

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Date: 26 March 2024 Index number: MDE 31/7932/2024

YEMEN: EUROPE'S INVOLVEMENT IN WAR CRIMES IN YEMEN: A RENEWED CALL FOR JUSTICE AND ACCOUNTABILITY

Nine years ago, on 26 March 2015, the Saudi Arabia-led military coalition launched the aerial campaign “Decisive Storm” in Yemen. While the airstrikes may finally have subsided after nearly 8 years of destruction, Yemenis continue to endure the long-lasting consequences of this devastating war.

With the anniversary of the bombardment campaign, we renew our call to the international community to hold European actors accountable for the involvement in possible war crimes and crimes against humanity committed by all parties during the conflict in Yemen. This pervasive climate of impunity has exacerbated the suffering of the civilian population who are denied access to justice.

To date, the war in Yemen has claimed over 300,000 lives. Years of unrelenting conflict have caused a humanitarian crisis, with more than 21 million Yemenis – over two-thirds of the population – in need of food, water, and humanitarian assistance. Conflict-related damage to civil infrastructure, as well as deliberate attacks by the warring parties, have caused the deterioration of essential infrastructure such as education and healthcare services. The recent military escalation in Yemen, following US/UK air strikes on Houthi targets, risks worsening an already grave situation for the civilian population.

European-based arms manufacturers – and European states – played a central role in the conflict in Yemen and subsequent humanitarian crisis. Despite documented attacks on civilian targets by the Saudi and UAE-led military coalition in violation of international humanitarian law, arms companies continued to supply Saudi Arabia and the UAE with weapons, ammunition and logistical support.

In 2019, ECCHR, *Mwatana for Human Rights*, Amnesty International, the Campaign Against Arms Trade, Centre Delàs and Rete Italiana Pace e Disarmo together filed a *Communication to the International Criminal Court*, reconstructing 26 Saudi airstrikes against civilians – which may have amounted to war crimes and crimes against humanity – in which European armaments were deployed. In addition, criminal complaints and referrals have also been filed at the national level in France with the NGO Sherpa, as well as in Italy, the UK and the European Court of Human Rights. Five years on, the pursuit for justice remains unfulfilled.

OUR DEMANDS

The international community must finally step in decisively to address these pervasive accountability gaps by prosecuting those actors who have committed or contributed to potential war crimes and crimes against humanity. With respect to all warring parties accused of human rights violations, the **United Nations must establish an international criminal accountability mechanism** whose mandate includes investigating human rights and international humanitarian law violations and submitting public reports on the human rights situation in Yemen, as well as collecting, preserving, and analyzing evidence, and building files for future criminal prosecution.

The arms trade is not a neutral business. The issuance of arms export licences by governments aren't solely political decisions, but are subject to strict legal constraints which must be applied in a consistent, objective and non-discriminatory manner. The supply of European-made weapons can have dreadful and long-term negative impacts on human rights. They can and have contributed to the commission of international crimes.

Despite this, the cycle of impunity continues, perpetuated by weak legal and regulatory frameworks and a failure of (international) institutions to hold the defence industry to account. In Gaza, we are witnessing again the devastating consequences of a bombardment campaign on a civilian population that has been fuelled by European-made weapons, with some airstrikes being carried out in clear violation of international humanitarian law and international human rights law.

States parties to the Arms Trade Treaty must comply with their obligations and immediately halt arms exports if they have knowledge at the time of authorisation that they would be used in the commission of war crimes or crimes against humanity; or if there is an overriding risk that they could be used to commit or facilitate serious violations of international humanitarian or international human rights law. The international community and international (criminal) justice

mechanisms have a responsibility to enforce human rights universally. The deafening silence surrounding the accountability of the arms industry reinforces double standards and exposes the hypocrisy of Western actors towards the protection of human rights.

SIGNATORIES

- Amnesty International
- Campaign Against Arms Trade (CAAT)
- Centre Delàs
- European Center for Constitutional and Human Rights (ECCHR)
- Global Legal Action Network (GLAN)
- Mwatana for Human Rights
- Rete Italiana Pace e Disarmo
- Sherpa