



IDPs' VOICES & VIEWS
YEMEN'S NATIONAL DIALOGUE

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Mr. Naveed Hussain
UNHCR Representative, Yemen

FOREWORD

Addressing internal displacement is a key component of promoting stability in Yemen. However, no appropriate solution can be found without taking into account the voices of internally displaced persons (IDPs).

The National Dialogue Conference presents a significant opportunity to reach a comprehensive resolution to the political challenges facing Yemen and thereby to advance durable solutions for the nearly half a million IDPs who have been

forced from their homes by conflicts in recent years. Ensuring that the voices and views of IDPs are integrated into the National Dialogue is important for the inclusiveness of the process.

As part of a broader National Dialogue project of the United Nations Country Team, this report summarizes the findings and recommendations which emerged from a series of focus group discussions and workshops that UNHCR organized with over 3,600 IDPs, of whom nearly 1,500 were women, in Aden, Amran, Haradh and Sana'a from August to December 2012.

UNHCR is very pleased to contribute to the National Dialogue Conference preparations by having briefed IDPs on the plans for the

Conference and recording, as summarized in this report, the key messages that IDPs would like to have included in the process.

This report is intended to inform the National Dialogue Conference by reflecting the views of IDPs – in their own voices – who participated in the consultations. It is our hope that IDPs' voices and views are not only heard but that they also will enrich the National Dialogue and meaningfully contribute to its outcomes.

UNHCR Yemen expresses its appreciation to the IDPs, the UN Peacebuilding Fund, the national authorities, and international and national NGOs to their contribution to this process, making this report possible,

ACRONYMS

AGDM	Age, Gender and Diversity Mainstreaming
CBPNs	Community-Based Protection Networks
GCC	Gulf Cooperation Council
IDP	Internally Displaced Person
IHL	International Humanitarian Law
SGBV	Sexual and Gender Based Violence
TPSD	Transition Program for Stabilization and Development in Yemen
UNHCR	United Nations High Commissioner for Refugees
UN	United Nations
UXOs	Unexploded Ordnances

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EXECUTIVE SUMMARY

The convening of an inclusive National Dialogue Conference is one of the benchmarks stipulated in the Gulf Cooperation Council (GCC) implementation mechanism agreed to on 23 November 2011 to resolve the political crisis in Yemen.

Internally Displaced Persons (IDPs) are among the stakeholder groups whose voices and views are critically important to include in the National Dialogue. In recent years, conflicts have uprooted nearly half a million Yemenis in their own country. Driven from their homes and communities by violence, IDPs are exposed to specific risks and vulnerabilities during displacement. IDPs have a direct interest in the resolution of the conflicts that

uprooted them so they can find a lasting solution to displacement, including the possibility of returning, if they so choose, safely to their homes.

Ensuring that IDPs' voices and views can be heard in the National Dialogue Conference is essential to the inclusiveness of the process and its relevance to the half a million Yemenis who have been internally displaced. As the UN Secretary-General recently emphasized:



“ A successful peacebuilding process must be transformative and create space for a wider set of actors – including, but not limited to, representatives of [...] internally displaced persons – to participate in public decision-making on all aspects of post-conflict governance and recovery. Participation and dialogue enhance national ownership, and they leverage resources and knowledge for peacebuilding existent within post-conflict societies.”¹

¹ United Nations, General Assembly and Security Council, Peacebuilding in the Aftermath of Conflict, Report of the Secretary-General, UN doc. A/67/499-S/2012/746 (2012) para. 36.



To facilitate inclusion of IDPs' voices and views in the National Dialogue, the Office of the United Nations High Commissioner for Refugees (UNHCR) organized a series of focus group discussions and other consultations with IDPs across Yemen. These consultations were convened by UNHCR in 2012 as part of a larger UN project, supported by the UN Peacebuilding Support Office and Peacebuilding Fund. One of the aims of this project was to empower stakeholders, particularly civil society, youth,

women, and IDPs, to be able to meaningfully engage in the National Dialogue.

From August to October 2012, UNHCR facilitated 30 focus group discussions with IDPs in Aden, Amran, Haradh and Sana'a. The results of these discussions were further discussed and validated by regional workshops with IDPs in Aden, Haradh and Sana'a in November and December. In total, 3,646 IDPs, including 1,483 women, were consulted.

This report summarizes the findings and recommendations emerging from these consultations. Key elements that IDPs emphasized include:

- **Safety and security of civilians** must be ensured by all parties in all phases of displacement, in compliance with international human rights and international humanitarian law;
- **A national legal and policy framework for responding to and resolving internal displacement** should be developed and implemented by the Government;
- **An early warning system as well as preparedness and disaster response** mechanisms and plans should be established at the national and local levels to respond to displacement caused by natural disasters and conflicts;
- Increased attention to the **specific concerns of IDP women, children, older persons at risk and other groups with specific vulnerabilities**;
- **Information-sharing and consultation with IDPs**

should be enhanced, including informing civilians about unfolding conflict situations, engaging IDPs in the design and delivery of assistance programmes, and ensuring IDPs have adequate information about the conditions in places of potential return;

- **Housing, land, and property restitution or, if not possible, compensation** through the establishment of a mechanism for this purpose;



We don't only want food and other assistance from international organizations; we want to return to our homes and villages."



