

Eight years of war

UK weapons and Saudi Arabia's devastating assault on Yemen



Key points

- The war in Yemen has been raging for 8 years. According to the UN, it had led to an estimated 377,000 deaths by the end of 2021, through direct and indirect causes.
- Saudi coalition air strikes have killed 8,983 civilians in attacks targeting residential areas, schools, hospitals, civilian gatherings, infrastructure, and other civilian targets.
- UK arms, including Tornado and Typhoon aircraft, bombs and missiles, and crucial maintenance, training, and support to the Saudi Air Force, have played a central role in the Saudi war.
- The UK has supplied over £23 billion worth of arms to Saudi Arabia since the war began.
- The war has created one of the world's worst humanitarian crises, with 6.1 million people facing near-famine conditions. Saudi and Houthi actions have played a central role in causing this crisis, and both have been accused of using starvation as a tool of war.
- There has been virtually no accountability for war crimes committed by all parties to the war. The UN Group of Eminent Experts, charged with investigating abuses by all sides, had its mandate cancelled last October, after heavy Saudi lobbying.



Background

The war in Yemen began in September 2014, when the rebel movement, Ansar Allah (known as the Houthis) captured the capital Sana'a, driving out the internationally recognised government of President Abdrabbuh Mansur Hadi.

On 26 March 2015, a coalition of states led by Saudi Arabia entered the war on the side of the government, launching a devastating bombing campaign. Since then, the war has devolved into a deadly stalemate, with multiple forces controlling different parts of the country, while the Houthis retain control of Sana'a and most of the north.

The Saudi coalition includes the UAE, Bahrain, and Sudan, and previously also included Egypt, Eritrea, Jordan, Kuwait, Morocco, and Qatar.

A brutal war on civilians

The UN has estimated that the war in Yemen had killed 377,000 people by the end of 2021. Over 150,000 of these deaths were the direct result of fighting, the rest dying due to hunger and disease in the humanitarian crisis caused by the war. Nearly 15,000 civilians have been killed by direct military action, most of them in air strikes by the Saudi-led Coalition. According to the Yemen Data Project, 8,983 civilians have been killed in over 7,000 coalition air strikes that hit civilian targets. Others were killed by fighting on the ground.

Saudi coalition air raids have frequently targeted civilian gatherings such as weddings and busy market places, as well as schools, hospitals, residential areas, mosques, civilian factories, agricultural and water facilities, and fishing boats. In many cases, that have been closely investigated by local and international NGOs or UN bodies, there was no military target nearby. Many of these air raids appear to be clear violations of International Humanitarian Law (IHL) – the laws of armed conflict.

Despite UK government claims that it provides training to the Coalition to avoid civilian casualties, there is no sign that this has reduced the deadly toll of the air raids. Investigations by Saudi Arabia's Joint Incident Assessment Team into a number of air strikes have been widely derided as a sham, with their findings often directly contradicted by witness evidence on the ground.

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In some cases, investigators either from the UN or NGOs have identified the types of weapons used in attacks from fragments found at the scene. Thus, specific US and UK-manufactured weapons have been tied to individual attacks violating IHL.

All sides of the conflict: the Saudi-led Coalition, the Houthi rebels, forces loyal to the Hadi government, southern separatist forces armed and trained by the UAE, US forces through drone strikes, Al Qaeda, and ISIS, have committed abuses, including attacks on civilians, arbitrary detention, torture, repression of media and peaceful protest, recruitment of child soldiers, and obstruction of humanitarian supplies.

The humanitarian crisis

The war in Yemen has created one of the world's worst humanitarian crises. The majority of deaths from the war in Yemen, over 220,000, are due to the effects of this crisis. **This is an entirely man-made catastrophe.**

It is a direct result of the strategies and tactics adopted by the parties to the conflict, especially the Saudi-led Coalition. These include:

