Yemen

One of the most dire humanitarian crises in the world today—this is how the UN summarizes the state of Yemen in 2015, some three years after the initiative of the Gulf Cooperation Council (GCC) that produced the country’s transitional roadmap following the ouster of President Ali Abdullah Saleh. Yemenis’ hopes for a democratic transition in the wake of the 2011 uprising were dashed, and today war-torn Yemen faces the same fate of neighboring countries like Syria and Iraq. The year 2015 saw the split of the national army, the collapse of what was left of state institutions, and the country’s slide into a sectarian civil and regional proxy war. The Arab military coalition, led by Saudi Arabia and backed by the West, supports the government of President Abd Rabbuh Mansour Hadi against the Houthis, who are allied with supporters of former President Saleh and are accused by Saudi Arabia of enjoying Iranian backing.

Under its new monarch, Saudi Arabia seems concerned about the consequences of the Iranian nuclear deal with the West for the centrality of the Sunni kingdom and its regional influence. As Saudi Arabia waged an open-ended war in Syria against Iran and its proxies, it brought its economic and political influence to bear on allied Arab governments to open a new front in Yemen, launching a war on the Houthis, whom Saudi Arabia views as Iran’s proxies. While there is no end of the war in sight, Saudi Arabia is confident of its ability to win.
Saudi Arabia and the UAE supported Qatar against the Muslim Brotherhood until they were swept from power on July 3, 2013. This sparked a diplomatic crisis in the Arab Gulf when Saudi Arabia, the UAE, and Bahrain recalled their ambassadors from Doha due to Qatari support for the Brotherhood. Yet, 2015 saw Riyadh open up to the Muslim Brotherhood in Yemen, represented by the Islah Party, apparently motivated by the belief that flexibility with the Brotherhood was unavoidable if it wished to devote itself to Iran, which it views as an existential threat.

At the same time, al-Qaeda and the Islamic State (IS) are exploiting the political vacuum and the collapse of state institutions to expand, recruit more members, carry out suicide attacks,1 fight the Houthis, and gain more ground. Complete state failure in Yemen and the extension of extremist groups in its territory threaten to expand the scope of destruction and instability seen in the region in recent years.

The international community in 2015 failed to protect civilians in Yemen and gave diplomatic cover to persons responsible for law-of-war violations and human rights abuses, disregarding demands from international organizations and the high commissioner for human rights to form an international fact-finding committee to investigate human rights violations committed by parties to the conflict in Yemen.

**International Community Fails to End the Conflict:**

Yemen began 2015 with a conflict over the proposed constitution between the Houthis and former President Saleh, on one hand, and President Abd Rabbuh Mansour Hadi, on the other. The conflict escalated after the Houthis took control of the capital and President Hadi fled to Aden. Later, hours after the Houthis seized a military base in north Aden and arrested the Yemeni defense minister, Saudi Arabia on March 26, 2015, in coordination with other Arab states, launched Operation Decisive Storm to stop the Houthi expansion and

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support Hadi’s government. The Saudi coalition includes Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the UAE.

UN Security Council Resolution 2216, issued on April 14, 2015, affirmed the legitimacy of President Hadi and the need to implement the GCC initiative and the results of the National Dialogue Conference, including the drafting of a new constitution, the reform of the electoral system, a referendum on the constitution, and the organization of general elections. The resolution demanded that Houthis refrain from the use of violence and withdraw from all territory they seized, including Sanaa. It also called on the Houthis to respond to President Hadi’s request to attend a conference in Riyadh, held under GCC auspices, with the goal of supporting the political transition in Yemen. The Security Council resolution was based on an Arab resolution and adopted under Chapter VII of the UN Charter. It established an arms embargo on the Houthis and imposed sanctions on its leaders and the son of former President Saleh. While the resolution banned arms supplies to the Houthis, it failed to include a similar provision for the Arab coalition, a lapse that subsequently led to the death and injury of thousands of Yemeni civilians.

