

## FOURTEEN

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# FROM MIGRATION HUB TO ASYLUM CRISIS: THE CHANGING DYNAMICS OF CONTEMPORARY MIGRATION IN YEMEN

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HISTORICALLY, YEMEN HAS BEEN a country of emigration, immigration and transit. The fate of Yemeni society has been tied to emigration, as well as to the presence and activities of a Yemeni diaspora scattered throughout the world, in the Gulf countries mainly since the 1950s, in Asia and Africa, and also in the United States and Europe. Yemen's migration history seems to have reached a stalemate in the past two decades as, gradually since the 1990s, the borders of oil-producing countries have become largely closed to Yemenis.

Since the early 1990s the country has also had to deal with a substantial influx of refugees from the Horn of Africa, who have continued to seek asylum in a country plagued by its own political crisis. In addition, from 2000 onwards, there has been significant internal displacement as the country unravels – as a result of the Sa'ada war in the north since 2004, and the southern insurrection since 2007. Most recently, the national uprising of 2011 has also had side effects involving additional displacement. Forced and economic migration are connected in Yemen, as the country plays a strategic role in the management of migratory and trafficking flows between the Horn of Africa and the Arabian peninsula.

In the first part of this chapter, I examine the historical structure of mobility to and from Yemen, and assess the importance of migration

as a core element of the country's domestic and international profile. In the second part, I examine refugee movements from the endemic humanitarian crisis in the Horn of Africa; for these refugees, Yemen represents a staging-post and, paradoxically, a 'safe haven'. Finally, I consider the local and regional impact of a new trend of mobility – internal displacement – as a consequence of the various conflicts that have been taking place in the country relating to the 2011 uprisings.

### **YEMEN AS A MIGRATION HUB: MIGRANTS, OIL AND REGIONAL POLITICS**

Long-term immigration and emigration patterns highlight the extent to which Yemen has been embedded in international commercial and cultural exchange networks as far back as the medieval period. Historically a commercial crossroads, Yemen sits at a junction between three continents – Europe, Asia and Africa – and two maritime expanses – the Indian Ocean and the Red (and then Mediterranean) Sea. It is a zone of exchange and mobility, channelling economic, financial and human flows. Emigration from Yemen therefore has a long history, and has traditionally followed a number of different routes. The main overland route consists of the caravan trails to the Gulf and the Near East. By sea there have been many destinations: the maritime routes of the Red Sea to Egypt and onward to the Berber parts of the Maghreb, to Africa (East Africa and the Horn), to the Indian subcontinent and Southeast Asia, to Europe and North America, and, from the middle of the twentieth century, to the oil-exporting countries of the Arabian peninsula.

Yemeni migration to Asia has been studied extensively.<sup>1</sup> It has mainly been in the direction of Muslim societies such as Malaysia, the western part of India, and Indonesia, where – real or imagined – descendants of the Prophet Muhammad from the region of Hadramaut form trading and religious elites to this day.<sup>2</sup> In Yemen itself, the Banyan merchants from India, who first settled in the sixteenth century, have also long played a central role in retail and commerce throughout the country. The city of Aden in particular was a major port of entry for exchanges with the Horn of Africa.<sup>3</sup> In the seventeenth century, Yemen started to lose its status as an essential port of

<sup>1</sup> (Vallet 2011; Ho 2006)

<sup>2</sup> (Narayan Chaudhuri 1990; Freitag and Clarence-Smith 1997)

<sup>3</sup> (Pankhurst 1974)

call on the trading sea route between East and West, and commercial activity began to subside. However, in some parts of the country social structures, cultural practices and economic development have been profoundly influenced by these various migratory movements. Before British colonization in 1839, Yemenis from Hadramaut and Yafi'i led the armies of the Nizam of Hyderabad in India, accumulating small fortunes that benefited their regions of origin. Hadramaut remained outside the economic orbit of the British, based in Aden, thanks to the wealth of its emigrants and the important role they played as economic, religious and political middlemen; they remained strongly linked to Asia after the country's formal independence.<sup>4</sup> Between 1914 and 1945, around 30 per cent of Hadramaut's population lived in India, Singapore, Indonesia or East Africa, and the island of Java was home to 70,000 Yemeni residents.

The impact and consequences of emigration could – and still can – be seen in the Asian-influenced architecture of Tarim. Likewise, emigrants have bought into the property market in Sana'a.<sup>5</sup> Social credit earned by emigrants who have 'made good' abroad has sometimes disturbed traditional hierarchies based on tribal ties.<sup>6</sup> New forms of social stratification created by emigration and urbanization are now superimposed on territorial and tribal hierarchies. In some contexts, emigration could also contribute to improving the status or living conditions of women (through additional responsibility but also a heavier workload in rural areas, due to the absence of men) and of young people (who were partially emancipated through migration from patriarchal authority), as well as men who were outcasts in the tribal system.<sup>7</sup> In general, however, emigration, being an almost exclusively male phenomenon, has tended to have a rather negative effect on gender balances: the wives of expatriate workers do indeed benefit from the increase in household income, but only marginally, as they often remain under the tutelage of a male relative.<sup>8</sup> With emigration, new transnational networks are gradually extending into local social structures, including the tribal system.