Thirty year-old Anisah Mahdhar Mohammed is a widow with seven children. Life had already been difficult for her and her children before they had to flee when fighting began in Abyan in 2011. She raises goats and collects seeds to sell as animal feed so that she can cover the expenses of her seven year-old daughter who has epilepsy.

- *Effective remedy for human rights violations suffered*, including access to legal support and rehabilitation of victims of violations;
- *Conflict-resolution efforts* should be intensified; and
- *Safe and durable solutions to displacement* must be found, including not only the option of voluntary return but also other possible solutions, i.e. IDPs' local integration or settlement elsewhere in the country, in full consultation with IDPs.

The full list of IDPs' recommendations emerging from the consultations is elaborated in this report, which will be widely disseminated among Government officials, local authorities, IDPs, civil society, and representatives of the international community in advance of, and during, the National Dialogue Conference.

It is to be hoped that IDPs' voices, including their views expressed in this report, will be fully taken into account in the National Dialogue Conference and in other elements of the transition process. In so doing, these processes can best bring meaningful improvement to lives of Yemen's IDPs and lasting solutions to their problems.



Every rainy season, this informal IDP settlement floods, devastating the makeshift homes of 57 families, destroying their belongings and displacing them anew. Yet, with nowhere else to go, the IDPs have no choice but to return to this site each time the water recedes. UNHCR and partners are advocating with the authorities to urgently find safe and decent living conditions for these IDPs.





INTRODUCTION

The convening of an inclusive National Dialogue Conference in Yemen is one of the benchmarks stipulated in the Gulf Cooperation Council (GCC) implementation mechanism agreed to on 23 November 2011 to resolve the political crisis in the country. The United Nations (UN) Security Council, in welcoming the GCC initiative, emphasized the importance of its implementation “in a spirit of inclusion and reconciliation,”² which should involve “the full participation of the different groups of Yemeni society, including the regions

² United Nations, Security Council, Press Statement on Situation in Yemen, 28 November 2011.



IDPs register for assistance in the name of the head of household, typically a man. In this elderly couple, however, the wife insisted on changing the ration card to indicate her name so that she could manage how the assistance they received was used. Despite their age and protracted displacement from Sa'ada, this couple is determined to return one day.

of the country, the major social groups, and the full and effective participation of women.”³ The National Dialogue Conference in particular is expected to be “fully-inclusive, participatory, transparent and meaningful” with encouragement to “all stakeholders in Yemen to participate actively and constructively in this process.”⁴ Among the agreed aims of the National Dialogue is to “take the necessary legal and other means to enhance the protection of vulnerable groups and their rights.”⁵

It is critically important to incorporate the voices and views of internally displaced persons (IDPs) in the National Dialogue. In Yemen, conflicts and periods of violence in recent years have displaced nearly half a million Yemenis in their own country. Even subsequent to the signing of the GCC agreement, further internal displacement has occurred as a result of sporadic armed clashes. Indeed, in 2012, the UN Security Council was “gravely concerned by the humanitarian situation in Yemen, including [...] increasing numbers of internally displaced persons.”⁶

Behind these numbers are hundreds of thousands of individual women, men, girls and boys in Yemen

who have been forced to flee from their homes and communities. They suddenly find themselves deprived of shelter, often separated from family members, and uprooted from their education or normal livelihood. They must find a way to ensure their safety and their families' survival in a new and often unfamiliar place, sometimes amidst discrimination and ongoing insecurity, and with no solution in sight. To be an IDP is to lead an uncertain and highly precarious existence.

Beyond being a traumatizing experience for IDPs themselves, internal displacement also has had a broader impact on Yemen's population and national stability. The phenomenon of internal displacement directly affects more than half of the country's governorates, with 13 of the 21 governorates being either a source of internal displacement or a place to where IDPs have fled in search of safety.

The Government of Yemen, in its Transition Programme for Stabilization and Development (TPSD), draws attention to the country's crisis of internal displacement and to the humanitarian, social, economic and security challenges faced by IDPs. Analysing the humanitarian ramifications of

³ United Nations, Security Council, Statement by the President, 29 March 2012.

⁴ United Nations, Security Council, Resolution 2051 (2012), 12 June 2012.

⁵ Operational Mechanism of Implementation of the GCC Initiative, para. 21.

⁶ United Nations, Security Council, Press Statement on Situation in Yemen, 25 January 2012.

the 2011 crisis, the Government emphasized that “some groups were more affected than others and have been more vulnerable than others,” and that among these were IDPs, returnees, and the communities that have hosted the displaced.⁷ Ensuring protection, assistance and solutions for IDPs is an integral component of the Government’s transition, stabilization and development plan.

Resolving internal displacement therefore is important not only for IDPs themselves but also for promoting stability in Yemen.

Around the world, however, the experience is that IDPs’ voices are seldom heard in peace processes. This is notwithstanding that “[o]ne of the gravest humanitarian consequences of armed conflict is the displacement of populations” and that “[t]hose who are forced to flee and leave everything behind are often the victims who suffer the most.”⁸

To avoid this gap arising in Yemen, the Office of the United Nations High Commissioner for Refugees (UNHCR) initiated and facilitated a series of focus group discussions and other consultations with IDPs across Yemen in the context of preparations for the National Dialogue Conference. These consultations

were conducted as part of a larger UN project, supported by the UN Peacebuilding Support Office and Peacebuilding Fund, aimed at engaging and empowering stakeholders, particularly civil society, youth, women, and IDPs, to be able to meaningfully engage in the National Dialogue.

