



# AIR STRIKES AND CLUSTER MUNITIONS ATTACKS

AMNESTY INTERNATIONAL DOCUMENTATION OF COALITION  
ATTACKS IN YEMEN: 2015 – PRESENT

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**Cover photo:** Yemeni children stand amid the rubble of a building damaged in an air-strike by the Saudi-led coalition on the capital Sanaa on July 13, 2015. Air strikes in support of forces loyal to exiled President Abedrabbo Mansour Hadi went on despite a six-day humanitarian truce which technically took effect just before midnight on July 10, 2015.

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**AMNESTY**  
INTERNATIONAL



# CONTENTS

<b>1. YEAR: 2019</b>	<b>5</b>
1.1 28 JUNE 2019: US-MADE BOMB USED IN DEADLY AIR STRIKE ON CIVILIANS	5
<b>2. YEAR: 2018</b>	<b>7</b>
2.1 17 MAY 2018: FIERCE NEW OFFENSIVE DISPLACES TENS OF THOUSANDS OF CIVILIANS FROM HODEIDAH	7
2.2 23 MARCH 2018: THREE YEARS ON, US AND UK ARMS SUPPLIES TO SAUDI ARABIA-LED COALITION	11
<b>3. YEAR: 2017</b>	<b>14</b>
3.1 22 SEPTEMBER 2017: US-MADE BOMB KILLS AND MAIMS CHILDREN IN DEADLY STRIKE ON RESIDENTIAL HOMES	14
3.2 9 MARCH 2017: SAUDI ARABIA-LED COALITION USES BANNED BRAZILIAN CLUSTER MUNITIONS ON RESIDENTIAL AREAS	16
<b>4. YEAR: 2016</b>	<b>20</b>
4.1 6 JUNE 2016: EVIDENCE COUNTERS UK CLAIMS DENYING USE OF BRITISH-MADE CLUSTER MUNITIONS IN YEMEN CONFLICT	20
4.2 23 MAY 2016: CHILDREN AMONG CIVILIANS KILLED AND MAIMED IN CLUSTER BOMB 'MINEFIELDS'	22
4.3 15 JANUARY 2016: NEW EVIDENCE CHALLENGES COALITION'S DENIAL IT USED CLUSTER MUNITIONS IN RECENT ATTACK	29
<b>5. YEAR: 2015</b>	<b>32</b>
5.1 11 DECEMBER 2015: BOMBING OF SCHOOLS BY SAUDI ARABIA-LED COALITION A FLAGRANT ATTACK ON FUTURE OF YEMEN'S CHILDREN	32
5.2 25 NOVEMBER 2015: COALITION USED UK MISSILE IN UNLAWFUL AIRSTRIKE	35
5.3 30 OCTOBER 2015: BRAZILIAN CLUSTER MUNITIONS SUSPECTED IN SAUDI ARABIA-LED COALITION ATTACK	38
5.4 27 OCTOBER 2015: BOMBING OF MSF HOSPITAL MAY AMOUNT TO A WAR CRIME	42
5.5 7 OCTOBER 2015: CALL FOR SUSPENSION OF ARMS TRANSFERS TO COALITION AND ACCOUNTABILITY FOR WAR CRIMES	43
5.6 18 AUGUSTS 2015: NOWHERE SAFE FOR CIVILIANS	46

5.7 2 JULY 2015: AIRSTRIKE AND WEAPON ANALYSIS SHOWS SAUDI ARABIA-LED FORCES KILLED SCORES OF CIVILIANS	47
5.8 8 MAY 2015: MOUNTING EVIDENCE OF HIGH CIVILIAN TOLL OF SAUDI-LED AIRSTRIKES	55
5.9 24 APRIL 2015: RELENTLESS AIRSTRIKES THAT HAVE LEFT HUNDREDS OF CIVILIANS DEAD MUST BE INVESTIGATED	57
5.10 31 MARCH 2015: AT LEAST SIX CIVILIANS BURN TO DEATH IN FURTHER AIRSTRIKES OVERNIGHT	59
5.11 26 MARCH 2015: SIX CHILDREN AMONG DOZENS KILLED IN SAUDI ARABIAN-LED AIRSTRIKES	61

# 1. YEAR: 2019

## 1.1 28 JUNE 2019: US-MADE BOMB USED IN DEADLY AIR STRIKE ON CIVILIANS<sup>1</sup>

A precision-guided munition made in the USA was used in a Saudi and Emirati-led air strike carried out on 28 June of this year, on a residential home in Ta'iz governorate, Yemen, killing six civilians – including three children, Amnesty International said today.

The laser-guided bomb, manufactured by US company Raytheon and used in the attack, is the latest evidence that the USA is supplying weapons that are being used by the Saudi and Emirati-led coalition in attacks amounting to serious violations of international humanitarian law in Yemen.

“It is unfathomable and unconscionable that the USA continues to feed the conveyor belt of arms flowing into Yemen’s devastating conflict,” said Rasha Mohamed, Amnesty International’s Yemen Researcher.

“Despite the slew of evidence that the Saudi and Emirati-led coalition has time and again committed serious violations of international law, including possible war crimes, the USA and other arms-supplying countries such as the UK and France remain unmoved by the pain and chaos their arms are wreaking on the civilian population.”

Amnesty International spoke to two family members and two local residents, including two witnesses to the attack. The organization also analysed satellite imagery and photo and video materials of the aftermath of the attack to corroborate the witness reports.

The organization’s arms expert analysed photos of the remnants of the weapon dug out from the site of the strike by family members and was able to use product data stencilled on the guidance fin to positively identify the bomb as a US-made 500-pound GBU-12 Paveway II.

### **A family ripped apart**

Among the six civilians killed in the attack, which took place in Warzan village in the directorate of Khadir, were a 52-year-old woman and three children, aged 12, nine and six.

One family member told Amnesty International: “We buried them the same day because they had turned into severed limbs. There were no corpses left to examine. The flesh of this person was mixed with that person. They were wrapped up [with blankets] and taken away.”

One eyewitness told Amnesty International: “I was around three minutes’ walk away working at a neighbouring farm. I heard the plane hovering and I saw the bomb as it dropped towards the house. I was next to the house when the second bomb fell... and I got down onto the ground.”

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<sup>1</sup> Amnesty International, *Yemen: US-made bomb used in deadly air strike on civilians* (Press Release 26 September 2019)

The closest possible military target at the time of the attack was a Huthi Operations Room on Hayel Saeed Farm – approximately 1km away. However, that stopped operating more than two years ago after being struck by several coalition air strikes in 2016 and 2017. Witnesses told Amnesty International there were no fighters or military objectives in the vicinity of the house at the time of the attack.

A second air strike occurred in the same spot approximately 15 minutes after the first, indicating that the pilot wanted to guarantee the destruction of the al-Kindi family's house. The home was struck again five days later while family members were at the house inspecting the site. No one was injured or killed in the latter attack.

Since March 2015, Amnesty's researchers have investigated dozens of air strikes and repeatedly found and identified remnants of US-manufactured munitions.

"This attack highlights, yet again, the dire need for a comprehensive embargo on all weapons that could be used by any of the warring parties in Yemen," said Rasha Mohamed.

"Serious violations continue to take place under our watch, and it is as crucial as ever that investigative bodies, namely the UN-mandated Group of Eminent Experts, are fully empowered to continue documenting and reporting on these violations.

"Arms-supplying states cannot bury their heads in the sand and pretend they do not know of the risks associated with arms transfers to parties to this conflict who have been systematically violating international humanitarian law. Intentionally directing attacks against civilians or civilian objects, disproportionate attacks and indiscriminate attacks that kill or injure civilians are war crimes.

"By knowingly supplying the means by which the Saudi and Emirati-led Coalition repeatedly violates international human rights and international humanitarian law, the USA – along with the UK and France – share responsibility for these violations."

## **Background**

A recent report by the Group of Eminent Experts on Yemen, established by the UN Human Rights Council, concluded that the repeated patterns of air strikes carried out by the coalition raise "a serious doubt about whether the targeting process adopted by the coalition complied with [the] fundamental principles of international humanitarian law."

The report further documents a range of serious violations and abuses by all sides to the conflict in Yemen – a conflict, which the UN states will have killed over 233,000 Yemenis by year end both as a result of the fighting and the humanitarian crisis. The UN Human Rights Council is slated to vote on the renewal of the Group of Eminent Experts today or tomorrow.

According to the Defence Security Cooperation Agency, in 2015 the US government authorized the sale of 6,120 Paveway guided bombs to Saudi Arabia; in May 2019, President Trump bypassed Congress to authorise further sales of Paveway guided bombs to Saudi Arabia and the United Arab Emirates.

# 2. YEAR: 2018

## 2.1 17 MAY 2018: FIERCE NEW OFFENSIVE DISPLACES TENS OF THOUSANDS OF CIVILIANS FROM HODEIDAH<sup>2</sup>

Yemeni civilians are struggling to stay alive amid fierce ground and air attacks in the raging battle to retake western coastal governorates from Huthi armed group control, and the worst could be yet to come, Amnesty International warned after carrying out a field investigation in the south of the country.

The organization interviewed 34 civilians who arrived in Aden after the clashes displaced them from several villages and towns in Hodeidah Governorate between January and early May. They spoke of terrifying mortar attacks, air strikes, landmines and other dangers amid the new offensive as forces loyal to the internationally recognized Yemeni government, supported by ground troops and air cover from the Saudi Arabia-led coalition, attempt to rout Huthi forces.

“The human impact of this fresh military offensive on Yemen’s western coastal areas is clear in the distressing stories shared by civilians displaced by the conflict. It is a glimpse of what potentially lies in store on a wider scale if the fighting encroaches on the densely populated port city of Hodeidah,” said Rawya Rageh, Senior Crisis Response Adviser at Amnesty International.

**“The human impact of this fresh military offensive on Yemen’s western coastal areas is clear in the distressing stories shared by civilians displaced by the conflict. It is a glimpse of what potentially lies in store on a wider scale if the fighting encroaches on the densely populated port city of Hodeidah.”**

Rawya Rageh, Senior Crisis Response Adviser at Amnesty International.

“We are very worried about what appear to be indiscriminate attacks and other violations of international humanitarian law. All parties have an obligation to do their utmost to protect civilians. They are putting the lives and livelihoods of hundreds of thousands more at risk.”

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<sup>2</sup> Amnesty International, *Yemen: Fierce new offensive displaces tens of thousands of civilians from Hodeidah* (Press Release 17 May 2018)

## LIFE ON THE FRONTLINE

Since the offensive began in December 2017, many of those displaced from southern parts of Hodeidah Governorate described suffering sleepless nights and harrowing days as they huddled in their homes amid the bombardment.

Civilians from Zabid, al-Jarrahi, Hays and al-Khawkhah – around 100-150km south of Hodeidah city and port – told Amnesty International how they and many others fled to Aden, in the south of the country, as fighting intensified. Some wept as they spoke of relatives and loved ones killed in the conflict.

As both sides engaged in fierce clashes, an assortment of munitions, bullets and shrapnel ripped through civilian homes, and Saudi Arabia-led coalition air strikes also killed and injured civilians.

**“We left because of the bombardment and the war around us. They would fire mortars over our head. Every day people would die, every day we would see ripped bodied around us, blown to smithereens. Can we stay there? We had to leave to scape alive. We couldn’t live in such danger.”**

Hassan, a 26-year-old displaced fisherman from Qataba village in al-Khawkhah.

“We left because of the bombardment and the war around us. They would fire mortars over our head. Every day people would die, every day we would see ripped bodies around us, blown to smithereens. Can we stay there? We had to leave to escape alive. We couldn’t live in such danger,” Hassan, a 26-year-old displaced fisherman from Qataba village in al-Khawkhah, told Amnesty International.

Even after they escaped the fighting, some civilians continued to receive crushing news of loved ones being killed or injured back home.

A woman from Qataba managed to escape to safety in Fuqum, on the outskirts of Aden, but other family members were not so lucky. She told Amnesty International how a relative who stayed in Qataba broke the news that her seven-year-old nephew was killed on 6 May when a mortar or other projectile landed on a shop where he was buying food. He and his father had stayed behind because they could not afford the trip to flee the fighting.

## EXODUS FROM THE WESTERN COAST

Displaced civilians described an exodus as fighting intensified. According to the United Nations, clashes along Yemen’s western coast have displaced around 100,000 people in recent months, most of them from Hodeidah Governorate.

Fleeing was costly. The vast majority of those Amnesty International spoke to said they could only fund the trip by selling precious belongings, such as wedding rings, property deeds and livestock.

They paid to leave on private buses and trucks, forking out an average of 10,000 riyals (around USD\$30 under the conversion rate used in Huthi-controlled territories) per person, a small fortune in the local economy, where the clashes had forced many to stop working. In some cases, large families paid up to 150,000 riyals (USD\$480) to flee.

Mined roads, Huthi checkpoints and other hazards along the way meant that, for some, what should be on average a six-hour drive to Aden became a terrifying ordeal lasting up to three days.

Buses carrying fleeing civilians were blown up by landmines and other explosive devices allegedly planted by the Huthis in a bid to prevent government forces from advancing, and two people said they



saw severed body parts along the route. A farmer interviewed in a hospital where his daughter is in intensive care said that as he was escaping with his eight children and other family members during the first week of May, they drove over a landmine that severely injured his 13-year-old daughter and killed his wife's grandmother. Landmines are inherently indiscriminate and are banned under international law.

One woman said she had a miscarriage as soon as she arrived in Aden, which she attributed to the fear and exhaustion caused by the journey.

**“It was really a difficult trip. By God we suffered. There were rockets flying above us. Someone would stop us and say there are projectiles, and then someone else would stop us and say there are landmines, and we would just scream. All the way from when we left and until we arrived we were screaming and crying. We saw dead bodies and we saw others ripped to pieces. We left not thinking we would survive. We thought we would surely die... [but] by the end of it we hoped we died instead of going through what we went through.”**

A 25-year-old woman from Qataba.

A 25-year-old woman from Qataba said she was so terrified that she covered her eyes for almost the entire trip and did not breastfeed her baby for more than 13 hours on the last leg of the journey:

“It was really a difficult trip. By God we suffered. There were rockets flying above us. Someone would stop us and say there are projectiles, and then someone else would stop us and say there are landmines, and we would just scream. All the way from when we left and until we arrived we were screaming and crying. We saw dead bodies and we saw others ripped to pieces. We left not thinking we would survive. We thought we would surely die... [but] by the end of it we hoped we died instead of going through what we went through.”

She managed to bring her two daughters, aged nine-months and four-years-old, with her, but in the chaos of the clashes she left her mother and her seven-year-old son behind in Qataba.

Several people told Amnesty International they had attempted to leave Hodeidah Governorate up to three times before finally succeeding. Huthi forces allegedly branded some civilians ‘terrorists’ for abandoning their towns and villages, and in other cases people said they were aware of Huthis forcing busloads of fleeing civilians to turn back.

Some waited for several months in hopes the clashes would subside, but eventually decided to leave in late April or early May. A woman from Hays told Amnesty International:

“We were hoping the war would end, but it only got worse. The bombardment became heavier. It became so random. Bullets would land every which way, between the homes, just randomly. We would try to hide the children by the wall. ... We would hide my mother and the children under the beds. The children would cry. Even at night we couldn't get any sleep.”

Some of the displaced have scattered across relatively more secure parts of Hodeidah Governorate. Others have traveled to different southern governorates, including Aden, Lahj and Abyan, as well as eastward to Hadramawt and Mahra on the far side of the country.

In the absence of formal camps for internally displaced persons (IDPs), many of the displaced civilians interviewed by Amnesty International in Aden have sought makeshift shelter in precarious settings, including buildings under construction or crumbling structures that were badly damaged in a previous round of fighting between the Huthis and government forces in Aden in 2015. Reminders of that earlier conflict abound – from flattened buildings to signs warning of landmines in the area.

## **VIOLATIONS AMID SHIFTING BATTLE LINES**

Those displaced in recent weeks said the battle lines are constantly shifting as government and Huthi forces take control of different areas.

Civilians caught in the middle face a range of violations of international humanitarian law by both sides.

Huthi fighters have fired mortars, which are notoriously imprecise, repeatedly into populated civilian areas. According to a man from Hays, one hit a hospital courtyard on 25 March, injuring his 13-year-old son and killing a pharmacist and a nurse. The use of mortars in the vicinity of concentrations of civilians violates the prohibition on indiscriminate attacks.

Huthi forces further endanger civilians by basing troops and vehicles in civilian neighbourhoods. They have also allegedly mined roads and have otherwise prevented civilians from leaving; in other cases they have expelled people from their homes in areas recently taken from government control.

A woman from al-Jarrahi told Amnesty International how Huthi forces have forcibly recruited civilian men and boys, including her 13-year-old brother.

Survivors have also said that Saudi Arabia-led coalition air strikes had killed civilians, leaving them in constant fear for their lives. Displaced civilians described how three civilians were killed in two air strikes in Zabid and al-Jarrahi in January.

**“The most vulnerable among the civilian population are bearing the brunt of this new offensive in Yemen’s war. All sides must abide by international humanitarian law, including taking all feasible precautions to minimize civilian casualties and the destruction of homes and civilian infrastructure.”**

Rawya Rageh, Senior Crisis Response Adviser at Amnesty International.

“The most vulnerable among the civilian population are bearing the brunt of this new offensive in Yemen’s war. All sides must abide by international humanitarian law, including taking all feasible precautions to minimize civilian casualties and the destruction of homes and civilian infrastructure,” said Rawya Rageh.

“Civilians fleeing in terror have reported a range of violations – we urge all sides to enforce strict compliance with international humanitarian law, and stop their forces from recklessly endangering civilians.”

## 2.2 23 MARCH 2018,: THREE YEARS ON, US AND UK ARMS SUPPLIES TO SAUDI ARABIA-LED COALITION<sup>3</sup>

A Saudi Arabia-led coalition attack with a US-manufactured bomb, which turned a civilian home into rubble and killed or injured six members of the same family, is the latest in a long string of potential war crimes Amnesty International has documented over the past three years of Yemen's devastating conflict.