Although far less studied, migration between Yemen and the Horn of Africa has also contributed significantly to defining relations

<sup>4</sup> (Carapico 1998, 26-27).

<sup>5</sup> (Wirth 1984)

<sup>6</sup> (Manger 2010).

<sup>7</sup> (Tienda and Booth 1991)

<sup>8</sup> (Myntti 1984)

between the Arabian peninsula and the African continent, both through the slave trade and through more conventional forms of commercial exchange. Traces of the strong political, economic, cultural and migratory bonds uniting the two shores of the Red Sea can be found embodied in mythical figures belonging both to Arab tradition (the popular Queen Bilqis) and Biblical lore (the Queen of Sheba). More prosaic realities also bear witness to the importance and longevity of ties between the Horn of Africa and Yemen, such as the occupation of Yemen by Abyssinians between 526 and 575, and the reign between 1060 and 1158 of the Banu Najah (descendants of Abyssinian slaves recruited to serve and protect the Ziyadid dynasty).<sup>9</sup> Political relations were further reinforced by the close economic, cultural and social links resulting from Yemeni emigration to Abyssinian lands. Settling in the cities but also on the coastal plains of Abyssinia, Yemenis integrated easily into a multi-ethnic and multi-confessional society, where they worked mainly as tradesmen, entrepreneurs and ship-owners. Until 1974 and their expropriation by the regime of Haile Mariam Mengistu in Ethiopia, Yemeni merchants held the keys to commerce in the Horn of Africa. These transnational ties survive to this day in the official commercial networks, in joint African–Yemeni fishing companies, and in organized smuggling between the two shores. It is also visible in Yemen through the presence of a population of mixed heritage (the *muwalladeen*) – offspring of marriages between Yemeni emigrants and Ethiopian, Eritrean, Djiboutian and, more rarely, Somali women.<sup>10</sup> Cross-migration experiences ended up forging a specific identity for Yemeni expatriates. The ethnography of mobility and multicultural families is particularly visible in the border regions of Yemen, such as the Tihama, a coastal area along the Red Sea touching the Saudi border to the north, where generations of expatriates live together in a rural society that is simultaneously mixed and intensely segregated.

#### *Contemporary migrations: oil and politics*

The second half of the twentieth century saw the advent of a type of short-range mass mobility that could be referred to as ‘oil emigration’, when Yemen was one of the labour reservoirs for its oil-producing neighbours, particularly Saudi Arabia. These migrations have been extensively studied in analyses that have largely emphasized the

<sup>9</sup> (Ducatez 2004, 170)

<sup>10</sup> See Chapter ??

economic and demographic determinants of importing labour.<sup>11</sup> The prevailing rate of poverty and relatively high population density in Yemen contrasted with the relative 'emptiness' of the rest of the peninsula,<sup>12</sup> and a dearth of oil resources has meant that Yemen has remained an economic exception in the region. Left out of the oil-centred 'rich man's club' that is the GCC, Yemen benefited indirectly from the oil boom through its integration into the regional labour market between the 1960s and 1980s.<sup>13</sup> Studies of Yemeni migration to Saudi Arabia and the Gulf underlined the strong complementarities between the two countries, and between the regional sub-areas.<sup>14</sup> In 1975, of the 1.23 million Northern Yemenis who had emigrated, 80 per cent were in Saudi Arabia. In 1986, they numbered 1.17 million and in 1990 1.1 million. As for South Yemen, the 1988 census counted 233,900 labourers abroad, 76 per cent of whom were in Saudi Arabia. In 1991, around 10 per cent of the population of a unified Yemen lived outside the country, representing a full 54.5 per cent of its active population.<sup>15</sup>

A much smaller immigration trend combined with the massive oil emigration:<sup>16</sup> for the most part, immigrants came to 'replace' the local qualified and semi-qualified workers who had resettled in the Gulf countries, partly to serve Yemen's skilled-labour needs. Aden's population rose from 51,500 inhabitants in 1930 to 250,000 in 1967, including North Yemenis, South Asians, Somalis and Europeans. In the 1980s, in the heyday of programmes of Arab cooperation and economic development, nearly 80,000 Egyptians and Sudanese were recruited as teachers in North Yemen. Charitable or educational organizations funded by Gulf or Saudi money recruited these individuals to work in primary and secondary schools, as well as in the universities of Sana'a and Aden. In 2011, Yemen officially hosted 500,000 foreign residents, mainly hailing from the Sudan, Somalia, Egypt, Iraq, the Palestinian Territories and Syria.

In the 1980s Yemeni emigration slowed down, both in absolute and relative terms, because of the rising influx of Asian immigrants into the Gulf, which was a result of the more restrictive policies applied by

<sup>11</sup> (Beaugé 0988; Bocco et Djalili 1994; Appleyard 1999) (Halliday 1977, Ling 1984; Birks, Seccombe and Sinclair, 1988; McMurray 1999).

