

# Country Assessment



RESOURCE  
& SUPPORT  
**HUB**



## Executive Summary

Yemen Hub

## Executive Summary

The Country Assessment provides an analysis of the safeguarding landscape in Yemen with the aim of informing the design and operationalisation of the Yemen Hub, part of the UK Aid-funded Safeguarding Resource and Support Hub programme.

The assessment provides detail on the national context as well as the key stakeholders, initiatives and resources that already exist to address safeguarding and Sexual Exploitation, Abuse and Sexual Harassment (SEAH) in Yemen. It further identifies the strengths, gaps and needs, and provides recommendations on the immediate priorities and opportunities for the operationalisation of the Yemen Hub.

## Methodology

Conducted between July and November 2021, the Country Assessment utilised a combination of a desk review of secondary data, an online survey, and a number of Focus Group Discussions (FGDs) and key informant interviews (KIIs) with government institutions, United Nations (UN) agencies, Clusters, International Non-Governmental Organisations (INGOs), and Civil Society Organisations (CSOs).

## Context in Yemen

Yemen has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and committed to the Beijing Platform of Action and the UN Security Council Resolutions 1325 and 2250 on Women, Peace and Security and Youth, Peace and Security. However, there is still a serious gap in complying and implementing these international commitments and treaties and minimal progress has been made to harmonise national legislation with international frameworks.

In addition, local legislation in Yemen, including the Constitution, states the country's duty to protect women and children. Different laws provide texts that protect citizens' rights, including the Code of Criminal Procedures and the Penal Code. Yet, there is no specific or dedicated legislation on violence against women and girls. There is no legislation specifically on an organisations' duty to safeguard those working for them or the people they serve.

Given the current context, there is a need for new laws that prohibit all forms of discrimination against women, children, marginalised, and other vulnerable groups. This includes prohibiting female circumcision, laws on sexual harassment, criminalising marital rape, criminalising social and family violence, protecting and prohibiting discrimination against marginalised people, and a comprehensive law for gender equality.

Despite existing laws and regulations in Yemen, customary law and the country's social norms, attitudes, customs, and practices negatively impact women and girls who are often seen as inferior to men. Gender discrimination which exists in the country's legal framework, such as the Personal Status Law, plays a significant role in the social norms, attitudes and practices that affect women.

Safeguarding and GBV issues have risen in Yemen since 2015 due to the intensive interventions in response to the war and humanitarian crisis. Although there are no figures for the harm caused by humanitarian or development organisations, donors have requested safeguarding policies from those receiving funding as a result of this. Organisations are now required to develop internal safeguarding policies and tools to prevent and respond to sexual abuse and exploitation. The tools, resources, and technical support made available have contributed significantly to the commitment of many organisations to develop their internal policies in this field, such as the code of conduct, complaints mechanisms and training.

However, this alone has not led to adequate organisational capacity and willingness to put in place safeguarding measures. The level of understanding concerning the concept of safeguarding is patchy within the CSOs (and thus within their organisational procedures and practices), plus the level of awareness among the communities, beneficiaries, legal and social service providers (especially governmental) is low, which undermines reporting.

## Key stakeholders

Protection and GBV service providers face multiple difficulties, exacerbated by gaps in national laws that guarantee the rights of vulnerable groups to safe access. The legal framework is out of date (for example, the Penal Code was issued in 1994), and laws tend to be limited and narrow. This often leads to the use of the customary laws whenever civil laws fall short.

The assessment found that;

- Services related to reporting or investigating protection or Gender-based Violence (GBV) issues are held by the security and safety services that includes police departments and security services at the Ministry of Interior (MoI),
- Protection services, mechanisms, resources, and tools, such as they are, are provided by governmental actors, such as the MoI, Ministry of Social Affairs and Labour (MoSAL), Ministry of Public Health (MoPH), Ministry of Justice (MoJ), and Yemen Women's Union (YWU). They are responsible for providing policies, legal aid, referral systems, local justice, diversion, and social reintegration, as well as supervision of shelters and care

institutions. These are normally funded and supported technically by UN agencies and INGOs due to the lack of governmental resources.

- Services for legal aid, psychological and social support have less coverage and suffer from unsafe access due to the focus on capital cities. Most of these services are not free and access depends entirely on the funded projects operated by CSOs.
- In addition, international actors such as OCHA, including the protection cluster and its GBV/ child protection sub-clusters support CSOs and INGOs through the Yemen Humanitarian Fund (YHF).
- The Protection from Sexual Exploitation and Abuse Network (PSEA Network) was established in under the co-lead of UNICEF/UNHCR. The network includes all UN agencies in Yemen, INGOs and three CSOs. The majority of CSOs contacted during the FGDs were not aware of this network. Coordination between the PSEA network and CSOs is a gap as the network has focused on representation from INGOs and UN agencies to date

## Key findings

The Country Assessment found that most CSOs have their own internal safeguarding policies and procedures based on international laws. Many of them view the safeguarding resources they rely on as insufficient, particularly with respect to how contextually relevant and effective they are. Other obstacles include limited resources and support, including from qualified and specialised experts at reasonable costs, and a lack of funding from donors. In addition, the risks of operating safeguarding/SEAH activities in a highly politicised environment are significant, particularly in the north of Yemen where all externally funded aid programmes relating to GBV, protection and safeguarding may be perceived as political interference.