Since the coalition's campaign of airstrikes against the Huthi armed group began on 25 March 2015, Amnesty International has documented how all parties to the conflict have repeatedly violated international law.

"Three years on, Yemen's conflict shows no real signs of abating, and all sides continue to inflict horrific suffering on the civilian population. Schools and hospitals lie in ruins, thousands have lost their lives and millions are displaced and in dire need of humanitarian aid," said Lynn Maalouf, Director of Research for the Middle East at Amnesty International.

**"Three years on, Yemen's conflict shows no real sign of abating, and all sides continue to inflict horrific suffering on the civilian population. Schools and hospitals lie in ruins, thousands have lost their lives and millions are displaced and in dire need of humanitarian aid."**

Lynn Maalouf, Director of Research for the Middle East at Amnesty International.

"There is extensive evidence that irresponsible arms flows to the Saudi Arabia-led coalition have resulted in enormous harm to Yemeni civilians. But this has not deterred the USA, the UK and other states, including France, Spain and Italy, from continuing transfers of billions of dollars' worth of such arms. As well as devastating civilian lives, this makes a mockery of the global Arms Trade Treaty."

### SAUDI ARABIA-LED COALITION AIRSTRIKES

On 27 January 2018, between 6 a.m. and 8 a.m., a Saudi Arabia-led coalition airstrike hit a civilian home in al Rakab, in southern Yemen's Ta'iz governorate. All six members of the Naji family living there suffered casualties – the mother, Roweyda, and two sons, aged 10 and six, were killed. The father, Riyadh, and his three-year-old son sustained shrapnel injuries in the stomach, while his one-year-old daughter suffered minor injuries.

Amin Mohamad Naji, a relative, arrived at the scene within 10 minutes of the strike. He told Amnesty International: "I helped rescue the injured and [dead] from under the rubble. When I got there, I saw the house destroyed... [two of] the children were under the rubble, they had died, my brother's wife too was killed. My brother Riyadh and two of his children were severely injured."

According to witnesses, the site was at least 3km from any military object and no fighters were present at the time. Amnesty International analyzed a video from aftermath of the airstrike and confirmed that

<sup>3</sup> Amnesty International, *Yemen: Three years on, US and UK arms supplies to Saudi Arabia-led coalition are devastating civilian lives* (Press Release 23 March 2018).

the munition used was a GBU-12 laser-guided 500-pound bomb manufactured in the USA by Lockheed Martin.

In August 2017, an overnight attack by the Saudi Arabia-led coalition on a residential neighbourhood in southern Sana'a killed 16 civilians and injured 17 others; the majority of the dead and injured were children. In that incident, too, Amnesty International [concluded](#) that a US bomb manufactured by Raytheon had been used against a civilian home.

These are far from isolated occurrences. Since the start of the conflict, Amnesty International has documented 36 coalition airstrikes that appear to have violated international humanitarian law, many of which may amount to war crimes. These have resulted in 513 civilian deaths (including at least 157 children) and 379 civilian injuries.

## **VIOLATIONS BY HUTHIS AND OTHER GROUND FORCES**

The Huthi armed group and anti-Huthi forces have killed or injured civilians when they indiscriminately fired explosive munitions with wide-area effects into residential areas. The city of Ta'iz in particular experienced intensive attacks with mortars and artillery shells as recently as January and February 2018.

In Sana'a and other areas they control, the Huthis and their allies have continued a wave of arbitrary arrests and detentions of their perceived opponents. Scores of men and women have been subjected to enforced disappearances, with some receiving harsh sentences after grossly unfair trials.

Since the start of 2018, Amnesty International has documented two cases in which a total of four people were sentenced to death by the Huthi-controlled Specialized Criminal Court in Sana'a. These include [Hamid Haydara](#), who belongs to Yemen's Bahá'í community, as well as [Asmaa al-Omeissy](#), Saeed al-Ruwaished, and Ahmed Bawazeer, who were accused of aiding an enemy state. The defendants faced grossly unfair trials; they were subjected to enforced disappearance, lengthy pre-trial detention, torture and other ill-treatment, and had no access to lawyers.

Because the Huthis carried out these violations in connection with the armed conflict in Yemen, they may amount to war crimes.

## **HUMANITARIAN CRISIS**

Yemen is now enduring one of the world's largest humanitarian crises, with at least 22.2 million people in need of humanitarian assistance and more than one million suspected cases of cholera. This crisis is man-made, with the war deepening and exacerbating the humanitarian situation, and all sides impeding the delivery of humanitarian aid.

After Huthi forces launched a missile unlawfully targeting civilian areas in the Saudi Arabian capital Riyadh in late November, the Saudi Arabia-led coalition unlawfully tightened its sea and air blockade on Yemen.

Despite the blockade being loosened since then, the coalition continues to impose restrictions on aid and commercial imports of essential goods, including food, medicine and fuel. The coalition claims the restrictions enforce a UN arms embargo on the Huthis, but they are deepening the humanitarian crisis and contributing to violations of the right to health and to an adequate standard of living.

Medical workers have told Amnesty International how the lack of basic supplies or the danger posed by nearby fighting has forced many medical facilities to close or suspend operations.

Thousands of Yemeni civilians have had their lives cut short and millions more lives hang in the balance amid one of the world's worst humanitarian crises in decades.

Lynn Maalouf

"Thousands of Yemeni civilians have had their lives cut short and millions more lives hang in the balance amid one of the world's worst humanitarian crises in decades," said Lynn Maalouf.

“The long list of violations underscores the need for strong action from the international community. The UN Security Council’s third Presidential Statement on Yemen last week was a positive step, but we will be watching closely to ensure it gets implemented on the ground.”

## **BACKGROUND**

As of February 2018, the UN Office of the High Commissioner for Human Rights (OHCHR) [reported](#) that more than 5,974 civilians had been killed and more than 9,493 civilians wounded in Yemen since March 2015.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), more than 20 million people, or 80% of the population, are in need of humanitarian aid. In a recent report, the UN Refugee Agency (UNHCR) [stated](#) that there are more than 2 million internally displaced persons in Yemen.

In a positive development, the UN Human Rights Council passed a resolution in September 2017 [mandating a group of experts](#) to investigate abuses and violations by all parties in Yemen and identify those responsible for these, where possible.

On 15 March 2018, the UN Security Council adopted a [Presidential Statement](#) (PRST) on the humanitarian situation in Yemen. The PRST represents a step forward to holding all parties to the conflict in Yemen accountable for their abuses. It calls, among other things, for full humanitarian and commercial access as well as for all parties to comply with their obligations under international humanitarian law. However, no reporting mechanism on the implementation of the PRST has been established.

# 3. YEAR: 2017

## 3.1 22 SEPTEMBER 2017: US-MADE BOMB KILLS AND MAIMS CHILDREN IN DEADLY STRIKE ON RESIDENTIAL HOMES<sup>4</sup>

The bomb that destroyed a residential building in Yemen's capital last month, killing 16 civilians and injuring 17 more - including five-year-old Buthaina whose photograph went viral in the aftermath of the strike - was made in the USA, Amnesty International reveals today.

Amnesty International's arms expert analysed remnants of the weapon found it bore clear markings that matched US-made components commonly used in laser-guided air-dropped bombs.

The 25 August air strike hit a cluster of houses in Sana'a, severely damaging three of them, and killing seven children including all five of Buthaina's brothers and sisters. Eight other children were injured, amongst them was two-year-old Sam Bassim al-Hamdani, who lost both his parents.

**“We can now conclusively say that the bomb that killed Buthaina’s parents and siblings, and other civilians, was made in the USA.”**

Lynn Maalouf, Director of Research for the Middle East at Amnesty International.

“We can now conclusively say that the bomb that killed Buthaina’s parents and siblings, and other civilians, was made in the USA,” said Lynn Maalouf, Research director for the Middle East at Amnesty International.

“There simply is no explanation the USA or other countries such as the UK and France can give to justify the continued flow of weapons to the Saudi Arabia-led coalition for use in the conflict in Yemen. It has time and time again committed serious violations of international law, including war crimes, over the past 30 months, with devastating consequences for the civilian population.”

After examining photographic evidence provided by a local journalist who dug out the remaining fragments of the weapon at the site, Amnesty International's arms expert was able to positively identify

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<sup>4</sup> Amnesty International, *Yemen: US-made bomb kills and maims children in deadly strike on residential homes* (Press Release 22 September 2017).

the data plate from a US-made MAU-169L/B computer control group. It is a part used in several types of laser-guided air-dropped bombs.

According to the Defence Security Cooperation Agency, in 2015 the US government authorized the sale of 2,800 guided bombs to Saudi Arabia that were equipped with the MAU-169L/B computer control group, including GBU-48, GBU-54, and GBU-56 guided bombs.

Amnesty International is calling for the immediate implementation of a comprehensive embargo to ensure that no party to the conflict in Yemen is supplied with weapons, munitions, military equipment and technology that can be used in the conflict. An independent, impartial inquiry into reported violations is urgently needed and all those responsible for crimes under international law must be brought to justice in fair trials.

## LIVES DEVASTATED FOREVER

“She had five siblings to play with. Now she has none,” Ali al-Raymi

The Saudi Arabia-led coalition launched the devastating attacks at around 2AM in Faj Attan, a residential area in Yemen’s capital Sana’a.

Ali al-Raymi, 32, lost his brother Mohamed al-Raymi along with his sister-in-law and his five nieces and nephews aged between two and 10 years. His niece, five-year-old Buthaina, was the sole survivor.

He told Amnesty International:

“When you ask her ‘what do you want?’, she says ‘I want to go home’... She thinks that if she goes home, she will find them [her family] there... She had five siblings to play with. Now she has none... What kind of sorrow and pain could she be feeling in her heart?”

The Saudi Arabia-led coalition has [admitted](#) to carrying out the devastating attack, but maintains that the civilian casualties were the result of a “technical error”. The coalition claims it targeted a “legitimate military objective,” which belonged to the Huthi-Saleh forces.

According to local residents, one of the buildings in the area was frequented by a Huthi-aligned individual. Amnesty International was not able to confirm his identity, role or whether he was present at the time of the attack.

However, even if there were military objectives in the vicinity, international humanitarian law prohibits disproportionate attacks, including those expected to kill or injure civilians.

**“The coalition’s complete disregard for civilian lives, as well as their lack of commitment to effective investigations, highlights the need for an independent international inquiry to look into alleged violations of international law.”**

Lynn Maalouf, Director of Research for the Middle East at Amnesty International.

The Saudi Arabia-led coalition spokesperson also said that the incident had been referred to the coalition’s Joint Incidents Assessment Team (JIAT) for further investigations. To date, [Amnesty International](#) is not aware of any members of the coalition taking concrete steps to investigate, take disciplinary measures against or prosecute officers suspected of criminal responsibility for war crimes.

“The coalition’s complete disregard for civilian lives, as well as their lack of commitment to effective investigations, highlights the need for an independent international inquiry to look into alleged violations of international law,” said Lynn Maalouf.

“It is shameful that instead of holding the coalition accountable for their actions in Yemen, key allies including the USA and the UK have continued to supply it with huge quantities of arms.”

## BACKGROUND

Since February 2016, Amnesty International has urged all states to ensure that no party to the conflict in Yemen is supplied – either directly or indirectly – with weapons that would be used in the conflict. It has also repeatedly called for an international independent investigation to be conducted into all alleged violations of international law committed by all parties.

According to the United Nations Office of the High Commissioner for Human Rights’ (OHCHR) [annual report on Yemen](#), 1,120 children have been killed and 1,541 injured since the beginning of the conflict in March 2015. In the past year alone, more than half of these child casualties were attributed to the coalition airstrikes.

The Huthi-Saleh forces, as well as anti-Huthi forces on the ground, have also committed violations international humanitarian law and human rights abuses. According to the OHCHR, the Huthi-Saleh forces are responsible for the majority of child casualties caused by ground fighting, shelling and the use of banned antipersonnel landmines.

## 3.2 9 MARCH 2017: SAUDI ARABIA-LED COALITION USES BANNED BRAZILIAN CLUSTER MUNITIONS ON RESIDENTIAL AREAS<sup>5</sup>

Amnesty International has corroborated new evidence the Saudi Arabia-led coalition recently fired Brazilian-manufactured rockets containing banned cluster munitions striking three residential areas and surrounding farmland in the middle of Sa’da city, injuring two civilians and causing material damage.

The attack, which took place at 10.30pm on 15 February 2017, is the third confirmed use of Brazilian-manufactured cluster munitions documented by Amnesty International in the last 16 months.

“The Saudi Arabia-led coalition absurdly justifies its use of cluster munitions by claiming it is in line with international law, despite concrete evidence of the human cost to civilians caught up in the conflict,” said Lynn Maalouf, Director of Research at the Beirut regional office.

“Cluster munitions are inherently indiscriminate weapons that inflict unimaginable harm on civilian lives. The use of such weapons is prohibited by customary international humanitarian law under all circumstances. In light of mounting evidence, it is more urgent than ever for Brazil to join the Convention on Cluster Munitions and for Saudi Arabia and coalition members stop all use of cluster munitions.”

**“Cluster munitions are inherently indiscriminate weapons that inflict unimaginable harm on civilian lives.”**

‘Lynn Maalouf, Director of Research for the Middle East at Amnesty International.

<sup>5</sup> Amnesty International, *Yemen: Saudi Arabia-led coalition uses banned Brazilian cluster munitions on residential areas* (Press Release 9 March 2017).

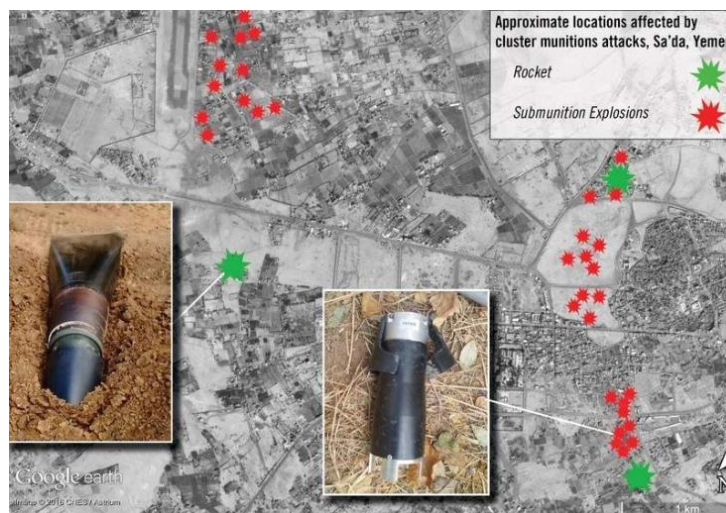


Following the rocket attacks, Amnesty International interviewed eight local residents over the phone, including two witnesses – one of whom was injured in the attack. It also spoke to a local activist and analyzed photographic and video evidence provided by the national munitions watchdog, the Yemen Executive Mine Action Centre (YEMAC), which inspected the site within 30 minutes of the attack.

YEMAC staff also confirmed the use of the same type of cluster munitions in a separate attack that occurred in late January in the directorate of Abdeen, five kilometres south of Sa'da city.

## NEIGHBOURHOODS AFFECTED

According to witnesses and local residents, rockets struck the residential areas of Gohza, al-Dhubat and al-Rawdha, resulting in submunitions also landing on homes in al-Ma'allah and Ahfad Bilal, as well as on the new and old cemeteries in the middle of the city, and surrounding farms.



Areas affected by Brazilian Cluster munition attack on 15 February 2017 in Sa'da City © DigitalGlobe; CNES/Astrium; Google Earth. Map produced by Amnesty International

Latifa Ahmed Mus'id, 22, described the attack in Ahfad Bilal, which took place while she was asleep at home. She was with her husband Talal al-Shihri, her three-month old son, Hasan, and three-year old son, Hussain.

“The bomb came into the house, into the bedroom from the ceiling. There is a big round hole in the ceiling. At the time, we heard a big explosion and seconds later the bomb exploded in the room and we got hurt. Three exploded right outside the house... The children were unhurt but in shock... My husband sustained shrapnel injuries on his foot. I hurt my left foot and we went to al-Salam hospital that very night.”

**“The bomb came into the house, into the bedroom from the ceiling. There is a big round hole in the ceiling... Three exploded right outside the house... The children were unhurt but in shock... My husband sustained shrapnel injuries on his foot. I hurt my left foot.”**

Latifa Ahmed Mus'id, survivor of a cluster munition attack.

The family fled 78km to Sa'da city four months ago after their home in Baqim, 12km south of the Saudi Arabian border was bombed.

"We were forced to leave our home in Baqim when it was bombed. The bomb went right into our living room and destroyed the house. Everyone had to leave the area. The bombardment was constant. We left two-three months after the strike on our house... We made our way to Sa'da on foot.

We walked for 20km and I was six months pregnant at the time and then a car gave us a lift to Sa'da city."

A local resident of al-Ma'allah, one of the affected areas in the recent attack, described to Amnesty International hearing a loud explosion.

"I heard a really loud sound. And directly after I heard very dense sounds, as if something was spreading. It was so rapid and it lasted 20-30 seconds."

Head of the YEMAC 12<sup>th</sup> team Yahya Rizk told Amnesty International about his team's visit to the neighbourhoods of al-Rawdha and Ahfad Bilal.

"We found one carrier and one unexploded submunition in al-Rawdha. Al-Rawdha is a densely populated area where bombs [submunitions] penetrated the roofs of two houses. One bomb went through the roof and injured a man and his wife in Ahfad Bilal - it went into their bedroom at [approximately] 11pm. They were taken to the hospital the same night.

Most of the damage was to the property, houses and cars. We noted 12 impact holes in al-Rawdha, by the fruit farms. And 12-13 impact sites in Ahfad Bilal. We found one unexploded bomb [submunition] in al-Rawdha which came down from a tree and landed in the soil, which we photographed."

Members of the YEMAC team also confirmed carrying out a sweep of residential areas in densely populated Gohza where they noted impact holes and damage to houses. Yahya Rizk said, "The bombs [submunitions] landed in people's porches and between houses. They all exploded and no people injured. But windows were all broken and up to 30 cars damaged."

Based on the description of the YEMAC team, and after examining photographs and videos of the aftermath of the attack, including photos of the carriers and one unexploded submunition, Amnesty International was able to identify the remnants used in the attack as being an ASTROS II surface-to-surface rocket.

