² and Yemen a destination country¹⁵³ for trafficked Somali and Ethiopian women and children.¹⁵⁴ The report notes that Somali women are trafficked to the Middle East, including Yemen, where they were likely to be forced into domestic servitude or forced prostitution.¹⁵⁵ It seems that some female Somali

According to the interviews, women are transported to Haradh or handed over to other Yemenis. Females are therefore more seldom freed by criminals (even after the ransom is paid) and have limited possibility to reach INTERSOS in the South. Moreover females are under stricter surveillance and have difficulty in escaping. The few female victims of trafficking interviewed were released for health issues or managed to escape.

148 INTERSOS, 2013.

149 UNODC, 2000a.

150 UNODC, 2000b.

151 UNODC, 2000c.

152 US Department of State, 2014, p. 171.

Also see United States Department of State, 2014c, p 416.

153 US Department of State, 2014, p. 411.

154 Ibid.

155 Ibid, p. 417.

refugees have also been forced into prostitution in the Lahj and Aden governorates of Yemen.¹⁵⁶ The report further notes that young Ethiopian women are also trafficked to Yemen and other Middle Eastern countries with some being forced into domestic servitude.¹⁵⁷ While serving in these households, the Ethiopian women are susceptible to further human rights violations, including being physically or sexually assaulted, denied their salaries, deprived of sleep or even murdered.¹⁵⁸

An IOM report confirms that the regions of Somaliland and Puntland are also regions of origin for victims of trafficking, with women and children being primary victims.¹⁵⁹ In Somaliland, particularly in areas such as Hargeisa and Burao, females were reportedly trafficked to Yemen for purposes of domestic work and forced prostitution. While the report indicates that there were also reported cases of trafficking for the purposes of organ removal, this appears to have been limited to destinations in Djibouti and Ethiopia.¹⁶⁰ A US State Department report also identifies Somaliland as a point of origin for trafficked women, adding that women act as recruiters and take victims to Puntland and Djibouti and possibly onwards to Yemen.

While it is possible that many female migrants are smuggled into Yemen, where they are not coerced or deceived into migrating,¹⁶¹ the legal status of abducted female migrants in Yemen remains ambiguous. As many of the abducted migrant women are not met, it remains unclear if they were trafficked to Yemen or simply smuggled and then kidnapped for ransom. Although some NGOs identify suspected or confirmed victims of trafficking among migrant women in Yemen, there has yet to be an official investigation carried out or prosecution of alleged perpetrators. In 2013, the Yemeni government carried out a crackdown on smuggling, and by June 2013, had arrested over 50 members of criminal gangs and released at least 1,800 migrants held in extreme conditions in 'kidnapping camps', also known as 'torture camps'. While the authorities claimed that the 50 would be prosecuted, there are no reports of the charges laid or any punitive steps taken against them.¹⁶² In fact, the 2014 Human Rights Watch report on Yemen's Torture Camps details how named men directly implicated in arrests by the authorities have remained free and escaped sentencing.

While Yemen is not a party to the UN TIP Protocol, its Penal Code and Child's Rights Law make provision for the criminalization of some of the elements of trafficking. Its Penal code proscribes activities similar to those carried out during the trafficking process (even though it does not explicitly mention trafficking). Article 248 of the Penal Code provides that individuals are liable to up to 10 years in prison if they 'buy, sell, or give as a present, or deal 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.'¹⁶³ Notably, this provision fails to capture all components of trafficking, namely

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156 US Department of State, 2014, p. 411.

157 Ibid, p. 171.

158 Ibid.

159 IOM, 2011.

160 Ibid.

161 ILO, 2003.

162 DRC, 2013a.

163 Yemen's Penal Code as quoted in US Department of State, 2014, p 412.

the recruitment; the means (through the use of force or deception); or the purpose of exploitation. It only focuses on the movement and transactional nature of the crime.¹⁶⁴ Further, it does not provide any protection to female migrants smuggled into the country, should they end up in exploitative situations such as forced prostitution or forced labour.¹⁶⁵ If a victim of kidnapping was subjected to sexual exploitation or forced prostitution and was able to identify the perpetrator, it would be tenuous to prosecute within the ambit of the existing law.

Article 161 of the Yemen Child Rights Law specifically criminalizes the prostitution of children, which in itself is not a bar to trafficking¹⁶⁶. Article 46 of the Juvenile Welfare Act, as amended, also criminalizes the sale, transfer, abduction and exposure of children to the risk of delinquency. This article has been invoked in some child smuggling cases.¹⁶⁷

In the absence of clear legal guidelines proscribing all the elements of trafficking for persons that are not minors, however, one may refer to the Yemeni constitution, which confirms Yemen's adherence to human rights principles.

Article (6) of the Yemen Constitution provides the following: 'The Republic of Yemen confirms its adherence to the UN Charter, the International Declaration of Human Rights, the Charter of the Arab League, and principles of international law which are generally recognized.'¹⁶⁸ By virtue of this provision, Yemen has bound itself to international human rights principles, including the obligation set out in Article 8 of the Universal Declaration of Human Rights noting that no person should be held in slavery or servitude. The government's inter-ministerial National Technical Committee to Combat Human Trafficking drafted anti-trafficking legislation. This draft legislation was approved by the cabinet but awaits parliamentary endorsement.¹⁶⁹

In any event, even though there has been no reported prosecution of perpetrators of trafficking to date, the following section examines whether the experiences of female migrants travelling to Yemen may satisfy the three elements of the offence as defined in the TIP Protocol.

6.1 The act: recruitment, transportation, transfer, harbouring or receipt of persons

The Ethiopian Ministry of Foreign Affairs reports that there 'are more than 1,000 illegal brokers in Addis Ababa' and at least 8 to 25 illegal brokers

the act:
recruitment,
transportation,
transfer,
harbouring or
receipt of persons

164 US Department of State, 2014, p. 412.

165 Ibid.

166 The research did not access the full text of the Child Right's Law in English.

The above references to it are taken from the US Department of State, 2014, p. 412.

167 US Department of State, 2014, p. 412.

168 The Constitution of the Republic of Yemen adopted on May 16, 1991 and amended via Public Referendum, held on 20 February 2001.

169 US Department of State, 2014, p. 412.

in other parts of the country engaged in the recruitment of migrants.¹⁷⁰ Although this number is not verifiable, information gleaned from migrants arriving in Yemen coupled by research articles point to the existence of broker networks that aid in the recruitment and transportation of migrants from Ethiopia through to Djibouti and onward to Yemen.¹⁷¹ Some reports, for example, indicate that local brokers go to villages and broadcast information of successful migrants who have obtained employment in Arab countries such as Saudi Arabia.¹⁷² They target young females with 'economic, social, educational and family problems'.¹⁷³ Once they identify their 'targets', these brokers contact persons within their network to facilitate the migration. This was reportedly the case for most migrants leaving areas such as 'Wollo, Northern Shewa, Tigray, Western Hararge, Arsi and Jimma',¹⁷⁴ which are all common areas of origin for female migrants smuggled into Yemen.