<sup>12</sup> (Rouaud 1984)

<sup>13</sup> (Salame 1999)

<sup>14</sup> (Bonnenfant 1977)

<sup>15</sup> (Al-Maytami 1993)

<sup>16</sup> (Gavin 1975)

the oil-producing countries towards Yemenis. This change in policy was partly caused by fear of the possible influence a massive and well-integrated Arab migrant population might have on the populations and societies of the host countries. Until late 1991, Yemenis were the largest national group among foreign immigrants in Saudi Arabia, making up 27 per cent of residents.<sup>17</sup> A small, gradual fall in numbers during the 1980s was amplified by the ‘migratory shock’ of 1990–91. The Yemeni government having indirectly sided with Saddam Hussein during the invasion of Kuwait by refusing to vote in favour of Operation Desert Storm, King Fahd and the other Gulf monarchs retaliated by taking measures against their Yemeni populations, which led to the flight or expulsion of close to one million Yemenis from the GCC states.

This episode revealed how deeply dependent the country was on emigration, as massive repatriation provoked an unprecedented economic and social crisis. The Central Bureau of Statistics in Sana‘a counted 761,979 returning migrants for the year 1991. This homecoming process continued throughout the next three years, swelled further by Yemenis fleeing Somalia after the fall of Siad Barre in 1991. A study by the Ministry for Expatriates makes clear that the migratory shock had catastrophic economic and social consequences for a newly unified Yemen.<sup>18</sup> The unemployment level rose to 770,000,<sup>19</sup> and the loss in remittances further reduced the resources of households dependent on transfers from migrant workers. From this point on, re-establishing migratory links with Saudi Arabia and other Gulf states became a foreign policy priority, alongside support for Yemeni labour abroad. Many of the labourers who had left Saudi Arabia and the Gulf in 1991–92 returned there in the second half of the 1990s, but

<sup>17</sup> “Arab versus Asian migrant workers in the GCC countries”, UN Expert Group Meeting on International Migration and Development in the Arab Region, Population Division Department of Economic and Social Affairs, United Nations Secretariat, Beirut, 15–17 May 2006.

<sup>18</sup> *Al-muhtaribûn: Ar-râfid al-asâsi lit-tanmiyya al-mustadâma* [Emigrants : an essential contribution to sustainable development] Sana‘a : Al-Majlis al-Istishâri, Wizârat Shu‘ûn al-Muhtaribîn [Ministry for Expatriates], 1999. The homecoming of Yemeni migrants to the Gulf countries are echoing other return migration from East Africa and the Horn in the 1970s. The mixed households who fled Addis, Asmara, Djibouti and Nairobi etc. in the 1970s actually emigrated again to the petrol-exporting countries in the 1980s, as they found it particularly hard to readapt to Yemeni society upon return (Van hear 1998).

<sup>19</sup> (al-Maytami 1993)

the aggregate falloff in Yemeni emigration and the deterioration of its economic situation had by then acquired a structural character.

**Table 1: Yemeni Repatriation and Re-emigration 1990–1999**

Country of Origin	Homecoming migrants	New emigrants (estimates)		
	1990–1991	1997	1998	1999
Saudi Arabia	671,571	700,000	550,000	750,000
Kuwait	46,574	4,000	5,000	2,000
United Arab Emirates	1,574	50,000	65,000	35,000
Qatar	1,763	7,000	22,000	15,000
Bahrain	551	5,000	12,000	8,000
Somalia	40,000	–	–	–
<b>Total</b>	<b>761,979</b>	<b>766,000</b>	<b>654,000</b>	<b>810,000</b>

SOURCE: Central Bureau of Statistics (Sana'a), and estimates from *Généralisations Arabes : l'alchimie du nombre* (Paris: Fayart, 2000).

### *The role of remittances*

Despite having contained two profoundly different economic systems up until 1990 – a strongly centralized market economy prevailing in the North, and socialism in the South – the country's political economy has been shaped, at both the national and local levels, by the same factors: enduring migratory ties and a dependence on remittances. The political management of these flows and their effects remains controversial,<sup>20</sup> and successive Yemeni states (North, South and united) have remained ambiguous towards their expatriates, seeking to control their diasporas both politically and economically. From its creation in 1967, the PDRY relied on migrant remittances to fund its economic development and balance its trade deficit. The PDRY had about 300,000 citizens working abroad in the 1970s, and the socialist republic made active use of its diplomatic relations with Saudi Arabia to promote labour flows towards this powerful neighbour.<sup>21</sup> The government's use of fiscal incentives helped increase the level of remittances received from Saudi Arabia from US\$33 million per annum in 1973 to US\$268 million in 1978. In addition to Hadramaut, the regions

<sup>20</sup> (Swanson 1979)

<sup>21</sup> (Halliday 1990, 162).

of Dhala', Yafi'i and Aden saw waves of labour migration towards Saudi Arabia – but also, to a lesser extent and much earlier, towards Great Britain and the United States.<sup>22</sup> Since unification, Yemen has been relying heavily on remittances and transfers from its diaspora,<sup>23</sup> as well as on international aid. Most of these transfers remain informal in nature: they are not processed through the banking system, and largely avoid taxation by the Yemeni state. The few available statistics confirm the country's dependence on migration: migrant remittances represent a disproportionately large share of Gross National Income, even if recent data show that the ratio is declining.<sup>24</sup>

**Table 2: Remittances to Yemen 2000–2010**

	Total remittances (US\$)	GNI (US\$)	Population	Remittances as % of GNI	Total remittances per inhabitant
2000	1.4 billion	9 billion	17.5 million	15.7%	82
2007	1.3 billion	18 billion	22 million	6.7%	70
2010	1.5 billion	24 billion	22.6 million	6.25%	66

SOURCE: Central Bureau of Statistics (Sana'a), and estimates from *Généralisations Arabes : l'alchimie du nombre* (Paris: Fayart, 2000).