The ASTROS II is a truck-loaded, multiple launch rocket system (MLRS) manufactured by Brazilian company Avibrás. ASTROS II is capable of firing multiple rockets in rapid succession, with each rocket containing up to 65 submunitions, with a range of up to 80km, depending on the rocket type.

The company's marketing presentations describe it as being "[an important defence system with great deterrent power.](#)"

## **MOUNTING EVIDENCE**

Amnesty International [documented](#) the first known use of these types of cluster munitions in Yemen on 27 October 2015 on Ahma north of Sa'da city, which wounded at least four people, including a four-year old girl.

In May 2016, Amnesty International found further evidence of the same type of cluster munitions in villages 30km south of the Saudi Arabian border in Hajjah. As recently as December 2016, Human Rights Watch also [documented](#) the use of Brazilian-manufactured cluster munitions on Sa'da city.

To date, Amnesty International and Human Rights Watch have documented the use of seven types of air-delivered and ground-launched cluster munitions made in the USA, the United Kingdom, and Brazil. The coalition has [admitted using UK](#) and [US-made cluster munitions](#) in attacks in Yemen.

"How many more civilians need to be killed, injured, or see their property destroyed through use of these internationally banned weapons, before the international community condemns the use of cluster

munitions by the Saudi Arabia-led coalition and pressures coalition members to immediately become parties to the Convention on Cluster Munitions?” said Lynn Maalouf.

## BACKGROUND

Cluster munitions contain between dozens and hundreds of submunitions, which are released in mid-air, and scatter indiscriminately over a large area measuring hundreds of square metres. They can be dropped or fired from a plane or, as in this instance, launched from surface-to-surface rockets.

Cluster submunitions also have a high “dud” rate – meaning a high percentage of them fail to explode on impact, becoming de-facto land mines that pose a threat to civilians for years after deployment. The use, production, sale and transfer of cluster munitions is prohibited under the [2008 Convention on Cluster Munitions](#), which has almost 100 states parties.

On 19 December 2016, the Saudi-run Saudi Press Agency [reported](#) that the Saudi Arabian government would stop using a UK-made cluster munition, the BL-755 but contended that, “international law does not ban the use of cluster munitions” and while some states are party to the Convention on Cluster Munitions (CCM), “neither the Kingdom of Saudi Arabia nor its coalition partners are state parties” to the CCM. It further claimed that UK-made cluster munitions used by the coalition had been used against “legitimate military targets” and that the cluster munitions were “not deployed in civilian population centres” and that the coalition “fully observed the international humanitarian law principles of distinction and proportionality.”

While Amnesty International is aware of the presence of a military objective, Kahlan Military base, 3km north-east of the city of Sa'da, the presence of a military objective in itself would not have justified the use of internationally banned cluster munitions – particularly not its use on populated civilian neighbourhoods. And even though Brazil, Yemen, Saudi Arabia and members of the Saudi Arabia-led coalition participating in the conflict in Yemen are not parties to the Convention, under the rules of customary international humanitarian law they must not use inherently indiscriminate weapons, which invariably pose a threat to civilians. The customary rule prohibiting the use of inherently indiscriminate weapons applies to their use under all circumstances, including when the intention is to target a military objective.

According to [Landmine and Cluster Munition Monitor](#), Avibrás has sold this type of cluster munition to Saudi Arabia in the past, and Human Rights Watch [documented their use](#) by Saudi Arabian forces in Khafji in 1991.

# 4. YEAR: 2016

## 4.1 6 JUNE 2016: EVIDENCE COUNTERS UK CLAIMS DENYING USE OF BRITISH-MADE CLUSTER MUNITIONS IN YEMEN CONFLICT<sup>6</sup>

In May 2016, Amnesty International researchers investigated the remains of a partially detonated UK-manufactured BL-755 cluster munition in a demining centre in northern Yemen. Questions have been raised over whether the cluster munition could have been used during a former Yemen conflict. The following evidence explains the circumstances and condition in which the cluster munition was found, underpinning Amnesty International's conclusion that this cluster munition was used during the current (2015-16) Yemen conflict by a member of the Saudi Arabia-led military coalition.

The UK-manufactured cluster munition could not have been used in a previous conflict as previous conflicts did not target the area involved.

Amnesty International has documented the use of six types of cluster bombs by the Saudi Arabia-led coalition in Yemen since March 2015. Meanwhile, Human Rights Watch has also documented the use of cluster munitions in Yemen since the start of the conflict in March 2015.

The UK-manufactured cluster munition which Amnesty International documented in May 2016 were found in the village of al-Khadhra, in Haradh directorate in Hajjah governorate, some 40 km south-west of Sa'da governorate. While Saudi Arabia conducted airstrikes in Sa'da governorate during the six bouts of armed conflict otherwise known as the "Six Wars" between 2004 and 2009, there is no public record, to Amnesty International's knowledge, of Saudi Arabia or other coalition members conducting strikes in Hajjah governorate prior to the current conflict in Yemen which began on 25 March 2015. Furthermore, as a result of the "Six Wars", over 250,000 people were internally displaced, many of whom moved to Hajjah for shelter and specifically to Haradh which is home to one of the biggest concentration of camps for Yemen's internally displaced.

### **Analysis of the UK-manufactured cluster munition shows it must have been deployed recently**

During its field visit to Yemen, Amnesty International collected photographic and video evidence taken by local residents and by the local demining organization, the Yemen Executive Mining Action Centre (YEMAC), in Hajjah governorate of unexploded and partially exploded cluster munitions. These photographs included images of the BL-755 in situ and captured not just the weapon, but also the impact crater and debris field. Amnesty International researchers also visited the YEMAC warehouse

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<sup>6</sup> Amnesty International, *Yemen: Evidence counters UK claims denying use of British-made cluster munitions in Yemen Conflict* (Index MDE 31/4194/2016).

used for unexploded ordnance storage in Hayran in Hajjah governorate where YEMAC was storing the partially exploded BL-755 in question. An Amnesty International researcher photographed and videotaped the weapon on 7 May 2016.

Amnesty International has subsequently consulted with several independent arms experts who analysed the video and photographic evidence collected by Amnesty International. By studying the images in question the weapons experts concluded that the remnant was of a BL-755 which had malfunctioned and bomblets in five of the original seven sections had neither dispersed nor detonated as designed. Amnesty International observed around a dozen bomblets were still inside in the crushed remains of the bomb casing and YEMAC had stored another 70 or so bomblets in the same warehouse indicating that 80 or so bomblets, more than half, failed to detonate. This resulted in the release of many extremely dangerous unexploded BL-755 submunitions.

Arms experts have confirmed to Amnesty International that examination of the BL-755 photographs indicates that the munition had been deployed relatively recently, most likely within the last few months. The metadata of the images Amnesty International obtained from local residents of the BL-755 in situ shows that the images were taken on 18 and 19 January 2016. The images clearly show that on 18 and 19 January the BL-755 submunitions were not corroded, which one would expect of a weapon that had been deployed years before. Further, the impact crater was not degraded, which again would have happened over the course of several years. Instead, the BL-755 remained in situ protruding from the sand. The natural elements, wind, sand, and the presence of people and animals in the area make it unlikely that it would have remained undisturbed in this position for a period of many years, particularly as the area is routinely ploughed and farmed. Moreover, upon reviewing the photographic evidence provided to them by Amnesty International, IHS Jane's Defence Weekly, a leading UK-based journal on the arms industry, noted that the submunitions bear the same markings used by the UK Royal Air Force.

Based on the condition of the BL-755 weapon in question as well as photographs of the locations in which the cluster bomb munition and submunitions were found, the evidence indicates that the BL-755 has been deployed relatively recently, most likely within the last few months.

Local testimony precludes dropping of UK-manufactured cluster munition before October 2015, and places it at end of December/early January 2016

Interviews with five local residents further support Amnesty International's assessment that the BL-755 was deployed during the current conflict in Yemen.

Amnesty International interviewed the owner of the farm where the BL-755 was found in al-Khadhra village in Haradh directorate, Hajjah governorate, as well as two of his sons who work on the farm, his nephew, also from the village and works on the farm, and one farm labourer who permanently resides on the farm.

The farm owner told Amnesty International that on 7 July 2015 his family, whose farm in al-Khadhra is 6-10 km from the Saudi Arabian border, was forced to flee due to continued heavy fighting north of the farm. However, several labourers remained on the farm to work the land. One of these labourers, Ali al-Mahasir told Amnesty International that in late December 2015/ early January 2016 he headed to a plot of land 500 metres north of the farm to plough it and plant some trees after some rainfall. When he arrived, he said he discovered a large number of unexploded submunitions and other munition debris.

In describing the impact site, he told Amnesty International he saw a hole that was approximately one metre deep and one metre across. He further described the hole as having bomblets "inside it and scattered all around it." These bomblets were cylindrical and dark in colour. He also said there were springs scattered all around on the impact site and some of these cylinders had a shiny metallic cover while others were uncovered. This matches the description of the BL-755 and is similar to the images of the weapon taken in situ by other residents.

Ali al-Mahasir, told Amnesty International that the area where he saw the crater was one that he regularly visited for work, and that the last time he visited the site in October 2015 the bombs were not there.

He also told Amnesty International that two weeks prior to his visit to the site in late December/early January, there was heavy fighting on the border and that “planes were hovering and machine guns could be heard.” At one point, he told Amnesty International that he heard a strike north of the farm, and then mini-explosions that sounded like “fireworks” that continued for 10 minutes consecutively.

Amnesty International interviewed one of the farmer’s sons and his nephew who both said they took photographic and video evidence of some of the munitions, the impact site and debris after the strike. These photos were shared with Amnesty International during our field research in May 2016. The metadata of the photographs shows they were taken on 18 and 19 January 2016 and Amnesty International has identified the weapon in the images as the BL-755.

The farmer’s nephew also told Amnesty International that in February 2016 he visited the YEMAC warehouse in Hayran, requesting that YEMAC clear the BL-755 from his uncle’s land, which YEMAC did in April 2016, storing the remaining unexploded UK-manufactured submunitions in the Hayran Centre in Hajjah. Amnesty International further corroborated this account by speaking to Ahmed al-Muntasar, who headed the YEMAC team that visited al-Khadhra village and removed the BL-755 submunitions. Ahmed al-Muntasar confirmed that a team consisting of eight people, including a doctor, visited the village on 18 April 2016 and spent two days working on the site. His description of the munition they removed matches the description of the BL-755 submunitions and he also shared with Amnesty International photographs of the YEMAC team working on the farm whilst removing the BL-755 submunitions. He recalled that the team collected 48 unexploded submunitions, including three internal racks with unexploded and partially exploded submunitions, all of which was then taken to the YEMAC warehouse in Hayran in Hajjah, where they were later seen by Amnesty International on 7 May 2016.

## **4.2 23 MAY 2016: CHILDREN AMONG CIVILIANS KILLED AND MAIMED IN CLUSTER BOMB ‘MINEFIELDS’<sup>7</sup>**

Children and their families returning home in northern Yemen after a year of conflict are at grave risk of serious injury and death from thousands of unexploded cluster bomb submunitions, Amnesty International said, following a 10-day research trip to Sa’da, Hajjah, and Sana’a governorates.

International assistance is urgently needed to clear contaminated areas and countries with influence should urge the Saudi Arabia-led coalition forces to stop using cluster munitions, which are internationally banned and inherently indiscriminate.

“Even after hostilities have died down, the lives and livelihoods of civilians, including young children, continue to be on the line in Yemen as they return to de facto minefields. They cannot live in safety until contaminated areas in and around their homes and fields are identified and cleared of deadly cluster bomb submunitions and other unexploded ordnance,” said Lama Fakhri, Senior Crisis Advisor at Amnesty International.

**“Even after hostilities have died down, the lives and livelihoods of civilians, including young children, continue to be on the line in Yemen as they return to de facto minefields.”**

Lama Fakhri, Senior Crisis Response Advisor at Amnesty International.

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<sup>7</sup> Amnesty International, *Yemen: Children among civilians killed and maimed in cluster bomb ‘minefields’* (Press Release 23 May 2016).

On its most recent mission to northern Yemen, Amnesty International found evidence of US, UK and Brazilian cluster munitions used by the Saudi Arabia-led coalition forces. The use of cluster bombs is banned under the Convention on Cluster Munitions, to which the UK is a State Party.

The organization interviewed 30 people, including survivors of cluster bomb submunitions and other unexploded ordnance (UXO) as well as their families, eyewitnesses, demining experts, activists and first responders.

It documented 10 new cases in which 16 civilians were injured or killed by cluster munitions between July 2015 and April 2016. This includes nine children, two of whom were killed. These casualties took place days, weeks, and sometimes months after the bombs were dropped by coalition forces in Yemen.

With a lull in fighting along the Yemeni-Saudi border since a local ceasefire was agreed in March 2016, civilians began returning home and felt safer moving around the governorates of Hajjah and Sa'da. But demining officials, local residents and first responders told Amnesty International they continued to see civilians injured by explosions, with a rise in casualties from unexploded ordnance particularly in areas along the Saudi Arabia-Yemen border including in Midi, Haradh, Hayran, Bakil al-Mir, and Mustabah in Hajjah governorate and al-Safra, Razih, Shada and Baqim in Sa'da governorate.

Many civilians, including children, are now exposed to potentially deadly submunitions and other explosive remnants of war without any knowledge of their presence or the risk they pose. Meanwhile, recent flood waters have moved the submunitions and other unexploded ordnance into areas where civilians do not expect them to be.

Up to this point, the Saudi Arabia-led coalition has not formally confirmed its use of cluster munitions. However, in an [interview with CNN on 11 January 2016](#), the spokesperson of the coalition's military forces, General Ahmed al-Asiri, categorically denied that the coalition had used cluster munitions in attacks anywhere in Yemen other than in one instance, describing the use of air-dropped CBU-105 Sensor Fuzed Weapons on a military target in Hajjah in April 2015.

## **CIVILIANS DESCRIBE DIRE NEED OF ASSISTANCE TO CLEAR CONTAMINATED AREAS**

Recognizing the serious risk unexploded ordnance presents to the civilian population, Yemen's sole demining agency, the Yemen Executive Mine Action Centre (YEMAC), began clearing and detonating the weapons in Sa'da and Hajjah in early April 2016, despite being ill-equipped and trained.

While the full extent of cluster munition contamination is not yet known, in the first three weeks of their work, YEMAC records show its teams working in Sa'da and Hajjah governorates cleared at least 418 cluster bomb submunitions, 810 fuses and artillery remnants, 51 mortars and more than 70 missiles.



*Explosive Remnants of War in the garden of the Yemen Executive Mine Action Center (YEMAC) in Hayran © Amnesty International*

Tragically, the centre had to abruptly halt its clearing operations on 26 April after three of its staff members, Mohammed Ahmed Ali Al Sharafi, Mustafa Abdullah Saleh Al Harazi, and Hussein Abdo Mohssien Al Salami, were killed in a cluster munition incident while carrying out their work in Hayran in Hajjah governorate.

The Director of YEMAC, Ahmed Yahya Alawi, told Amnesty International that the centre's clearance work was suspended pending an investigation into the men's deaths, but that he believed the deaths were caused by one of the men's failure to take adequate precautions in moving the submunitions and his proximity to his colleagues when doing so. He blamed the men's inadequate training and lamented the ineffectiveness and age of their equipment.

"[Different] types of cluster munitions have been used [by the coalition] but we have only worked with four of the types before. We were surprised by the new kind. They are more sensitive... It is difficult to get explosives to detonate the bombs but storing them is dangerous" he said. "We need to bring in trainers from the countries that made the weapons to train the employees...[and] we are looking for better technology to destroy these bombs."



*Remnants of cluster bomb submunitions at the Yemen Executive Mine Action Center (YEMAC) in Sa'da. © Amnesty International*

"Donor countries must act quickly to support local efforts to safely and urgently locate, mark and clear areas contaminated by unexploded ordnance and educate affected communities on how to avoid danger in the meantime," said Lama Fakih.

**“Failure to safely clear submunitions and other explosive remnants of war will be a ticking time bomb for civilians, including children living in affected areas.”**

Lama Fakih, Senior Crisis Response Advisor at Amnesty International.

“Failure to do so will be a ticking time bomb for civilians, including children, living in affected areas.”

Children are particularly at risk of picking up and playing with submunitions, which they mistake for toys, given their small size and shape. Some roughly resemble drink cans, while others resemble balls.



Amnesty International interviewed a 13-year-old boy who was injured in the late afternoon on a day in January 2016 after apparently picking up a submunition near a spring that locals rely on for water in Noug'a, a small village surrounded by agricultural land in al-Safra, Sa'da governorate, approximately 20-25 kilometres from the border with Saudi Arabia. According to locals interviewed by Amnesty International, the area is separated from the frontlines by a few kilometres and during the heavy fighting, they hear the sound of incoming and outgoing ground-launched attacks.

The victim said the bomblets were green and shaped like “a small ball that you play with.” This description is consistent with the US-made BLU-63 cluster bomb submunitions.

## “The boy said the bomblets were green and shaped like “a small ball that you play with.”

13-year-old cluster bomb victim in Noug'a, al-Safra, Sa'da governorate.

“I saw the bomb [submunition] close to where we were filling water and as I was walking along I saw it [on the ground]. I picked it up and I threw it [to the side] and it exploded. I got hurt and then my brother went to get help...” He was hospitalized for two months and had an operation on his abdomen. He told Amnesty International that there are still submunitions next to the spring.

On 1 March, “Walid” (children’s names have been changed for their security) another 11-year-old from a nearby area, was also hurt by a submunition, losing three of his fingers and breaking his jaw. His brother, “Samih,” an eight-year-old, was killed.



*An 11-year-old survivor of a submunition incident, which severed three of his fingers and broke his jaw. His eight-year-old brother was killed instantly. © Amnesty International*

Walid told Amnesty International that he and Samih were near the village of Fard, al-Safra directorate in Sa'da, on 1 March when they encountered multiple submunitions while herding goats in a valley. He said that he and Samih were carrying around and playing with submunitions for several hours when one eventually exploded around 1pm, killing Samih instantly and injuring Walid. Amnesty International observed that Walid lost three fingers on his right hand and that he had had an operation to insert steel plates in his left jaw, which was broken in the blast. He also sustained shrapnel injuries to his chest and legs.