From August to October 2012, 30 focus group discussions were held in Aden, Amran, Haradh and Sana’a – the areas of major concentration of IDPs and returnees in Yemen. A total of 3,646 IDPs (1,483 of which were women) participated.

This report summarizes the views that the IDP women, men and youth consulted expressed as their priority concerns to bring to the attention of the National Dialogue Conference. Section 1 of the report outlines the importance of engaging IDPs in peacebuilding processes in general and in the forthcoming National Dialogue Conference for Yemen in particular. Section 2 describes the methodology of the consultations with IDPs that UNHCR organized in Yemen. Section 3 presents the main findings and recommendations emerging from these consultations with IDPs. A summary list of the recommendations is provided in the Annex.

⁷ Government of Yemen, Transitional Programme for Stabilization and Development (TPSD), 2012-2014, pp. 5-6.

⁸ Walter Kälin, Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons, and Chris Coleman, Chief, Policy Planning and Mediation Support Unit, UN Department of Political Affairs, ‘Foreword’ to Peacemaker’s Toolkit: Integrating Internal Displacement in Peace Processes and Agreements (Brookings-Bern Project on Internal Displacement and United States Institute of Peace, 2010), p. 5.



Mansour Abdullah Haitham’s house was completely destroyed during the conflict in Abyan in 2011. He now struggles to rebuild his life.



THE IMPORTANCE OF ENGAGING IDPs IN THE NATIONAL DIALOGUE PROCESS

“ We are people from the same country, we have dignity and pride.”



Experience around the world underscores that “resolving internal displacement and finding durable solutions for IDPs are inextricably linked to achieving lasting peace.”⁹

A peacemaker’s toolkit for integrating IDP issues in peace processes identifies seven main reasons why addressing internal displacement matters for peace:

- ***IDPs can be important stakeholders in peace processes.***

The fact that they have become displaced means that IDPs have already been significantly affected by the conflict and thus have much at stake in the outcome of the peace process. IDPs may be victims of the conflict, but they

⁹ United Nations, Peacebuilding Commission – Working Group on Lessons Learned, ‘Comparative Lessons from Addressing Internal Displacement in Peacebuilding,’ Chair’s Summary, 13 March 2008.

may also have been actively engaged in the conflict, which is another reason why they can be key stakeholders.

- ***IDPs may directly affect the peace process in positive or negative ways.***

Integrating internal displacement can enhance the breadth and depth of the “buy in” for the process and any agreed-upon outcome. A wider sense of ownership will in turn strengthen peace initiatives and boost the prospects for their successful implementation. Moreover, IDPs may provide political support to, or may be otherwise associated with, parties to the conflict. They can influence, and can be influenced by, the parties to the conflict.

- ***IDPs have specific needs that may remain neglected if the peace process and peace agreement do not specifically address them.***

Like other persons, IDPs have rights and are afforded protection during and following armed conflict under international humanitarian law. However, IDPs often have specific needs and experience vulnerabilities that are different

from those of non-displaced groups affected by the conflict.

- ***Addressing IDPs’ needs and interests helps to address the causes of the conflict.***

Addressing the needs and interests of IDPs – for example, by ensuring their ability to safely return home or resettle elsewhere – can assist in resolving some of the causes of the conflict. Conversely, the failure to address IDPs’ needs and interests can cause tensions in fragile post-conflict settings.

- ***Ending internal displacement is not possible without peace, and addressing internal displacement is essential to building peace.***

Although it is true that IDPs are sometimes able to return to their homes before the end of hostilities, usually they cannot do so. As long as insecurity prevails or local communities are not ready to accept returnees, durable solutions to displacement will not be possible. Failure to address displacement can generate tensions between IDPs and host communities, provoke the rejection of any peace agreement

by the displaced community, and nurture latent disputes and grievances that can constrain peacebuilding.

- **Internal displacement is often one of the most significant legacies of armed conflict, placing huge burdens on societies emerging from conflict.**

Arrangements for addressing internal displacement in a way that lessens the burden imposed by displacement improve the prospects of peacebuilding.

- **Integrating internal displacement opens the door to future political participation.**

Engaging IDPs in a peace process can prime them for more active participation in public affairs during the post-conflict transition. Furthermore, by facilitating participation of or consultation with IDPs during a peace process, the parties can demonstrate their willingness to consider the needs and interests of displaced communities, and can therefore build or solidify potential future political constituencies. Especially in cases where IDPs are not identified

with just one party to the conflict, this type of political argument may be persuasive in encouraging the parties to integrate internal displacement into the peace process.¹⁰

For all of these reasons, there is now wide recognition of the importance of enabling IDPs to participate in peacebuilding and in post-conflict governance processes. As the UN Secretary-General has emphasized: “A successful peacebuilding process must be transformative and create space for a wider set of actors – including, but not limited to, representatives of women, young people, victims and marginalized communities, community and religious leaders; civil society actors; and refugees and internally displaced persons – to participate in public decision-making on all aspects of post-conflict governance and recovery. Participation and dialogue enhance national ownership, and they leverage resources and knowledge for peacebuilding existent within post-conflict societies.”¹¹

In Yemen, ensuring that the National Dialogue Conference takes into account IDPs' views is

¹⁰ Peacemaker's Toolkit: Integrating Internal Displacement in Peace Processes and Peace Agreements, pp. 14-15.

