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Fanning the flames of the Yemen conflict

As Yemenis mark one year since the Saudi Arabia-led coalition began military operations in Yemen, and as civilian suffering caused by the warring parties grows in scale and severity, we, the eight undersigned organizations call on all governments to:

- **Cease the supply of any weapons, munitions, and related military equipment to parties to the conflict in Yemen where there is a substantial risk of these arms being used in Yemen to commit or facilitate serious violations of international humanitarian law or international human rights law.**

A year since the coalition entered the conflict, the United Nations Secretary-General has said that “Yemen is in flames and awash with weapons.” Providing weapons and materiel to factions that are known to have repeatedly violated the laws of war may make the arms suppliers complicit in those factions’ crimes and will further fan the flames of atrocities. The international community has an obligation to take measures to ensure respect for international humanitarian and human rights law. In particular, States Parties to the Arms Trade Treaty and members of the European Union are required to assess objectively the risk of a potential arms transfer to any party to the Yemen conflict being used to commit or facilitate a serious violation. If the risk is clear and substantial the transfer must not be allowed. In any case States should ensure, at a minimum, that there is a legally-binding guarantee, backed by sanctions, that the end use will be consistent with international law, particularly international humanitarian and human rights law.

- **Support a credible, independent, international mechanism to investigate allegations of serious violations of international humanitarian and human rights law committed in Yemen with a view to ensuring that victims of violations are**

provided redress, and those suspected of crimes are brought to justice in fair trials.

Background

Yemen's armed conflict has been devastating on the civilian population, the civilian infrastructure, and the country's cultural heritage. In the past year, more than 3,000 civilians have been killed. Insecurity resulting from airstrikes and ground attacks and from restrictions on humanitarian access and imports of vital commercial supplies have contributed to a situation where 21 million people – 82% of Yemen's pre-war population – are now in need of humanitarian assistance.

On March 26, 2015, the 9-country coalition led by Saudi Arabia, along with forces loyal to President Abd Rabbuh Mansur Hadi, began an aerial and ground campaign against Ansar Allah, known as the Houthis, and forces loyal to former President Ali Abdullah Saleh. The fighting has since extended to much of the country and to neighboring Saudi Arabia, and has included various local armed factions and Al-Qaeda in the Arabian Peninsula. The UN Panel of Experts on Yemen, Amnesty International, Human Rights Watch, and Mwatana have documented dozens of coalition airstrikes that have resulted in indiscriminate and disproportionate attacks killing civilians in violation of international humanitarian law. The Houthis and other armed groups have been responsible for numerous violations of international humanitarian law and human rights abuses.

Violations documented in detail include:

- Coalition airstrikes across Yemen in apparent violation of international humanitarian law that have killed several hundred civilians. Strikes against populated residential areas, hospitals, schools, markets and mosques may

constitute war crimes.¹ The UN Panel of Experts documented 119 coalition sorties relating to violations of international humanitarian law.²

- The coalition's repeated use of internationally-banned cluster munitions causing civilian casualties and posing both an immediate and long term threat to civilians in the form of unexploded ordnance.³
- Indiscriminate ground attacks by Houthi and allied forces killing and wounding civilians in Yemen as well as civilians in border towns within Saudi Arabia in violation of international humanitarian law.⁴
- Use by Houthi and allied forces of internationally-banned antipersonnel mines.⁵
- The Houthis and allied forces endangering the lives of thousands of civilians in the southern city of Ta'iz by blocking the entry of crucial medical supplies and food.⁶

¹ See for instance: News Release from Amnesty "States must halt all arms flows to the Yemen conflict to stop serious violations", 29th February 2016: <https://www.amnesty.org/en/latest/news/2016/02/states-must-halt-all-arms-flows-to-the-yemen-conflict-to-stop-serious-violations/>; Letter dated 22 January 2016 from the Panel of Experts on Yemen established pursuant to Security Council resolution 2140 (2014) addressed to the President of the Security Council: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_73.pdf; Mwatana Organization for Human Rights report "Blind Air Strikes", 15th December 2015, <http://www.mwatana.org/en/132016446>

² UN Panel of Experts on Yemen - Final report of the Panel of Experts on Yemen established pursuant to Security Council resolution 2140 (2014), 26th January 2016, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_73.pdf

³ News release from Human Rights Watch "Yemen: Cluster Munitions Wounding Civilians", 14th February 2016: <https://www.hrw.org/news/2016/02/14/yemen-cluster-munitions-wounding-civilians>

⁴ See for instance: News Release from Human Rights Watch, "Yemen: Houthi Artillery Kills Dozens in Aden", 29th July 2015, <https://www.hrw.org/news/2015/07/29/yemen-houthi-artillery-kills-dozens-aden>; Amnesty "Yemen: scores of civilians killed and injured by Huthi anti-aircraft fire", 28th May 2015, <https://www.amnesty.org.uk/press-releases/yemen-scores-civilians-killed-and-injured-huthi-anti-aircraft-fire>; Amnesty 'Nowhere Safe for Civilians': Airstrikes and Ground Attacks in Yemen, 18 August 2016 <https://www.amnesty.org/en/documents/mde31/2291/2015/en/>

⁵ See for instance: Human Rights Watch "Yemen: New Houthi Landmine Use", 18th November 2015, <https://www.hrw.org/news/2015/11/18/yemen-new-houthi-landmine-use>;

⁶ See for instance: Amnesty, Huthi forces block vital hospital supplies fuelling humanitarian crisis in Ta'iz, 9 February 2016, <https://www.amnesty.org/en/latest/news/2016/02/yemen-huthi-forces-block-vital-hospital-supplies-fuelling-humanitarian-crisis-in-taiz/>; Human Rights Watch, Houthis Block Vital Goods into Taizz, 31 January 2016, <https://www.hrw.org/news/2016/01/31/yemen-houthis-block-vital-goods-taizz>; Mwatana, 'Taiz: Unremitting suffocating blockade deprives civilians of the dwindling medical care', 13th November 2015, <http://www.mwatana.org/en/13112015440>

Signatories:

- Amnesty International
- British-Yemeni Society
- CARE International
- Council for Arab-British Understanding (CAABU)
- Human Rights Watch
- International Federation for Human Rights (FIDH)
- Mwatana organization for Human Rights
- Sisters Arab Forum for Human Rights (SAF), Yemen