**“I started to take the red string with my right hand and pull and [Samih] pulled on the other end of it and then it went off and I fell back. [Samih] was hurt in his stomach and he had fallen down too. We didn’t know it would hurt us.**

Walid, an 11-year-old boy from Fard, al-Safra directorate in Sa’da.

“We go down every day to the valley to herd goats, where there are many small bombs. We found four of them in the morning... they were cylindrical with a red ribbon. We carried them with us while herding. At around 1pm, I started to take the red string with my right hand and pull and [Samih] pulled on the other end of it and then it went off and I fell back. [Samih] was hurt in his stomach and he had fallen down too. We didn’t know it would hurt us.”

Based on the description, these appear to be ground-launched [“ZP 39” DPICM submunitions](#), which have been documented by Human Rights Watch in northern Yemen in May 2015.

On 16 April in a village in Hajjah governorate around 10 kilometres from the Saudi Arabian border, a 12-year-old boy was also killed and his nine-year-old brother injured when they played with cluster bomb submunitions while they herded goats in the valley nearby. According to family members, fighting fronts are a few kilometres closer to the border and local residents told Amnesty International that fighters were sometimes forced to retreat into nearby villages to seek shelter from Saudi fire.

The nine-year-old boy who survived told Amnesty International:

“I found the bomb and I went and gave it to my brother so he can have one and I had one. He hit them against each other and they exploded and I found myself lying on the ground. The explosion pushed me back [several metres]. Two or three days before the accident, my friend and I used to go and collect the bombs and put them in a bag and hide them under and between the trees. They have a white ribbon.”

His 12-year-old brother was killed on the spot, with his abdomen torn open and his arm severed.

The boys’ father, who has 13 other children, told Amnesty International that the family had only recently returned to the area, after being displaced by airstrikes. He said they do not go back to the valley after the incident, but there are no safe spaces to herd their goats: “In the area next to us, there are bombs hanging off the trees,” he said.

**“In the area next to us, there are bombs hanging off the trees.”**

Goat herder and father of 13 from Hajjah governorate.

Other goat herders told Amnesty International the prevalence of cluster bomb submunitions in grazing areas has forced them to keep their goats locked up and feed them straw, which is costly and not sustainable. In most cases farmers and herders told Amnesty International they had no choice but to work in contaminated areas despite the risks.

“The significant number of submunitions used by the Saudi Arabia-led coalition forces and the high dud rates have not only killed and maimed, but also severely damaged livelihoods by killing livestock and turning agricultural land into de facto minefields, interfering with animal herding as well as harvesting of banana, mango and tomato crops,” said Lama Fakih.

In many instances, civilians returning home told Amnesty International that they have had to resort to removing submunitions themselves, fearing that children will pick them up or their livestock will be injured.

Hindi Ibrahim, a 25-year-old father of two from Dugheij Village, Hayran, Hajjah governorate, told Amnesty International how his arm was injured by an explosion when he and other villagers attempted to clear hundreds of cluster bomb submunitions from their village:

“The original strike happened late July/last August during the day and [some of] the bomblets exploded. There were also Apaches [helicopters] that shot at people as they ran away. There were 500 pieces in the village everywhere ... we wanted to remove them. Some were inside the house in the courtyard and kitchen...[YEMAC] kept on promising they would come but they never came. They told us they were busy in other areas. By February, we were forced to clean them ourselves because of the [risk to] children. At the time I went into the house and put 10 [submunitions] on a tray and carried them out of the house. The bombs started hitting against each other and one went off. I dropped the tray and the rest went off.”

Hindi Ibrahim sustained shrapnel injuries in his right elbow, right abdomen and right hip.



*Hindi Ibrahim, a 25-year-old father of two from Dugheij Village, Hayran, Hajjah governorate – victim of submunition explosion. © Amnesty International*

Amnesty International also interviewed his brother, Weedi Ibrahim, 30, and his nephew, Yahya Shawqi, 15, who were both also injured when they handled submunitions in the village. According to Hindi Ibrahim, two other villagers were killed in recent months when they picked up submunitions and they went off.

### **FIRST CONFIRMED USE OF UK-MADE CLUSTER MUNITIONS IN YEMEN**

Since the start of the Saudi Arabia-led air campaign on 25 March 2015, Amnesty International has documented the use of six types of cluster munitions in Yemen (see full table below) by the coalition forces. Other credible sources including Human Rights Watch have also documented their use.

Amnesty International’s most recent mission confirmed, for the first time, that coalition forces have used UK-manufactured BL-755 cluster munitions in Yemen. The BL-755 was manufactured by Hunting Engineering Ltd in the 1970s. This variant, designed to be dropped from the UK Tornado fighter jet, contains 147 submunitions designed to penetrate 250mm of armour while at the same time breaking into more than 2,000 fragments which act as an anti-personnel weapon. The weapon is known to be in the stockpiles of both Saudi Arabia and the United Arab Emirates.



*The remains of the body of a UK-manufactured BL-755 cluster bomb in Hajjah in northern Yemen © Amnesty International*

Amnesty International's research team located the BL-755 bomb in Hayran in the centre YEMAC was using to store unexploded ordnance they had collected. The bomb had malfunctioned and bomblets in five of the original seven sections had neither dispersed nor detonated as designed. Around a dozen bomblets were still inside in the crushed remains of the bomb casing and YEMAC had stored another 70 or so bomblets in the same facility indicating that 80 or so bomblets, more than half, failed to detonate.

This is the first confirmed use of UK-made cluster munitions since the adoption in 2008 of the [Convention on Cluster Munitions](#), which the UK played a role in drafting and negotiating.

Other types recently identified by Amnesty International include a [Brazilian-manufactured Avibras ASTROS cluster munition rocket motor](#) and US-manufactured [CBU-105 Sensor-Fuzed Weapons with BLU-108/B canisters](#). A US Department of Defense contract worth \$641 million for the manufacture of 1,300 CBU-105 sensor fuzed weapons for Saudi Arabia was agreed in August 2013. The weapon is also known to be in the stockpile of the United Arab Emirates.

The BLU-108, manufactured by Textron Defense Systems, is an air-delivered submunition, with four further smart "Skeet" submunitions. The BLU-108 is released from the bomb that carries it, and a parachute deploys to slow its descent. It then fires the four rapidly-rotating skeets, which using multi-mode optical sensors can identify a variety of targets. When the skeet identifies a target signature it detonates, propelling an explosively formed penetrator to penetrate armour and produce incendiary effects, as well as a fragmentation ring to damage soft targets and personnel.

The presence of dud skeet submunitions in Yemen which have failed to deploy, detonate or self-destruct contradicts claims by the US Security Defense Cooperation Agency that these munitions do not result in more than 1% unexploded ordnance "across the range of intended operational environments." The US government prohibits the sale or transfer of cluster munitions with greater than a 1% fail rate. The US appears to be failing to meet even this standard, which falls short of the complete ban on the use, production, transfer and stockpiling of cluster munitions that the 100 states parties to the Convention on Cluster Munitions have committed to.

## **RECOMMENDATIONS**

"Without a concerted effort to stop the Saudi Arabia-led Coalition from using cluster munitions, and urgent international support for clearance, these cluster bombs and other explosive remnants of war will leave a deadly legacy in Yemen for years to come, posing a threat to civilian lives and wreaking havoc on the local economy," said Lama Fakih.

**“[Unless action is taken,] these cluster bombs and other explosive remnants of war will leave a deadly legacy in Yemen for years to come, posing a threat to civilian lives and weakening havoc on the local economy.”**

Lama Fakih, Senior Crisis Response Advisor at Amnesty International.

Saudi Arabia and other coalition members should facilitate clearance of areas contaminated by unexploded ordnance. States in a position to do so should provide all possible technical, financial, material, and other assistance to facilitate the marking and clearance, removal or destruction of cluster bomb submunitions, duds and other explosive remnants of war. They should also provide victim assistance, including for the medical and psychological care and rehabilitation of victims and their families, as well as risk education.

Members of the Saudi Arabia-led coalition should immediately provide the UN with precise locations of cluster munition attacks, including maps, data with the exact dates of strikes, specific types and quantities of the weapons used, in order to facilitate clearance and risk-education activities and to reduce the potential for further civilian casualties.

States supplying arms to the Saudi Arabia-led coalition and the coalition members should immediately stop transferring and using cluster munitions and should decommission and dispose of their remaining stocks without further delay.

## **BACKGROUND**

Amnesty International and others have been calling on all states for years to immediately halt the use, production, transfer and stockpiling of cluster munitions and to join the 2008 Convention on Cluster Munitions (CCM).

The other countries who have produced cluster munitions identified as being used by the Saudi Arabia-led coalition in the Yemen conflict – the USA and Brazil – have not yet joined the CCM. Neither has Yemen – although Yemeni diplomats indicated on 19 May at a UN conference that they were strongly considering acceding to the Convention, given the level of cluster munition contamination in the country.

Neither Saudi Arabia nor any of its coalition members have joined the CCM. However, under customary international humanitarian law, coalition members must not use inherently indiscriminate weapons, which invariably pose a threat to civilians.

Since February 2016, Amnesty International has urged all states to ensure that no party to the conflict in Yemen is supplied – either directly or indirectly – with weapons, munitions, military equipment or technology that would be used in the conflict until they stop serious violations of international human rights and humanitarian law and support independent, impartial investigations into allegations of violations by all parties.

## **4.3 15 JANUARY 2016: NEW EVIDENCE CHALLENGES COALITION’S DENIAL IT USED CLUSTER MUNITIONS IN RECENT ATTACK<sup>8</sup>**

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<sup>8</sup> Amnesty International, *Yemen: New evidence challenges coalition’s denial it used cluster munitions in recent attacks* (Index MDE 31/3208/2016).

Evidence gathered by Amnesty International appears to confirm reports that the Saudi Arabia-led coalition forces dropped US-manufactured cluster munitions on the Yemeni capital, Sana'a, on 6 January 2016. The attack killed a 16-year-old boy and wounded at least six other civilians, and scattered submunitions in at least four different residential neighbourhoods. Amnesty International is calling on the coalition to immediately stop using cluster munitions, which are inherently indiscriminate weapons and are internationally banned.

From its side, the Saudi Arabia-led coalition has not confirmed that it carried out any attack on the areas hit on 6 January. In addition, in an [interview with CNN on 11 January 2016](#), the spokesperson of the coalition's military forces, General Ahmed al-Asiri, categorically denied that the coalition had ever used cluster munitions in attacks on Sana'a and claimed they had only used them in one attack in Yemen, on a military target in Hajjah in April 2015.

However, according to Amnesty International's information, the coalition is the only party to the conflict that has the capability to drop bombs from the air and its research provides compelling evidence that it did indeed drop cluster munitions on 6 January. The research has included interviews with nine local residents, including the family of the boy killed, three of those wounded, two eyewitnesses, the head of security in western Sana'a and two local photographers who visited sites impacted by the attack the day after.

The attack hit Mu'een, a district in the west of Sana'a, at around 5am on 6 January 2016. According to the head of security in western Sana'a, Ahmed Abdullah, parts of a metal cylinder that dispenses submunitions were found in two different locations: the grounds of Sana'a New University and a location in al-Rabat neighbourhood, approximately 900m to the south. He added that submunitions were also found scattered over several neighbourhoods in the district of Mu'een. Ahmed Abdullah told Amnesty International that in total 23 houses were partially damaged and 20 cars were completely burned out or partially damaged. He said that the majority of the submunitions exploded at the time of attack, though they had also found some unexploded ones.

The distances between the locations where the dispenser parts and submunitions impacted indicates that more than one bomb was dropped, but the precise number remains unclear. Even if the attack was aimed at a military target, the use of inherently indiscriminate weapons like cluster munitions is absolutely prohibited by international humanitarian law.

Eyewitnesses and victims described how, at approximately 5am, they heard one big explosion, followed by a series of small consecutive explosions after a minute. These accounts and the fact that remnants of a dispensing cylinder and submunitions were found after the attack are consistent with the use of air-dropped cluster munitions.

Mohamed Saleh, 55, a local resident of al-Sonainah neighbourhood, 2km west of where the dispenser landed, was at the mosque praying when the strike occurred: "We had been praying at around 5am at the mosque and, as we left the mosque, we heard the plane overhead going whoosh, whoosh, whoosh and then a big explosion followed. We were afraid of a second air strike so we scattered and that is when smaller explosions followed consecutively. I sustained some shrapnel injuries and I was taken to hospital right after that but the neighbourhood was covered in the small bombs. Some of them landed on cars and exploded and others inside houses. Even the water tanks were damaged." According to a photographer who visited al-Sonainah the following day, there were at least eight exploded submunitions in the neighbourhood and three partially damaged houses and five burned out cars.

Amnesty International also spoke to the brother of the 16-year-old-boy who was killed in the attack. Essa Ghaleb al-Fararsi, from al-Madhbah neighbourhood, 3.5km north-west of where the dispenser landed, died after sustaining multiple injuries from exploding submunitions. "At around 5am, he was on his way to the mosque opposite our house in al-Daqeeq district to perform the dawn prayers. We then heard the first explosion. A minute later we heard a series of consecutive explosions in the neighbourhood when the little bombs landed, one of which landed on the roof of our neighbour's house... My mother found Essa at the mosque door in a pool of his own blood... In the neighbourhood, several cars were damaged and the mosque was partially damaged as well."

A photographer who visited al-Madhbah on 7 January told Amnesty International that she counted 15 exploded submunitions, three partially damaged houses and five damaged cars. One of the vehicles was a water truck, inside which a submunition had exploded. Amnesty International also spoke to a local resident of al-Madhbah and reviewed photographs of his house, which was damaged when a cluster submunition exploded on the roof, leaving a hole in his living room ceiling. His wife told Amnesty International: "We are a family of 19 living in this house, six of them children. Two of the children, 10 months old and six months old, are still crying because they were so frightened after the attack."

Shaker Ghaleb Ahmed Rajah, 25, a father of a two-year-old girl, sustained serious shrapnel injuries to his abdomen, which necessitated surgery and 19 stitches. He told Amnesty International: "I live behind the National Institute near Kuwait Street. I was asleep when an explosion penetrated the ceiling of my house, creating a hole. All I knew was that I woke up in a pool of my own blood. Luckily my wife and daughter were not sleeping next to me so they were unharmed." The National Institute is 1.5km east of where the submunition dispenser landed.

Two local photographers also told Amnesty International that they had found some submunitions that had landed behind the Khawalani Building on the Ring Road, near al-Judairi police station.

## **BANNED CLUSTER BOMBS**

Cluster munitions contain between dozens and hundreds of submunitions, which are released in mid-air, and scatter indiscriminately over a large area measuring hundreds of square metres. They can be air-dropped or ground-launched.

Cluster submunitions have a high "dud" rate – meaning a high percentage of them fail to explode on impact, becoming de facto land mines that pose a threat to civilians for years after deployment. The use, production, sale and transfer of cluster munitions is prohibited under the 2008 Convention on Cluster Munitions, which has almost 100 states parties.

Even though the USA, Yemen, Saudi Arabia and the majority of the other members of the Saudi Arabia-led coalition participating in the conflict in Yemen are not parties to the Convention, under the rules of customary international humanitarian law they must not use inherently indiscriminate weapons, which invariably pose a threat to civilians.

Amnesty International reviewed photographs taken on 6 and 7 January in Sana'a that showed remnants of cluster munitions, including spherical submunitions, and parts of the bomb or bombs that carried the submunitions.

Amnesty International identified the munitions as US-made BLU-63 anti-personnel/anti-materiel submunitions and components of a CBU-58 cluster bomb. Markings on the bomb remnants indicate that it was manufactured in 1978 at the Milan Army Ammunition Plant in the state of Tennessee in the USA.

Each air-dropped CBU-58 cluster bomb contains 650 submunitions. The USA transferred 1,000 CBU-58 bombs to Saudi Arabia sometime between 1970 and 1995.

Amnesty International has documented the use of three types of cluster bombs by the Saudi Arabia-led coalition in Yemen since March 2015: a [US-manufactured CBU-87](#), which dispenses 202 BLU97 submunitions; the more sophisticated [US-manufactured CBU-105](#) Sensor Fuzed Weapon (carrying BLU-108 Sensor Fuzed submunitions); and a third variant that resembled the [Brazilian manufactured ASTROS II](#), all of which were used in Sa'da in northern Yemen.

# 5. YEAR: 2015

## 5.1 11 DECEMBER 2015: BOMBING OF SCHOOLS BY SAUDI ARABIA-LED COALITION A FLAGRANT ATTACK ON FUTURE OF YEMEN'S CHILDREN<sup>9</sup>

Saudi Arabia-led coalition forces have carried out a series of air strikes targeting schools that were still in use, in violation of international humanitarian law, and hampering access to education for thousands of Yemen's children, said Amnesty International in a new briefing published today. The coalition forces are armed by states including the USA and UK.

The briefing [\*'Our kids are bombed': Schools under attack in Yemen\*](#), investigates five air strikes on schools which took place between August and October 2015 killing five civilians and injuring at least 14, including four children, based on field research in Yemen. While students were not present inside the schools during the attacks, the strikes caused serious damage or destruction which will have long-term consequences for students.

"The Saudi Arabia-led coalition launched a series of unlawful air strikes on schools being used for educational – not for military – purposes, a flagrant violation of the laws of war," said Lama Fakhri, Senior Crisis Advisor at Amnesty International who recently returned from Yemen.

**"Schools are central to civilian life, they are meant to offer a safe space for children. Yemen's young school pupils are being forced to pay the price for these attacks. On top of enduring a bitter conflict, they face longer term upheaval and disruption to their education – a potentially lifelong burden that they will be forced to shoulder."**

Lama Fakhri, Senior Crisis Advisor at Amnesty International.

"Schools are central to civilian life, they are meant to offer a safe space for children. Yemen's young school pupils are being forced to pay the price for these attacks. On top of enduring a bitter conflict,

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<sup>9</sup> Amnesty International, *Yemen: Bombing of schools by Saudi Arabia-led coalition a flagrant attack on future of Yemen's children* (Press Release 11 December 2019).



they face longer term upheaval and disruption to their education – a potentially lifelong burden that they will be forced to shoulder.”

