



# Restricting Yemeni **Women**

## Travel Freedom

— Policy Paper —

Amani Hassan

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## About project:

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Research Guidance Project (RGP), implemented by Resonate! Yemen with funding from Project on Middle East Democracy (POMED), aims at promoting youth role through engaging them in public policymaking and supporting Yemen's peacebuilding process to enable youth to influence public policies and solve problems related to community cohesion and local governance. This effort is within Resonate! strategic goal of promoting youth voices and bringing them to decision-making positions.

## Executive Summary

Yemeni women suffer multiple social restrictions limiting their freedom due to a combination of social, cultural and legal factors. The ongoing war has compounded the existing restrictions violating the natural rights of women, mainly including limiting mobility and travel, as the vast majority of Yemeni women are unable to travel alone locally between governorates, let alone traveling abroad.

It is also difficult for women to get tickets, and they are exposed to abuse, harassment and extortion during travel when passing through checkpoints, particularly women who travel without a male chaperon “a male relative locally called mahram”. In a big number of checkpoints, soldiers act on their own and do not follow certain procedures and rules.

This paper concluded several recommendations, including the importance of issuing urgent instructions from relevant authorities to activate travel-related laws and legislations, especially those related to women, and exerting international pressure on all warring parties to abide by these laws.

This paper also recommended ongoing organized advocacy campaigns to pressure the warring parties to keep women out of conflict and ensure their rights to travel and mobility.

### Introduction:

In the recent years of war, the warring parties imposed many restrictions on freedom of movement between Yemeni governorates, especially on women<sup>1</sup>, and these parties perpetrated multiple violations against women as a show of hegemony and power.

Although there is no law requiring women to have a mahram during their movement, there have been repeated incidents in the last few years stressing the need for a mahram and asking women about their mahram while traveling between governorates. Recently, a number of circulars and decisions were issued furthering restrictions on women in all aspects<sup>2</sup>, stressing the importance that women should have a mahram or provide a written consent from their male guardians. Such policies are in contravention with the Yemeni law which guarantees the freedom of movement for every citizen and may not be restricted except in cases specified by law (Article no. 57 of Yemeni constitution)<sup>3</sup>.

This paper aimed at investigating the violations and restrictions on Yemeni women’s travel as well as advocating for an end to the ongoing illegal freedom-restrictive practices against women through calling the international community, civil society organizations (CSOs) and human rights organizations to urgently intervene and exert pressure to eliminate such violations and to indicate what policies should be adopted by the state to ensure the protection of Yemeni women during travel and movement without any difficulties or risks.

This paper targeted women vulnerable to violations during travel between the governorates of Sana’a, Taiz, Aden and Lahj. It also targeted public and private transport companies, human rights organizations, CSOs, decision-makers and relevant authorities. The data collection took place during August and October 2022, including 6 in-depth interviews with women who had been abused during travel, 5 interviews with CSOs and female activists and 3 interviews with human rights and gender experts. The data was

collected through phone calls and WhatsApp “online” due to the prevailing security conditions and difficulty of conducting face-to-face interviews. The majority of interviewed women and transport companies asked to stay anonymous due to security concerns.

Desk review was also conducted for references discussing women’s freedom of travel and relevant violations as well as laws and international and security regulations related to freedom of movement, especially for women.

### **Problem Background:**

Yemeni women face successive restrictions on movement in a large number of Yemeni cities. The measures to prevent women from traveling were not a spur of the moment, as they were preceded by harassment, violations and arrests at security checkpoints between governorates in the past years<sup>4</sup>. Thus, travel has become a great risk and women travel only when they had to.

The illegal decisions and procedures have furthered the suffering of Yemeni women and families during travel. This has adversely affected women’s movement, including fulfilling the tasks assigned to them, and participation in public and private events. Thus, women usually choose to avoid traveling and movement to stay away from harassment<sup>5</sup>.

Many recurrent incidents of stressing the accompaniment of mahram on transport means while moving between governorates have taken place. Women who travel alone are interrogated, and mahram are requested to prove their relationship with the women, for example by presenting a marriage certificate<sup>6</sup>.

These restrictions are increasing every day; the last of which is the decision made by authorities in Sana’a requiring public and private transport companies to request a consent from the women’s male guardian allowing them to travel from Sana’a to other governorates<sup>7</sup>. This decision has spurred many adverse effects on women, including inability of women to travel and move between cities, especially from female workers in civil society<sup>8</sup>.