As elsewhere, there is considerable debate over whether remittances have a positive or negative impact on the economy. Capital inflows during the 1970s oil boom may have weakened Yemen's economy,<sup>25</sup> destabilizing the local production base by increasing imports of foodstuffs and manufactured goods, and hindering local development by inhibiting investment in productive sectors. Evidence shows, however, that the emigrants' purchasing power also fed inflation in the property market, principally in urban areas, but that it also increased the price of labour. Emigration also absorbed large number of unemployed youth from the 1980s onwards.

<sup>22</sup> (Halliday 2010)

<sup>23</sup> (Chaudhry 1997, 249)

<sup>24</sup> "Yemeni emigrants send home \$10 billion over last 7 years", *Yemen Observer*, 2 Feb. 2 2008

<sup>25</sup> "Migrant remittances and development cooperation", Jørgen Carling International peace research institute, 2005.



Yemen's position has also been affected by the 2008 global economic crisis. However, despite a fall in 2009,<sup>26</sup> remittances remain equal to foreign direct investment, and are five times more important than official development assistance. With good reason, migrant remittances are considered less volatile than foreign investment: migrants are less likely to stop sending funds to their families. Bled dry by internal conflicts and affected by deadly floods and droughts, Yemen relies more than ever on income from migration. Since 2011, the revolutionary upheaval has reinforced the centrality of remittances for household survival.

### *Migration as a security threat*

As a result of the growing threat from transnational movements of armed groups and terrorists since the late 1990s, and of the crises and conflicts in Yemen since 2004, migration has been constrained by the security agendas of Yemen's strategic partners – particularly Saudi Arabia and the United States. The Yemeni authorities have also used security issues as bargaining chips in negotiations with regional and western partners alike, alternating between cooperation and turning a blind eye on cross-border trafficking of all kinds – including informal migration, which they have sometimes facilitated.

In the past, diplomatic incidents served to illustrate the importance of migration in bilateral relations: for example, in 1973 the PDRY temporarily forbade emigration to Saudi Arabia for certain categories of workers.<sup>27</sup> Like most states in the Middle East during the second half of the twentieth century, both North and South Yemen used migration as diplomacy,<sup>28</sup> combining labour-export and asylum policies as major instruments in diplomatic negotiations with their powerful neighbours. Yemen lost its privileged access to the Saudi labour market in 1990. Control of the flows of goods and people across its borders became an essential goal of Yemen's relations with its neighbours and strategic partners. In practice, however, restriction on emigration and border crossings, combined with the reduced availability of work visas for Yemenis, simply resulted in much of the migration to the Gulf countries becoming clandestine.

Moreover, with the rise of transnational terrorism in Somalia and the Arabian peninsula, all forms of mobility have come to be

<sup>26</sup> *Migration and Development Brief 11, World Bank, 2009.*

<sup>27</sup> (Lackner 1985, 166 et Thiollet 2011)

<sup>28</sup> (Thiollet 2011)

viewed increasingly suspiciously, and associated with criminal activity. In this context, the flows crossing between the Horn and the Gulf became a major issue of concern for the neighbouring states – and, from 2001 onwards, for Yemen’s partners in the ‘war on terror’. Thus, from 2000 onwards, the strategic importance of mobility in its various forms (refugees; economic migrants, whether legal or clandestine; smugglers and political activists) was reflected in policies designed to securitize the area of transit that is the Red Sea.<sup>29</sup>

Negotiations between Saudi Arabia and Yemen about their borders officially recommenced in July 1992 on the basis of the Taif treaty (1934), but were interrupted by the civil war in 1994. They led to the signing in February 1995 of a Memorandum of Understanding that agreed on the creation of a common border and a demilitarized zone around it (Article 4). The two countries tried to organize joint management of seasonal pastoral migrations in the region, and increased cooperation on the cross-border issues of trafficking in people, weapons and drugs, as well as irregular migration. The northern and southern border zones of Saudi Arabia are rife with drugs and weapons trafficking. Its border with Iraq has been a key supply line for weaponry to the Iraqi insurgency since 2003. Drug trafficking is also intense across the borders with the Yemen and Iraq, which are stages on the routes used by Iranian and Iraqi networks to pass narcotics from Central Asia. Unsurprisingly, the two main issues on the agenda of the 2000 Saudi–Yemeni boundary negotiations were the allocation of contested oil-fields (Mareb, Jawf, Hadramaut, Shabwa) and gas-fields (Mareb, Jawf), and mechanisms to deal with cross-border flows of goods and persons.