¹¹ United Nations, General Assembly and Security Council, Peacebuilding in the Aftermath of Conflict, Report of the Secretary-General, UN doc. A/67/499-S/2012/746 (2012) para. 36.



In early 2012 conflicts between tribes led to the internal displacement of some 16,000 persons within Hajjah Governorate, which had all already been hosting the protracted IDP case load from Sa'ada. A number of the IDPs coming from the marginalized community set up a temporary settlement in a football pitch and were provided with lifesaving assistance from UNHCR.



“ I have the right to enjoy civil rights and personal freedom and effective participation in society.”



essential both to the inclusiveness of the process and to fulfilling its agreed aim of ensuring “the necessary legal and other means to enhance the protection of vulnerable groups and their rights.”¹²

The Government of Yemen’s Transitional Programme for Stabilization and Development highlighted that IDPs and returning IDPs are among the most vulnerable groups in Yemen today. Problems that IDPs have faced include limited access to adequate shelter, the loss of official identification documents, landmines and unexploded ordnances (UXOs) obstructing the safe return of IDPs “to their homes and the resumption of their normal lives” and that upon returning home IDPs often “find that

their property, livelihoods, and possessions have been damaged or destroyed.” The Government accordingly has emphasized that dealing with “crisis-related issues” such as IDPs is an important part of the transition and stabilization process in Yemen.¹³

The National Dialogue Conference provides an important forum for addressing IDP issues. Doing so will be greatly facilitated by the participation of IDPs themselves. Their meaningful engagement can contribute to the National Dialogue’s aims of creating a climate of inclusion and reconciliation. IDPs’ involvement also can directly inform efforts for durable solutions to IDPs’ problems and to the conflicts that uprooted them.

¹² Operational Mechanism of Implementation of the GCC Initiative, para. 21.

¹³ Government of Yemen, Transitional Programme for Stabilization and Development (TPSD), pp. 5-6 and 17.



METHODOLOGY

The aim of the UNHCR component of the UN project supporting preparations for the National Dialogue Conference was to facilitate discussion of issues relating to internal displacement, including the adoption of legal and other means to strengthen the protection and rights of IDPs and the search for durable solutions to IDPs' problems. To this end, focus group discussions and three regional workshops with IDPs and displacement-affected communities were conducted.

In preparation for these activities, in August and September 2012, UNHCR organized training sessions for the focus group facilitators in Aden, Amran, Haradh, and Sana'a. Five training sessions were conducted for field staff from UNHCR and implementing partner agencies (73 participants, of whom 47% were female) and 13 training sessions were conducted for IDP leaders and other community leaders (252 participants, of whom 34% were female) from the Community-Based Protection Networks (CBPNs) that UNHCR previously had established in Yemen.

The training sessions provided background information on the National Dialogue process by reviewing the GCC Agreement and relevant UN Security Council Resolutions and the rights of IDPs in international human rights and international humanitarian law (IHL), as restated in the Guiding Principles on Internal Displacement. Participants also were trained on mediation techniques for politically sensitive subjects. Community leaders and CBPN members subsequently conducted community awareness sessions on the National Dialogue with IDP communities in their respective areas.

The trained staff and partners then conducted focus group discussions with IDPs and displacement-affected communities in Aden, Amran, Haradh, and Sana'a – the areas of major concentration of IDPs and returnees in Yemen. In all, 30 focus group discussions were held. Participants in the focus group discussions were selected using UNHCR's

standard approach of Age, Gender and Diversity Mainstreaming (AGDM). Separate focus group discussions were organized with women and with youth.

Access constraints due to insecurity and due to the vast geographic spread of dispersed IDP settlements in Yemen posed certain limitations to the implementation of this project. Indeed, during the project period, localized conflict took place in Amran. UNHCR staff and partners both in Amran and in all locations are to be commended for nonetheless managing to conduct the focus group discussions notwithstanding the risks to their and participants' personal security. Due to these constraints of insecurity and geographic distance, most of the IDPs participating in the consultations were located in or near urban centres, specifically: Aden, Amran, Sana'a, and Haradh. For Sa'ada, four IDPs (two men and two women) travelled from Sa'ada to participate in the discussions in Haradh. IDPs from Sa'ada in any case were well represented in the various discussions as most IDPs in Haradh, Sana'a and Amran come from Sa'ada Governorate. Moreover, additional consultations with IDPs will continue to be conducted within the framework of UNHCR's regular protection work.

Due to the large numbers of IDPs consulted across various locations and different caseloads of IDPs from different conflicts, the project did not analyse in detail differences among groups of IDPs. Nor did the consultations focus on



differences among IDPs in a protracted situation of displacement and IDPs who were displaced more recently. Rather, the aim and result of the exercise was to obtain a common picture of the situation of IDPs in Yemen that is generally

applicable to both new and old caseloads of IDPs and to IDPs from different parts in Yemen. Where a point was raised by IDPs specific to a particular group of IDPs, this is noted in the report.