Two days after the resolution was issued, UN envoy Jamal Benomar resigned, amid allegations that he caused the collapse of the peace agreement and national partnership of 2014 and blamed him for the failure of the entire transition process. The Houthis did not take part in the Riyadh conference, held on May 17, 2015, which was attended by the new UN envoy, Ismail Ould Cheikh Ahmed. On June 15, 2015, the UN called for talks in Geneva to push Yemeni parties toward a peace accord, but the talks failed to reach an agreement and the warring parties exchanged accusations of blame for the failure. The UN envoy said the divide between the parties was deep and that

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no party was willing to make concessions, which “precluded an agreement, which was within reach.”

Saudi Arabia and its military coalition received the backing of the GCC in Resolution 2216, as well as military, intelligence, and diplomatic support from Western capitals. The nuclear agreement between Iran and the West in July 2015 allowed Saudi Arabia to obtain more Western support as a consolation prize “after the kingdom failed to dissuade its Western allies from the deal with Iran.” Some analysts believe that the outcome of the war in Yemen will have repercussions in Syria. Tehran may be willing to abandon the Houthis if it sees the victory tipping to the Arab alliance, in order to make some gains in the more important battle in Syria. It may thus accept a compromise that would ensure Assad’s survival while in turn Saudi Arabia “is likely to accept a degree of Iranian influence in the Levant in return for Saudi control in the Gulf.”

The Saudi military offensive, since the beginning, has enjoyed American support. As soon as Decisive Storm began, the White House announced that President Obama had approved logistic and intelligence assistance to support the Saudi-led campaign, via a joint planning unit with Saudi Arabia to coordinate American military and intelligence support. US direct military support of its Saudi ally continued in the subsequent months, both in the form of munitions and through a direct role in coordinating coalition airstrikes. Saudi Arabia disregarded appeals from international rights organizations calling for swift inquiries into apparently unlawful strikes by coalition aircraft, in which a number of civilians were killed. These organizations noted that Saudi Arabia’s disregard for the laws of war could implicate those

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countries that supplied it with weapons and that “[t]he participation of US forces in specific attacks may make them responsible for possible laws-of-war violations by the coalition.”

Saudi Arabia also received British support in the form of weapons and diplomatic cover. The UK sold the kingdom military equipment, claiming it was monitoring the coalition forces’ compliance with international humanitarian law, while several British ministers rejected the claim that Arab coalition forces were violating the laws of war.

Western nations and Arab states involved in the Saudi-led coalition defeated a resolution from the Netherlands put to the UN Human Rights Council in Geneva, which would have tasked a UN mission with documenting violations by all parties to the conflict in Yemen since September 2014. The resolution came in response to a recommendation from UN High Commissioner for Human Rights Zeid Raad to form an independent, impartial international commission to investigate claims of violations of international human rights law and international humanitarian law, including in his report on Yemen issued on September 7, 2015. The UN special advisor on the prevention of genocide declared his support for Raad’s recommendation for an international committee, while Jordan utterly rejected the high commissioner’s report on Yemen.

Facing strong pressure from Saudi Arabia and lacking support from Washington and London, the Netherlands withdrew its proposed resolution. Saudi Arabia, accused by international rights groups of responsibility for serious violations of the laws of war in Yemen, was then permitted, with its allies, to draft a resolution that included no reference to an international inquiry for human rights abuses in Yemen.

Yemen.

This is tantamount to protection and backing for government and military leaders responsible for what amount to war crimes, thus guaranteeing impunity and eroding the rights of Yemen’s civilian victims.

Yemeni government forces, supported by the Arab coalition and the West, scored a breakthrough on July 17, 2015 with the liberation of Aden and the withdrawal of Houthi fighters and Saleh’s forces to the north. Houthi positions in the governorates of Lahij, Abyan, Dhale, and Shabwa fell as well, while coalition forces continued to shell Houthi positions in Taiz, though they were not able to displace them. The Houthis and Republican Guard forces maintained their tight blockade on Taiz, thus impeding the arrival of humanitarian aid to the city, which has been besieged since mid-2015. The UN managed to persuade the parties to the conflict to take part in new peace talks in Geneva in mid-December 2015, while Washington and London pressured President Hadi and his government to make concessions and not insist on the application of UNSC Resolution 2216. An agreement for a ceasefire was reached and a truce announced on December 15, 2015, to coincide with the start of negotiations in Geneva, but the ceasefire was violated by both sides and the talks made no tangible process. The UN envoy in Yemen