Returnees, licensed or unlicensed agencies, members of family or friends may also recruit female migrants. Interviews carried out with 36 victims of trafficking in Ethiopia noted that at least 36% of them had been recruited by members of their family or relatives resident in a Middle East country, 33% had been recruited by brokers while 27.8% had been recruited by PEAs before being trafficked.¹⁷⁵ A more recent RMMS study, which was based on a knowledge, attitudes and practices survey, revealed that potential migrants were more likely to have been influenced by their parents to migrate, with others being influenced by their spouses or siblings. Similarly, many of the current migrants indicated that their decision to migrate had been influenced by their friends, while others mentioned either their parents or brokers as having influenced their decision to migrate.¹⁷⁶

As licensed PEAs were set up, a number of unlicensed agencies simultaneously emerged with representatives of the registered PEAs claiming that the former recruited at least 70% of the migrants travelling to the Middle East.¹⁷⁷ Reportedly many of the trafficking victims could not distinguish between the legally registered PEAs and those that were unlicensed. Some could also not recall the name of the recruitment agency. While licensed PEAs may point to unlicensed PEAs as being involved in trafficking, the Ethiopian Ministry of Foreign Affairs has confirmed that some registered PEAs were engaged in human trafficking as well.¹⁷⁸ In any case, migrants travelling through agencies are unlikely to travel through the desert and sea route as these agencies also processed passports, visas and made flight arrangements.

Research also revealed that returnees were able recruiters, with many of them claiming that they had been successful even if they had barely managed to eke out a living. RMMS research carried out in 2014 demonstrates the impact of such 'success stories' in prompting others who may not have had

170 ILO, 2011, p. 31.

171 Ibid.

172 Ibid.

173 Ibid.

174 Ibid.

175 ILO, 2011, p. 30.

176 RMMS, 2014b, p. 26.

177 ILO, 2011, p. 33.

178 Ibid.

a desire to migrate. A young female in Dire Dawa, for example, recounted how she and six of her friends left for Saudi Arabia on learning that a girl in their village was sending money back to the village.¹⁷⁹ A female participant in a focus group discussion revealed that contrary to the view of brokers seeking out migrants, potential migrants often used their ‘friends, returnees and those whose children had migrated’ to track down brokers to aid in their migration.¹⁸⁰ Some of the young females may, nonetheless, have been coerced to migrate by their family members. A culture of migration in Ethiopia compelled teenage girls to leave the country hoping to find employment in the Middle East and support members of their family.¹⁸¹

While evidence of trafficking in Somalia is hard to come by, the 2014 US State Department Report concluded that women and children were trafficked from south and central Somalia to the north, particularly to Puntland and Somaliland.¹⁸² Further, some women in Somaliland were engaged as ‘recruiters and intermediaries.’ Not only did these women recruit other women and children but they also facilitated their travel to Puntland, Djibouti, and Ethiopia; countries where they were likely to end up in situation of domestic servitude or sex trafficking.¹⁸³ There were also reports of internally displaced women and children residing in camps or along coastal areas who were also susceptible to trafficking. Some traffickers, disguised as smugglers, would promise young females jobs outside Somalia once they learned of their desire to travel outside the country. While some of these females may have been recruited on the streets or market places, there was also evidence of the cropping up of dubious employment agencies. Such agencies inform potential migrants that they can facilitate their migration and employment in Gulf States. The Somali women, often believing that they are being smuggled, travel to Yemen via Djibouti. Upon arrival in Yemen, they find themselves in exploitative situations including sexual prostitution or domestic servitude.¹⁸⁴

Some of the Ethiopian, Somali and other female migrants who end up in situations of trafficking are recruited in their countries of origin, while others are recruited upon arriving in Yemen. Those arriving across the Red Sea, in particular, face the risk of being abducted by criminal gangs. Some of these gangs may only be intent on obtaining ransoms, while others may thereafter sell or coerce their captives into exploitative situations. There are also reports of criminal gangs operating at the Kharaz refugee camp or at bus stops in Al Basateen. These gangs are likely to approach young females and dissuade them of the importance of seeking protection with UNHCR. They reportedly inform migrants that they have the capacity to smuggle them into Saudi Arabia.

With regard to transportation, many female migrants reportedly approach smuggling networks in Ethiopia and Somalia to aid them in their journey to Yemen. Many have not travelled outside their country before and are wary of banditry or being arrested. They therefore approach brokers believing

the act:
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Some of these gangs may only be intent on obtaining ransoms, while others may thereafter sell or coerce their captives into exploitative situations.

179 RMMS, 2014b, p. 21.

180 Ibid, p. 26.

181 ILO, 2011, p. 9 and 37. Also see RMMS, 2014b, p. 21.

182 US State Department, 2014.

183 US Department of State, 2014, p. 417.

184 Ibid.

that doing so affords them protection from banditry, or in the least, that the knowledgeable smugglers and brokers will assist them to evade the various checkpoints mounted along the way. A RMMS study revealed that while most of potential migrants were aware of some of the protection risks they would face during their journey, some believed that they could 'avoid these risks by travelling irregularly in groups and by using facilitators and smugglers with a good reputation.'¹⁸⁵

For those travelling with a guide, many reported, going to Dire Dawa where they waited for other individuals to join them before embarking on the journey towards Dawelle or Loya Ade, where they would then cross over to Djibouti. Upon arriving in Djibouti, some migrants spoke of being handed over to other brokers and smugglers who assisted them to avoid checkpoints mounted by Djiboutian authorities, particularly in areas such as Tadjora. There is also an evident connection between the smuggling boat crew and criminal groups operating along the Yemen coast, where the crews often stalled the boats at sea and contacted persons inland before proceeding to shore. The migrants reported that they would find armed youth at the coast before they were quickly whisked away to mountainous regions, particularly to Jab el Nar, Taiz governorate, where they would be ill-treated as their abductors demanded they contact family members to pay ransoms.

There have also been reports of smuggling networks operating in Kharaz refugee camp and in Basateen. Following reports of smugglers and possibly traffickers accessing the UNHCR reception and registration centres in Kharaz with the intention of recruiting newly arrived migrants, UNHCR was forced to limit access to the registration and reception centres. Despite this measure the smugglers would wait outside in their cars, and as soon as the newly arrived migrants exited after registration, they would provide them with information on their 'smuggling services' to Saudi Arabia. In an INTERSOS report¹⁸⁶ it was noted that some smugglers had also set a base at the Basateen bus station, with female migrants in particular falling prey as soon as they disembarked from buses arriving from Mayfa'a, Ahwar or Kharaz. IOM reported that a victim of trafficking in Haradh revealed that he was transferred from Basateen in Aden to Haradh by a car driven by a Somali/Ethiopian. He had reported that there were many cars leaving Basateen headed towards Saudi Arabia, and that in Basateen there were smugglers' houses where migrants were detained and abused.¹⁸⁷ This example shows how the distinction between migrant smuggling and human trafficking could become increasingly blurred. At first, migrants agree to be smuggled into a country, but later find themselves deceived, coerced or forced into an exploitative situation later in the process.¹⁸⁸