FINDINGS & RECOMMENDATIONS

Overall Findings And Recommendations

IDPs noted the absence in Yemen of a legal and policy framework, both at the state and local levels, to prevent, address and find solutions to forced displacement. They called for national laws and policies regarding internal displacement to be drafted with strong, legally binding obligations on parties to the conflict to protect civilians in all phases of displacement, in accordance with international human rights law standards, IHL, and the Guiding Principles on Internal Displacement.

Recommendations:

A national policy for addressing and resolving internal displacement should be formulated, adopted and implemented by the Government of Yemen.

This policy should be based on and consistent with international human rights law standards and IHL and should take into account the Guiding Principles on Internal Displacement.

This policy accordingly should criminalize arbitrary displacement and should include measures to prevent any kind of discrimination that might put at risk IDPs' fundamental rights, including the right to life, because of her/his political or religious views.

This policy also should specify measures for resolving displacement and should safeguard IDPs' right to choose among solutions, i.e. whether to return to



their area of origin, locally integrate in the area of displacement, or settle in another part of the country.

IDPs also noted inadequate mechanisms within the government, at both the state and local levels, for early warning of possible new displacement, emergency response once displacement has occurred, and finding durable solutions for IDPs. They called for the establishment of special committees responsible for early warning and early response to new crises, emergency

“ I wish to live free without control over my life, tradition and habits.”

response once displacement has occurred, and the planning of durable solutions to displacement. IDPs felt that these committees need to prioritize and address the specific needs of the most vulnerable IDPs, including women heads of household, older persons, persons with disabilities, pregnant women, separated and unaccompanied children and victims of sexual and gender-based violence (SGBV).

IDPs repeatedly emphasized the need for consultation with IDP communities and their meaningful participation in decisions affecting their lives in all phases of displacement. IDPs requested to be part of any committees established to coordinate disaster preparedness, emergency response and the planning of durable solutions.

Recommendation:

The Government should establish committees and a plan at the local and national levels to address all the different phases of displacement with a view to coordinating disaster preparedness, emergency response and the planning of durable solutions. These committees

must include representatives of IDPs.

IDPs expressed concern over the lack of safety and security for civilians in all phases of displacement, noting that this remains an obstacle to safe and sustainable return or other solutions for displacement.

Recommendation:

The Government should draft, adopt and ensure the implementation of national laws and policies with strong, legally binding obligations on all parties to a conflict to protect civilians and take all possible measures to prevent violations against civilians, including preventing the use of civilians as human shields, arbitrary detention, forced recruitment, any recruitment of children, looting of property, indiscriminate attacks against civilians, and other abuses against civilians that are prohibited by IHL.

The Government should develop, at both the national and local levels, a plan for ensuring the safety and security of civilians during armed conflict, including IDPs in all phases of



displacement. This plan should include measures to address the specific protection concerns faced by women, children and older persons, and to ensure family unity.

IDPs also emphasized the urgency of all parties to a conflict ensuring that the conduct of war is carried out in a manner that guarantees the safety and security of civilians, in compliance with IHL.

Recommendation:

All parties to a conflict should sign specific guarantees for the protection of civilians during armed conflict, in compliance with their obligations under IHL, including specific commitments for the protection of women and children from exploitation and abuse. They also should develop a plan for safe evacuation and ensuring safe passage for fleeing civilians.

IDPs noted a lack of national awareness on the part of the Government and of the general population regarding the plight of IDPs. This lack of understanding has contributed to an insufficient response on the part of the authorities to address incidents of IDPs' victimization and discrimination, for instance in IDPs' access to services or in relations with host communities.

IDP youth groups in Sana'a in particular recommended public awareness campaigns using television, radio and the internet to disseminate information about IDP issues and increase understanding of their plight. Media also can be used to improve the dissemination of accurate and timely information regarding evolving conflicts, both in order to facilitate civilians' planning and to support conflict mitigation efforts.

Recommendation:

The Government should establish a national information mechanism to provide timely, accurate and unbiased information to the civilian population on potential or unfolding conflicts, on

safety and security plans for the protection of civilians, on the humanitarian assistance available to affected populations and, when conditions allow, the options for a durable solution.

IDPs stated that there is a need to consult with, engage, and provide support to host communities. They also noted that the capacity of host communities to support IDPs needs to be strengthened and that competition over scarce natural and public resources (e.g. for water and firewood in the northern governorates and regarding IDPs use of schools as emergency shelter in Aden) have been the main sources of tension between the IDPs and the local population.

Recommendation:

The Government, especially at the local level, should consult with host communities regarding the support they require as a result of hosting IDPs and should facilitate consultations between host and IDPs communities to promote increased understanding and solidarity among them.

Specific to the Phase of Displacement

PRIOR TO DISPLACEMENT AND DURING FLIGHT

IDPs emphasized that parties to the conflicts had not adequately explored efforts towards peaceful resolution of conflicts and community reconciliation, noting that dialogue should be the first option. They also stressed that local committees and civil society should be involved in the dialogue between conflict parties.

Recommendation:

Conflict resolution mechanisms should be explored with participation of all parties to conflict and civilians, as an alternative to war.