Women have reported being treated as incompetent who have no right to travel or move by themselves unless with a prior consent. They also reported being exposed to arbitrary violations, swearing, dignity insult and even slandering at some checkpoints, and at times extortion and financial exploitation<sup>9</sup>. Sometimes, women are threatened to be sent back to their cities or to be arrested and disciplined<sup>10</sup>.

Women's privacy is also violated, their personal belongings are tampered with, and their mobile phones and private belongings are searched. Such restrictions have financially burdened women as they have to be with a mahram while traveling. A respondent confirmed that women bear additional and exorbitant costs to cover the mahram’s needs to avoid harassment and violations.

These arbitrary procedures, practiced by authorities in the north and south<sup>11</sup>, against Yemeni women are mainly attributed to:

- **Security reasons:** including the ongoing war for seven years and the resulting humanitarian crisis, poor state institutions, lack of security oversight role which can impose authority by the warring parties in their respective areas, the closure of roads in several Yemeni regions, which increased the suffering of women while traveling<sup>12</sup>.

- **Legal reasons:** Not forcing the legislation guaranteeing freedom of movement for every citizen, including women travelers, according to Article 57 of Yemeni Constitution; lack of laws for protecting Yemeni women from violations; lack of competent legal authority to monitor and document violations against women and legally defend women's rights, and lack of compliance with international community's resolutions and laws on human rights and humanitarian law due to the poor role of international institutions to pressure the local authorities<sup>13</sup>.
- **Norms and tribal community:** play a major role in limiting women's freedom of movement, along with gender-based discrimination spurring violations against women in Yemen on a daily basis. The lack of community awareness of women's rights and their effective role in society is another factor<sup>14</sup>.

### Challenges to women's travel:

are many which limit the movement and travel of Yemeni women. According to female respondents, key challenges include:

#### 1. Booking tickets:

Sana'a authorities have set a condition requiring a mahram for women to be able to travel<sup>15</sup>, or providing a signed guardian consent document approving woman's travel<sup>16</sup>. They have also requested local transport bus companies requiring that women be escorted by a mahram when traveling between cities in Yemen. A report by Human Rights Watch said that bus drivers refused to take women because they did not have a mahram, or that it cost them more money to travel since they must pay for the mahram's ticket<sup>17</sup>.

Maryam said that she was constantly asked about her mahram during her travel from Taiz to Sana'a. Although she is used to traveling alone, she was surprised recently that she was not allowed to book a ticket from a transport company in Sana'a unless she provided a signed approval document from her guardian, and that she would not be allowed to travel except with this document<sup>18</sup>.

Hanan, a community activist, said that she came from Lahj to Sana'a in January 2021 with her two sons for medical treatment, but when she wanted to get back to Lahj, she was surprised that she was not allowed to book tickets without a consent document from the guardian as well as the birth certificates of her sons to prove that the children are hers. So, she had to delay her travel for two days until the required documents were sent to her. She said that because of this procedure, her work was affected as she missed an important training<sup>19</sup>. She added, "This procedure is a major violation against women, as there were several other solutions to make sure that they were her children in an easier and faster manner, especially that she booked a return ticket with the same transport company she came with."<sup>20</sup>

Officials in public and private transport companies, transporting passengers between Sana'a and other governorates, indicated that there are directives issued by the authorities in Sana'a preventing women from traveling when booking tickets without a mahram or without an approval document from a guardian. The authorities circulated a data collection form that must be filled by any Yemeni woman who wants to travel internally, which includes a clause for her guardian's travel consent.<sup>21</sup>

A transport company said that in the past, it could bypass this procedure, especially for women who cannot travel with a mahram, such as female students who come from different cities and villages to study at

university in Sana'a, as it was possible to phone the father or a woman's relative, or to present the father's ID card without the need for a consent document from the guardian. However, this decision was a great obstruction to female students and prevented them from traveling to complete their studies. Transport companies cannot allow some of these violations as they will be subject to penalties, including suspension or legal accountability. Thus, these companies are forced to abide by these decisions<sup>22</sup>. It was noted that the transport companies had different statements about the authority responsible for issuing these decisions; some said that they are issued by the Ministry of Transportation, some said it was the Ministry of Interior in Sana'a, while others said it was the Criminal Investigation Department<sup>23</sup>.