185 RMMS, 2014b, p. 32.

186 INTERSOS, 2013.

187 IOM, 2012b.

188 UNODC, 2010.

6.2 The means: consent obtained through deception, coercion or fraud and other means.

the means:
consent obtained
through deception,
coercion or fraud
and other means

One of the main drivers of migration for Somali and Ethiopian nationals to and through Yemen is the search for economic opportunities. Often escaping poverty, some of them hope that if they access these opportunities they can support family members left behind or earn start-up capital to establish businesses upon their return.¹⁸⁹ What many of the Somali and Ethiopian migrants also have in common is their basic level of education with many having none or limited skills. Many thus aspire to take up manual jobs or elementary occupations in Yemen or other Middle Eastern countries. RMMS research confirmed that a majority of Ethiopian female migrant workers had limited education, were unskilled or semi-skilled, with many hoping to find domestic work in Middle Eastern countries such as Saudi Arabia.¹⁹⁰ There is a paucity of similar data and information on Somali female migrant workers. The social, political and economic situation in south central Somalia, nonetheless, suggests that they too are likely to have limited qualifications. Limited education coupled with high poverty levels make female migrant workers particularly susceptible to being coerced, deceived or forced to migrate as their situation essentially creates a 'pool for the recruiters of trafficking'.¹⁹¹

Recent RMMS research reveals that many female Ethiopians seeking to migrate to the Middle East lack sufficient information on issues relating to irregular migration, including how long it takes to travel, the laws of the receiving countries or the protection services available.¹⁹² The vulnerability and situation of Ethiopian migrant women notwithstanding, there is little evidence of the number of Ethiopian female migrants that migrate due to an external threat or following the use of force. RMMS research reveals the decision to migrate for potential migrants was likely to be influenced by parents, spouses and siblings.¹⁹³ Others made a joint decision to migrate with friends or family.¹⁹⁴ Among 100 interviewed current migrants, the research revealed that 34% believed they had been deceived into making the decision to migrate with 2% having made the decision to migrate upon the instigation of brokers.¹⁹⁵ Irrespective of whether they were influenced by brokers or their peers and family members to migrate, some of the current migrants believed that they had been deceived into migrating.¹⁹⁶ Indeed,

189 RMMS, 2014b, p. 27.

190 Ibid.

191 Kebede, 2001. p.5.

192 RMMS, 2014b, p. 28.

193 Ibid, p 26. In this research, the survey distinguished between potential and current migrants, noting that potential migrants are 'those thinking of or planning to migrate' while current migrants are 'those who have already migrated and are ex-patria as migrants.' RMMS, 2014b, p.4.

194 Ibid.

195 Ibid.

196 RMMS, 2014b, p. 27.

peers, friends, family or persons known to potential migrants or their families may knowingly or unknowingly deceive migrants by elaborating on the gains that the potential migrant will make once they migrate. Some young Ethiopian women also migrate due to a sense of responsibility to support their family. The RMMS study also noted that more women than men believed that they had a higher responsibility to support their families, with this sense of responsibility on occasion informing their migration.¹⁹⁷ Despite this sense of responsibility, many may have been coerced into migration by their husbands, fathers or other male relations. Woldemichael observes that in some rural areas, Ethiopian girls have no right to make decisions about their lives, with the decision made solely by their male kin.¹⁹⁸

Box 21

It is reported that a father decided to send his daughter to Saudi Arabia because he believed that this was his only option: 'It is becoming difficult feeding my family; I only have two-hectares of land which is not enough to plough in order to feed my family, or, to build a house. In addition, the rainy season is not providing enough rain to cultivate crops. My daughter got divorced and joined the family with her four children. We have no option. She has to go and bring money to support all of us.'¹⁹⁹

Some Ethiopian parents are reported to have falsified their children's documents indicating that they were adults in order to facilitate their travel to the Middle East.²⁰⁰ Some of these parents may also have entrusted their children with a broker or relative without clearly understanding the intentions of these brokers and relatives.²⁰¹

It is of note that increasingly, many Ethiopian female migrant workers are from rural areas because young females in these parts of the country are likely to have less exposure, have an elementary education and are quite desperate to access job opportunities.²⁰² They are also likely to have limited information on the migration process and they or their families are more likely to turn to brokers or facilitators to aid them in the migration process. RMMS research has revealed that at least 55% of interviewed potential migrants from rural areas had their decision to migrate influenced by brokers as compared to 30% of those residing in urban areas.²⁰³ It is plausible that brokers and facilitators are likely to exaggerate the benefits of irregular migration further reinforcing the decision made by the potential migrants. Some registered PEAs have also been known to create an illusion of success following migration while leaving out tales of failure or the risks of migration.²⁰⁴ Rural females with little or no education are likely to fall

197 RMMS, 2014b, p. 24.

198 Woldemichael, 2013, p. 7.

199 Ibid, p. 34.

200 Ibid, p. 40.

201 Project Concern International, 2010, p. 40.

202 Woldemichael, 2013, p. 37.

203 RMMS, 2014b, p. 26.

204 Woldemichael, 2013, p. 37 - 38.

prey to tales of grandeur once they migrate making them easy targets for trafficking cartels.²⁰⁵

Box 22

‘Many brokers are spreading in rural areas and are knocking on each door to look for potential job seekers. The rural people do not even know that they do not have to deal with these illegal brokers and spend their money without reason. They are deceived with the false promises of better life that a daughter, a wife or a mother could bring to the whole family. A broker charges a family 408 USD to 663 or more saying he/she will [handle] the recruitment process between the job seeker and the legally recognized agents whose office is found in the capital, Addis. The brokers put as many as possible women and girls in a small room and even they sexually exploit them. I do not think there would be any family in Addis Ababa that could be fooled like the rural families are.’²⁰⁶

Even where some of these female migrants may consent to the migration process, one cannot discount that the consent resulted from misinformation and an exploitation of their limited understanding of irregular migration. Further, as per the provisions of the TIP Protocol, the mere fact that a victim consents during the recruitment or at a later stage (for example, during transportation, harbouring in the trafficking process) does not preclude the conclusion that such a person was trafficked if his/her consent was obtained through coercion, fraud and deception.²⁰⁷ Consent is therefore irrelevant in cases of trafficking. This would apply to the thousands of female migrants that are abducted upon arrival on the coast of Yemen. While some of these women may be released after paying demanded ransoms, others reportedly end up in exploitative situations including forced labour or even forced prostitution.

6.3 The purpose: for possible exploitation

The TIP Protocol indicates that ‘at a minimum’ the understanding of the term exploitation shall include ‘the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.’²⁰⁸ Witness and survivor accounts point to female migrants being subjected to rape and also to being ‘rented out’ to Yemeni men for the purposes of sexual exploitation. There are indications, however, that some females could be kidnapped and sold for labour purposes.

the purpose:
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exploitation

While some of these women may be released after paying demanded ransoms, others reportedly end up in exploitative situations including forced labour or even forced prostitution.