The assessment found the following issues affect the implementation of safeguarding practices in Yemen:

- **Access:** The ability of affected populations to access safe and effective protection services is adversely impacted by many factors and gaps such as the security situation, displacement, and stigmatisation. These make the protection firewall fragile to meet the level of protection risks, especially with increasing protection needs stemming from Yemen's seven-year emergency.
- **Coordination:** Whilst the PSEA Network has clearly been instrumental in leading the conversation around PSEA within the sector, there is a weakness in joint safeguarding coordination, planning and policies due to the poor representation of CSOs in the Network.
- **Safeguarding expertise:** Safeguarding expertise is limited to the city capitals and some districts while protection teams within GBV referral services and safeguarding expertise within CSOs are completely absent in many governorate districts. This means there are

no prevention, reporting and response mechanisms in place and thus an inability of the target groups to access services.

- **Awareness-raising:** As a result of the lack of coverage, there is a lack of awareness and information among local communities concerning their rights not to be harmed by organisations and the services available to them.
- **Stigmatisation:** Customs, norms and traditions often prevent survivors from speaking out. Many victims, especially victims of rape, harassment and sexual assaults, are fearful that speaking out will lead them into a cycle of stigma and social ostracism.
- **Legal framework:** The inadequacy of the current legal framework to protect the rights of vulnerable groups is highly relevant. For example, the field experience of agencies and organisations specialised in safeguarding highlights multiple problems and difficulties related to legislation to guarantee the rights of these groups. This is because the legal framework is not sufficiently responsive to protection.
- **GBV violations:** There are increased reports of GBV violations (in general, not sexual forms of harm specifically), according to the indicators from the annual reports of protection programmes and activities that operate on a wide level in Yemen. These are all likely to make the prevalence of safeguarding issues higher with a lack of proper response.

The survey collected data from 42 INGOs and CSOs working in the humanitarian and development aid sector in Yemen. The top priorities identified were applying international standards in local contexts, identifying safeguarding risks in local contexts, organisational culture change for safeguarding, developing safeguarding policies, the role of human resources for safeguarding and working with and supporting partners for safeguarding.

## Recommendations

**Suggested key target groups.** CSOs are not effectively engaged in PSEA/safeguarding networks or communities of practice. Therefore, it is recommended that the Yemen Hub targets the active less-resourced CSOs that have valid permits across the country by providing them with resources to develop sustainable organisational capacity to safeguard within their organisations and the communities they serve.

**Key national priorities for the Hub.** The Yemen Hub should support safeguarding focal points from CSOs to participate in the PSEA Network to narrow the knowledge gap on safeguarding/SEAH resources and tools between local and international actors and enhance learning and capacity development. The Hub may also consider partnering with a local service provider to carry out this task.

Any regional focus of the Hub. The Yemen Hub should draw on the experience of other countries in relation to safeguarding by conducting regional research and training with the other Hubs in the Middle East and North Africa (MENA) and Africa. Similarly, trained CSOs

should conduct an exercise to localise safeguarding/SEAH. As well as, coordinating with UK Foreign Commonwealth and Development Office (FCDO) Yemen which is based in Jordan to ensure access to and influence with FCDO-funded programmes and partners.

**Identification of key capacity building activities (at a high level).** The Yemen Hub should consider building the capacity of CSOs on safeguarding/SEAH standards to enhance their minimum procedures for safeguarding/SEAH prevention and response. An advanced capacity building programme for CSOs should focus on:

- Increasing general knowledge and understanding about safeguarding
- Strengthening leadership and culture on safeguarding
- Strengthening the knowledge and skills of CSOs to integrate safeguarding within Human Resources (HR), specifically recruitment and volunteer management
- Increasing the capacity to safeguard effectively in partnerships
- Increase the ability of CSOs to design, deliver, monitor and evaluate safe programmes and research

**The Yemen Hub should deploy a blended learning approach.** This can include conducting online activities through the webpage, including e-learning, webinars, online meetings, and disseminating crucial messages through the CSO networks websites and social media. It should also look for opportunities to conduct some face-to-face activities such as bilateral meetings and roundtables. Some options, such as mentoring, might benefit from a hybrid approach too.

For the full Country Assessment report, contact the National Associate for the Yemen Hub or email [info@safeguardingsupporthub.org](mailto:info@safeguardingsupporthub.org)