IDPs lamented the limited awareness of and adherence to international human rights law and IHL by parties to the conflicts. IDPs indicated that, combatants appear to have limited knowledge of and respect for these international protection standards. Armed activities are conducted in civilian residential areas, with homes and public facilities (e.g. wells) destroyed. Civilians perceived as sympathetic to opposing groups are killed or arbitrarily detained, and their property is confiscated or destroyed. Measures for the protection of civilians in armed conflict, such as safe corridors to flee conflict areas, were not put in place. Nor was the security of

fleeing civilians safeguarded. Limited international presence in conflict areas during active hostilities has resulted in little direct international monitoring of the parties' respect for human rights and IHL. To the extent that advocacy is conducted on these issues, IDPs are not aware of it, nor are they informed of the outcomes.

IDPs called for enhanced monitoring by humanitarian actors of compliance by parties to conflicts with international human rights law and IHL, and for the Government to strengthen national laws for holding criminally responsible the parties and individual perpetrators who violate these legal standards for the protection of civilians.

Recommendation:

The Government should intensify national public awareness campaigns and advocacy for compliance with international human rights law, IHL, and the Guiding Principles on Internal Displacement.

The Government as well as civil society and international humanitarian actors should systematically monitor respect for international human rights law and IHL. Perpetrators of abuses committed against civilians must be held criminally responsible.



IDPs noted that in addition to holding the perpetrators of abuses criminally responsible, victims of violations of international human rights law and IHL must have access to a just and effective remedy, including reparation for harm or losses suffered. They felt that IDPs and all other civilians who were illegally detained, injured, or suffered other violations of international human rights law or IHL should be assisted to access a just remedy and to receive legal, social and psycho-social support.

Recommendation:

Civilians, including IDPs, who suffered violations of international human rights law or IHL should receive a just and effective remedy for the physical, material, social, and psychological damages caused.

IDPs pointed out the lack of safe passage from conflict areas compelled many IDPs to stay in remote, inaccessible and unsafe areas.

Recommendation:

Parties to a conflict should, in compliance with their obligations under IHL, make arrangements for the safe evacuation or safe passage of civilians from areas of conflict. Such measures should take into account the special vulnerabilities of women, children, older persons and persons with disabilities, e.g. ensuring reproductive health of pregnant women, protecting children from recruitment, and preserving family unity.

IDPs were not aware of any measures taken to help

ensure that families could remain together during flight or be reunited quickly in the event of any separation during displacement. They emphasized that this is especially important for the protection of children, women, older persons and persons with disabilities. IDPs also noted the need for assistance for the retrieval and respect of the remains of dead relatives killed in conflict or during flight. IDPs from Sa'ada, for example, emphasized the need to respect the remains of the dead and to ensure that these are retrieved and handed over in a timely

manner to the family or, if the family is not traceable, then to the community leaders or sheikhs.

Recommendation:

All necessary measures should be taken by the parties to a conflict to respect the principle of family unity and to facilitate the reunification of families as quickly as possible. Remains of the dead must be treated with respect and should be retrieved and handed over to the victim's family in a timely and respectful manner.



PROTECTION AND ASSISTANCE ONCE DISPLACED

Large numbers of IDPs have ended up in spontaneous settlements which lack the necessary infrastructure and living conditions for life in safety and dignity. IDPs pointed out that they were not aware of specific policies or procedures to ensure their access to basic services (e.g. shelter, food and water). As a result, large numbers of IDPs also have sought shelter with host communities, who share their food and water.

Some IDPs mentioned that they do not have a clear understanding of the criteria for the provision of humanitarian assistance addressing the specific needs of IDPs and in particular of IDPs facing specific vulnerabilities (e.g. pregnant women, children, older persons, persons with disabilities, SGBV survivors). Nor are they aware of information and complaint mechanisms put in place by service providers.

Recommendation:

The Government and relevant partner agencies

“How long will we remain displaced? Is there a permanent solution?”

should improve procedures to identify beneficiaries of humanitarian assistance on the basis of their need for humanitarian assistance, taking into account any special needs and the specific vulnerabilities of particular groups of IDPs.

Some IDPs observed that they “are left at the mercy of host communities” who, though they were receptive to IDPs in the beginning are found to be less so with the passage of time, ongoing strains on resources and perceptions of greater assistance for IDPs.

Recommendation:

The Government, especially at the local level, should ensure information-sharing and consultation with host communities and promote efforts whereby IDPs, host communities, local authorities, and partners work together to address internal displacement in a transparent and equitable manner with a view to reducing tensions between IDPs and the host population.

IDPs emphasized the lack of livelihood opportunities in their place of displacement. The majority of IDPs noted that they had been farmers and herders prior to being displaced; the loss of land and livestock as a result of displacement deprives them of the means to an adequate standard of living. In addition, some IDPs who previously were government employees noted that they lost access to their benefits once they became displaced. IDPs in

Haradh and Aden in particular also mentioned the need to continue to have access to their social security benefits during displacement.

Recommendations:

The Government should develop livelihood programmes to support self-reliance of IDPs. These programmes should include specific measures to protect IDPs against discrimination in the labour market.

The Government also should explore opportunities to enable, to the extent possible, professional IDPs to utilize in their place of displacement their pre-existing skills and qualifications.

IDPs meeting the eligibility criteria should continue to receive social security benefits during displacement.