205 Woldemichael, 2013, p. 37 - 38.

206 Ibid, p. 38.

207 IOM, 2006, p. 9 -10.

208 Ibid.

Box 23

A male migrant encountered by patrolling teams on 13 August 2013 said he was held hostage for at least three months where he witnessed the sale of Ethiopian women to Yemenis, possibly to take up work as house helps. The male migrant recounted: 'We arrived at Ordy shores, where we were transferred by Yemeni armed men to a yard in a mountainous region. The Yemeni men raped most of the women and tortured and beat the men to extort more money at the smuggling camp. The women that were not able to pay ransoms were sold to other brokers, who sent them to work as maids in Yemeni households. I contacted my family and convinced them to send 200 USD and then I was released after I paid the ransom.'²⁰⁹

Box 24

In May 2013, Jamal, an Ethiopian man of about 20 years was found by the roadside in a very bad condition. Once he had received treatment, he reported that he and 59 other Ethiopians had been taken hostage upon arrival on the 29th of April 2013. They were held at a house in the mountainous regions of Taiz where they found at least 50 Ethiopian women being held. It was unclear how long these Ethiopian women had been held but it was evident that they had been there for some period and were in a very sad state. He learned that these women could not pay the demanded ransom and so, local men were allowed access to the yard where they could rape the women for a fee. Jamal recalled witnessing some Yemeni men arrive in the yard, negotiate for some of the women who were then sold off for about 200 USD.²¹⁰

A number of the reports compiled by the DRC protection teams often make mention of an Ethiopian female working in collusion with criminal gangs to extort money from hostages. This woman, it seems, is used as a translator and many Ethiopians interviewed spoke about a woman's betrayal of her compatriots. But perhaps this narrative of betrayal is not her story and she is simply being held against her will. In 2012, IOM observed that some smugglers and members of criminal gangs had married Ethiopian women in the hope that they would assist them recruit others in Ethiopia.²¹¹

209 DRC, 2013f.

210 DRC, 2013d.

211 IOM, 2006, p. 9 -10

7. Where did all the female Ethiopian migrants in Yemen go?

Where did all the female Ethiopian migrants in Yemen go?

Many Ethiopian men share stories of being abducted and released without their female partners. These testimonies coupled with the invisibility of female migrants – particularly of Ethiopian origin – from areas where migrants are known to reside leads to the question: what happens to Ethiopian women? A review of gender disaggregated data of migrant arrivals in Yemen, anecdotal and witness testimony, as well as a review of reports and journal articles, may provide answers.

Box 25

Together with 11 other Ethiopians, Ahmed travelled with his six-months pregnant wife in hope that he would find a job in Yemen to support his new family. This was not to be. Upon arrival in Yemen, he was kidnapped along with his wife and others by a gang wielding weapons. They were then driven to a walled yard in a mountainous area in the south of Yemen, where he was held for 8 days. During that period he was severely beaten and his leg broken after he was caught attempting to escape from captivity. He finally contacted his family in Ethiopia and convinced them to send about 2,136 USD, demanded for his wife's and his release. After the gang confirmed that they had received the money they released him but refused to release his wife.²¹²

Many Ethiopian men share stories of being abducted and released without their female partners.

Table 20:
Female refugees and asylum seekers registered in the period 2011 to 2013

	Estimated arrivals	Encountered	Registered	Unaccounted for
Somali	17,424	16,810	16,798	614
Ethiopian	21,674	5,759	5,579	15,915
Other	23	18	17	5
Total	39,121	22,587	22,394	16,534

The table covers data gathered between 2011 and 2013. It provides a summary of the estimated number of female migrants smuggled into Yemen during this period. Estimated arrivals are based on information

²¹² DRC, 2013d.

UNHCR and partner patrolling teams receive from encountered migrants.²¹³ The encountered migrants in turn estimate the number of passengers on board the smuggling vessel the migrants travelled in following its departure from the Horn of Africa and arrival on the Yemeni coast. The table also provides figures of migrants directly encountered by UNHCR/partner patrolling teams, as well as those registered with DRC/UNHCR.

What is evident from the data is that in the period of 2011 to 2013, at least 39,121 female migrants were estimated to have been smuggled into Yemen across the seas. In the course of carrying out patrols along the Yemen coasts, UNHCR and partner teams only met with 22,587 of the estimated 39,121 female migrants. Therefore the teams did not meet the other 16,534 female migrants. These unaccounted for 16,534 female migrants include 614 Somalis, 15,915 Ethiopians and 5 of other nationalities.

Multiple data and information values, such as the point and time of the vessel's departure, number of crew, time of arrival, place of arrival and more are used to ensure that there is no possible duplication of vessels or the smuggled migrants. In the hypothetical event that only one migrant is met out of 50 other smuggled migrants, it is often the case that the others may have been abducted, or smuggled onwards, or simply walked away on arriving in Yemen. Those who choose to walk are likely to try and find their way to some of the urban areas in Yemen, some may be unaware of the presence of patrolling teams, while others may wish to make their way to Saudi Arabia. What is also evident from the data of the unaccounted for women is that all 16,534 female migrants had reportedly sailed to Yemen across the Red Sea/Gulf of Aden and arrived on the Red Sea/Gulf of Aden coasts of the Lahj or Taiz governorates of Yemen

While it is not accurate to wholly discount the possibility that some of these women could have simply walked away, the presence of criminal gangs operating along the Red Sea coast makes this proposition unlikely.

While it is not accurate to wholly discount the possibility that some of these women could have simply walked away, the presence of criminal gangs operating along the Red Sea coast makes this proposition unlikely. As already reported, at least 1,648 of the 2,819 female migrants that are estimated to have been smuggled to Yemen across the Red Sea/Gulf of Aden between April and December 2013 were unaccounted for and some or many of them may have been abducted upon arrival. This number does not include the other migrants, male and female, who may have been kidnapped on arrival with none to bear witness or report to the patrol teams.

Box 26

- In November 2013, a profiling of 193 stranded male Ethiopian migrants in Aden confirmed that not every migrant arriving on the Red Sea coast was met by patrolling teams.
- In essence, of these 193 migrants, 173 had been smuggled to Yemen across the Red Sea.
- 86 of them or at least 50% of these migrants had made their own way to Aden while the other 50% were encountered by patrolling teams and had been registered as individuals seeking asylum in the Kharaz reception centre.

²¹³ Not all migrants arriving on the shores of Yemen are met by UNHCR and partner patrolling teams.

- Of the 86 that had made their own way to Aden, 54 or 63% revealed that they had been kidnapped upon arrival. The other 37 had walked to Aden without facing any protection risks.²¹⁴

There is a possibility that some of the 16,534 unaccounted for female migrants may have made their way into Yemeni households where they are working as domestic workers while others were successfully smuggled into Saudi Arabia. This possibility, however, presupposes that female migrants with limited access to water and food were able to traverse what is often an unbearably hot desert area and make their way to urban areas such as Aden. Moreover, Ethiopian women are unlikely to speak Arabic—the language widely spoken in Yemen and their mode of dressing is relatively different from that of Yemeni women. Ethiopian and Somali women walking along isolated coastal roads are also particularly vulnerable to gangs of Yemeni youth riding motorcycles and operating along Red Sea coast. These motorcycle gangs are known to kidnap African migrants as they walk along the coastal roads.²¹⁵

Based on information outlined above it seems highly plausible that some, if not many, of the estimated 16,534 unaccounted for female migrants were abducted on or after their arrival on the Yemen Red Sea/Gulf of Aden coast. Besides witness reports of the abducted of male and female migrants upon arrival in Yemen, there have been reports of the release of male and female migrants from criminal hideouts after Yemeni authorities carried out raids. Following one such raid in April 2013, at least ‘1,163 migrants, including 121 women and girls’ were ‘released’ and thereafter detained at an Immigration Passport and Naturalization Authority facility in Sana’a.²¹⁶ Another group of ‘535 migrants, including 90 women and girls’ were held at the Amran Central Prison.²¹⁷ Moreover, these raids are few and infrequent with reports that some of the criminal gangs kidnap other migrants soon after raids are carried out.²¹⁸ Consequently, significant numbers of other female migrants are likely to have remained in captivity evidenced by the release of 92 migrants from smugglers houses in Haradh in June 2014. It can be argued that the government raids are gesture politics with little commitment to strike any real blow at the lucrative phenomenon of kidnapping and trafficking and whose perpetrators are mostly known to local leaders and local authorities.