In some cases, the schools were struck more than once, suggesting the strikes were deliberately targeted.

“Deliberately attacking schools that are not military objectives and directly attacking civilians not participating in hostilities are war crimes,” said Lama Fakih.

## **“Deliberately attacking schools that are not military objectives and directly attacking civilians not participating in hostilities are war crimes.”**

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The damage has severely disrupted the schooling of the more than 6,500 children who attend classes at the schools in Hajjah, Hodeidah and Sana’a governorates. In certain cases the schools had been the only ones in the area. No evidence could be found in any of the five cases to suggest the schools had been used for military purposes.

In October 2015 the Science and Faith School in Beni Hushayash, Sana’a was attacked on four separate occasions within the space of a few weeks. The third strike killed three civilians and wounded more than 10 people. The school, which was the only one in the village, was providing education to 1,200 students.

The Kheir School in the village of Hadhran, Beni Hushaysh, also suffered multiple air strikes causing extensive damage rendering it unusable. Other air strikes on the same village struck two civilian homes, killing two children and injuring their mother, and a nearby mosque, killing one man and injuring another, who were praying at the time of the attack.

Amnesty International is calling for the five attacks highlighted in this briefing to be investigated independently and impartially and for those responsible to be held accountable. It is also asking the coalition to provide full reparation to victims of unlawful attacks and their families.

“The lack of investigations by the Saudi Arabia-led coalition, and those who provide them with arms and other support, into a growing list of suspected unlawful attacks suggests a chilling apathy for the devastating consequences this war has wrought on civilians in Yemen,” said Lama Fakih.

“Regardless of the outcome of planned peace talks next week it is crucial that independent investigations into these and other unlawful strikes are undertaken and that those responsible are held to account.”

The country’s entire education system has suffered as a result of the conflict. According to UNICEF (United Nations International Children’s Emergency Fund) at least 34% of children in Yemen have not been to school since the air strikes first began in March 2015. The Sana’a based Ministry of Education has also shared data with Amnesty International reflecting that more than 1,000 schools are out of operation: 254 completely destroyed, 608 partially damaged and 421 being used as shelters for people internally displaced by the conflict.

As well as killing and injuring people, the attacks on schools have terrified civilians and caused students to suffer psychological trauma.

“Right now we are living in fear and terror. Today I saw the plane and I was very afraid and terrified,” said one 12-year-old child who attends al-Asma school in Mansouriya, Hodeidah which was destroyed in a coalition bombing in August.

The director of another school in Hodeidah city, the al-Shaymeh Education Complex for Girls, which catered for some 3,200 students described her horror after the school came under attack twice within a matter of days in August 2015 killing two people. No students were present at the school during the attack, but a man and woman were killed.

“I felt that humanity has ended. I mean, a place of learning, to be hit in this way, without warning... where is humanity? ...It is supposed to be illegal in any war to strike such places,” she said.

**“I felt that humanity has ended. I mean, a place of learning, to be hit in this way, without warning... where is humanity?... Is it supposed to be illegal in any war to strike such places.”**

A school director in Hodeidah city.

Prior to the attack, rumours had circulated online, including in social media, suggesting the school had been used to store weapons, but the director told Amnesty International this was untrue and that the school had been searched following the rumours- no weapons were found.

Although there have been occasions where schools in Yemen have been used for military purposes by the various parties to the conflict, in all five of the cases highlighted in this briefing no weapon remnants, evidence of secondary explosions or any other evidence was found by Amnesty International to indicate that the schools had been used for military purposes.

Both state and non-state armed groups should refrain from using schools for military purposes or operating nearby, which can have the effect of making them schools lawful military targets and subject to attack, consequently putting civilians at risk and having long-term adverse impact on children's access to education.

UN Security Council Resolution 2225 on children in armed conflict adopted earlier this year calls on all parties to conflict to “respect the civilian character of schools” and also expresses serious concern that the military use of schools may render them legitimate targets of attack under international law and would endanger the safety of children.

Amnesty International's briefing also highlights the urgent need for all states who supply arms to the Saudi Arabia-led coalition, including the USA and UK, to suspend all transfers of weapons which are being used to commit violations of international law, including war crimes, to those carrying out attacks. In particular, states supplying arms to coalition forces should suspend transfers of general purpose bombs, fighter jets, combat helicopters and their associated parts and components.

Last month the US State Department approved an arms transfer worth \$1.29 billion to Saudi Arabia, which includes the transfer of general purpose bombs from the Mark/ MK89 series, despite the fact that Amnesty International has documented their use in unlawful air strikes that have killed scores of civilians.

“It is simply appalling that the USA and other allies of the Saudi Arabia-led coalition have continued to authorise arms transfers to members of the coalition, despite the clear evidence that they are not complying with the laws of war – international humanitarian law. All such transfers must halt immediately,” said Lama Fakih.

“States supplying weapons to the coalition must also use their influence to press coalition members to act in compliance with their international obligations and to investigate violations of international humanitarian law.”

Countries such as the UK, that are party to the [Arms Trade Treaty](#), are prohibited from authorizing an arms transfer if they have knowledge that the arms would be used to commit attacks against civilians, civilian objects or other violations of international humanitarian law.

## 5.2 25 NOVEMBER 2015, YEMEN: COALITION USED UK MISSILE IN UNLAWFUL AIRSTRIKE<sup>10</sup>

The Saudi Arabia-led coalition used a British-made missile to destroy a Yemeni ceramics factory, a civilian object, on 23 September, 2015, Amnesty International and [Human Rights Watch](#) said today, based on field research and interviews with eyewitnesses at the scene.

The attack on the factory in the Sana'a governorate, which appeared to be producing only civilian goods, killed one person, and was in apparent violation of international humanitarian law (IHL), the laws of war.

This strike, using a British missile supplied in the 1990s, undermines the claim of Ministers that the Saudi Arabia-led coalition's use of UK military equipment is consistent with IHL, and that the UK monitors such compliance "very carefully". The organizations are unaware of any credible coalition investigation into this or other apparently unlawful airstrikes for possible IHL violations.

"The UK Foreign Secretary Philip Hammond claims he favours 'proper investigations' into possible breaches of the laws of war in Yemen. This strike provides a perfect test case – the UK should urgently press the Saudi Arabia-led coalition to open a credible investigation into this strike, as well as others that appear to have violated the laws of war," said Lama Fakih, Senior Crisis Advisor at Amnesty International.

**"The UK Foreign Secretary Philip Hammond claims he favours 'proper investigations' into possible breaches of the laws of war in Yemen. This strike provides a perfect test case – the UK should urgently press the Saudi Arabia-led coalition to open a credible investigation into this strike, as well as others that appear to have violated the laws of war."**

Lama Fakih, Senior Crisis Advisor at Amnesty International.

"The latest revelations show UK policy to be both misleading and seriously ineffective. Despite multiple, well-documented cases of violations of the laws of war by the Gulf coalition in Yemen, UK Ministers have consistently refused to acknowledge this. The UK should suspend further sales of aerial munitions to coalition members pending a thorough investigation into this case, and other apparently unlawful air strikes," said David Mephram, UK Director at Human Rights Watch.

**"The UK should suspend further sales of aerial munitions to coalition members pending a thorough investigation into this case, and other apparently unlawful air strikes."**

<sup>10</sup> Amnesty International, *Yemen: Coalition used UK missile in unlawful airstrike* (Press Release 25 November 2015).

David Mepham, UK Director at Human Rights Watch.

## ANALYSIS OF WEAPON REMNANTS

Amnesty International and Human Rights Watch have examined the [weapon remnants at the 23 September strike site](#) and identified the munition used as a PGM-500 'Hakim' air-launched missile, supplied in the mid-1990s and manufactured by the UK firm Marconi Dynamics. The analysis compared fragments photographed at the strike site with unexploded remnants of the same missile type from a separate strike and found both were consistent with the deployment of an air-launched PGM-500 'Hakim'. The other recorded strike using this type of missile hit an open field on 4 or 5 November in Sahar in Sa'da governorate in northern Yemen and did not result in any known casualties.

Marconi markings are clearly visible on a component part recovered from the Sana'a strike site. Stocks of this missile are in service with the United Arab Emirates (UAE) Air Force, which has the capability to fire them from both Mirage 2000s and F-16F aircraft.



*The analysis compared fragments photographed at the strike site with unexploded remnants of the same missile type from a separate strike and found both were consistent with the deployment of an air-launched PGM-500 'Hakim'. © Private*

## WITNESS ACCOUNTS OF 23 SEPTEMBER STRIKE

Amnesty International staff visited the Sana'a strike site on 6 November and they, as well as Human Rights Watch, later interviewed one of the factory owners and other witnesses to the strike.

The airstrike took place between 11 and 11:30 a.m. on 23 September in the village of Matna in Beni Matar district, west of Sana'a. Witnesses and one of the factory owners said that four missiles hit the Radfan Ceramics Factory in quick succession.

Ibrahim Ghaleb Mohammad al-Sawary, the son of one of the factory directors, who was in the vicinity during the attack, told Human Rights Watch: "I was getting ready to pray, leaning back on the wall of the factory when suddenly I heard whizzing followed by a very loud explosion. I started running away but less than two minutes later we heard the second explosion. I saw people running away from their homes – kids, older people and young people – all of them scared like us and running away without knowing where."

He later returned to the factory, which had smoke rising from it and was in ruins, particularly the section with heavy machines used to heat and press the ceramics, which was entirely destroyed.

One man in the vicinity, Yahya Abd al-Karim al-Sawary, 28, was killed by shrapnel as he was fleeing the area. A local resident who asked to remain anonymous told Human Rights Watch that the victim had been working as a guard at a makeshift detention facility run by Ansarullah, the political wing of the Huthis, a Zaidi Shi'a armed group in northern Yemen. The site had originally been a government building known as the Productive Families Centre, approximately 140 metres from the factory compound. The airstrikes did not hit the detention facility.

Ali Ahmad al-Faqih, 55, who was injured in the attack, said that he had been on a motorbike trying to check on his family who live next to the factory during a brief lull between airstrikes – not realizing the attack had not finished: “I heard a whizz and knew it was a rocket coming,” he said. “I lay down and prayed out loud. I saw all my body covered in blood.” Al-Faqih was later taken to a private hospital, where he underwent surgery to remove shrapnel from his chest.

Another local resident told Human Rights Watch that a second civilian, Elham Hussein Hussein Taher, a 14-year-old girl who lived near the factory, was also injured in the attack.

Ghalib Muhammad al-Sawary, one of the factory owners, told Amnesty International that the factory had never been used for any military purpose. Other witnesses told Human Rights Watch that no fighters or military vehicles were in or near the factory at the time of the attack.



*One of the factory owners told Amnesty International that the factory had never been used for any military purpose. © Amnesty International*

## **ON-SITE INVESTIGATION**

During its on-site investigation Amnesty International did not observe any evidence that would indicate that the factory had been used for a military purpose. The organization observed that the area directly surrounding the factory compound appeared to be residential and that it was next to the 26 September Hospital.

The strikes on the factory caused minor damage to the hospital. Amnesty International visited the hospital on 6 November and observed the damage and spoke with staff who had been there during the strike.

The owners of the ceramics factory, which opened in 1994, said that it was the only such facility in the country, and employed around 330 workers, primarily from the village of Matna. However, its owners said they were forced to stop operations in April this year due to security fears for its staff and difficulties obtaining fuel to operate machinery.

IHL prohibits deliberate attacks on civilians not taking a direct part in hostilities and on civilian objects, and attacks that do not distinguish between civilians or civilian objects and combatants or military objectives, or that cause disproportionate harm to civilians or civilian objects in relation to the direct military advantage that may be anticipated. Such attacks are serious violations of IHL and if committed with criminal intent can constitute war crimes.

All countries have legal responsibilities under international law to control the transfer of weapons and to restrict or prohibit their transfer in certain circumstances. The UK is a party to the [Arms Trade Treaty \(ATT\)](#), which came into force in late 2014, and played a leading role in its establishment. Under article 6 of the treaty, a country is prohibited from authorizing arms transfer if it has knowledge at the time of authorization that the arms would be used in the commission of “attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.” Further, article 7 of the ATT requires that states assess the potential that the arms being exported could be used to commit a serious violation of international human rights or humanitarian law; if there is an overriding risk of this, their export shall not be authorized.

As it is now evident that there is such a risk, the UK and all other countries that supply arms to the members of the Saudi Arabia-led coalition should suspend all transfers of weapons that pose a substantial risk of being used in unlawful airstrikes in Yemen, particularly air-to-ground munitions, Amnesty International and Human Rights Watch said.

An independent international inquiry should be established to investigate alleged violations by all parties to the conflict in Yemen, establish the facts, and identify those responsible for violations with a view to ensuring that they are held accountable.

## **5.3 30 OCTOBER 2015: BRAZILIAN CLUSTER MUNITIONS SUSPECTED IN SAUDI ARABIA-LED COALITION ATTACK<sup>11</sup>**

Saudi Arabia-led coalition forces appear to have used a Brazilian variant of internationally banned cluster munitions on a residential neighbourhood in Ahma in Sa'da, northern Yemen, this week, wounding at least four people and leaving dangerous unexploded submunitions strewn around the surrounding farmland, Amnesty International said today.

The organization interviewed a number of local residents including two victims, the medical personnel treating them, an eyewitness and a local activist who visited the site shortly after the attack. Unexploded “duds” pictured at the attack site bear similarities to Brazilian-manufactured cluster bombs Saudi Arabia is known to have used in the past.

“Because cluster munitions are inherently indiscriminate weapons, their use is prohibited by customary international humanitarian law. In fact, nearly 100 states have totally banned their production, stockpiling, transfer and use, in recognition of the unique and lasting harm they cause,” said Philip Luther, Middle East and North Africa Programme Director at Amnesty International.

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<sup>11</sup> Amnesty International, *Yemen: Brazilian cluster munitions suspected in Saudi Arabia-led coalition attack* (Press Release 30 October 2015).

**“In addition to killing and injuring civilians when they are initially used, many submunitions fail to explode upon impact and continue to pose a risk to the lives of anyone who comes into contact with them for years. The Saudi Arabia-led coalition must immediately cease their use and all sides should publicly commit never to deploy cluster munitions and agree to join the global Convention on Cluster Munitions.”**

Philip Luther, Middle East and North Africa Director at Amnesty International.

“In addition to killing and injuring civilians when they are initially used, many submunitions fail to explode upon impact and continue to pose a risk to the lives of anyone who comes into contact with them for years. The Saudi Arabia-led coalition must immediately cease their use and all sides should publicly commit never to deploy cluster munitions and agree to join the global Convention on Cluster Munitions.”

#### **EYEWITNESS ACCOUNTS**

The cluster munition attack was carried out at around noon on 27 October 2015 in a residential area of Ahma, approximately 10km north-west of al-Talh in Sahar directorate, near Sa'da city. Ahma is approximately 40km south of the border with Saudi Arabia.

A local activist who visited the site several hours after the attack found three unexploded submunitions around 20m apart, one in the field of a local farm, another near a greenhouse and the third next to a mosque. The nearest military objective known to Amnesty International is a market in al-Talh, approximately 10km to the south-east, which is known to sell weapons and has been targeted by airstrikes on at least five different occasions since the start of the Saudi Arabia-led bombardment campaign in March.

Eyewitnesses described how, despite the complete absence of military aircraft, a series of rockets screamed across the sky and exploded in mid-air, followed by dozens of explosions on the ground. These accounts and the remnants found on the ground are consistent with the use of cluster munitions fired via surface-to-surface rockets, using a multiple launch rocket system (MLRS).

Salah al-Zar'a, 35, a local farmer, was on the main road 50m away when the strike occurred: “I was on my motorcycle going in the direction of Dhahyan with another friend, when I saw... four rockets coming down... Each went in a different direction with two minutes between each rocket. There were four explosions in the sky first and then 50 explosions when they hit the ground. They landed on a group of 30 houses and shops.”

Saleh al-Mu'awadh, 48, a farmer who has 10 children, spoke to Amnesty International over the phone from his hospital bed in al-Jamhuri hospital in Sa'da city: “I was passing by on my motorbike on the main road next to the attack site, when all I felt was pieces of shrapnel. The impact of the strike affected farms a couple of kilometres away from the site.”

#### **SHRAPNEL WOUNDS**

According to medical personnel treating the patients, one of the injured, 25-year-old Abdelaziz Abd Rabbu is in a critical condition with shrapnel injuries to the abdomen and chest.

Abdelbari Hussein, 22, another civilian injured in the attack, told Amnesty International: “I was sitting in my shop when the attack happened. I did not hear a plane, all I heard was the explosions.” He sustained shrapnel injuries to the abdomen.



*Four year old Hasna Mohamed Hussein Jumaan's left leg was injured a couple of day after the attack when she came into contact with an unexploded submunition. Pictured with her father, Mohamed Hussein Jumaan.*

Even though the attack may have targeted Huthi and other armed groups among the civilian population, the use of inherently indiscriminate weapons like cluster munitions is absolutely prohibited by international humanitarian law. Any use of cluster weapons violates this rule.

### **BANNED CLUSTER BOMBS**

Cluster bombs and munitions contain between dozens and hundreds of submunitions, which are released in mid-air, and scatter indiscriminately over a large area measuring hundreds of square metres. They can be dropped or fired from a plane or, as in this instance, launched from surface-to-surface rockets.

Cluster submunitions also have a high “dud” rate – meaning a high percentage of them fail to explode on impact, becoming de-facto land mines that pose a threat to civilians for years after deployment. The use, production, sale and transfer of cluster munitions is prohibited under the [2008 Convention on Cluster Munitions](#), which has almost 100 states parties.





*Unexploded submunitions pictured at the attack site bear similarities to Brazilian-manufactured cluster bombs Saudi Arabia is known to have used in the past. The attack was on a residential neighbourhood in Ahma, Sa'da, Northern Yemen on 27 October 2015.*

Even though Brazil, Yemen, Saudi Arabia and the other members of the Saudi Arabia-led coalition participating in the conflict in Yemen are not parties to the Convention, under the rules of customary international humanitarian law they must not use inherently indiscriminate weapons, which invariably pose a threat to civilians.