A human rights researcher, Bashir Al-Samawi, pointed out that "These decisions are unknown and unclear, and we do not know who is responsible for issuing them, and that the inability to identify the responsible party makes them illegal decisions."<sup>24</sup> A transport company manager in Sana'a, who preferred to stay anonymous, confirmed in an interview with "Khayout" that this circular was issued by the Land Transport Authority in Sana'a, and that those who did not comply with these directives will be subject to legal accountability<sup>25</sup>.

## 2. Big number of checkpoints:

Since 2015, internal travel has been a concern for all Yemenis due to the war situation that has divided Yemen into several geographical areas controlled by different warring parties<sup>26</sup>. This has made it difficult to move and travel between Yemeni governorates to the extent that travelers feel that they are traveling from one country to another<sup>27</sup>. The greatest suffering is caused by security checkpoints, which are widely spread on primary and secondary roads, governorate entrances and streets<sup>28</sup>.

According to earlier estimates by local sources, the number of checkpoints on the primary roads only was 300 in the areas controlled by Sana'a authority, in addition to hundreds of checkpoints at entrances of markets and districts<sup>29</sup>. These checkpoints commit many forms of abuse against women, which is the same case in the southern governorates controlled by the internationally recognized government of Yemen (IRGY) and its security groups.

## 3. Asking about mahram:

Women are repeatedly stopped and asked about their mahram, which is a form of gender-based discrimination. Women face this discrimination in Yemen on a daily basis, which is a clear regression of women's rights and treating them as incompetent and degraded<sup>30</sup>. How come a sensible adult woman still need a child to escort her to be allowed to travel?

A female activist said that these restrictions began since the outset of war and are not recent, but the most recent decisions furthered the restrictions. She also mentioned that she had been exposed to violence in 2017 while traveling from Shabwa to Sana'a to attend a training with her 9-year-old nephew. She said that when she wanted to go back to Shabwa, she was stopped when she got on the bus in Sana'a and was asked about her mahram. She was exposed to recurrent harassments at most checkpoints, and she repeatedly asked about her mahram, but she was able to overcome this matter through presenting a document from her work and the card of the organization where she worked<sup>31</sup>.

The decision to be escorted by a mahram increases the financial burden and costs to women, including tickets, accommodation and other expenses. All these restrictions are because they are women and cannot move freely without having a mahram<sup>32</sup>.

Commenting on the new decision concerning the guardian's consent document, lawyer and gender specialist, Haitham Al-Asahbi said, "it is an illegal decision and contrary to international human rights law and the Constitution of Yemen which guarantees freedom of movement for males and females as well as the CEDAW Convention which guarantees women their right to equality and non-discrimination."<sup>33</sup>

#### 4. Accusations, abusive words and dignity insult:

Most women travelers, especially those traveling without a mahram, confirmed that they were exposed to many insulting and dishonoring words of being open-minded and liberal women, and that they have no family to care about them. The soldiers at checkpoints kept asking, "Where is your family? How did they allow you to travel without a mahram?"<sup>34</sup>

Wedad Khaled reported an abuse while traveling from Sana'a to Hadramawt to attend a conference with a group of male and female colleagues on a public bus. She said that they were stopped in Sana'a as soon as they got on the bus and were not allowed to travel by a person claiming to be from the Criminal Investigation Department. This person requested the women to present their IDs and asked to contact their parents while saying abusive words and insulting their dignity, and how their parents allowed them to travel without their mahram. She added that even after contacting our parents and confirming that they knew about our travel, he refused to let us get on the bus and travel<sup>35</sup>.

Such violations do not only take place at checkpoints in areas controlled by Sana'a authority, but the same happens in areas controlled by IRGY, where checkpoints treat women who travel without a mahram in the same manner and make insulting accusations affecting their dignity.

Faten Mohammed, who works for several CSOs, said that the nature of her work requires her to travel between governorates. She mentioned that a year ago, she was exposed to violence at a checkpoint at an entrance to Aden "Rabat checkpoint" while returning from Taiz with her husband and two children. She added that they were stopped at the checkpoint for hours and were asked to present their marriage contract despite the presence of their children with them, and they were not allowed to leave except with the marriage contract. She said that when she returned from Sana'a to Aden, the same incident occurred at the same checkpoint, but this time, the marriage contract was with her and they were able to leave<sup>36</sup>.