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announced that after six days of negotiations in Switzerland, the two sides had agreed to another round of talks on January 14, 2016.\(^{19}\)

The UN Security Council convened to discuss Yemen\(^{20}\) after the lack of progress in peace talks and the failure of parties to the conflict to respect the fragile ceasefire. During the meeting in New York, the 15 members of the UNSC called on “all Yemeni parties to resume and accelerate United Nations-brokered inclusive political consultations.” The council stressed the need for Yemeni ports to be opened for the delivery of aid “without delay,” a criticism of the siege imposed by the Saudi-led coalition to support of government forces. It appears Western states, which provided protection and support to Saudi Arabia, are seeking to put a rapid end to the war in Yemen, to devote themselves to open fronts in Syria and Iraq, fearing the expansion and strengthening of al-Qaeda in and IS in Yemen given the absence of a central authority.

The Security Council, convened amid Western pressure on Saudi Arabia to end the war, was the first public Security Council meeting on Yemen since the start of the Arab military offensive in March 2015. The meeting was attended by Prince Zeid Raad al-Hassan, the UN high commissioner for human rights, who declared that the Saudi-led military campaign in Yemen bore apparent responsibility for “a disproportionate number” of attacks on civilian areas. Raad added that he had “observed with grave concern the shelling from land and sea of areas in Yemen with high concentrations of civilians and the destruction of civilian infrastructure such as hospitals and schools.”\(^{21}\) Samantha Power, the US ambassador to the UN—the US was heading the Security Council in December—said that all parties must comply with international humanitarian law, and Houthis must stop the indiscriminate shelling of civilians and cross-border attacks. Power added, “We will also continue to urge the Saudi-led coalition to ensure legal and specific strikes, conduct a comprehensive investigation into


all credible allegations of civilian casualties, and undertake the changes needed to avoid such incidents.”

As battles continued between Houthis and allied forces, on the evening of December 23, the day of the UN Security Council meeting on Yemen, and just a few days after the agreement to resume peace talks in January 2016, Houthi leader Abd al-Malak al-Houthi urged his supporters not to waste time betting on the UN, accusing the international organization of carrying out its activities in line with US policies.

The mistakes made by the UN and Western diplomatic missions in 2015 in supporting Saudi Arabia and undermining efforts to form an international fact-finding committee to appease Riyadh may ultimately erode the credibility of the international organization and weaken its ability to manage negotiations by warring parties and lead serious talks that can bring peace and justice for victims. Yemen will pay the price of the UN failure and the collusion of Western governments in the form of more bloodshed and casualties and further instability that could spread to other neighboring countries and tear the region apart.

Humanitarian Situation in Yemen in 2015: Humanitarian Catastrophe:

The efforts of all Yemeni and regional parties were combined against the interests and rights of Yemeni civilians, whose suffering increased by the day. Yemenis face death in Arab coalition strikes or by Houthi gunfire. They also endured forced displacement, malnutrition, and the collapse of basic services like education and health. The conflict has spread to 20 of the country’s 22 provinces. According to the UN, the conflict, which began on March 26, 2015, has killed 6,000 people, nearly half of them civilians, including some

600 children and another 900 injured children. The casualty rate is five times what it was in 2014. 24

According to UN estimates, basic services are rapidly collapsing. More than 14 million people have no access to adequate healthcare, while 3 million children and women are malnourished and have no access to preventive services. Some 21.2 million people—or 82 percent of the population—are currently in need of some form of humanitarian assistance to meet basic needs or protect their fundamental rights. The UN coordinator for humanitarian affairs announced that 2.3 million people have been forced to flee their homes and another 120,000 have fled the country. “More than 19 million people lack drinking water and sanitation,” he said. “More than 14 million people are food insecure, 7.6 million of them critically so. Some 320,000 children face severe malnutrition.” 25 As 2015 drew to a close, the World Health Organization and its partners called for $31 million to ensure the continued provision of health services to some 15 million in Yemen amid the collapse of the country’s health system. 26

**Civilians Targeted:**

Each party to the conflict in Yemen claims to be defending the rights of the Yemeni people, but this claim does not hold up to reality, in which large numbers of civilians are killed in coalition airstrikes and Houthi forces unnecessarily endanger and kill civilians.