#### **BRAZILIAN ASTROS II**

[Amnesty International](#), [Human Rights Watch](#) and the [Cluster Munition Coalition](#) have documented the Saudi Arabia-led coalition's use of four types of cluster munition in the Yemen conflict to date, including three US-manufactured variants.

But this marks the first suspected use of Brazilian-made cluster munitions in the conflict.

Several Brazilian companies produce cluster munitions. While Amnesty International was unable to independently verify with absolute certainty the make and model of the submunitions dropped on Ahma, they bear similarities to one manufactured by a Brazilian company called [Avibrás Indústria Aeroespacial SA](#).

The ASTROS II is a truck-loaded, multiple launch rocket system (MLRS) manufactured by Avibrás. ASTROS II can fire multiple rockets in rapid succession and three of its rockets can be fitted with up to 65 submunitions, with a range of up to 80km, depending on the rocket type. The company's website describes it as "[capable of launching long-range rockets, designed as a strategic weapon system with great deterrent power.](#)"

According to [Landmine and Cluster Munition Monitor](#), Avibrás has sold this type of cluster munition to Saudi Arabia in the past, and Human Rights Watch documented their use by Saudi Arabian forces in Khafji in 1991, "leaving behind significant numbers of unexploded submunitions."

**“Brazil must immediately come clean about the extent of its international transfers of banned cluster munitions, which go back decades. Brazil and other states that continue to allow the production and transfer of these weapons cannot claim**

**ignorance of the toll they are taking on civilians in Yemen and elsewhere. Brazil must stop production immediately, destroy its stockpiles and accede to the Convention on Cluster Munitions without delay.”**

Átila Roque, Executive Director of Amnesty International Brazil.

“Brazil must immediately come clean about the extent of its international transfers of banned cluster munitions, which go back decades. Brazil and other states that continue to allow the production and transfer of these weapons cannot claim ignorance of the toll they are taking on civilians in Yemen and elsewhere. Brazil must stop production immediately, destroy its stockpiles and accede to the Convention on Cluster Munitions without delay,” said Átila Roque, Executive Director of Amnesty International Brazil.

Amnesty International spoke to a senior official at Avibrás today who had seen the images from Yemen. He said the shape “resembles” Avibrás designs and did not rule out that it was theirs, but he said the probability of this was low because of the calibre size. However, he admitted that the company manufactured similar calibres in the early 1990s and said he would investigate further.

## **5.4 27 OCTOBER 2015: BOMBING OF MSF HOSPITAL MAY AMOUNT TO A WAR CRIME<sup>12</sup>**

The apparently deliberate targeting and destruction of a hospital supported by [Médecins Sans Frontières \(MSF\)](#) in northern Yemen last night, which may amount to a war crime, demands an urgent, independent and thorough investigation, Amnesty International said today.

According to sources on the ground, at around 11.30 pm on 26 October the Saudi Arabia-led coalition forces allegedly carried out up to six consecutive airstrikes on Haydan Hospital, located in the Haydan Directorate in Sa’da governorate. The hospital had more than 20 people inside at the time, including three patients and various medical and other staff members. Seven staff members were injured, but could not be taken to another hospital 60km away in Sa’da until 7am due to fears of further strikes.

“The attack on Haydan Hospital appears to have been an unlawful attack causing harm to civilians and civilian objects. The consecutive airstrikes show deliberate targeting of the medical facility - this is another sad day for civilians,” said Philip Luther, Director for the Middle East and North Africa at Amnesty International.

**“The attack on Haydan Hospital appears to have been an unlawful attack causing harm to civilians and civilian objects. The consecutive airstrikes show deliberate targeting of the medical facility - this is another sad day for civilians.”**

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<sup>12</sup> Amnesty International, *Yemen: Bombing of MSF hospital may amount to a war crime* (Press Release 27 October 2015).

“Hospitals and medical units must be respected and protected in all circumstances - they only lose their protection against attack if they are used for military purposes - and the destruction of this one means the loss of vital humanitarian treatment for civilians across four directorates of northern Yemen.”

MSF staff confirmed the attack, saying they witnessed two consecutive airstrikes before fleeing the hospital compound. Three to four further airstrikes were reported, coming around five minutes apart. According to Hassan Boucenne, MSF head of mission in Yemen, the Saudi Arabia-led coalition has the coordinates of all MSF hospitals in Yemen, including Haydan Hospital.

According to the hospital’s director Dr Ali al-Mughli, the hospital is now completely destroyed with the exception of the storage rooms. He said that while the hospital often receives injured fighters, there was no military activity in the hospital at the time of the attack.

Haydan is 60km south-west of Sa’da city, where the injured have now been taken. Dr Ali said there was a delay in taking them to the city’s al-Jamhuri hospital because airstrikes have been targeting convoys of people, meaning that even ambulances are not safe. The hospital also lost 60 litres of petrol and 1,000 litres of diesel in the strike, a huge loss at a time when fuel supplies are scarce.

This is not the first strike on a hospital in Sa’da since the Saudi Arabia-led coalition’s military intervention in Yemen began last March. On 4 September 2015, the coalition reportedly bombed al-Sh’ara hospital in Razih, in the west of Sa’da governorate, resulting in the killing of six patients and the injury of six others. MSF personnel who visited the site afterwards said there was no evidence that the hospital was being used for any military purposes.

**“We call on all parties to the conflict to respect and protect medical personnel and units and take every precaution to protect civilians caught up in the conflict. There must be an independent investigation into why hospitals and their patients are being targeted, rather than protected, as international humanitarian law requires.”**

Philip Luther, Director for the Middle East and North Africa at Amnesty International.

“We call on all parties to the conflict to respect and protect medical personnel and units and take every precaution to protect civilians caught up in the conflict. There must be an independent investigation into why hospitals and their patients are being targeted, rather than protected, as international humanitarian law requires,” said Philip Luther.

## **5.5 7 OCTOBER 2015: CALL FOR SUSPENSION OF ARMS TRANSFERS TO COALITION AND ACCOUNTABILITY FOR WAR CRIMES<sup>13</sup>**

Damning evidence of war crimes by the Saudi Arabia-led coalition, which is armed by states including the USA, highlights the urgent need for independent, effective investigation of violations in Yemen and

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<sup>13</sup> Amnesty International, *Yemen: Call for suspension of arms transfers to coalition and accountability for war crimes* (Press Release 7 October 2015).

for the suspension of transfers of certain arms, said Amnesty International in a new report published today.

[‘Bombs fall from the sky day and night’: Civilians under fire in northern Yemen](#) examines 13 deadly airstrikes by the coalition in Sa’da, north-eastern Yemen, which killed some 100 civilians, including 59 children. It also documents the use of internationally banned cluster bombs.

“This report uncovers yet more evidence of unlawful airstrikes carried out by the Saudi Arabia-led coalition, some of which amount to war crimes. It demonstrates in harrowing detail how crucial it is to stop arms being used to commit serious violations of this kind,” said Donatella Rovera, Amnesty International’s Senior Crisis Response Adviser who headed the organization’s fact-finding mission to Yemen.

“The USA and other states exporting weapons to any of the parties to [the Yemen conflict](#) have a responsibility to ensure that the arms transfers they authorize are not facilitating serious violations of international humanitarian law.”

Amnesty International is calling for a suspension of transfers to members of the Saudi Arabia-led coalition, that are participating in the military campaign, of weapons and munitions which have been used to commit violations of international humanitarian law, including war crimes in Yemen: in particular, bombs from the MK (MARK) 80 series and other general purpose bombs, fighter jets, combat helicopters and their associated parts and components.

More civilians have died as a result of coalition airstrikes than from any other cause during [the conflict in Yemen](#). The city of Sa’da has suffered more destruction from coalition airstrikes than any other city in the country.

**“The USA and other states exporting weapons to any of the parties to the Yemen conflict have a responsibility to ensure that the arms transfers they authorize are not facilitating serious violations of international humanitarian law.”**

Donatella Rovera, Amnesty International’s Senior Crisis Response Adviser.

The report reveals a pattern of appalling disregard for civilian lives displayed by the Saudi Arabia-led military coalition which declared the entire cities of Sa’da and nearby Marran - where tens of thousands of civilians live - military targets in violation of international law. In at least four of the airstrikes investigated by Amnesty International, homes attacked were struck more than once, suggesting that they had been the intended targets despite no evidence they were being used for military purposes.

“The designation of large, heavily populated areas as military targets and the repeated targeting of civilian homes are telling examples revealing the coalition forces’ flagrant failure to take sufficient precautions to avoid civilian loss of life as required by international humanitarian law,” said Donatella Rovera.

Overall at least 59 children were killed in the 13 airstrikes documented by Amnesty International in the Sa’da region between May and July 2015, many of them while they were playing outside their homes, others while sleeping.

In one airstrike on 13 June 2015 at a home in Dammaj valley in al-Safra, coalition forces killed eight children and two women from the same family and injured seven other relatives.



*A member of the al-Sailami family stands in rubble of destroyed house in al-Safra, Sa'da.*

“There were 19 people in the house when it was bombed. All but one were women and children. The children who would usually be outside during the day were in the house because it was lunchtime. They were all killed or injured. One of the dead was a 12-day-old baby,” said, Abdullah Ahmed Yahya al-Sailami, whose one-year-old son was among those killed.

**“There were 19 people in the house when it was bombed. All but one were women and children... One of the dead was a 12-day-old baby.”**

Abdullah Ahmed Yahya al-Sailami, whose one-year-old son was among those killed.

Another relative who helped with the rescue efforts said the body of a one-year-old baby was found in the wreckage with his dummy [pacifier] still in his mouth. Amnesty International researchers found only household items – children’s toys, books and cooking utensils – among the rubble. No sign of weapons or military-ware could be found, nor any other evidence to suggest the house was a legitimate military target.

Other attacks struck vehicles carrying civilians fleeing the conflict, foodstuff, humanitarian supplies and animals. The report also details several attacks on shops, markets and other commercial properties. Civilians in Sa'da living under the terror of constant airstrikes are also contending with a major humanitarian crisis, which has seen electricity cut off to the whole of the city, the healthcare system collapsed in remote areas and a severe shortage of doctors.

Amnesty International researchers also found remnants of two types of cluster bombs, BLU-97 sub-munitions and their carrier (CBU-97) and the more sophisticated CBU-105 Sensor Fuzed Weapon. Cluster bombs, which are banned under international law, scatter scores of bomblets over a wide area. Many of the bomblets fail to explode upon impact, posing an ongoing deadly threat to anyone who comes into contact with them.

Mohammed Hamood al-Wabash, 13, sustained multiple fractures in his left foot after stepping on an unexploded bomblet from a cluster bomb. Amnesty International is urging coalition members to cease the use of cluster munitions immediately, and for all states to stop transferring such weapons.



*Mohammed Hamood al-Wabash, who was injured by a cluster bomb, Sa'da*

### **CALLS FOR ACCOUNTABILITY**

Last week, attempts to set up an independent, international investigation into the conflict at the UN Human Rights Council in Geneva collapsed and instead a resolution was adopted supporting a national-led investigative committee.

“The world’s indifference to the suffering of Yemeni civilians in this conflict is shocking. The failure of the UN Human Rights Council last week to establish an international investigation into violations committed by all sides is the latest in a series of failures by the international community to address total impunity for perpetrators of serious violations in Yemen,” said Donatella Rovera.

“Lack of accountability has contributed to the worsening crisis and unless perpetrators believe they will be brought to justice for their crimes, civilians will continue to suffer the consequences.”

**“The world’s indifference to the suffering of Yemeni civilians in this conflict is shocking.”**

Donatella Rovera, Amnesty International's Senior Crisis Response Adviser.

An international investigation or inquiry could be established through a resolution adopted by the UN General Assembly or the UN Security Council - or by the UN Secretary-General or the UN High Commissioner for Human Rights acting on their own initiative.

## **5.6 18 AUGUSTS 2015: NOWHERE SAFE FOR CIVILIANS<sup>14</sup>**

Civilians in Yemen are bearing the brunt in the conflict raging between Huthi militias (and army units loyal to former President Ali Abdullah Saleh), who seized control of the capital and large parts of the country since last September, and anti-Huthi armed groups (and army units loyal to exiled President Abd Rabbu Mansour Hadi), who are supported by a Saudi Arabia-led military coalition.

The conflict has been raging in 20 out of the country’s 22 governorates and has killed close to 4,000 people, half of them civilians including hundreds of children, and displaced over one million since 25 March 2015.

<sup>14</sup> Amnesty International, *Yemen: Nowhere safe for civilians* (Index MDE 31/2291/2015).

All the parties involved in the conflict have displayed a flagrant disregard for civilian lives and fundamental principles of international humanitarian law. They have killed and injured hundreds of civilians not involved in the conflict, many of them children and women, in unlawful (disproportionate and indiscriminate) ground and air attacks.

In the southern region of the country, Huthi and anti-Huthi armed groups battling for control of Yemen's second and third largest cities, Aden and Ta'iz, and surrounding areas have routinely launched attacks into densely populated residential neighbourhoods, using imprecise weapons which cannot be aimed at specific targets and which should never be used in residential areas, killing and maiming scores of civilians.

Fighters on both sides have been operating in the midst of residential neighbourhoods, launching attacks from or near homes, schools and hospitals, endangering civilians in those areas by exposing them to the risk of reprisal attacks (and at times putting them in the line of fire of their own malfunctioning weapons). In addition to large numbers of civilian casualties resulting from indiscriminate attacks, dozens of civilians returning home after the end of the fighting in the Aden region have been killed and injured from landmines laid by the warring parties.

The Saudi Arabia-led coalition forces have killed and wounded civilians, in unlawful airstrikes which failed to distinguish between military targets and civilian objects in Huthi-controlled areas.

Amnesty International has documented hundreds of cases of civilians, many of them children and women, killed or injured while asleep in their homes or going about their daily activities – fetching water, buying food, visiting relatives. Scores were struck in the very places where they had sought refuge after having been displaced from their homes by the conflict. Some were killed or injured by mortars and crude Grad-type rockets fired by armed groups, and others by MK-type bombs, some weighing up to 900kg (2,000 lbs), launched by coalition forces.

Entire neighbourhoods have virtually emptied as residents fled their homes in fear of attacks or because strikes on civilian infrastructure left the areas without water, electricity and other essential services. In some neighbourhoods, as residents fled the conflict other civilians displaced by the fighting elsewhere moved in for lack of better options. Many have been unable to relocate to safer areas due to lack of resources. With frequently shifting frontlines, residents have struggled to keep out of harm's way, often finding themselves in the line of fire where they thought they would be safe.

The sick and wounded have faced restrictions in accessing medical care due to the shortages and high prices of fuel and medicines and to difficulties in securing safe passage through checkpoints manned by the different armed groups. The parties to the conflict have hindered the delivery of humanitarian aid to areas controlled by their opponents, causing a sharp deterioration in the humanitarian situation.

## **5.7 2 JULY 2015: AIRSTRIKE AND WEAPON ANALYSIS SHOWS SAUDI ARABIA-LED FORCES KILLED SCORES OF CIVILIANS<sup>15</sup>**

New research and weapons analysis by Amnesty International in Yemen bring into sharp focus the high price civilians continue to pay amid the Saudi Arabia-led military coalition's airstrikes all over the country and demonstrate a failure to abide by the requirements of international humanitarian law.

Amnesty International researchers investigated eight airstrikes in different parts of the country, including multiple strikes in the capital, Sana'a, on 12 and 13 June and in Tai'z on 16 June. In total, the eight incidents killed 54 civilians (27 children, 16 women and 11 men) including a one-day-old infant, and injured 55, (19 children, 19 women and 17 men).

"International humanitarian law is clear that belligerents must take all possible steps to prevent or minimize civilian casualties. But the cases we have analysed point to a pattern of attacks destroying civilian homes and resulting in scores of civilian deaths and injuries. There is no indication that the

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<sup>15</sup> Amnesty International, *Yemen: Airstrike and weapon analysis shows Saudi Arabia-led forces killed scores of civilians* (Press Release 2 July 2015).

Saudi Arabia-led military coalition has done anything to prevent and redress such violations,” said Donatella Rovera, Senior Crisis Response Advisor at Amnesty International, who is currently in Yemen.

**“There is no indication that the Saudi Arabia-led military coalition has done anything to prevent and redress such violations.”**

Donatella Rovera, Senior Crisis Response Advisor at Amnesty International.

“These eight cases investigated by Amnesty International must be independently and impartially investigated as possible disproportionate or indiscriminate attacks. The findings of any investigation must be made public, and those suspected of responsibility for serious violations of the laws of war must be brought to justice in fair trials. All victims of unlawful attacks and their families should receive full reparation.”



*Destroyed home of the al-Akwa family in which five civilians were killed in two consecutive airstrikes on 13 June 2015 ©Amnesty International.*

A triple strike launched by the coalition against Beit Me'yad, a residential suburb of the capital Sana'a, on 13 June killed 10 civilians – including three children and five women, and injured 28, including 11 children and 10 women – who lived near the intended targets of the strikes.

In one of these strikes a 2,000 lb (900 kg) bomb killed an 11-year-old boy, two of his sisters, his brother, and his 10-year-old cousin, and injured five other members of the al-'Amiri family. The bomb, identified from the markings on fragments found at the site by Amnesty International, pulverized the house of Yahya Mohamed 'Abdullah Saleh, a nephew of the former President 'Ali 'Abdullah Saleh who has been living abroad for years, and caused extensive damage to the surrounding houses.

Most of the neighbours had fled minutes before the strike – the third in the neighbourhood in less than 10 minutes – but the al-'Amiri family did not manage to escape on time. “We did not move fast enough,” Mohamed al-'Amiri, who lost four of his children in the strike, told Amnesty International. A double strike launched minutes earlier a few streets away destroyed the home of the al-Akwa family, killing 40-year-old Fatma, her two children Malek and Reem, and two of her relatives, and injuring 18 other family members and five neighbours.