#### 5. Extortion and financial exploitation:

One of the types of abuse women face at checkpoints on a continuous basis is financial extortion. Many women are exploited to be allowed to pass through checkpoints<sup>37</sup>. The majority of interviewed women confirmed this point and said that whatever the reason for being stopped at the checkpoint was, it is possible to pass through checkpoints by paying an amount of money; however, some soldiers at checkpoints do not accept small and reasonable amounts and request very large amounts.

Aisha said that in July 2022, "I traveled to attend a regional training as part of a scholarship, and we hit the road after dawn with a group of female colleagues in more than one car rented from the same private transport company. However, our car was stopped at Naqil Yasleh checkpoint (40Km to the south of Sana'a) who interrogated us. Although we submitted our full documents and the approvals of our parents, and after more than an hour and a half of negotiations between the driver and the checkpoint, a large amount of money was requested to allow us to leave. It was clear that they stopped us for financial extortion."<sup>38</sup>

Another woman added that in September 2022, she was stopped for long hours at one of the checkpoints in Taiz city before Al-Qubaita hillside road with no justification but for being without a mahram, although she had presented a guardian approval document, and she paid the checkpoint a large amount of money to allow her continue her way<sup>39</sup>.

Another woman also said that her friend, who was not wearing a face veil, was stopped at a checkpoint in Naqil Yasleh area and was accused of being a non-Yemeni despite the fact that she is from Taiz city and provided her ID, but they were unconvinced, and she could only leave the checkpoint after the driver paid them money<sup>40</sup>.

Financial extortion is one of the most heinous violations faced by travelers, especially women, due to the weak security oversight, which allows the checkpoint personnel to commit these violations that should not be perpetrated by security personnel under the state authorities.

#### 6. Tampering with personal items:

The journey of travelers between governorates has become tiresome and arduous, especially for women. The checkpoints have become investigative apparatus who continuously check identity cards, and not only that, but also their violations amounted to tampering with women travelers personal belongings, searching their phones and asking about their phone numbers<sup>41</sup>. Such inspection and violation of privacy are contrary to all local and international norms and laws, as no person has the right to carry out such actions and may not violate privacy except with permission or official notification from the prosecution based on clear provisions of the law.

Although in the past such violations were only practiced against men, women have become no

exception in the recent period, without any considerations for the privacy and status of women in society. These violations intensified and amounted to requesting women's phones and phone numbers and inspecting their personal belongings, which is in contravention with Yemeni laws and norms that used to preserve women's dignity and humanity.

Faten said that a year ago, security personnel at a checkpoint "Rabat checkpoint" before the city of Aden committed many arbitrary practices, including searching cars and personal bags without any consideration that they were women's private belongings. She described these practices as insulting to dignity and a violation of their rights and privacy<sup>42</sup>.

The key security checkpoints whose gunmen search the phones of travelers before arresting them are Abu Hashim checkpoints, which are two checkpoints located at the entrance of Rada' city in Al-Bayda governorate in central Yemen, and Al-Aqroudd checkpoint, which is located at the southern entrance of Taiz city; these checkpoints are in areas controlled by Sana'a authority. In addition, Falaj checkpoint at the entrance of Marib city in eastern Yemen controlled by the IRGY National Army; two checkpoints "Al-Alam", which are located at the eastern entrance of Aden city, and Al-Habailain checkpoint, which is located on Lahj-Aden Road and controlled by Southern Transitional Council<sup>43</sup>.

Aisha Mohammed said she was distraught and terrified because it was the first time she was exposed to such a violation. She added that one of the very bad things the checkpoint personnel did was asking for their phone numbers to check them using a caller ID detector app, which shows under what name their phone numbers were registered by other people. When the checkpoint personnel checked their phone numbers, they found out that some of the girls' names were registered in the name of well-known



organizations, which hindered them further, and they were subjected to a provocative and piece-by-piece search of all their bags and clothes in a provocative manner. All their personal belongings were searched. She said that this meticulous search was done by Naqil Yasleh checkpoint as well as three following checkpoints before they entered Sana'a, and another checkpoint in Taiz. were subjected to a provocative and piece-by-piece search of all their bags and clothes in a provocative manner. All their personal belongings were searched. She said that this meticulous search was done by Naqil Yasleh checkpoint as well as three following checkpoints before they entered Sana'a, and another checkpoint in Taiz<sup>44</sup>.