From the first days of the Saudi-led military campaign, civilians died in airstrikes. 27 Saudi and US leaders have disregarded appeals from international organizations to protect civilians and reduce harm

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24 “al-Umam al-muttahida: al-tahaluf al-‘arabi mas’ul ‘an mu’zam al-hajamat.”
to civilians in military operations. Saudi-led coalition forces have consistently shown disregard for civilian lives. Coalition aircraft has shelled civilian facilities and killed many civilians in strikes targeting a camp for displaced persons, a factory, and a warehouse for humanitarian aid in north Yemen. Coalition forces have also used banned cluster munitions in attacks on areas under Houthi control in northern Yemen. Experts say that this type of weapon cannot distinguish military from civilian targets and their unexploded ordnance threatens civilians even long after the fighting is done. There is evidence that coalition forces have repeatedly used missiles bearing cluster munitions in Yemen.

Arab coalition forces carried out 12 airstrikes on Houthi strongholds in Saada in northern Yemen, with the documented damage or destruction of civilian homes, five markets, a school, and a gas station, although there is no evidence that the positions were used for military purposes. The strikes killed 59 civilians, among them 35 children. In addition, coalition aircraft targeted residential buildings and killed at least 65 civilians, among them 10 children, while

coalition aircraft destroyed a hospital in northern Yemen run by Doctors Without Borders.\textsuperscript{36}

According to the UN, military operations have killed some 6,000 people, about half of them civilians. International organizations have documented violations by coalition forces of the laws of war and strikes on civilians and civilian facilities, but Saudi Arabia denies its responsibility and that of its forces. Questioning UN estimates and data, the KSA says that the UN is not present on the ground in Yemen, and it has accused the UN of relying on one party—Houthi militias—for its estimates of alleged casualties.\textsuperscript{37}

Houthis have shown similar disregard for the fate of civilians and residents of civilian facilities. As a result of Houthi attacks on the areas surrounding a hospital in Aden,\textsuperscript{38} hospital staff and patients have come under repeated gunfire and two civilians were killed. Pro-Houthi forces have also violated the laws of war by repeatedly and indiscriminately firing mortars and rockets at populated areas of the southern coastal city of Aden, as a result of which dozens of civilians were killed, including children.\textsuperscript{39} Before withdrawing from Aden, Houthi forces planted anti-personnel landmines,\textsuperscript{40} which have killed several people and endangered others. Houthis have also recruited, trained, and mobilized children as soldiers, in a violation of international law.\textsuperscript{41}

Houthi forces have set siege to Taiz, confiscating food and medical supplies for civilians in the city, which has undermined the

humanitarian situation in the city. The same forces and others loyal to the former president have also repeatedly, indiscriminately shelled residential areas in the southern city of Taiz with artillery and mortars, killing and injuring civilians, including women and children. Houthis have targeted civilians crossing the Yemeni border by indiscriminately firing artillery from northern Yemen on southern Saudi Arabia, killing at least 12 civilians and injuring more than ten others.

**Houthis Violate Right of Expression, Protest, and Association:**

Since they seized power, Houthi forces have engaged in repressive practices, violating the right of peaceful assembly, the right of expression, freedom of the press, and freedom of association, as well as targeting journalists, political dissidents, and human rights defenders.

From January 25 to February 11, 2015, Houthi militiamen repeatedly attacked peaceful protestors in the capital of Sanaa with clubs and rifle butts, arresting 46 demonstrators. On March 24, Houthis used excessive force with and opened fire on protestors in Taiz, killing 7 people and injuring 83. The interim interior minister ordered Sanaa police on February 8 to prevent all unlicensed demonstrations due to “exceptional circumstances” in the country.