Amnesty International spoke to a 12-year-old girl who suffered third-degree burns and shrapnel wounds all over her body as well as a deep cut across her face. She writhed in pain on her hospital bed as she told Amnesty International: “We were all in one room, my mum and my siblings, and the explosion happened and were all hurt. Now my mum, little brother and sister are in another hospital.” Hospital staff told Amnesty International that in fact the child’s family were killed in the strike and they would tell her imminently.

The strike missed its apparent target – Tareq Mohamed ‘Abdullah Saleh, another nephew of the former President, who owns but does not live in a nearby house which was bombed later that night. Media reports citing the Saudi-based Yemeni government’s statement that the strike had targeted and killed Tareq Mohamed ‘Abdullah Saleh turned out to be unfounded.

**“We were all in one room, my mum and my siblings, and the explosion happened and were all hurt. Now my mum, little brother and sister are in another hospital.”**

12-year-old air strike survivor.

On 12 June, five members of the ‘Abdelqader family were killed in another bombardment which destroyed four adjacent houses in the Old City in Sana’a. The strike would have likely caused many more casualties had many of the neighbours not left the area after a powerful airstrike targeted the nearby Defence Ministry compound (200 metres to the south) two days earlier.

The Saudi Arabia-led coalition spokesman Brigadier-General Ahmed al-‘Assiri denied responsibility for the strike but a fragment of the bomb recovered from the rubble of the houses shows that it comes from a 2,000 lb (900 kg) bomb, the same type which has been widely used by the coalition in various parts of Yemen.



*A coalition strike in Sana'a Old City, destroyed four adjacent houses on 12 June 2015 killing five members of the Abdelqader family ©Amnesty International.*

In an earlier attack investigated by Amnesty International the same type of bomb dropped by the coalition destroyed a cluster of three houses in al-Akma village (Ta'iz governorate) on 14 April. That strike killed 10 members of the al-Hujairi family, including seven children, a woman and an elderly man, and injured 14 other relatives, most of them children and women.

Rabi' Mohamed al-Haddadi, a neighbour who helped rescue the dead and wounded, told Amnesty International: "We gathered the body parts, the bodies were torn to pieces."

The bomb, identified from the markings on fragments found at the site by Amnesty International as a US-designed General Purpose Mark 84 (MK84, also known as BLU-117), manufactured in 1983 and contains over 400 kg of high explosive. Field investigations showed that the bomb failed to detonate on impact, limiting potentially greater destruction and more civilian casualties.

The same type of bomb killed 17 civilians and injured 17 others in an airstrike north-east of the capital on 1 May. According to expert analysis of fragments and craters found at the location of two other airstrikes which hit Hajr Ukaish and al-'Erra villages in the suburbs of Sana'a, similar types of 500-1,000 lb bombs were deployed.

Eyewitness testimonies from the aftermath of these and other strikes provide yet more damning evidence that coalition forces are failing to take necessary precautions to minimize civilian deaths and injuries when they target military installations in areas controlled by the Huthi rebels and forces loyal to the former President. In fact, some of the apparent intended targets, such as homes owned by relatives of former President 'Ali 'Abdullah Saleh, do not appear to be military objectives or at least do not appear to be of sufficient importance to warrant the risk attacking them poses to civilians and civilian objects in the immediate vicinity.



*Destruction in the Mi'yad neighbourhood resulting from an airstrike on 13 June, killing five members of the al-Amiri family ©Amnesty International.*

The sites of most of these strikes have a common trait: they are close – between several hundred metres and a few kilometres – to Huthi/Saleh-loyalist-controlled military bases or other military objectives which have been repeatedly targeted by coalition airstrikes.

For example, al-Akma village residents told Amnesty International that a Huthi/Saleh loyalist-controlled air force base and airport, 1.5 km west of the village, was targeted by several airstrikes shortly before and after the 14 April strike on their village. The bomb which hit the village completely destroyed the al-Hujairi family home and partially destroyed two other adjacent homes – poor dwellings made of corrugated iron and cardboard. Wadhha, a neighbour of the victims, told Amnesty International: "I heard the explosion. I thought that the house was going to collapse on my head."

**“I heard the explosion. I thought that the house was going to collapse on my head.”**

Al-Akma resident.

In the case of Hajr Ukaish village, more than three kilometres north of a Huthi/Saleh-loyalist-controlled Jabal Nabi Shu'aib military base, coalition forces apparently claimed that three adjacent homes reduced to rubble in an airstrike, which killed 11 and injured six members of the al-Ukaishi family, had been used to store weapons. The surviving relatives deny this claim, saying they are farmers. An Amnesty International researcher who visited the site found no evidence to support the claim that the target was a weapons store. The coalition forces have so far failed to provide any evidence to substantiate their allegation.

“Even if the intended target had in fact been an arms cache this would not justify such a deadly attack on homes full of civilians without prior warning. Those planning the airstrike must have known it was likely to result in high civilian casualties and failed to take the necessary steps under international humanitarian law,” said Donatella Rovera.

**“Even if the intended target had in fact been an arms cache this would not justify such a deadly attack on homes full of civilians without prior warning.”**

Amnesty International's Senior Crisis Response Adviser.

Since the beginning of the Saudi Arabian-led military intervention on 25 March 2015, Amnesty International has investigated 17 separate airstrikes in five areas of Yemen (Sa'da, Sana'a, Ta'iz, Hodeidah, Hajjah and Ibb). These incidents killed at least 223 people, including at least 197 civilians (32 women, 68 children) and injured 419, including at least 259 civilians.

According to recent UN data, there have been more than 1,400 civilian deaths and 3,400 civilian injuries in three months of the armed conflict.

## TESTIMONIES AND ANALYSIS

### **Al-Mujaliyya neighbourhood, Ta'iz (Ta'iz governorate), 16 June 2015**

Forty-eight-year old Jamila and four of her children were killed when an airstrike destroyed their home in al-Mujaliyya neighbourhood at 3.45AM on 16 June. Jamila's daughter Leila Hayel, who lost her mother and siblings Suha (10), Amal (14), Samah (23), and Hani (25), told Amnesty International about the incident. She lives 600 metres away from her parents' house:

*“The whole family had been staying in the Hawban neighbourhood [east side of Ta'iz city] for the last two months because of the continuous fighting [between armed groups] in al-Mujaliyya [south side of Ta'iz city]. In fact, the majority of the residents have left the neighbourhood. They had only returned home one week before the strike, in time for Ramadan. On that night, a bomb struck al-Arwa school, located 30 metres away from our house. Fearing for their lives, my family rushed to leave the house after the explosion. While my sisters and mother were putting on their abayas [long traditional dress worn outdoors] and my brother Hani was locking up the house, a bomb landed in the middle of the house. The force of the explosion sent my sisters and mother flying five metres, killing them instantly. Hani's body was not dug out until 12 hours later. My father Faisal (60) was the only survivor.”*

On that night, three airstrikes struck al-Mujaliyya neighbourhood for the first time ever, only minutes apart. The first targeted al-Arwa School, which was reportedly being used as a detention centre by the

Huthi/Saleh loyalists. The second struck the Hayel home and the third landed in the courtyard of al-Ahdal family, where 13 relatives (10 women, three men) were sheltering in the basement of the house after hearing the first two strikes. The bomb at al-Ahdal house, only a couple of doors down from the Hayel family, failed to detonate, limiting what could have been even greater destruction and likely more civilian casualties.

#### **Beit-Me'yad (Sana'a governorate), 13 June 2015**

The Saudi Arabian-led coalition bombed several houses belonging to former President Ali Abdullah Saleh and some of his relatives, killing and injuring other relatives and neighbours – at times striking the intended target and at times missing the apparent intended target and striking civilians instead. A series of strikes which targeted the houses of two of the former President's nephews on 13 June killed 10 civilians (four children, five women, and one man) and injured 28 others (11 children, 10 women, seven men) in nearby houses.

The strike which destroyed the house of Yahya Mohamed 'Abdullah Saleh, the former President's nephew and a former commander of the Central Security Forces (who has been outside the country for years), killed five neighbours from the al-'Amiri family and injured five others. Two other strikes apparently aimed at his brother Tareq Mohamed Abdullah Saleh, a former commander of the Presidential Guard, missed the intended target and struck the nearby house of Tareq's estranged relatives and other neighbours, killing five and injuring 23. Tareq's house was struck later that night.

The first and second airstrikes hit the house of the al-Akwa family, where 23 relatives were present at the time. Hareth al-Akwa, who lost his wife Fatma (35), his daughter Reem (18) and his son Malek (8), spoke to Amnesty International about the incident:

*"The whole family had relocated to Hodeidah for a whole month and we had only returned home two days before the strike, in time for Ramadan. The first airstrike killed, the second one burned. My little boy Malek, he was an angel. My daughter Hala (four) was thrown from the first floor by the force of the explosion. Luckily she fell into her grandmother's arms downstairs. They [the coalition] said that the airstrike killed Tareq Mohamed Abdullah Saleh, my nephew, but it's not true. In fact, Tareq came to pay his condolences. We had had no contact with him in years. We are only related through marriage. My two sisters married the brothers of [former President] Ali Abdullah Saleh. His house has been empty since the start of the airstrikes."*

'Abdullah Mohamed al-Akwa, 24, who lost his wife Ibtihal (20) and his father Mohamed (45), told Amnesty International:

*"I was on the roof turning off the generator when the first rocket struck. The explosion sent me flying onto the neighbour's roof, around 20 metres away. My wife Ibtihal was killed while she was sleeping in our room. We had only been married for five months."*

Five neighbours from the Mahyoub family, a 52-year-old woman and four of her children, were also injured in the strike. Thyazin Mahyoub told Amnesty International:

*"We were six people at home: my mother, my four siblings and I. The rocket first struck our house, destroying the third floor where the kitchen was, and then it struck the al-Akwa's house next door. My mother, Maryam, lost her right arm and my brothers and sisters were all injured by shrapnel. I was at the far end of the house and did not suffer any injuries."*

#### **Mohamed al-'Amiri, who lost four children and his nephew, told Amnesty International:**

*"We heard the first explosion at midnight, we all went to the living room. We did not move fast enough, the strike [in front of our house] came five to eight minutes later – around 12:10AM. We were 13 family members in the house. I heard my daughter Aysha screaming from her room. She was killed ... Yahya Mohamed Abdullah Saleh has not lived in his house since 2011."*

The Saudi Arabia-led coalition has provided no evidence that any of the targeted houses contained legitimate military objectives, such as arm caches or command and control centres, and Amnesty International has found no evidence to that effect. The fact that two of the houses belong to relatives of

former president Saleh, who previously held high-ranking military positions and who may now to be allied with the Huthis, does not make their houses military objectives.

#### **The Old City, Sana'a (Sana'a governorate), 12 June 2015**

A coalition strike in the Old City of Sana'a destroyed four adjacent houses on 12 June at 2AM killing the five members of the Abdelqader family who were inside: Hassan Yahya Abdelqader, his wife Ummat al-Malik, his brother Rashad and son Abdullah and his cousin Shawqi. Hassan's brother, Mohamed, who lives nearby, told Amnesty International:

*"We heard a plane flying over us at around 1:50AM. So my family and I hid under the staircase, the safest place in the house. At 2AM we heard an explosion. A few minutes later Shawqi's mother called me and asked me to go to check on him. He had called her from under the rubble asking for help ... I ran over there. With the neighbours we started to dig through the rubble with our hands. Shawqi was dead when he was pulled out of the rubble at 5AM. He was married with five-year-old twins and his wife is six months pregnant. Thirteen people live in the houses, most of them women and children, but they had left two days earlier, after another airstrike hit the Defence Military Compound [200 metres to the south]."*

#### **Al-'Erra village, Hamdan, (Sana'a governorate), 2 June 2015**

Five children and three women were killed from the al-'Etmi and al-Qibli families and another relative was injured in an airstrike at around 5:30PM on 2 June. It completely destroyed one house and part-demolished two others. The location of the strike is less than one kilometre west of al-Kawla Air Force base and some two to three kilometres west of al-Dailami Air Force base, but residents said there were no hostilities or fighters operating in the area at the time.

Hasan Mohamed Qaed al-'Etmi, a 35-year-old ice cream seller, lost four of his children, and his wife and sister were injured. He told Amnesty International:

*"I was away from the house, when at around 5:30PM on that Tuesday my son called me and said that an airstrike had hit a place next to our house. He didn't want to shock me. He asked me to come over. When I got back, I found that my sister Hooria had been injured on her head. After I made sure she was alright, I headed towards my house and I saw a big crowd gathered ... I saw my wife injured and crying and she was looking for our children. After looking amongst the rubble, we found the bodies of two of our children Qaed (four) and Adeb (seven). We then continued to search and we found [the bodies of] Radina (eight) and Amira (11), but we did not find them until three hours later ... Amira's head and face had been smashed."*

Ali al-Qibli, a maths teacher who lost his five-year-old son Shihab and his 18-year-old daughter Noura, told Amnesty International:

*"I couldn't recognize my daughter Noura because her face was destroyed. My son pointed out her dress amongst the rubble...In the previous week there were three or four airstrikes on the al-Dailami Air Force base in the airport compound [two to three kilometres west]."*

Neighbour Mohamed Ali, who was playing football about 200 metres from house at the time of the incident, said:

*"I heard an explosion west of our village; I later knew it was an airstrike. Five minutes later I saw a bomb drop on the house of al-Qibli family about 200 metres from where I was playing football. A cloud of dust and smoke went up from the al-Qibli's house and the al-'Etmi house next to it. We ran over. I saw a girl under the rubble. She had a head injury and was not moving, Body parts were scattered up to 10 metres away."*

After the strike many residents fled from their homes fearing further airstrikes.

### **Al-Akma village (Ta'iz governorate), 14 April 2015**

At approximately 12:30AM on 14 April, an airstrike killed 10 civilians of the al-Hujairi family, including seven children, a woman and an elderly man, and injured 14 other relatives, most of them children and women. It struck a marginalized residential area in al-Akma village, where people live in humble dwellings made of corrugated iron and cardboard.

The village, 20km north-east of the city of Ta'iz, lies in between two Huthi/Saleh loyalist-controlled military installations, which are between 500 metres and 1km outside the village in either direction.

Rabi' Mohamed al-Haddadi, a neighbour who helped rescue the dead and wounded, told Amnesty International:

*"On Saturday night [14 April] at about 12AM, a rocket hit a cluster of three houses that belong to al-Hujairi family. All the dead and wounded were from the same family. We gathered the body parts, the bodies were torn to pieces. After that airstrike, they left the area and we never saw them again ... those people were poor ... What did they do to deserve to be killed?"*

He spoke about the frequent airstrikes:

*"In the same week the airstrike happened on our village, there were two previous airstrikes in the same week on 22 May military camp west of our village. It was the first and only strike on our village. Up to a week before Ramadan, the strikes continued targeting the military camp."*

Wadhha, another resident present on the night of the airstrike, described the aftermath:

*"It was approximately 12:00 at night when I heard the plane flying over us. My neighbour came to my house because she had heard the plane too and told me to get up and wear my 'abaya [long traditional dress worn outdoors]. I told her that I sleep in my 'abaya all the time. Then I heard the explosion. I thought that the house was going to collapse on my head. I was at home on my own. I kept reciting the shahada [Islamic profession of faith] and waited for death. We had been warned not to go out if a rocket lands in order to avoid shrapnel... Then, after it was quiet again, I went out to see. It smelt like tyres were burning. I no longer understood what was going on. I fainted and fell to the ground... We are now all displaced. We only come back here for quick visits but we do not sleep in our homes."*

### **Hajr Ukaish village, Beni Matar (Sana'a governorate), 3 April 2015**

A bomb hit three houses belonging to the family of Hussein 'Abdullah al-Ukaishi, killing 11 civilians (six children, two women, three men) and injuring six (two children, two women, two men). Among those killed was a one-day-old baby who had not yet been named.

Amnesty International interviewed 10 relatives and neighbours about the incident. Other residents fled their homes in fear after the airstrike and sought shelter in the caves in the nearby mountains.

Hussein Abdullah al-Ukaishi's brother, Ahmed 'Abdullah al-Ukaishi, 42, told Amnesty International:

*"On that Friday evening, I suddenly heard two explosions in a row that shook my house. I tried to locate the site of the explosion from my window, then I saw my brother Hussein's house had turned into rubble ... I tried to move to go to his house, but I could not move from my place. I saw my brother's house ablaze, all I could imagine was my brother and family within the flames and the rubble. After putting out the fires, from 7:30PM to 4AM we tried to rescue who we could."*

According to Ahmed, there were no hostilities or fighters present in the vicinity at the time, and Hajr Ukaish village is three to four kilometres north of the Huthi/Saleh loyalist-controlled Jabal Nabi Shu'aib military base – which may have been the intended target. The strikes came without prior warning. He said the first rocket hit the main road, less than 1km south of the village, and the second was a direct hit on the house.

Hameed Hussein al-Ukaishi, a family member who was injured inside the house and has had to resort to living in his neighbour's house after the airstrike destroyed their home, said:

*"I heard the plane and then the house was struck. I fainted. Then I found myself buried up to my neck in the rubble. There was no warning before the strike. They [the coalition forces] said that there were weapons in our home but we are just simple farmers and we have nothing to do with anything."*

#### **Beit Rijal Village, Beni Matar, (Sana'a governorate), 6 April 2015**

Two airstrikes against the home of the Sha'lan family and a neighbouring qat farm in the village at around 2PM on 6 April killed three children and two women and injured six others (two children, two women, two men).

Saleh Yahya Sha'lan, 53, the owner of the home that was struck, told Amnesty International he was at the mosque at the time of the strike:

*"I heard the explosion at approximately 2PM... I ran home and I arrived to see my son Sha'lan and my grandson Hazem dead. The rocket had hit the kitchen and thrown them approximately 70 metres out of the house... We tried to rescue the injured first. My daughter Safaa was taken to the hospital, she was pregnant... I have been rendered homeless without even clothes."*

His neighbour 'Abdelnasser 'Atiya, a 23-year-old qat farmer, told Amnesty International:  
*"At around 2:30PM, we saw the plane en route to Jabal 'Ayban [a mountaintop Republican Guard military installation 3km away] and then it veered off towards our village and hit us with two rockets, one hit house of Saleh Sha'lan and the second hit the qat farm. Eighteen-year-old Intisar [Saleh Yahya Sha'lan's daughter] was milking a cow with her nephew Hazem and the rocket threw them 50 metres into the farm. It took us an hour to find their bodies."*

According to 'Abdelnasser, there were no hostilities going on or fighters present at the time. Beit Rijal village is three kilometres north-west of a Huthi/Saleh loyalist-controlled Jabal 'Ayban Air Defence base – which may have been the intended target. There was no prior warning.

