

Document #1416430

IRB – Immigration and Refugee Board of Canada

Yemen: Treatment of returning Yemenis born or living abroad in Saudi Arabia, particularly by the Houthis (2014-April 2017) [YEM105787.E]

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1. Overview

Sources report that Houthi [Huthi] forces took over Sana'a, the capital of Yemen, in 2014, leading to the displacement of the government as well as an escalation of fighting between supporters of the Houthis and supporters of President Hadi (Freedom House 2016; UN Apr. 2015, 1). According to Freedom House, President Hadi fled to Saudi Arabia, and the Houthis have gained control over large parts of the country (Freedom House 2016). Sources state that the Houthis are, in part, supported by forces loyal to former Yemeni president Ali Abdullah Saleh (Freedom House 2016; AI 22 Feb. 2017, 400). According to sources, a coalition of countries under the leadership of Saudi Arabia have joined the fight against the Houthis and their allies (AI 22 Feb. 2017, 400; Freedom House 2016).

According to Human Rights Watch, "[o]n July 28, 2016, the Houthis and former president Ali Abdullah Saleh's General People's Congress [political party] announced the formation of a governing council to run the country" (Human Rights Watch 17 Nov. 2016). Amnesty International (AI) states that the Houthis and their allies control Sana'a "and other areas," while President Hadi's forces control southern parts of the country, "including the governorates of Lahj and Aden" (AI 22 Feb. 2017, 400). In correspondence with the Research Directorate, an associate professor of political science at Hobart and William Smith Colleges, who specializes in comparative politics of the Middle East and has done fieldwork in Yemen, stated that the Houthis and their allies are "strongest in Northern regions closer to [Saudi Arabia], but reversals have occurred and may occur again" (Associate Professor 28 Mar. 2017).

2. Return of Yemenis from Saudi Arabia

In correspondence with the Research Directorate, a professor of Islamic studies at the University of Michigan who researches Islamic movements that present in countries such as Yemen and who teaches about Sufism and Islamic intellectual history, stated that, given the current security situation in Yemen, information about conditions in that country is not reliable (Professor of Islamic studies 24 Mar. 2017).

In correspondence with the Research Directorate, a professor of geography at Towson University who researches Yemen and acts as a consultant for US government institutions and security agencies on issues regarding the political and cultural situation in the country, stated that

Yemenis regularly return from Saudi Arabia. ... Without a doubt the war has reduced the number of people returning from Saudi Arabia, but people are still going to need to come home to tend to affairs in Yemen. (Professor of geography 23 Mar. 2017)

Similarly, in correspondence with the Research Directorate, a research associate at the London Middle East Institute at the University of London, who specializes in social and political landscapes as well as in rural development in Yemen since the 1970s, stated that

people are going back and forth between [Saudi Arabia] and Yemen and have continued to do so throughout the war. In general most of those who are "welcome" in [Saudi Arabia] are southerners, but others from other parts [of Yemen] who have legal status can travel back and forth. The main impediments are those related to the fighting, transport, cost of transport and obviously the risk of aerial strikes. (Research Associate 31 Mar. 2017)

3. Treatment of Returnees

According to Amnesty International,

Huthi and allied forces severely curtailed the rights to freedom of expression, association and peaceful assembly in areas they controlled, arbitrarily arresting critics and opponents, including journalists and human rights defenders, forcing NGOs to close. They subjected some detainees to enforced disappearance and to torture and other ill-treatment. (AI 22 Feb. 2017, 400)

Human Rights Watch similarly states that "Houthi and allied forces have committed enforced disappearances, tortured detainees, and arbitrarily detained numerous activists, journalists, tribal leaders, and political opponents" and have "closed several dozen NGOs and barred human rights advocates from traveling" (Human Rights Watch 12 Jan. 2017, 680). Likewise, the Associate Professor stated that "[m]any opponents (and perceived opponents) of the Houthis, including several with known ties to [Saudi

Arabia], have been disappeared by Houthi militias, and I have confirmation via diplomatic sources of the deaths of at least some of the disappeared" (Associate Professor 28 Mar. 2017).

The *US Country Reports on Human Rights Practices for 2016* states that "Saleh al-Sammad, president of the [Houthi's] Supreme Political Council, issued a decree on September 21 providing amnesty to those who had helped the Saudi-led coalition" (US 3 Mar. 2017, 7). Human Rights Watch likewise reports that

[o]n September 20, the council adopted Decision 15 of 2016, which declared a general amnesty for anyone, civilian or military, who had assisted the Saudi-led coalition and had returned home within two months, given up arms, and signed a pledge disavowing any further support to the coalition. The amnesty excludes those accused of "terrorism" or war crimes, and people who escaped detention or continued to fight with the coalition. (Human Rights Watch 17 Nov. 2016)

Country Reports 2016 adds that "[t]here was little information, however, on whether the Houthi-Saleh rebels effectively implemented this decree" (US 3 Mar. 2017, 7). Human Rights Watch also reports that,

[o]n November 12 [2016], a local nongovernmental organization told Human Rights Watch that no steps had been taken to implement the decision and that the authorities were continuing to arrest and detain people without charge. (Human Rights Watch 17 Nov. 2016)

Regarding the treatment of Yemenis returning from Saudi Arabia, the Research Associate provided the opinion that she is "sure that there must be cases of mistreatment of people who may be suspected of being against [the Houthis], but that is no truer for those coming from [Saudi Arabia] than for the resident population" (Research Associate 31 Mar. 2017). The Professor of geography similarly stated that,

[t]he Houthis will not treat returnees from Saudi Arabia different from others living in areas under their control. There is nothing particular that characterizes Yemeni workers in Saudi Arabia from Yemenis living in Yemen. Yemenis in Saudi Arabia do not have particular political perspectives or social characteristics, other than being younger and hard working. Returnees from Saudi Arabia are subject to the same harassment that those living in Yemen are subject to. (Professor of geography 23 Mar. 2017)

The same source added that

[t]he Houthi are the government in the areas they control, so no, there is no recourse to mistreatment by Houthi authorities. Tribal areas will have recourse to the tribe, but in urban areas it will be more difficult to challenge Houthi authority. (Professor of geography 23 Mar. 2017)

The Associate Professor likewise stated that "[i]n areas under [the control of the Houthis and their allies], policing and judicial functions do occur, but these include trials in absentia and significant violations of due process" (Associate Professor 28 Mar. 2017). The source provided the opinion that he has "no reason to believe that someone facing persecution or mistreatment at the hand of Houthi forces or their allies could seek any formal redress via the police or the courts" (Associate Professor 28 Mar. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

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Internet sites, including: Al Arabiya; Al Jazeera; Arab News; BBC; The Cipher Brief; ecoi.net; Factiva; *The Guardian*; Gulf News; International Crisis Group; International Organization for Migration; IRIN; UN – Refworld; *The Washington Post*; *Yemen Times*.

ecoi.net summary:

Query response on treatment of returnees born or living in Saudi Arabia, particularly by Houthis (2014 - April 2017)



Country:

Yemen

Source:

[IRB – Immigration and Refugee Board of Canada](#) ([/en/source/11213.html](#))

Original link:

<http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=457008&pls=1> (<http://www.irb.gc.ca/Eng/ResRec/RirRdi/Pages/index.aspx?doc=457008&pls=1>)

Document type:

Response

Language:

English

Published:

13 April 2017

Document ID:

1416430 (former ID [348245](#) ([/en/document/348245](#)))

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

