

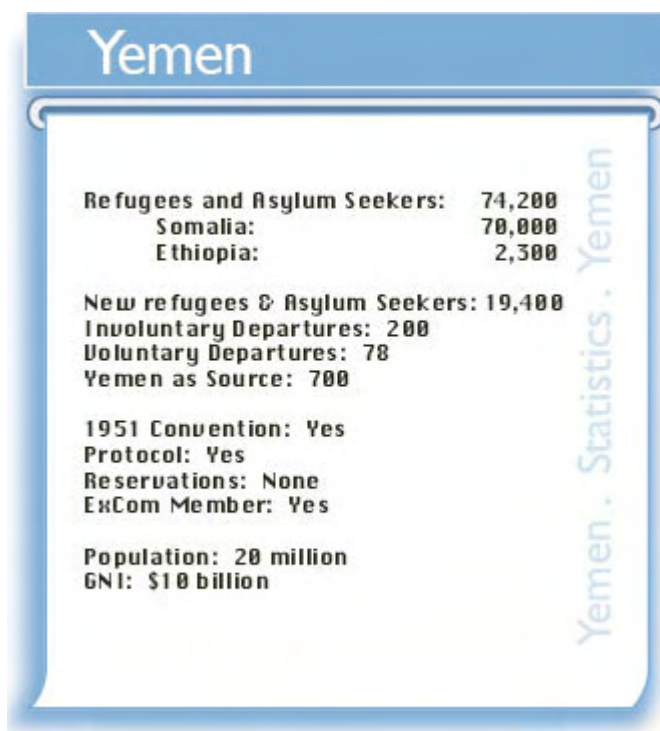


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U.S. Committee for Refugees and Immigrants World Refugee Survey 2005 - Yemen

June 2005



Refoulement/Asylum Yemeni newspapers reported the arbitrary arrest and deportation of an unknown number of undocumented asylum seekers throughout the year, including 120 deported to Somalia and Ethiopia following a sweep in August.

Although Yemen ratified the Convention Relating to the Status of Refugees in 1980, it had no domestic asylum or refugee law. The Government signed a Memorandum of Understanding with the Office of the UN High Commissioner for Refugees (UNHCR) in 1992, establishing the agency's presence in the country and creating the inter-ministerial National Committee for Refugee Affairs in 2000. National asylum legislation, however, remained under parliamentary deliberation.

Yemen granted Somali refugees *prima facie* status upon registration, and extended the same status to a select group of Ethiopians – including ethnic Oromo and former naval personnel who defected in 1991. Others could apply to UNHCR for refugee status determinations. In October, UNHCR announced plans for a two-year joint UNHCR/Yemen program to repatriate 50,000 Somalis illegally residing in the country.

Yemen's poor economy led many asylum seekers and migrants – including those with bona fide refugee claims and *prima facie* eligibility – to transit the country to Saudi Arabia and the Gulf countries. In many cases, male heads of households left their wives and children in Yemen, where the cost of living was lower and their families could obtain UNHCR assistance, while they themselves pursued work abroad.

Foreigners had to register their presence with police or immigration authorities within one month of arrival. UNHCR-funded community centers offered legal counseling to recognized refugees. The Government also reserved the right to deport HIV-positive persons.

Detention According to Yemeni newspapers, the Government arbitrarily arrested and detained presumed refugees and/or asylum seekers throughout the year, mostly for illegal entry. In June, authorities arrested 85 Ethiopians illegally entering the country. After a month's detention for illegal entry, Yemen released 32 Somalis when UNHCR issued identity cards to the refugees. In late September, the newly formed Yemeni Coast Guard arrested about 200 Somalis upon arrival, detaining them in camps pending status determination. In December, authorities arrested another 500 illegal entrants – most of them Somali, and including more than 140 women and children. Authorities arrested other refugees without charge and held them in prisons with common criminals.

UNHCR secured the release of recognized refugees who were in administrative detention for illegal entry. Yemen also permitted human rights monitors controlled access to detention facilities and detainees.

According to UNHCR, the identity cards it issued refugees and asylum seekers upon registration "permit freedom of movement and facilitate access to employment and education." However, many refugees reported long waiting periods to obtain the cards.

Right to Earn a Livelihood Foreigners could not legally operate businesses except in partnership with a Yemeni national. The Government reportedly required a job contract or written offer as a precondition for issuing a work permit. In order to receive a permit from the Ministry of Labor, refugees had to present a letter from UNHCR and an official refugee identity card. However, UNHCR sometimes required a letter confirming the job offer before issuing the letter of support, and handled requests on a case-by-case basis. In addition, some officials arbitrarily demanded that refugees present their passports, which few possessed, in order to obtain work permits.

The Ministry of Social Affairs and Labor enacted a measure to grant refugees the same rights to work as other foreigners, making refugee identity cards sufficient identification for employment purposes. Employers had been requiring passports as they did not recognize the refugee cards. Refugees typically worked in the informal sector, but also in UN offices and foreign embassies.

Freedom of Movement and Residence About 11,000 refugees, many women and children, lived in the al-Kharaz camp near Aden. Most refugees self-settled in urban centers near Sana'a, Aden, or Taiz.

Yemen limited freedom of movement of women, foreigners, and tourists – requiring foreigners and tourists to obtain government permission before traveling. Foreigners – including refugees – had to show proof of resident status or refugee identity cards to pass through official checkpoints. Armed tribesmen occasionally installed independent roadblocks or joined security officials at official checkpoints, but did not single out refugees. Yemeni law also required homeowners to inform the authorities within 48 hours of any foreigner staying in their homes.

The Government issued refugees one-time exit visas – and in exceptional cases, single-use travel documents – upon permanent departure from the country.

Public Relief and Education Authorities allocated plots of farmland, tools, and seeds to campbased refugees. UNHCR subsidized the enrollment of self-settled urban refugee children in local primary schools. Al-Kharaz camp offered primary education to refugee children in Arabic and Somali.

UNHCR-issued refugee cards entitled refugees to healthcare, education, and food rations. UNHCR and the World Food Programme also provided food, water, and electricity to nearby Yemeni villages. Refugee health clinics run by UNHCR or nongovernmental organizations (NGOs) offered treatment and made referrals to local hospitals. Public hospitals did not provide obstetric or gynecological care to unaccompanied women, forcing many refugee

female heads-of-household to rely solely on the NGO clinics.

Yemen allowed humanitarian agencies to assist refugees with little interference and gave Amnesty International, the Committee to Protect Journalists, Human Rights Watch, and the Parliament of the European Union access to refugee camps and prisons.

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