The kidnapping of migrants, is a low risk and high profit business for the kidnapers. They spend money when kidnapping and ‘hosting’ or guarding the migrants in captivity and therefore want to make a profit. Such ‘profits’ often come in the form of ransoms. Kidnappers have been known to take whatever brutal means necessary to obtain these ransoms. Some male migrants released or after escaping captivity have recalled that they were tortured, including having their teeth and nails pulled out, genitals chopped off, eyes gouged out or even having seen others shot dead.²¹⁹

Where did all the female Ethiopian migrants in Yemen go?

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214 UNHCR, IOM and DRC, 2013.

215 DRC, 2012-2013.

216 Human Rights Watch, 2014b, p. 62.

217 Ibid.

218 Ibid, p. 67.

219 RMMS, 2012a, p. 41.

Box 27

IRIN news recorded the experience of one survivor: 'The landing wasn't very scary because we were dropped so close to shore. But as we waded to the beach, Abd al-Qawi's thugs started shooting guns into the air to scare those who tried running away. They loaded us into trucks and took us to secret remote places [households] to extract money. Because I know different dialects, I acted as translator and was released with those who paid. I saw them rape women, hang men by their hands and beat them with metal rods and red-hot poles; they shot off fingers and toes, poked hot shards of metal into their eyes and poured boiling plastic on their bodies.'²²⁰

Migrants report having witnessed fellow migrants being killed in an attempt by the kidnappers to force the others to pay up.²²¹ Most male migrants were released only after they were able to pay the demanded ransom-sometimes upwards of 500 USD.²²² Others were released if kidnappers believed that they could not make any money out of them. A review of the profile of the female migrants reveals that many were either unemployed, domestic workers or peasant farmers. While it is possible that some of their family members could afford the ransoms demanded, others simply could not. It is hard to imagine that their captors would simply release female migrants unable to pay the ransom if their captives have value as tradable or rentable 'commodities'. Perhaps this answer lies in understanding the physical location of Ethiopian and Somali female migrants.

Somali women are highly present in Yemen. UNHCR records indicate 33,021 female Somali refugees reside in Basateen, a slum like area in the suburbs of Aden.²²³ 15,150 male Somali refugees are recorded as residing in Basateen.²²⁴ Of the 16,028 Somali refugees residing in Kharaz refugee camp, 7,863 are female refugees. Others are likely to reside in Taiz, Mukalla or Sana'a.²²⁵ Only 788 Ethiopians, including 215 Ethiopian asylum seekers and refugees are recorded as residing in Kharaz refugee camp.²²⁶ There is some possibility that some of the 614 unaccounted for Somali women may have found their way into the Yemen population. Ethiopian men are highly visible in Yemen. Some may be found on the coastal roads walking towards Aden, others squat in temporary shelters in Basateen while others squat outside the UN enclave of Aden demanding assistance from the international community in a quest to return home. In 2013, thousands of Ethiopians were also recorded as stranded in Haradh after the Saudi government strengthened its presence along the border with Yemen in order to curb irregular migration into Saudi Arabia. Ethiopian women, however, are not visible at all. While some may be working in households in Aden or other urban areas, their notable absence in areas where other migrants reside does raise concern.

220 IRIN News, 2013b.

221 RMMS, 2012a, p. 41.

222 Ibid, p. 42. Also see DRC, 2013b.

223 UNHCR, 2013d.

224 Ibid.

225 Ibid.

226 Ibid.

As the profile of the Ethiopian migrants reveals, many left their country with an intention of finding economic opportunities to support their families. Such economic opportunities may be found in Yemen or other Gulf countries such as Saudi Arabia. Because there are few job opportunities to be found in Yemen, many migrants (after their arrival in Yemen or once their kidnappers release them) are known to walk northwards towards Haradh, Hajjah governorate. Once there they may attempt to cross irregularly into Saudi Arabia.

DRC protection teams have been carrying out patrols along the Red Sea coastal roads of Taiz to Hajjah governorates since May 2013. These patrols meet different categories of migrants. They include migrants that have arrived in a previously unpatrolled area of the Red Sea coast; those who were abducted on their arrival in Yemen and were released or escaped; and some that may have been working in Khat farms in areas such as Dhamar and Rada'a with the intention of collecting enough money to proceed to Saudi Arabia. In the period of May to December 2013, the DRC patrolling teams recorded meeting 752 migrants, all of who were male. Of these, at least 690 were Ethiopian migrants and 91% (625) had escaped periods of captivity of between 8 days to 4 months. With no female encountered, the patrolling teams asked about the location of female migrants. Many migrants remembered having travelled with female companions and admitted that while they were released or escaped from captivity, their female companions were still being held.²²⁷ Findings by UNICEF in 2013 further point to the arrival of females in Yemen and their eventual disappearance.²²⁸ In an interview of 266 Ethiopian children and youth including 5 girls, 24 of the children indicated that they had travelled with between 1 to 3 girls while 20 indicated that they had travelled with 10 or more girls. When asked where the women and girls could have gone, 63 of the children had no idea. 15 believed that the women and girls were held hostage by smugglers; 2 believed the women and girls were with a government agency; 2 believed that the women and girls had made it to Saudi Arabia; while 1 believed that the women and girls had sought assistance with the United Nations.²²⁹ Generally male migrants who are released or escape from captivity exhibit limited knowledge as to what could have happened to their female companions. This is likely due to the fact that after they are abducted and transported to criminal hideouts men and women are separated and held in different areas.

Box 28

A male Ethiopian migrant interviewed by Human Rights Watch recalled having been separated from his female companions after they were kidnaped. He had informed Human Rights Watch that: 'The camp was a square area that was totally open, with no shelter. There were concrete walls with four guard towers, one in each corner. There were no buildings in the camp. There were eight guards, who were on duty at different times, including some Ethiopians...

227 DRC, 2013b.
228 UNICEF, 2013.
229 Ibid.

where did all the female Ethiopian migrants in Yemen go?

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The seven women who arrived with us were taken to a separate area of the camp, behind a wall. I did not see them again, but I heard women screaming at night and noises that sounded like beatings.²³⁰

An RMMS report also recounted the experience of an Ethiopian man who had been separated from his wife: 'When we arrived in Yemen, they came Abdel Kawe, they beat too much they set fire to plastic water bottle and they put it on my hand. After that they take my wife and I don't know where she is now.'²³¹

The invisibility of Ethiopian women is also evident in Basateen, a quarter in Aden hosting thousands of African migrants. Many male Ethiopians seek shelter at a mosque in Basateen or squat near a post office. While IOM provides daily meals to the Ethiopian migrants stranded in Basateen, few if any female migrants approach IOM distribution teams. The same is also evident in the data of the DRC Mixed Migration Information Centre, with the team having carried out a profiling of Ethiopian migrants in the period of April 2013 to December 2013. Less than 20 Ethiopian women were profiled despite the teams going into the community to ascertain the numbers of female migrants resident in Basateen. Indeed, in a joint profiling of stranded migrants in Basateen carried out by IOM, UNHCR and DRC in October to November 2013, none of the 193 Ethiopian migrants profiled were female.²³²

Not least because they do not speak Arabic and possibly due to cultural dissimilarities, many Ethiopians would not find it easy to quickly assimilate into the Yemen community. As such, unless their political views do not allow, once they arrive in Yemen, many Ethiopians seek out members of their community. Ethiopians in areas such as Basateen have also selected community leaders to advocate on their behalf.