In the early 2000s, Saudi Arabia’s decision to build a separation barrier along the border has been strongly disputed by Yemen. The construction of the iron fence started in 2008; it was soon reinforced on the Saudi side by electric wires, video surveillance, thermal cameras and heavily armed guards. On the Yemeni side, the management of smuggling and trafficking involves border patrols and police officers, as well as networks of smugglers serving both Yemenis and immigrants from the Horn of Africa. Smuggling and irregular migration are the main concerns of Saudi border guards, but controlling the borders is also presented as an important part of Saudi Arabia’s campaign against armed Islamic militant groups, and in particular al-Qa’ida in the Arabian Peninsula (AQAP). Since 2003, AQAP has

<sup>29</sup> (Buzan and Waever 2003)

been using Yemen as a rear base and safe haven from which to strike Saudi Arabia, and in 2009 it fully relocated there. Terrorist attacks on both sides of the border – such as one targeting Prince Muhammad Bin Nayif, the head of the Saudi bureau of Internal Security – have served to highlight just how porous this border is.

Furthermore, an ongoing rebellion against the government, led by the late Zaydi political leader Hussain Badr al-Din al-Huthi, has disrupted the economy of the northern part of Yemen, as well as government efforts to manage border flows jointly with Saudi Arabia.<sup>30</sup> The numerous actors involved in the conflict include northern tribes, armed groups and rogue army battalions controlling the region's economy and living off the profits they draw from illegal border activities. When they are not organizing it themselves, they benefit from the smuggling of ammunition and small arms. The government's loss of control of the border creates the very conditions that allow the conflict to fester (such as an abundant supply of accessible weapons) and pushes the local economy towards illegal activities (drugs, clandestine migration). For migrants, the cost of passage rises in direct proportion with the number of middlemen involved in controlling access to the frontier. In periods of government offensives in the mountainous northern regions of Sa'ada, migration routes shift towards the coastal plain along the Red Sea. The flexibility of these networks makes them extremely hard to shut down effectively. As soon as one organization is dismantled or a route disrupted, others spring up. The influx of some 300,000 internally displaced people fleeing from the conflict zone to supposedly safer areas and to Sana'a has profoundly modified the demographic and spatial distribution of populations, further complicating the task of managing migratory flows.

The border between Yemen and Saudi Arabia is a transit node in a wider clandestine and criminal circuit.<sup>31</sup> Large human-trafficking networks now operate on both sides of the frontier.<sup>32</sup> In 2004, the

<sup>30</sup> "Saudi Forces Thwart Weapons Smuggling Operation, Yemeni Suspects Used Disguises to Flee Country", *Yemen Post*, 3 September 2009.

<sup>31</sup> Abdelmuniz Aqlan, director of the Africa Department of the Yemeni Ministry of Foreign Affairs thus claimed in 2005 that "very few migrants stay or even want to stay in the Yemen. What we have is mainly illegal transit immigration, in particular from Africa. The real question is that of Yemen's responsibility towards the destination countries of this illegal immigration". Interview, Sana'a, Yemen, 28th of November 2006.

<sup>32</sup> "Trafficking in Persons Report 2009 – Yemen", United States Department of State, June 16 2009. Source: <http://www.unhcr.org/refworld/docid/4a4214802d>.

dismantling of an organization specialized in the use of African children as beggars on the streets of Jeddah, Medina and Mecca led to the first ever sentencing of a smuggler on charges of sexual exploitation in Saudi Arabia. He provided the brothels of Jeddah with Yemeni women recruited in the belief they would be employed as domestic workers. Child trafficking mainly affects two distinct groups: Yemeni male and female minors from rural backgrounds, and asylum-seeking minors from the Horn of Africa. The victims of this trade, whether women or children, are sold in Yemen and Saudi Arabia as slave labour or for sexual exploitation. As a side-effect of communications between the two countries, there are also cases of hidden prostitution or sexual exploitation that take the form of 'temporary marriages' between young Yemeni girls and Saudi men, which these are frequently discussed in the Yemeni press. For ordinary Yemenis, anti-Saudi sentiment, stoked by regular accusations of misdemeanour and moral turpitude, is mixed with fascination at their neighbour's fantastic material wealth.

#### **ASYLUM SEEKERS AND INTERNALLY DISPLACED PERSONS: CONTEMPORARY POLITICAL AND HUMANITARIAN CRISES**

Yemen has welcomed mass influxes of refugees and asylum seekers from the Horn of Africa since the 1960s and, paradoxically enough in a context of intense instability, the country continues to host increasing numbers of asylum seekers, mainly from Somalia and Ethiopia. To this 'refugee crisis' one should add the number of internally displaced people, due to a series of conflicts and crises (Sa'ada in the north, mostly since 2009; Abyan in the South in 2011). These two crises have had different consequences on Yemen, the second one being much more dramatic and disruptive than the first. In the context of enduring instability and domestic conflict, though, the effects of forced mobility, both internal and international, continue due to a lack of international attention and support.