IDPs noted that they did not have the opportunity to bring with them essential identity documentation, including birth and marriage certificates, when they fled. While they indicated that the lack of identity papers does not limit their movement in most parts of the country, it does affect the enjoyment of a number of other rights, including renting accommodation (even in hotels) or owning property. IDPs in Aden, Sana'a and Haradh suggested that their loss of documentation could be rectified through simplified registry procedures whereby committees



comprised of sheikhs and other representatives of their community could attest to their identity, place of home residence, and civil status.

Recommendation:

The Government should facilitate issuing or reissuing essential identity documentation to IDPs through the use of official records and alternative forms of evidence, including committees of sheikhs and other community leaders to verify IDPs' identity and civil status.

“ I want to return to my village and enjoy a dignified, free and safe life.”

DURABLE SOLUTIONS TO DISPLACEMENT

Some IDPs reported a lack of information provided by the Government, local authorities, or humanitarian actors on the various options for durable solutions; they noted that the only option articulated or promoted by the Government is return. They reported that in some cases returns have taken place without IDPs being fully aware of their ability to choose among possible solutions or that returns have occurred in the absence of proper security arrangements or of programmes for reintegration assistance. Obstacles to safe return remain for several IDP communities. These obstacles include IDPs sometimes having a different ideology than the local authorities controlling

IDPs' area of origin, discrimination against their community, and feared revenge actions by the local community in places of potential IDP return.

Moreover, IDPs called for information on the type of assistance that is to be available upon return to be systematically and widely disseminated among IDPs and returnees.

Recommendations:

IDPs' right to make a voluntary and informed choice about durable solutions to their displacement should be respected.

The Government should ensure that IDPs have access to information on the conditions, including regarding safety, infrastructure and access to basic services, in areas of return. This information can be disseminated through mass information campaigns (e.g. via radio and TV broadcasting, leaflets, and posters).

The Government, at both the state and local levels, should monitor on a systematic basis the security of returnees, ensuring that they are not subject to discrimination or revenge attacks, and that the perpetrators of any such violations are

swiftly brought to justice.

IDPs across the country mentioned concern about the presence of mines/UXOs as an obstacle to safe return.

Recommendation:

The Government should continue to engage actively in the clearance of mines and UXOs and should provide support to victims of mine and UXO incidents.

Damage or destruction of housing, land and property is another concern of IDPs and an obstacle to their return. Some IDPs expressed fear that their land may have been reallocated to others who remained behind and were sympathetic to actors that controlled the area.

IDPs emphasized the need to ensure the protection of civilians' houses, land and property during all phases of displacement. They noted that the pattern of conflict does not distinguish civilian objects from military objects. The result is significant damage and destruction to civilian as well as public land and property, in particular by shelling as well as landmines and booby traps. IDPs urged that civilians' protection be respected during hostilities.

Recommendations:

All parties to a conflict should protect civilians'

housing, land and property and other civilian objects, in compliance with their obligations under IHL.

Compensation should be provided for any civilian home, land or property that is damaged or destroyed during the conduct of hostilities.

Any illegally appropriated housing, land or property should be returned to the rightful owner without delay.

“ We want the new generations to enjoy peace.”

Where established property restitution mechanisms do not exist, identification of housing, land and property ownership claims should be facilitated through existing community systems, for instance in consultation with IDP community leaders and sheikhs so long as this process is transparent and equitable.

A mechanism should be developed to address housing, land and property issues, including reconstruction assistance and restitution, in consultation with IDPs and the local community.



IDPs indicated that basic services and infrastructure also must be repaired in areas of return. This is important for IDPs to meet their basic needs (e.g. to potable water, to health care, etc.) and safely resume their livelihoods (e.g. agricultural land must be de-mined). In the absence of basic services and infrastructure being in place, sustainable IDP returns are difficult. For example, many IDPs who wish to return to Sa'ada are still in Amran or come for food distribution in Sana'a and Amran due to the inability to access assistance or be self-reliant in return areas.

Recommendation:

The Government, together with relevant international development organizations, should support reconstruction of IDPs' areas of origin, including mine-clearance and the rehabilitation of basic services and public infrastructure. This is essential to enable the sustainability of IDP returns.

“ If there is no solution to problems which causes the displacement, durable solutions will not be achieved.”



Although heavily damaged, Al-Razi General Hospital in Ja'ar has reopened. Director Khaled Mogbel said, "The hospital was closed for six months during the conflict and is now faced with a great deal of challenges as it is the only functioning hospital in the Ja'ar. We are in need for staff as many of our staff left and have not returned. We also need medicine and medical equipment for operating room."



ANNEX

Summary List Of Recommendations

Overall Recommendations

A national policy for addressing and resolving internal displacement should be formulated, adopted and implemented by the Government of Yemen.

This policy should be based on and consistent with international human rights law standards and IHL and should take into account the Guiding Principles on Internal Displacement.

This policy accordingly should criminalize arbitrary displacement and should include measures to prevent any kind of discrimination that might put at risk IDPs' fundamental rights, including the right to life, because of her/his political or religious views.

This policy also should specify measures for resolving displacement and should safeguard IDPs' right to choose among solutions, i.e. whether to return to their area of origin, locally integrate in the area of displacement, or settle in another part of the country.

The Government should establish committees and

a plan at the local and national levels to address all the different phases of displacement with a view to coordinating disaster preparedness, emergency response and the planning of durable solutions. These committees must include representatives of IDPs.