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With thousands of African migrants attempting to cross into Saudi Arabia irregularly, Saudi Arabia began to tighten its border with Yemen in 2011, making it very difficult for migrants to cross into the country. In mid-2012, IOM and government sources reported that there were about 25,000 stranded migrants in Haradh, with IOM hosting about 250 of these migrants at the IOM transit centre.²³³ As conditions in Haradh were particularly bleak for the stranded migrants, IOM began carrying out assisted voluntary return of migrants in November 2010. From November 2010 and June 2012, it assisted at least 6,878 (mostly Ethiopian migrants) to return. While the gender-disaggregated data for these returnees is not readily available, the data of those who were assisted to return in 2013 points to more male migrants being assisted than female migrants. Of the 2,006 Ethiopian migrants assisted to return, 93% (1,189 adult and 667 minors) were male while only 7% (85 adults and 65 minors) were female migrants. This is the case even though IOM gives particular preference

230 Human Rights Watch, 2014b, p. 30.

231 RMMS, 2012a, p. 39.

232 UNHCR, IOM and DRC, 2013.

233 IOM, 2012a.

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for the return of vulnerable migrants. Stranded women and children are regarded to be particularly vulnerable and would likely have been given such preference. The relatively few number of female returnees may be juxtaposed with reports that between November 2013 and January 2014, Saudi Arabia reportedly expelled 152,965 Ethiopian labour migrants with 50,655 or 33% of those expelled being women and 8,250 children, including 461 unaccompanied minors.²³⁴ Saudi Arabia began a massive crackdown on irregular migrants in the country in late 2013 after the expiry of a government authorized amnesty period, in which all irregular migrants were directed to regularise their stay. Reportedly, while the Ethiopian government had expected about 23,000 Ethiopians to be deported, they had been surprised when the number surpassed 150,000.²³⁵

What the above information seeks to illustrate is that: 16,534 unaccounted for female migrants including 15,915 Ethiopian females arrived in Yemen in the period 2011 to 2013; secondly, there is a relatively high likelihood that some or many of these female migrants were abducted upon their arrival on the Red Sea coast of Yemen; and lastly, while some of the unaccounted for female migrants may be among the Yemen and migrant communities or in Saudi Arabia, the general invisibility of Ethiopian women in Yemen lends to the conclusion that others are hidden in Yemen. So where are they? The proposition put forward is that some of them were sold. This conclusion is not only supported by various journal articles, but also by media reports and more importantly, witness testimony of those encountered by UNHCR and partner patrolling teams.

Box 29

In the report *'Desperate Choices'*,²³⁶ some Ethiopians interviewed alluded to the sale of Ethiopian migrants. In one report, an Ethiopian man indicated: 'After we arrived in Yemen [shore] they caught me and Abdul Kawei's groups took me to a small room... they beat me like a snake. These people are very dangerous people. They catch our women and they rape them... One woman they make relations with four men and then they sold her to Yemenis... She had to work without salary.'²³⁷

In another testimony, an Ethiopian woman revealed that she had been enslaved and sexually assaulted until she was pregnant. She reported: 'They gave me to a Yemeni family and I was forced to work without any pay. When the woman of the house was angry with me she sent her security guard to my room and he raped me. He was sent to do this again and again until after a few months my menstruation stopped [and she became pregnant]. When I told them they said I had not got it from them and then they let me go.'²³⁸

234 RMMS, 2013c.

235 RMMS, 2014a, p. 18.

236 RMMS 2012a, p.46.

237 Ibid.

238 Ibid.

Other reports of the sale of women upon arrival include the testimony of 18-year-old Alima who shared: 'We arrived in Yemen, north of Bab al Mandeb, in a 120 person boat and were transferred by the Yemeni smugglers who control that part of the country. The gangsters raped most of the women and tortured and beat the men to extort money. They sell women who do not have money to other brokers who send them to work as maids in Yemeni households. A broker bought me and sent me to Rada'a where I worked for three months cleaning houses.' Alima was released when a Yemeni man proposed marriage and paid for her release.²³⁹

In May 2013, Fatima, a 20-year-old Ethiopian girl, recounted that an Ethiopian man had kidnapped her not far from the Red Sea coast of Yemen. After hiding from smugglers, she had decided to fend off her hunger by begging from Yemeni villagers: 'I was hungry and so I decided to come out from hiding and beg for food from Yemeni villagers. As I was walking, a Tigray man took me to his house in Mocha. He made me work in his house as a cleaner and he would physically abuse me every day. I also learned that he was trying to sell me to another Yemeni smuggler. Afterwards, he tried to convince me to go to Saudi Arabia but I told him I did not want to. I was finally released and made it to the UNHCR transit centre.'²⁴⁰

On 18 May 2013, the patrolling teams met a 20-year-old man not far from the mountainous region called Jabel-el Nar. This is the region where most kidnappers are known to hold migrants captive. He was quite sick with clear evidence that he had been subjected to severe ill treatment. Once he had received first aid, he revealed that he had been kidnapped upon arrival together with 60 other Ethiopians. He had recounted to the DRC: 'We were taken to a mountainous region. When we arrived there, we found 49 Ethiopian women who had been there for some time. The Yemeni smugglers were using six Ethiopians to torture us and these six Ethiopians would bring the 49 female hostages to the yard. While we watched, they would force them to drink their urine and physically abuse them. Some of the women were also raped. They were demanding that the women pay the ransom but many of the women were poor and their families could not pay. The male captives were released after a month. Some paid the ransom while others were tortured until they were sure they could not pay the ransom. The women were purchased by some of the locals to be used as housemaids. I witnessed a negotiation between the locals and the smugglers. They sold the women cheaply, for between 150 to 200 USD.'²⁴¹

239 IRIN News, 2013b.

240 DRC, 2013d.

241 DRC, 2013d. Narrative has been rephrased.

So, what is the answer to the question: where are almost 16,000 unaccounted for Ethiopian women? Without the means to trace their physical location, it is impossible to know for certain. While there is a possibility some are working in Yemeni or Saudi Arabia households, there are also strong and concerning indications suggesting an unquantified number have been sold off for possible forced labour or sexual exploitation.

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8. Gaps in the reception and protection of female migrants travelling to Yemen

While efforts must be made to protect all migrants, any responsive action should acknowledge that migration and its attendant risks have a different impact on female adults and children. Indeed there are international and national obligations to define responses to take due notice of the experience of female migrants. Such tailored responses would include the prevention, protection and provision of assistance to female migrants in recognition that they are more susceptible to trafficking and other forms of exploitation.

In line with the above, this chapter will identify existing gaps in the protection of females in mixed migratory flows from the Horn of Africa to Yemen. Although its identification of gaps is not exhaustive, it could provide a basis for opening up discussions which may ultimately encourage collaborative efforts for the comprehensive protection of the most vulnerable.