The war on terror and the security agenda of the GCC states have progressively altered Yemen's welcoming humanitarian policies towards asylum seekers since 2000, as the country has experienced

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html [accessed on the 31st of August 2009]. In July 2007, the UNHCR and the International Maritime Organization (IMO) called for intensified action against people trafficking and its tragic effects in the Gulf of Aden.

greater difficulties in accommodating international refugees, and still serves as a transit location on the way to its richer neighbours.

*Welcoming refugees? Asylum policies and the 'war on terror'*

The Yemeni state's own partial unravelling under the pressure of two civil wars and the 2011 revolutionary movement, and the increase in internal and international migration flows, have contributed more than any other factor to the disruption of Yemen's benevolent approach to managing refugees' rights.

Yemen, the only country in the Arabian Peninsula to have signed the 1951 Geneva Convention on Refugees, has been a haven for refugees from the Horn of Africa – including Eritreans in the 1970s and 1980s, and Somali since 1991. This liberal policy towards refugees from the Horn of Africa has earned the Yemeni government a certain amount of moral credit and financial support from international organizations. Over the past ten years or so, the ever larger numbers of asylum seekers, illegal immigrants and refugees arriving from the Horn of Africa have changed the political climate in Yemen, and given rise to new legislation and judicial procedures.<sup>33</sup> Patterns of mobility are now challenged in a context fraught with humanitarian emergencies and security-related pressures. In September 2009, the Yemeni minister of the interior revised previous estimates to claim that there were over one million Somali 'refugees' in Yemen,<sup>34</sup> and in 2013 the post-revolutionary government estimates the number of refugees to be between 600,000 and 800,000. Both in 2009 and 2013, official sources expressed their concern at the continuous and rising tide of asylum seekers – Somalis, Ethiopians, and to a lesser extent Eritreans and Djiboutians – arriving on Yemen's shores. In 2012, of the 230,000 international refugees and asylum seekers recognized by the UNHCR, only 140,000 were 'of concern' and under the agency's protection and assistance. Moreover, compared to the data provided by the Yemeni government, it could be that up to 85 per cent of the Somali population in Yemen are outside the law, either as unrecognized asylum seekers or as 'undocumented' foreigners. And though the UNHCR tries to take account of populations labelled 'mixed migrations' (a term coined in 2006 by High Commissioner Antonio Guterres, referring to flows of asylum seekers, smuggled people and undocumented migrants), the agency itself finds it difficult to avoid the dilemmas inherent in

<sup>33</sup> (Thiollet 2009).

<sup>34</sup> *Saba news*, Yemeni press agency <http://www.sabanews.net/>

the growing ‘criminalization’ of migratory flows. In fact, the blurred distinction between undocumented migration and asylum seeking reflects the rising influence of security concerns in shaping Yemen’s management of mobility, as well as the changing priorities of its strategic partners. Identifying and controlling people crossing the Gulf of Aden has become a major issue on the security-dominated agenda which has made the Horn of Africa a focus of American foreign policy since the 1992–94 intervention in Somalia. After 2001 the region was designated an ‘enemy bastion’ in the war on terror.<sup>35</sup> The United States and the European Union have attempted to ‘pacify’ the Horn of Africa by systematically conflating humanitarian goals (the delivery of food aid and famine prevention) with political goals (conflict stabilization, peace negotiations) and security goals (containing terror and piracy). These policies imply the control and reduction of population flows, piracy and weapons proliferation in the Gulf of Aden. International refugees are deemed to be potential jihadi fighters or arms smugglers, feeding the illegal arms-trade networks between the Horn of Africa and jihadist groups in Yemen.

The High Commission for Refugees has been involved in Yemen since 1988, and has had a permanent representative there since 1992. From that date onwards, the UNHCR, in agreement with the Yemeni government, has applied the status of refugee as defined in the 1951 Convention and 1967 Protocol, and the Commissioner has administered refugee issues in Yemen in collaboration with local administrations. In the early 2000s, however, the UNHCR agreed to transfer legal and material responsibility to the host country. In 2005, the agency handed over the power to determine the status of asylum seekers to Yemeni authorities. The creation of a Central Refugee Registration Office within the Department of Immigration, Passports and Nationality on 24 December 2005, under the authority of the Ministry of the Interior, indicated pervasive official distrust of asylum seekers, who are regularly assimilated with illegal migrants. In addition, the registration office neighbours a migrants’ detention centre. Five centres were established in the coastal provinces (Ta’iz, Hodeida, Aden, Shabwa and Hadramaut). Regardless of claimants’ nationality, administration of asylum requests from African refugees was routinely devolved to the police. Confronted with the pitfalls of refugee status determination by Yemeni institutions, the UNHCR continued to oversee the process, especially as numbers continued to rise in the

<sup>35</sup> (Campbell and Johnson Ward 2003)

late 2000s. In spite of intense activity at the UNHCR reception centres in Ahwar and Mayfa'ah and at the transit centre at Bab al-Mandab, only a small minority of arriving refugees decide to claim asylum and are transferred to Kharaz camp. Most Africans arriving in Yemen opt for 'spontaneous settlement' or undocumented livelihood in the main urban centres, hoping to cross over to the Gulf countries, and thus avoiding registration and the Yemeni authorities.