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47 https://twitter.com/BShtwtr/status/564577859545481216/photo/1.
Human Rights Watch documented seven incidents from December 31, 2014 to March 7, 2015 in which journalists were attacked by Houthi forces and other militiamen.48

In April 2015, Houthi forces arrested Muhammad Qahtan, a political opponent and leader of the Islah Party.49 On August 5, 2015, Houthi forces kidnapped human rights defender Abd al-Kader al-Guneid in Taiz,50 while in October 2015, Houthi officials twice banned a prominent defender of women’s rights from traveling to take part in regional meetings leading up to the peace talks.51 Since September 2014, the Houthi have raided 33 non-governmental organizations in Sanaa and shut them down, confiscating their assets and equipment. Most of them were prohibited from reopening, especially those loyal to the Islah Party, according to the Office of the High Commissioner for Human Rights in Yemen. Human Rights Watch documented cases as well in which NGOs were raided and shut down and their assets confiscated.52

Growing Influence of al-Qaeda and the Islamic State:

Al-Qaeda and IS are exploiting the political vacuum and the collapse of state institutions to expand, recruit, carry out suicide attacks, and fight the Shia Houthis, the doctrinal enemies of the two extremist Sunni organizations. Utter state collapse in Yemen as well as the growth of extremist groups and organizations threatens to expand the scope of destruction and instability seen in the region in the past few years.

Although al-Qaeda has long had a presence in Yemen, it is now facing stiff competition from IS, which is trying to oust and supplant

al-Qaeda. The upstart organization has managed to attract some former al-Qaeda fighters, who broke their oath of allegiance to al-Qaeda leader Ayman al-Zawahiri and pledged loyalty instead to the leader of IS.  

IS inaugurated its operations in Yemen in March with a double suicide bombings in two Shia mosques in the capital, which killed 137 people and injured at least 357. In October, IS carried out four suicide attacks on Yemeni government offices and military positions of the Saudi-led coalition. In November, ISIS fighters carried out a bloody attack in Hadramawt, killing some 50 soldiers, and on December 6, 2015, IS assassinated the governor of Aden. As is carries out it terrorist attacks, al-Qaeda is attempting to avoid targeting the local residents, seeking to win their support. IS, on the other hand, is unconcerned by the population’s fate and continues to carry out acts of indiscriminate killing and bombing. “[I]ts brutality in Yemen has reached the same levels as in Syria and Iraq.”

Saudi Arabia Joins with Brotherhood in Yemen Against the Houthis:

Recent years have seen clear hostility in major Arab capitals, whether Cairo or in the Gulf, to the Muslim Brotherhood, a hostility which increased after the Muslim Brothers were removed from power in Egypt in mid-2013. A diplomatic crisis erupted in the Gulf region when Saudi Arabia, the UAE, and Bahrain recalled their ambassadors from Qatar because of the latter’s close ties and ongoing support for

57 Farea al-Muslimi, “Extremism Grows in Yemen’s Civil War.”

(120)
the Brotherhood. Under King Salman, however, Saudi Arabia has pursued a new tack, opening up to the Muslim Brotherhood in Yemen in 2015. It appears that Saudi concern with growing Iranian influence in the region has encouraged it to show some flexibility with the Yemeni branch of the Brotherhood, in the context of King Salman’s aspirations to form a Sunni Islamic alliance to confront both Iran and IS.58

Saudi policy led the Islah Party, an extension of Muslim Brotherhood thought in Yemen, to support Operation Decisive Storm by the Saudi-led Arab coalition. The party said it hoped that “this operation will return matters to their proper course and bring the country out of the crisis caused by the Houthis and their allies, who bear full responsibility for all the consequences of this operation.”59 Although Islah has not officially declared its participation in the war, its support for the Saudi alliance prompted the Houthis to arrest or disappear more than 100 Islah leaders in one day.60 Many of the party’s leaders fled to Riyadh to escape the Houthis, but there are no indications that Saudi Arabia has radically shifted its position on the Muslim Brotherhood. Thus far, the alliance with the Yemeni Brotherhood is one of necessity, the two parties joined by their hostility to the Houthis.61

60 HRW, “Yemen: Houthis Shut Groups, Detain Activists.”