## **5.8 8 MAY 2015: MOUNTING EVIDENCE OF HIGH CIVILIAN TOLL OF SAUDI-LED AIR STRIKES<sup>16</sup>**

New eyewitness testimony gathered by Amnesty International in the aftermath of recent airstrikes in Sana'a points to a repeated failure by the Saudi Arabian-led military coalition to take adequate precautions to prevent civilian deaths in Yemen.

In the early hours of 1 May an airstrike hit a residential area in the Bab al-Sha'b neighbourhood of Sa'wan, in the east of the capital, killing 17 civilians and injuring 17 others. Amnesty International carried out interviews with local residents and eyewitnesses the following day and heard the horrific experiences of a number of survivors of the airstrike.

"These harrowing testimonies are a damning indictment of the failure of the Saudi Arabian military and its allies to take adequate steps to ensure civilians are not needlessly slaughtered in their campaign of airstrikes," said Said Boumedouha, Deputy Middle East and North Africa Programme Director at Amnesty International.

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<sup>16</sup> Amnesty International, *Yemen: Mounting evidence of high civilian toll of Saudi-led airstrikes* (Press Release 8 May 2015).

**“These harrowing testimonies are a damning indictment of the failure of the Saudi Arabian military and its allies to take adequate steps to ensure civilians are not needlessly slaughtered in their campaign of airstrikes.”**

Said Boumedouha, Deputy Middle East and North Africa Programme Director at Amnesty International.

“Under international humanitarian law, all parties to the armed conflict have a duty to take certain precautions in planning and carrying out attacks in order to minimize civilian suffering.

“The Saudi-led coalition must publicly disclose detailed information on all airstrikes carried out in Sana’a on 1 May, including targets and measures taken to avoid incidental harm to civilians. Even if it was believed that fighters were present in the vicinity, before attacking they still had an obligation to determine whether civilians were present and take measures necessary to avoid or at least minimize civilian casualties.”

According to eyewitnesses and local residents, the airstrike occurred between 1AM and 1.30AM on 1 May in Bab al-Sha’b, a neighbourhood encompassing a cluster of about 30 houses. Nine houses were destroyed in the airstrike and the 17 dead included seven women and six children. There were also 17 civilians injured, including six women and one four-year old boy.

Mansour Mohamed Saleh Shareeh, 22, told Amnesty International how he lost six members of his family in the airstrike and how five, including himself, were injured: “At around 1AM I woke up to the house shaking due to an airstrike in the distance and then, one or two minutes later, I found myself buried in the debris of my house. I was screaming due to the pain that I felt all over my body and I could hear my father screaming for help under the rubble. The rest were buried in their sleep.”

“There were no prior warnings before the airstrike. Twelve of us live in this house as family members had arrived seeking shelter from other targeted neighbourhoods. I lost six from my family in the airstrike: My sisters Ashwak, 20, Nawal, 18, Dalal, 16, Hanan, 15, my nephew Hamad 5, and my niece Reemas, 4, were all killed. Meanwhile, my father and my mother, both 70, were injured along with another relative, my sister and me. My mother is currently in the intensive care unit in al-Thawra Hospital. I am still in shock and I cannot digest what happened.”

Abdullah Rajih, a local resident, told Amnesty International that he had woken up as the electricity had come back on momentarily at approximately 1AM: “I decided to take the opportunity with the electricity returning to pump some water. That’s when I heard the first explosion a couple of kilometres away. Two minutes later, a rocket lands in the house a few doors away from mine, causing my whole house to shake and windows to break and shrapnel flew everywhere. The whole neighbourhood helped in the rescue efforts, we buried everybody in a funeral on Sunday.”

“Amina Mohamed al-Wisla, 28, is a mother of six children and her husband is very ill. She died in the airstrike. The children are now living in a school nearby with their uncle.”

Khadija Ahmed Abdelqader al-Kubsi lost three of her daughters Rajaa, Yusra and Najwa, 13, 15 and 20-years-old, her husband and her mother-in-law in the airstrike. She told Amnesty International: “Our house got destroyed, my family was killed, only my disabled 19-year-old son survived.”

According to the residents and local council representative of the neighbourhood, Hafizallah Ali, there was no fighting or exchange of fire prior to the airstrike, no fighters or military objectives in the neighbourhood, and the closest air force military base is approximately two kilometres away in al-Khurafi. However, according to the al-Kubsi family, whose house was hit by the airstrike that affected the neighbourhood, Saudi news outlets mentioned that the father of the family Abdullah al-Kubsi, who was



killed in the airstrike, was targeted for being a Huthi leader. But they vehemently denied these aforementioned allegations.

## **BACKGROUND**

Under international humanitarian law, all sides in an armed conflict must distinguish between military targets and civilians and civilian structures, and direct attacks only at the former. Deliberate attacks on civilians who are not directly participating in hostilities or civilian objects – such as homes, medical facilities, schools, governmental buildings that are not being used for military purposes – are prohibited and are war crimes. Indiscriminate and disproportionate attacks (where the likely number of civilian casualties or damage to civilian property outweighs the anticipated military advantage to be gained) are also prohibited.

In the case of the airstrike on the residential area in the Bab al-Sha'b neighbourhood of Sa'wan, if the intended target was in fact a Huthi leader who could lawfully be targeted, this would not in itself justify this attack. It should have been evident to those planning the airstrike that using a powerful explosive weapon to attack an individual in a civilian home at a time when he is surrounded by civilian family members and other civilians was going to result in high civilian casualties and that such an attack would likely be disproportionate or otherwise indiscriminate.

Parties are required under international humanitarian law to take certain precautions in planning and carrying out attacks. These include: giving effective advance warning of attacks which may endanger the civilian population, unless circumstances do not permit; cancelling or suspending an attack if it becomes clear that it is likely to cause excessive civilian casualties or damage; and choosing means and methods of attack that minimize the risk to civilians and civilian objects.

Amnesty International has documented eight strikes in five densely populated areas (Sa'dah, Sana'a, Hodeidah, Hajjah and Ibb) prior to the airstrike on Sa'wan. Several of these strikes raise concerns about compliance with the rules of international humanitarian law.

According to Amnesty International's research, at least 139 people, including at least 97 civilians (33 of whom were children) were killed during these strikes, and 460 individuals were injured (at least 157 of whom are civilians).

Airstrikes and shelling have also destroyed or damaged hospitals, schools, universities, airports, mosques, food transport vehicles, factories, petrol stations, telephone networks, electricity power stations and stadiums. This has left thousands of people without power and suffering from food and petrol shortages.

## **5.9 24 APRIL 2015: RELENTLESS AIRSTRIKES THAT HAVE LEFT HUNDREDS OF CIVILIANS DEAD MUST BE INVESTIGATED<sup>17</sup>**

The killing of hundreds of civilians, including scores of children, and the injury of thousands during the relentless Saudi Arabian-led campaign of airstrikes across Yemen must be urgently investigated, said Amnesty International, one month after the strikes began.

"The month-long campaign of air strikes carried out by Saudi Arabia and its allies has transformed many parts of Yemen into a dangerous place for civilians," said Said Boumedouha, Deputy Director of Amnesty International's Middle East and North Africa Programme.

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<sup>17</sup> Amnesty International, *Yemen: Relentless airstrikes that have left hundreds of civilians dead must be investigated* (Press Release 24 April 2015).

“Millions of people have been forced to live in a state of utter terror, afraid of being killed at home. Many feel they are left with no choice but to move away from their destroyed villages to an uncertain future.”

**“The month-long campaign of air strikes carried out by Saudi Arabia and its allies has transformed many parts of Yemen into a dangerous place for civilians.”**

Said Boumedouha, Deputy Middle East and North Africa Programme Director at Amnesty International.

According to the UN more than 550 civilians have been killed including more than 100 children since the military campaign began on 25 March.

Amnesty International has documented eight strikes in five densely populated areas (Sa'dah, Sana'a, Hodeidah, Hajjah and Ibb). Several of these strikes raise concerns about compliance with the rules of international humanitarian law.

According to Amnesty International's research, at least 139 people, including at least 97 civilians (33 of whom were children) were killed during these strikes, and 460 individuals were injured (at least 157 whom are civilians).

“The mounting civilian toll in some of the cases we have researched are deeply concerning. Some of the Saudi Arabian –led air strikes appear to have failed to take necessary precautions to minimize harm to civilians and damage to civilian objects. It is crucial that independent and impartial investigations are carried out to ascertain whether violations of international humanitarian law have been committed,” said Said Boumedouha.

**“It is crucial that independent and impartial investigations are carried out to ascertain whether violations of international humanitarian law have been committed.”**

Said Boumedouha.

One of the survivors of an airstrike that took place on Faj 'Attan, on the outskirts of Sana'a on 20 April, told Amnesty International that his relatives, a couple and their eight-year-old son died after their apartment block collapsed under heavy rocks that fell from a nearby mountain struck by a rocket. The rocket had targeted the Republican Guard military base on the top of Faj 'Attan Mountain. The couple's 12-year-old daughter, who was standing outside of the house at the time, survived.

Airstrikes and shelling have also destroyed or damaged hospitals, schools, universities, airports, mosques, food transport vehicles, factories, petrol stations, telephone networks, electricity power stations and stadiums.

This has left thousands of people without power and suffering from food and petrol shortages.

A 23-year-old man injured in a strike that struck a factory in Hodeidah on 31 March was left paraplegic after a piece of shrapnel became lodged in his vertebrae. The director of the hospital inside the factory complex said the hospital was overwhelmed with casualties after the attack. The nearest military target, an army base, was more than 300 metres away.

#### **Internally displaced**

The vast majority of the country has now been affected by the conflict and between 120,000 and 150,000 civilians have fled their homes in the last month alone (according to the United Nations). This adds to the 100,000 people who were already internally displaced from previous conflicts in Yemen.

While some have fled as a result of airstrikes, others are displaced because of the dangers posed by Huthi fighters in civilian areas.

Jihad Farouq Abdelraheem , recently told Amnesty International that he had to leave his district of Ma'llah in the first week of April after artillery shelling destroyed his house and Huthi fighters took over empty buildings in the surrounding areas. He said he escaped the city in a car with 12 children, 15 women and eight men and fled to the district of Mansoura, where his brother lives.

Another resident from 'Aydarous district in Aden told Amnesty International that Huthi bombardments and mortar attacks on his neighbourhood had forced him to flee with his entire family including a one-year-old child. They crossed over the mountain and made the journey to the other side of Aden on foot.

A resident of the Mansoura district of Aden compared intense Huthi tank shelling that struck the street behind her house to "an earthquake".

Even those trying to help people fleeing the fighting are being targeted, with scores of paramedics and those carrying medical supplies being abducted by the Huthis and loyalists of former President Ali 'Abdallah Saleh.

On 3 April two brothers working for the Yemen Red Crescent society were shot and killed in Aden while evacuating wounded people to a waiting ambulance, according to the International Committee of the Red Cross.

On 18 April the aid agency Oxfam said that an airstrike hit a warehouse in Saada containing humanitarian supplies. No clear military targets appear to have been identified in the vicinity.

Attacks on humanitarian relief personnel and objects used for humanitarian relief operations would amount to violations of international humanitarian law.

## **5.10 31 MARCH 2015: AT LEAST SIX CIVILIANS BURN TO DEATH IN FURTHER AIRSTRIKES OVERNIGHT<sup>18</sup>**

There is growing evidence that the Saudi Arabian-led military coalition is failing to take precautions to prevent civilian deaths amid ongoing airstrikes on sites around Yemen, Amnesty International said, as it confirmed that at least six civilians, including four children, were among 14 people who burned to death in further strikes early this morning.

The attacks, carried out at around 2 AM in Ibb governorate, were apparently targeting a Huthi checkpoint as well as fuel supplies along the road between Yareem and Dhammar. The dead included four children and two women, as well as eight men, but it is unknown if any of those were fighters. At least 31 others were hospitalized with burns and shrapnel wounds.

**“After several days of often intense bombardment in several areas across Yemen, it is becoming increasingly apparent that the Saudi Arabian-led coalition is turning a blind eye to civilian deaths and suffering caused by its military intervention.”**

Said Boumedouha, Deputy Director of Amnesty International's Middle East and North Africa Programme.

“After several days of often intense bombardment in several areas across Yemen, it is becoming increasingly apparent that the Saudi Arabian-led coalition is turning a blind eye to civilian deaths and

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<sup>18</sup> Amnesty International, *Yemen: At least six civilians burn to death in further airstrikes overnight* (Press Release 31 March 2015).

suffering caused by its military intervention,” said Said Boumedouha, Deputy Director of Amnesty International’s Middle East and North Africa Programme.

“International humanitarian law requires all warring parties to take all feasible precautions to spare civilians amid the hostilities.”

Precautions include giving effective advance warning of attacks which may endanger the civilian population, cancelling or suspending an attack if it becomes clear that it is likely to cause excessive civilian casualties or damage, and choosing means and methods of attack that minimize the risk to civilians and civilian objects.

Two petrol stations were destroyed in the airstrikes on Ibb governorate. According to the owner of one of the stations, in al-Kadima area in al-Kita, several passengers were killed in a car which had stopped to refuel, and a petrol station worker was injured. Amnesty International has not been able to ascertain if there were casualties at the other petrol station.

A third strike, apparently aimed at a passing fuel tanker, set fire to at least three civilian homes within a cluster of around 30-40 homes.

Dr. Hamood al-Jihafi in Yareem hospital told Amnesty International how the dead and injured arrived after suffering horrific burns and shrapnel injuries.  
Camp and market hit by airstrikes

The strikes on Ibb come a day after 29 civilians, including children, were killed in airstrikes on a bridge at al-Mazraq camp for internally displaced persons (IDPs) on 30 March in Sa’ada, in northern Yemen near the border with Saudi Arabia. Meanwhile, al-Kitaf market next to the al-Kitaf Military Base was targeted on 27 March, where 20 people, including three children were killed, and 16 were injured.

Humanitarian agencies, including UNICEF and Médecins Sans Frontières, condemned the attack on al-Mazraq and called on all parties to the armed conflict in Yemen to respect the neutrality of medical facilities and staff, and allow unhindered access to medical assistance for the wounded.

There have been conflicting reports about the alleged presence of Huthi fighters near the camp, but even if true, this would not justify an attack on a densely populated civilian area.

**“All forces should avoid deploying or locating military targets or fighters within or near densely populated areas.”**

Said Boumedouha, Deputy Director of Amnesty International’s Middle East and North Africa Programme.

“All forces should avoid deploying or locating military targets or fighters within or near densely populated areas. However, the alleged presence of fighters near civilian objects, including camps for the displaced, does not mean warring parties can forget about their obligation to minimize civilian harm,” said Said Boumedouha..

## 5.11 26 MARCH 2015: SIX CHILDREN AMONG DOZENS KILLED IN SAUDI ARABIAN-LED AIRSTRIKES<sup>19</sup>

At least six children under the age of 10 were among a reported 25 people killed in Saudi Arabian-led airstrikes in the Yemeni capital Sana'a early this morning, Amnesty International confirmed after speaking to hospital officials and eyewitnesses.

The organization spoke to medical personnel at four different hospitals where the dead were taken after being pulled from the rubble of 14 houses that were hit in a residential neighbourhood near the city's international airport. The rest of those killed were men, mostly in their 30s and 40s. It is believed that more people may still be buried beneath the rubble, and at least 20, including four women, were admitted to hospital with mainly shrapnel injuries.

**“This high toll of civilian deaths and injuries in these attacks raises concerns about compliance with the rules of international humanitarian law. Saudi Arabian and any other armed forces carrying out airstrikes in Yemen are required to take all feasible precautions to spare civilians.”**

Said Boumedouha, Deputy Director of Amnesty International's Middle East and North Africa Programme.

“This high toll of civilian deaths and injuries in these attacks raises concerns about compliance with the rules of international humanitarian law. Saudi Arabian and any other armed forces carrying out airstrikes in Yemen are required to take all feasible precautions to spare civilians,” said Said Boumedouha, Deputy Director of Amnesty International's Middle East and North Africa Programme.

“This includes verifying that targets are in fact military objectives and giving civilians effective advance warnings unless circumstances do not permit.

“The Huthi armed groups and the Yemeni armed forces also have obligations under international humanitarian law to protect civilians under their control from the effects of attacks, including by avoiding, to the extent feasible, locating their fighters and weaponry within residential neighbourhoods.”

Given the civilian deaths and injuries, Saudi Arabia and other states involved in these airstrikes must investigate whether violations of international humanitarian law were committed. And if there is evidence that war crimes were committed they must prosecute the suspects in fair trials.

Yemen's Ministry of Health today said the airstrikes killed 25 people and injured some 40 – it is not yet known if there were any fighters among the casualties.

According to a paramedic who witnessed the aftermath, the airstrike near the airport occurred shortly before 3AM local time, in a residential area called Beni Hawat. Huthi armed groups had allegedly been operating a checkpoint around 100m away, as well as al-Dailami base around 500m away.

Saudi Arabian officials today stated they had destroyed “all Huthi air defences” at al-Dailami base next to Sana'a International Airport.

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<sup>19</sup> Amnesty International, *Yemen: Six children among dozens killed in Saudi Arabian-led airstrikes* (Press Release 26 March 2015).

Beni Hawat was among a number of sites around the city hit by airstrikes overnight as Saudi Arabia announced it was launching a military intervention by a coalition of 10 countries, including five Gulf Cooperation Council states, against the Huthi armed groups. The US government today stated it had “authorized the provision of logistical and intelligence support” to this military intervention, and other governments, including the UK and Turkey, endorsed the move.

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[info@amnesty.org](mailto:info@amnesty.org)



+44 (0)20 7413 5500

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