*Exiles in transit or long-term refugees?*

During much of the second half of the twentieth century, Eritreans formed the largest group of refugees arriving in Yemen. After the end of Eritrea's long war of secession from Ethiopia (1962–91), they were overtaken by Somali refugees fleeing the chaos that gripped their land. Today, Somali asylum seekers are the only ones to receive the *prima facie* status of international refugees, which implies a de facto recognition of the status of a particular group – whether national, ethnic or otherwise conceived – as opposed to individual asylum requests. This status can be conferred by the UNHCR on the basis of an assessed situation of grave risk that has caused the group in question to flee its country of origin. Since 2009, Ethiopian refugees have started to cross the Gulf of Aden to reach Yemen. In 2013, they represent the largest national group of incoming refugees. For Somalis and Ethiopians who manage to make it, their future will largely consist of being illegal migrants in Saudi Arabia or another Gulf state. In spite of their migration plans, most Africans from the Horn of Africa end up being stuck in war-torn, impoverished Yemen for much longer than they expected. With an ever-diminishing range of legal opportunities to continue the journey to GCC countries, asylum seekers tend to turn to smugglers. The securitization of mobility and anti-immigration policies at the regional and international levels eventually ends up fuelling criminal networks in a self-perpetuating cycle of insecurity.

Asylum seekers and migrants from Somalia and Ethiopia, travelling along routes run by human traffickers, arrive on the southern coast of Yemen via the Indian Ocean and filter through to a dozen or so entry points. Many of them try to reach the Gulf states directly, without going through registration either by the UNHCR or the Yemeni authorities. Bir Ali, west of Mukalla, is the most widely known entry point for illegal flows of this kind, which start from the regions of Puntland and Somaliland. Events such as the 2009 fighting in Mogadishu and central Somalia between government forces and

the al-Shabab and Hizb al-Islam militias, and the famine of summer 2011, created a large exodus of Somalis. These populations, 'internal refugees' in their own country, converge in large numbers towards the eastern governorates, seeking haven in the relative stability of Somaliland and Puntland, and hoping to make their way to the GCC countries via Yemen.

Flows of asylum seekers peak every autumn: the favourable winds of late August and early September mark the beginning of the 'season of migrations'. In its earliest published statistics on the matter, in 2006, the UNHCR recorded about 25,000 people crossing the Gulf of Aden, most of them Somali; in 2007, that figure was 77,000, and in 2011 it reached 103,000. In the single month of November 2011, 12,500 Somalis, Ethiopians, Eritreans and Djiboutians were recorded as landing on the southern coast of Yemen.<sup>36</sup> Overall, these statistics record that the migrants consist of 27 per cent Somalis and 63 per cent Ethiopians and Eritreans, although the ascription of nationality is sometimes haphazard and questionable.

**[Q: So who are the remaining 10 per cent?]**

Based on Yemeni government assumptions, we can surmise that up to 85 per cent of the refugee population in Yemen remains there illegally. Moreover, a second generation of refugees is growing up there with no clear legal status. Reactions among Yemenis range from everyday forms of xenophobia to genuine attempts at integration. Thus, in the deprived districts of Basatin in Aden and Al Safiya in Sana'a, marginalised Yemeni populations coexist with the various historical strata of immigration from the Horn.

A mafia-style economy has sprung up around illegal crossings at both ends of the journey, and has rapidly become institutionalized in areas already strongly marked by violence and criminal activity. Corruption in the local administration means that these networks operate with near-impunity. Passage across the Gulf of Aden and the Red Sea is part of a larger economic system including piracy, smuggling, and the trafficking of weapons and drugs.

*Internal displacement: protracted crises, conflicts*

<sup>36</sup> UNHCR, 2011 <http://www.unhcr.fr/4ec68a97c.html> [link accessed on the 17th of November 2011]



*and the Yemeni uprising*

Internal displacement is not new to Yemen. It pre-dates the revolutionary 'moment' and the political turmoil that started in January 2011. Political problems in the PDRY after 1969, 1978 and 1986 had already led to significant displacements, particularly from south to north. In addition to political upheavals, there have also been numerous natural disasters, such as the floods of 2008, which affected the governorates of Hadramaut, Lahej, Al Mahrah and Ta'iz, and which displaced over 25,000 people. The first main flows of internally displaced persons (IDPs) in the 2000s were reported during the Sa'ada war (2004–10). Inhabitants of the northern governorates fled their homes, escaping combat and violence in the city and its surrounding areas but also bombings by the Yemeni state, and in 2009 by the Saudi air force. In the south a limited number of people were displaced as conflict escalated between the Hiraak al-Junubi and State troops. In 2011 part of Abyan governorate was temporarily occupied by the Islamist Ansar al-Sharia group, which is linked to al-Qa'ida in the Arabian Peninsula; it managed to establish an enclave in March 2011, which it renamed the Islamic caliphate or emirate; the area was recaptured by government troops in June 2012. During this episode thousands of inhabitants were displaced, and most of them took refuge in Aden city.