At least five gaps are identified:

1. A limited understanding of the concept of trafficking within the context of Yemen;
2. Limited national and international cooperation in responding to the protection risks faced by females from the Horn of Africa travelling to and through Yemen;
3. Lack of accessible and gender disaggregated data on the number of female migrants journeying to Yemen, their situation, intentions and the responses of the multiple humanitarian actors in Yemen;
4. Limited reception, assistance and protection of females from the Horn of Africa travelling to or through Yemen;
5. A lack of comprehensive response services for female victims of trafficking.

(A sixth and major gap related to these five but more relevant in addressing the government is of course the glaring absence of prosecution and sentencing of criminal gangs and others involved in abuse and abduction of male and female migrants)

8.1 Understanding the concept of trafficking within the context of Yemen

The Yemeni government has made some limited effort to combat human trafficking.²⁴² How sincere this is remains to be seen although the signs to date are not promising.²⁴³ The government's inter-ministerial National

understanding the concept of trafficking within the context of Yemen

A sixth and major gap related to these five but more relevant in addressing the government is of course the glaring absence of prosecution and sentencing of criminal gangs and others involved in abuse and abduction of male and female migrants.

242 US Department of State, 2014, p. 412.

243 See HRW 2014 report on Yemen.

Technical Committee to Combat Human Trafficking has drafted anti-trafficking legislation. This draft legislation was approved by the cabinet but currently (mid-2014) awaits parliamentary endorsement.²⁴⁴ The Yemeni Ministry of Interior's Women and Children's Unit has also drafted standard operating procedures relating to the proactive identification of victims of trafficking. There are as yet no indications of the implementation of these procedures or even the training of the relevant authorities.²⁴⁵ In any case, the Yemeni government has yet to be engaged in identifying or providing protection services to trafficking victims.²⁴⁶ In 2013, however, the Yemeni government collaborated with international organisations and NGOs in facilitating the voluntary repatriation of 7,970 Ethiopian nationals, some of who were victims of trafficking.²⁴⁷

The identification and the provision of assistance to victims of trafficking among the migrant population have largely been left to the UN, international, and national organisations. In the identification of victims or suspected victims of trafficking by humanitarian actors, the terms 'smuggling' and 'trafficking' are often used interchangeably. Even where the distinction between the definition of smuggling and trafficking are clear, the peculiar situation in Yemen, where migrants are kidnapped for ransom on arrival, seems to have blurred the legal application of the two terms. While migrants often willingly approach smugglers with a desire to migrate irregularly to Yemen, once they arrive in Yemen the relationship between the smuggler and the migrant often changes from being consensual to exploitative.²⁴⁸ Migrants are often abducted as soon as they arrive on the Yemeni shore and are subjected to inhumane and degrading treatment with the frequent rape of females. The mistreatment suffered by migrants (often with the complicity of smuggling crews) may be temporary in nature in that they are released once they pay demanded ransoms. In defining trafficking, the TIP Protocol notes that, 'exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.' In identifying victims of trafficking, there is a lack of coherence in determining whether a female migrant abducted for ransom on arrival on the coast of Yemen following rape is actually a victim of trafficking, as defined by the TIP Protocol.

8.2 Limited national and international cooperation in responding to the protection risks faced by females from the Horn of Africa travelling to Yemen

In November 2013, IOM, UNHCR and the Yemeni Ministry of Foreign Affairs jointly facilitated a three-day conference on asylum and migration from the

244 US Department of State, 2014, p. 412.

245 Ibid.

246 Ibid.

247 Ibid

248 RMMS, 2013a.

Horn of Africa to Yemen. With participation drawn from representatives of a range of States including Ethiopia, Yemen, Djibouti Saudi Arabia as well as the Cooperation Council for the Arab States of the Gulf (GCC),²⁴⁹ the meeting provided a platform to discuss the impact of mixed migration flows from the Horn of Africa to Yemen. The outcome of the meeting was the Sana'a Declaration, a document that covers a wide ambit of migration related concerns for African migrants journeying to Yemen and the Middle East. It takes particular note of the alarming evidence that many migrants were at risk of 'becoming victims of, trafficking and other human rights abuses and face risks while on the move.'²⁵⁰ The Sana'a Declaration makes nine recommendations to ameliorate the condition of migrants, to respond to the root causes of migration whilst promoting cooperation between governments in law enforcement in responding to smuggling and trafficking. The recommendations also highlighted the necessity for governments (of source, transit and destination countries) to sign and implement international instruments²⁵¹ on migration, smuggling and trafficking.

Most of the recommendations in the Sana'a Declaration have yet to be implemented / operationalized so their level of future impact is still unknown. RMMS, for example, observed that despite raids in Yemen, which liberated over 2,000 African migrants held in criminal detention facilities in the north of the country, 'none of the Yemeni perpetrators had been prosecuted.'²⁵² In a recent report, Human Rights Watch also pointed to the collusion of criminals who kidnap migrants and Yemen authorities. Officials reportedly warned criminals of any impending raids on 'torture camps' where migrants were held, released them after arrests and in some instances, assisted them kidnap the migrants.²⁵³ Conversely, humanitarian actors continued to receive information of the kidnapping and ill treatment of African migrants once they arrive on the Yemeni coast.

Beyond the reported collusion between smugglers, traffickers and authorities, the Human Rights Watch report states that the Yemen government has failed to meet its duty of due diligence in failing to prevent or respond to the violations of the rights of female migrants perpetrated by private actors operating along the Red Sea coast of Yemen. The requirement of due diligence is referred to in the OHCHR Recommended Principles which state, inter alia, that: 'States have a responsibility under international law to act with due diligence to prevent trafficking, to investigate and prosecute

249 RMMS, 2013d.

250 Sana'a Declaration, 2013.

251 The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol; the 2000 United Nations Convention against Transnational Organized Crime; the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the 2000 Protocol against Smuggling by Land, Sea and Air; The maritime conventions relating to rescue at sea, including the 1948 International Maritime Organization Convention (IMO Convention) and its amendments; the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) and the 1988 amendments; as well as the 1979 International Convention on Maritime Search and Rescue (SAR Convention); The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

252 RMMS, 2013d.

253 Human Rights Watch, 2014b, p. 6.

Navi Pillay, the former UN High Commissioner for Human Rights noted the following: 'Although states have legitimate interests in securing their borders and exercising immigration controls, such concerns do not trump the obligations of the states to respect the internationally guaranteed rights of all persons, to protect those rights against abuses, and to fulfil the rights necessary for them to enjoy a life of dignity and security.'