#### 7. Threat of imprisonment or sending back from halfway:

Many travelers are stopped for long hours at checkpoints and threatened with imprisonment or being sent back from halfway if they are not responsive to soldiers at checkpoints. Such practices aim at intimidating travelers<sup>45</sup>. It is noticeable that violations no longer target men travelers only but have also become practiced against women.

In the past, women did not use to be subjected to threatening with imprisonment, but perpetrators are now ignoring community norms and traditions that used to respect women and allow them to pass through checkpoints. Stopping women for hours at checkpoints used to be considered a violation against the community norms<sup>46</sup>.

Yasmine said that she was stopped with her two daughters at a checkpoint before Al-Qubaita hillside road, and they were asked for an approval from their guardian. She added that all other documents were with her, including the flight tickets, but they did not allow her to leave the checkpoint, and she was stopped for five hours. They also threatened to send

her back from halfway. She said after crying and begging the soldiers at the checkpoint to let her leave because they will miss the flight, they allowed her to continue her way.<sup>47</sup>

Many women have also confirmed that they were sent back after they have traveled more than halfway under the pretext of flimsy and illogical excuses, mainly the absence of a mahram. They added that they were given a choice between two things, either being detained or sent back to their governorates. This made most women choose to return to their homes. The soldiers at checkpoints were inconsiderate to big financial and moral losses resulting from this violation.

#### 8. Dress code:

Dress in public is personal freedom within the limits of decency and general traditions of the community, and no one may interfere with how people should dress. However, checkpoints harass women travelers because of their dress in public, and it is possible that women may be arrested because of what they wear, especially women who do not wear face veils under the pretext that their dress is breaching religion's teachings or community norms, although women wear decent clothing commensurate with the conservative community norms<sup>48</sup>.

Many women travelers reported being exposed to bad words and dignity insult at some checkpoints, especially if they do not wear face veil or wear clothing in other colors than black under the pretext that they violate religion or community norms. A girl told AFP about her bitter experience: "The soldier had a problem with the way we dressed and said that our clothes were colored and contrary to public morals, customs and traditions."<sup>49</sup>

Interfering with how people should dress through invoking flimsy excuses and linking such act to religion or norms is in fact a violation that reflects the poor awareness of human rights and human dignity guaranteed by religion and law, and it reflects the insistence to impose a dress code for women according to personal perceptions.

### 9. Deliberate targeting of female CSO staff:

Travel violations and arbitrary decisions restrict the freedom of Yemeni women in general, but they are particularly more focused on restricting female activists and workers in CSOs. These practices and decisions affect all humanitarian programs requiring female humanitarian workers to work closely with women and girls<sup>50</sup>. This was confirmed by many female activists and CSO staff. Aisha Mohammed said that the question that soldiers repeated at checkpoints was “What organization do you work for? Confess?”. She added that even when searching their phone numbers by the checkpoint using a caller ID detector app, the goal was to find out what organizations they worked for.”<sup>51</sup>

This means that female CSO staff who do not have a mahram to travel with them are unable to do their jobs, affecting women and girls' access to much-needed relief assistance, health care and other services provided only by female humanitarian workers. A female activist believes that this decision is a reactionary cultural heritage to marginalize the role of Yemeni women, whether internally or externally, and to limit the spaces of freedom and human rights, especially women's rights<sup>52</sup>.

These violations rob women of their freedom and lead many female activists and CSO staff to leave their jobs, with no choice but to return to their homes<sup>53</sup>, as the authorities believe that the best place for women is home, and they should not go out to contribute to

development or seek livelihood opportunities to feed their families.

### 10. Hotel booking:

After long suffering of traveling through roads fraught with risks to Yemeni women, especially women traveling alone through checkpoints, the suffering does not end at this point. Women face another harassment upon arrival at their destination as they cannot book or stay overnight in one of the city's hotels under the pretext that there is no mahram or permission from their work<sup>54</sup>.