A variety of estimates have been given for number of people internally displaced in 2012 by the two conflicts: the government of Yemen gives the figure of 545,318, while OCHA gives 430,000, and the UNHCR gives 310,000, of whom 175,000 have been assisted by the agency.<sup>37</sup> By 2013 a significant proportion of them had returned home, but the issue of the number of IDPs remains subject to considerable political pressure. More than 60 per cent of them are found in the northern governorates of Hajja and Sa'ada, while the remaining 40 per cent are in the South, mostly in Aden, and to a lesser extent Abyan.

Displacement induced by political unrest and conflict tends to become protracted, and also to involve local economic crisis and social disruption. Ad hoc support in circumstances of natural disaster is easily obtained from various international institutions and private actors. In 2008, for example, the Organization of the Islamic Conference, the UN, and private entities such as the oil company Total

<sup>37</sup> "Yemen. Internal displacement continues amid multiple crises", 17 December 2012, Internal Displacement Monitoring Center. Source: [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/8D24A4E89B93B100C1257AD70052594B/\\$file/yemen-overview-dec2012.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/8D24A4E89B93B100C1257AD70052594B/$file/yemen-overview-dec2012.pdf) [accessed Jan. 10 2013]

provided emergency assistance for those displaced by environmental disaster. When it comes to politically induced displacement, however, humanitarian assistance has been limited, and is very late in reaching the ‘population of concern’. In Sa’ada particularly, even though displacement had been monitored as early as 2007, after the end of the fourth round of conflict, only a few agencies – Islamic Relief, the UNHCR, Médecins Sans Frontières – managed to maintain a presence during the fighting. No relief was provided to most of Sa’ada or to parts of Hajjah, Amran, Sana’a and Jawf governorates, which were subject to both government and rebel blockades.<sup>38</sup> Since the ceasefire in 2010, the political upheaval and the transition taking place in Sana’a has left the management of IDPs almost entirely under the responsibility of local NGOs and international humanitarian agencies, under the auspices of the Yemen Humanitarian Response Plan (YHRP). But the local population has been hosting the displaced in schools and hospitals, thus making it impossible for these institutions to function normally. In spite of international support, both IDPs and refugees remain particularly vulnerable to localized violence and predation.

Far from being solved by the relative stability restored in the north by the ceasefire, by the political transition in Sana’a, by the government capture of Abyan, or by the drone-war against Islamist insurgent groups by the US military in the south, the issue of population displacement seems to be entrenched as an aspect of the generalized social and political instability of the country, with dramatic economic consequences including unemployment, declining household income, a lack of access to schools and health services, malnutrition, and so on.



MIGRATION IS A CRITICAL DIMENSION of Yemen’s economy and international political situation. A land of haven, exile and transit, Yemen has based part of its economic development on enduring migratory ties with its neighbours. Yemeni society and economy are intimately

<sup>38</sup> See page 18 in “Yemen. Internal displacement continues amid multiple crises”, 17 December 2012, Internal Displacement Monitoring Center. Source: [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/8D24A4E89B93B100C1257AD70052594B/\\$file/yemen-overview-dec2012.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/8D24A4E89B93B100C1257AD70052594B/$file/yemen-overview-dec2012.pdf) [accessed Jan. 10 2013]

connected to regional and global mobility networks involving people, ideas and goods, and emigration has represented an important vector of economic and financial stability for the country. Population transfers, Yemeni emigration towards the Gulf, and immigration from the Indian subcontinent and Africa are all part of a long-standing pattern of regional and international movements. As we have seen, however, Yemen has suffered increasing pressure from a number of sources throughout the 1990s and 2000s, which have contributed to the constriction of inward and outward migratory flows. The end result has been a weakening of the country's economic and political balance. In this respect, the loss of remittances and the abrupt return of its migrant population from the Gulf in 1990 highlighted just how dependent Yemen has been on emigration.

Two issues stand out: first, the economic and political weight of the Yemeni diaspora and the central place it occupies as a contested resource for both government and opposition; second, the implementation of asylum and integration policies, and the use of those policies as bargaining chips in the international arena. Despite its importance, the overall question of migration has remained largely absent from the political agenda, which tends to be dominated by internal conflicts and development issues.

The deterioration of political conditions in Yemen since 2004 has created a climate of instability that has led in turn to increasingly informal migratory networks and paths to exile. As a result, the security-orientated management of migration flows that has prevailed over Yemeni asylum and migration policies in the course of the past two decades, under the influence of demanding neighbours and powerful patrons, has largely failed. The distinction between, on the one hand, criminal and political networks of migration, characterized by trafficking, conflict and terrorism, and, on the other, asylum and economic-migratory networks, is increasingly hard to draw, since the former increasingly use the same routes and agents as the latter. Responsibility for securing maritime and terrestrial border crossing points has been taken over by Western powers with a military foothold in the region (NATO, the United States and the European Union), and has become less responsive to local concerns, at a time when the costs and dangers of expatriation have risen for migrants and asylum seekers alike. With the unravelling of the Yemeni state, the extension of violence on both sides of the Red Sea and the Gulf of Aden, and increasing sources of economic hardship and ecological

distress, mass movements of emergency-stricken populations seem set to intensify in both Yemen and the Horn of Africa.

**\*\*\* FURTHER READING TO FOLLOW \*\*\***