A general recommendation by the Committee on the Elimination of all Forms of Discrimination against Women notes that 'states may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence.'

traffickers and to assist and protect trafficked persons.'²⁵⁴ During the Fourth Global Forum for Migration and Development, Navi Pillay, the former UN High Commissioner for Human Rights noted the following: 'Although states have legitimate interests in securing their borders and exercising immigration controls, such concerns do not trump the obligations of the states to respect the internationally guaranteed rights of all persons, to protect those rights against abuses, and to fulfil the rights necessary for them to enjoy a life of dignity and security.'²⁵⁵

Further, while Yemen may not have signed or ratified the TIP protocol, Article 6 of its Constitution protects migrants from kidnappers. In this article, Yemen confirms its 'adherence to the UN Charter, the International Declaration of Human Rights, the Charter of the Arab League, and principles of international law which are generally recognized.' One such principle is the customary international rule prohibiting torture. Understanding that many victims of trafficking are also subjected to severe forms of physical and mental abuse, the UN Committee against Torture acknowledged that there is a link between trafficking and torture. In referring to the abuse meted out on trafficked victims, the Committee observed that this 'may amount to torture or at least cruel, inhuman and degrading treatment or punishment.'²⁵⁶

The failure of Yemen to take action and protect migrants from kidnappers is arguably not only contrary to its Constitution but also makes Yemen responsible under international law. A general recommendation by the Committee on the Elimination of all Forms of Discrimination against Women notes that 'states may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence.'²⁵⁷

The International Labour Organization (ILO) co-hosted a three-day workshop from 6-8 September 2014, with Yemen's Ministry of Human Rights in Lebanon's capital Beirut, bringing together government entities, international agencies, and non-governmental groups to develop Yemen's anti-trafficking roadmap. Although it still requires further review, the draft law draws on international protocols and ILO conventions. The draft law addresses multiple kinds of trafficking, including for purposes of sexual and labour exploitation, with prisons sentences of 5-15 years and heavy fines for those found guilty. It remains to be seen if the new initiatives will roll back what has become a tide of human right abuses against mixed migration flows in Yemen.

8.3 Limited information sharing, data collection and analysis

No single agency or humanitarian organization has the capacity to combat or respond to the many risks female migrants face while journeying to or

254 OHCHR, 2010, p. 78-81.

255 Human Rights Watch, 2010.

256 UN General Assembly, 2008.

257 UN Women, 1992.

through Yemen. While the Yemen Mixed Migration Task Force and the attendant working groups have created a platform where organizations and authorities responding to the situation of African migrants can share information and data, the information shared is often quite limited and sometimes difficult to compile. Particular note is also made of the fact that in 2007, IOM proposed the creation of a migrants' database that would provide records of all migrants and asylum seekers arriving in Yemen by sea. Other than migrants' personal information, which would be confidential, the database would be open source and shared with UN agencies as well as national and international organizations responding to the situation of migrants in Yemen.²⁵⁸ This, however, never came to fruition.

The lack of an 'open source' database or even an entity vested with the resources, responsibility and authority to provide general leadership in the collection and analysis of data related to migration in general, and the specific protection risks of females, is a concern. The efforts of the INTERSOS counter trafficking unit in collecting and analysing data on trafficking in Yemen is admittedly limited unless all organizations working on the subject can rally behind such efforts in collating data and thereafter informing anti-trafficking responses.

8.4 Limited reception and assistance to Ethiopian and other female migrants in Yemen

Substantial efforts have been made by UNHCR, IOM, international and national organisations such as DRC, YRC and the Society of Humanitarian Solidarity in patrolling the coastal roads and providing assistance to migrants within mixed migration flows. The establishment of the UNHCR reception centres, in particular, have afforded the space to receive, accommodate, and provide information and assistance to migrants often as soon as they disembark from smuggling vessels. While acknowledging the legal mandate and resource limitations of agencies, the temporary provision of protection and assistance to female migrants at the reception centres is of particular concern. Although female migrants may register as persons seeking asylum, in actual fact many have the intention of moving on to other countries such as Saudi Arabia or seeking economic opportunities in Yemen. The failure to provide transportation to female migrants once they are registered, however, leads to opening the possibility of their kidnapping and trafficking once they have left the centres. At the least, in noting that female minors are particularly vulnerable, efforts should be made to facilitate the travel of minors seeking asylum to Aden or Sana'a, where UNHCR carries out Refugee Status Determination.²⁵⁹ In addition to this, shelter should also be provided as well as guidance and counselling on the risks they are likely to face if they continue to migrate irregularly.

²⁵⁸ IRIN News, 2007.

²⁵⁹ Those with protection concerns have been afforded the possibility of having their claims heard in Kharaz refugee camp.

8.5 Lack of holistic and comprehensive response to female victims of trafficking

During a UNHCR led Ministerial Intergovernmental Event on Refugees and Stateless Persons meeting in Geneva in December 2011, Yemen committed itself to:

*'Establishing a national protection framework to strengthen the protection of refugees and ensuring unhindered access to asylum for people in need of international protection; strengthening the protection environment for refugees in Yemen; ensuring the full capacity of the Bureau of Refugee Affairs in the aim to facilitate access of refugees to basic rights; ensuring equal treatment between Somali and non-Somalis with regard to access to registration and other services; developing a regional strategic plan to combat human trafficking/smuggling; and taking steps to tackle statelessness issues including considering accession to both Statelessness Conventions.'*²⁶⁰

While Yemen has been quite hospitable to migrants it has yet to formulate national laws that would ensure the protection of refugees and asylum seekers within its borders. Presently, the legal status of refugees is governed by a number decrees and provisions, including the Republican Decree number 47 of 1991 on the entry and residence of foreigners. A Yemen Resolution on Immigration (6 June 1984) also set up the Department of Refugees Affairs and charged it with receiving refugees, providing shelter and protection as well as supervising their affairs.²⁶¹ The Department, however, is yet to be operational and solely relies on UNHCR in discharging its duties.

Currently, IOM, INTERSOS and UNHCR individually and multilaterally provide protection and assistance to identified victims of trafficking in Yemen. Such assistance includes: affording them the right to seek asylum, provision of counselling, temporary shelter, as well as health assistance where this is deemed necessary, particularly where victims have been subjected to sexual and gender based violence. It is posited, however, that these efforts would yield more protection, assistance and redress for the victims if they were carried out using a coordinated and integrated human rights based approach that takes into account the rights of the victims to an adequate and effective remedy.²⁶² The proposal for an integrated approach recommends that in the absence of any legislative process to ensure the protection of migrants, humanitarian actors should establish standard operating procedures, which could, among other things, reflect some of the following measures:²⁶³

260 UNHCR, 2013b. Also see UNHCR, 2012.

261 Hughes, 2003.

262 UNODC, 2009.

263 UNDOC, OHCHR, UNHCR, UN Women, UNICEF, and ILO, 2011.

1. That victims of trafficking are identified and protected from further harm including possible criminalisation for illegally entering and/or working in Yemen.
2. That victims of trafficking have access to: '(emergency) shelter/adequate housing; counselling and information; medical, psychological and material assistance; legal advice; employment, and educational and training opportunities in accordance with the age, gender and special needs of victims, in particular the special needs of children.'²⁶⁴
3. That due regard is made to guarantee the confidentiality of information collected from victims of trafficking, with the sharing of data and information only on the basis of the informed consent of the victim.
4. That there is coherence in identifying responses in light of the mandate of different actors, with clear referral mechanisms in place to respond to all victims irrespective of their legal status in Yemen.

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264 UNDOC, OHCHR, UNHCR, UN Women, UNICEF, and ILO, 2011.

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Reviewing and analysing existing information, *Abused & Abducted: the plight of female migrants from the Horn of Africa in Yemen* provides insight into why females from the Horn of Africa migrate, who they are and their experience during the journey and on arrival in Yemen. In particular, this study offers the first published alert of the alarming possibility that hundreds, and possibly thousands, of females appear to 'disappear' or at least are unaccounted for, after their arrival in Yemen. The study expounds on the specific risks that they face and the existing protection gaps. In summary, the study aims to provide visibility to individuals in mixed migration flows who have, until now, been an invisible but particularly vulnerable group.



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