The Government should draft, adopt and ensure the implementation of national laws and policies with strong, legally binding obligations on all parties to a conflict to protect civilians and take all possible measures to prevent violations against civilians, including preventing the use of civilians as human shields, arbitrary detention, forced recruitment, any recruitment of children, looting of property, indiscriminate attacks against civilians, and other abuses against civilians that are prohibited by IHL.

The Government should develop, at both the national and local levels, a plan for ensuring the safety and security of civilians during armed conflict, including IDPs in all phases of displacement. This plan should include measures to address the specific

protection concerns faced by women, children and older persons, and to ensure family unity.

All parties to a conflict should sign specific guarantees for the protection of civilians during armed conflict, in compliance with their obligations under IHL, including specific commitments for the protection of women and children from exploitation and abuse. They also should develop a plan for safe evacuation and ensuring safe passage for fleeing civilians.

The Government should establish a national information mechanism to provide timely, accurate and unbiased information to the civilian population on potential or unfolding conflicts, on safety and security plans for the protection of civilians, on the humanitarian assistance available to affected populations and, when conditions allow, the options for a durable solution.

The Government, especially at the local level, should consult with host communities regarding

the support they require as a result of hosting IDPs and should facilitate consultations between host and IDPs communities to promote increased understanding and solidarity among them.

Specific To The Phase Of Displacement

PRIOR TO DISPLACEMENT AND DURING FLIGHT

Conflict resolution mechanisms should be explored with participation of all parties to conflict and civilians, as an alternative to war.

The Government should intensify national public awareness campaigns and advocacy for compliance with international human rights law, IHL, and the Guiding Principles on Internal Displacement.

Civilians, including IDPs, who suffered violations of international human rights law or IHL should receive a just and effective remedy for the physical, material, social, and psychological damages caused.

Parties to a conflict should, in compliance with their obligations under IHL, make arrangements for the safe evacuation or safe passage of civilians from areas of conflict. Such measures should take into account the special vulnerabilities of women, children, older persons and persons with disabilities, e.g. ensuring reproductive health of pregnant women, protecting children from recruitment, and preserving family unity.

All necessary measures should be taken by the parties to a conflict to respect the principle of family unity and to facilitate the reunification of families as quickly as possible. Remains of the dead must be treated with respect and should be retrieved and handed over to the victim's family in a timely and respectful manner.

PROTECTION AND ASSISTANCE ONCE DISPLACED

The Government and relevant partner agencies should improve procedures to identify beneficiaries of humanitarian assistance on the basis of their need for humanitarian assistance, taking into account any special needs and the specific vulnerabilities of particular groups of IDPs.

The Government, especially at the local level, should ensure information-sharing and consultation with host communities and promote efforts whereby IDPs, host communities, local authorities, and partners work together to address internal displacement in a transparent and equitable manner with a view to reducing tensions between IDPs and the host population.

The Government should develop livelihood programmes to support self-reliance of IDPs. These programmes should include specific measures to protect IDPs against discrimination in the labour market.

The Government also should explore opportunities to enable, to the extent possible, professional IDPs to utilize in their place of displacement their pre-existing skills and qualifications.

IDPs meeting the eligibility criteria should continue to receive social security benefits during displacement.

The Government should facilitate issuing or reissuing essential identity documentation to IDPs through the use of official records and alternative forms of evidence, including committees of sheikhs and other community leaders to verify IDPs' identity and civil status.

DURABLE SOLUTIONS TO DISPLACEMENT

IDPs' right to make a voluntary and informed choice about durable solutions to their displacement should be respected.

The Government should ensure that IDPs have access to information on the conditions, including regarding safety, infrastructure and access to basic services, in areas of return. This information can be disseminated through mass information campaigns (e.g. via radio and TV broadcasting, leaflets, and posters).

The Government, at both the state and local levels, should monitor on a systematic basis the security of returnees, ensuring that they are not subject to discrimination or revenge attacks, and that the perpetrators of any such violations are swiftly brought to justice.

The Government should continue to engage actively in the clearance of mines and UXOs and should provide support to victims of mine and UXO incidents.

All parties to a conflict should protect civilians' housing, land and property and other civilian objects, in compliance with their obligations under IHL.

Compensation should be provided for any civilian home, land or property that is damaged or destroyed during the conduct of hostilities.

Any illegally appropriated housing, land or property should be returned to the rightful owner without delay.

Where established property restitution mechanisms do not exist, identification of housing, land and property ownership claims should be facilitated through existing community systems, for instance in consultation with IDP community leaders and sheikhs so long as this process is transparent and equitable.

A mechanism should be developed to address housing, land and property issues, including reconstruction assistance and restitution, in consultation with IDPs and the local community.

The Government, together with relevant international development organizations, should support reconstruction of IDPs' areas of origin, including mine-clearance and the rehabilitation of basic services and public infrastructure. This is essential to enable the sustainability of IDP returns.





Algeria St. No. 38
Building No. 2
P.O. Box 12093
Sana'a - Republic of Yemen

Tel: +967-1-469771/2
Fax: +967-1-469770
Website: www.unhcr.org
Email: yemen@unhcr.org

 [@unhcryemen](https://twitter.com/unhcryemen)

 facebook.com/unhcr



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