A female social activist said, “I was coming from Shabwa to Aden to travel to Turkey to attend a training, but I was surprised that I was not allowed to book or stay overnight in a hotel, as the hotel receptionist told me that there are two available rooms in the hotel, but he refused to book a room for me because I was without a mahram and did not have a permission from my employer.”<sup>55</sup> Another female activist said that after she arrived in Aden airport, she was not allowed to stay in any hotel because she did not have a mahram with her, so she had to stay overnight at a friend's house.”<sup>56</sup>

This was confirmed by an interviewed hotel manager in Aden who said, “We cannot book a room for any woman who is alone without a mahram. A woman can book a room if she has a letter from her employer along with instructions from the security; otherwise, the hotel will be fined.”<sup>57</sup>

This decision is a violation of women's rights and exacerbates their suffering, as there is no law requiring the presence of a chaperon with an adult to book a hotel room, whether a man or a woman. This increases restrictions on women and their suffering as well.

## Absent Roles:

The paper presents a set of proposals to mitigate the impact of the obstacles created by the war to small and micro youth projects and contribute to enhancing the stability of individual activities, which in turn is reflected in peace in Yemen. It focuses on the roles of the concerned parties that can alleviate these obstacles.

Nevertheless, the role of some CSOs that issued several statements and reports condemning these decisions, including Women Solidarity Network, should be commended. They published statements on their websites considering such decisions a clear and explicit violation of international human rights law and the Yemeni Constitution, which guarantees freedom of movement for all citizens in Article 57 of Chapter II on the basic rights and duties of citizens<sup>58</sup>. SAM Organization for Rights and Liberties called in a statement to end restrictions on freedom of movement imposed by the authorities on women<sup>59</sup>.

There were also objections to these decisions from several activists and influencers in civil society, who stressed the importance of taking a serious stand by all human rights organizations and CSOs to stop these practices and violations, conveying the voices of affected women to the international community and conducting advocacy campaigns for immediate and collective intervention to end these decisions and ongoing violations<sup>60</sup>.

## Recommendations

### International and local CSOs should:

1. Conduct continuous organized advocacy campaigns to pressure the warring parties to keep women out of conflict and ensure their rights to travel and mobility.
2. Coordinate with local authorities to provide capacity-building training for security and military personnel, especially those responsible for regulating travel.
3. Boost the role of activists, human rights defenders and lawyers to influence decision-makers to introduce mechanisms to ensure freedom of travel and movement for women as well as mechanisms for security oversight over violations at checkpoints.
4. Advocate for compliance with Yemeni laws and legislations as well as international and UN regulations and resolutions that guarantee women's freedom of movement.
5. Conduct studies and submit reports and statistics to the competent authorities and UN agencies on violations and restrictions on Yemeni women travel.
6. Support the development and expansion of monitoring tools and documenting travel violations against women. Activate hotlines and disseminate them widely.

### Local authorities and decision-makers should:

1. Form a committee to investigate and monitor the effects of recurrent violations against women during travel in cooperation with the Ministry of Human Rights, Women National Committee and human rights organizations.

2. Improve the Ministry of Interior hotline in the northern regions in terms of responsiveness and hire women to receive women's complaints so that women can report any violation in a confidential and safe manner. Form special committees to redress women's complaints. The IRGY in the southern regions should do the same.
3. Activate oversight on checkpoints and hold perpetrators of violations accountable.

### **Yemen women should:**

1. Women travelers should report violations such as abuse or financial extortion to the competent authorities through hotlines.
2. Increase communication with human rights organizations and women's institutions to monitor violations and advocate for the rights to travel and movement.

### **The community should:**

1. Conduct awareness raising sessions for different community groups to support women's travel and active participation in various fields.
  2. Publish awareness-raising videos and posters on social media platforms supporting women's freedom of travel and movement.
  3. Conduct an awareness-raising campaign on local radio stations and a podcast supporting women's travel and freedom of movement.
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## Researcher

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## About Resonate! Yemen

Resonate! Yemen is a non-profit NGO that has commenced working as a youth initiative in January 2010 and was officially registered at the Ministry of Social Affairs in August 2011, The Foundation is working to create a new environment conducive for developing more sustainable policies, where young people as are engaged as key partners in the development and evaluation of public policies. Resonate! Yemen aims to make the voices of Yemeni youth part of the policy discourse in Yemen, and to support youth work at national and international levels.





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