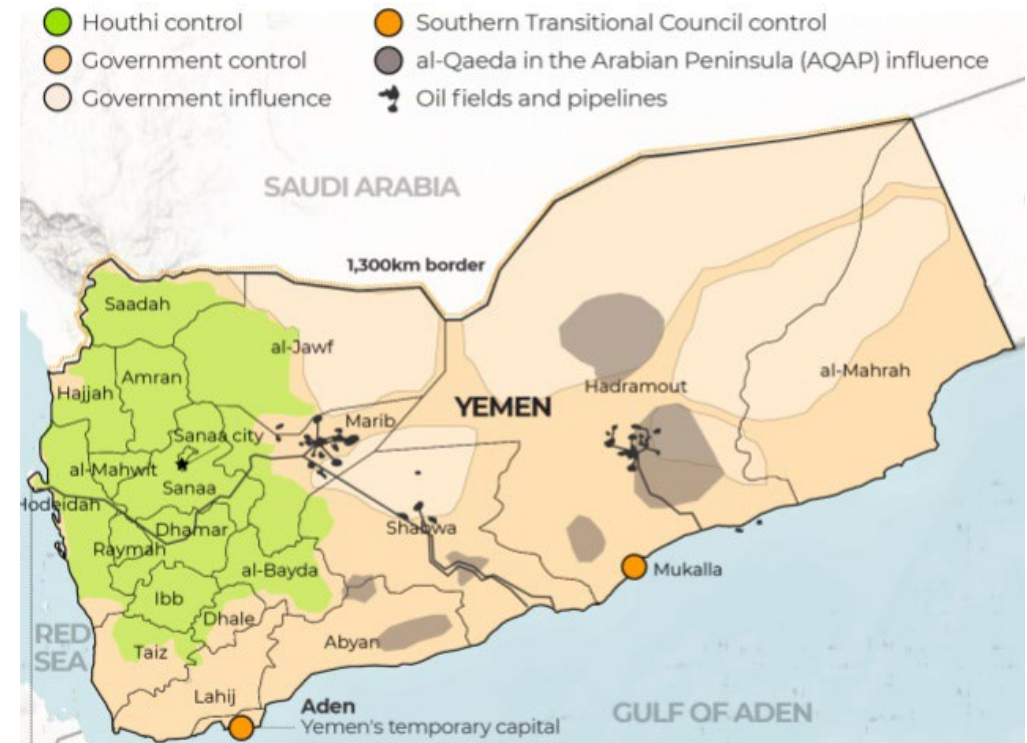
- Attacks by the Saudi-led coalition have destroyed hospitals, clinics and vaccinations centres across the country. At present, only about half of Yemen's medical facilities are operational.
- A partial Saudi blockade of Houthi-controlled ports and airports has greatly restricted essential supplies of fuel and food.
- Displacement of people.
- Destruction of economic infrastructure.
- Obstruction of humanitarian aid, especially by the Houthis.
- Bombing of agriculture, water facilities, and fishing boats and ports.

In 2022, the crisis has been exacerbated by the effects of climate change, including severe drought and flooding.

Mwatana for Human Rights and others have argued that the actions of both Saudi Arabia and the Houthis amount to the use of starvation as a means of warfare.

According to the UN and the World Food Programme, at the end of 2022:

- 21.6 million people will need humanitarian assistance in 2023, two thirds of the population
- By late 2022, around 2.2 million children under 5 years of age were experiencing wasting, including more than 500,000 children suffering from severe wasting.
- 6.1 million people are classed by the UN as being in “emergency” conditions of food insecurity, one step away from famine.



Moreover, aid funding has been severely declining – including cuts by the UK – forcing the World Food Programme to reduce food rations.

Even without an official declaration of famine, malnutrition and the diseases that go with it are killers. In November 2018, Save the Children estimated that 85,000 children may have died of starvation since the start of the war. More recently, the United Nations Development Programme (UNDP) estimated that in 2021, a child died every nine minutes as a result of the conflict.

UK arms

UK-made weapons play a key role in Saudi Arabia's devastating attacks on Yemen.

The UK is one of Saudi Arabia's leading arms suppliers, along with the US, who between them supplied Saudi Arabia with all the aircraft, bombs and missiles it uses to bomb Yemen. The UK has continued to deliver combat aircraft and munitions throughout the war, in spite of overwhelming evidence of repeated breaches of international humanitarian law by the coalition. The UK government has confirmed that UK-made Typhoon and Tornado aircraft, as well as munitions such as Paveway bombs and Brimstone and Stormshadow missiles, have been used by Saudi Arabia in the war.

The published value of UK arms export licences to Saudi Arabia since the bombing began in March 2015 is **£7.9 billion**.

The published value of UK arms export licences to the Saudi-led coalition during this period is **£9.3 billion**.

However, CAAT estimates that the real value of sales to the Coalition since the beginning of the war is over **£22 billion**.

BAE Systems alone have made £20 billion in revenue from Saudi Arabia between 2015-2020.

The licences to Saudi Arabia include:

£2.7 billion of equipment in the ML10 category, covering aircraft, helicopters, drones, and related equipment and components, and;

£4.7 billion in the ML4 category, covering bombs, missiles, grenades, and countermeasures, and related equipment and components.

The licence figures do not include the value of ongoing maintenance, repair, training, and technical support that BAE Systems provides to the Saudi Air Force. This support is absolutely essential to Saudi Arabia's ability to wage its war in Yemen. Military analysts have stated that without this support from the UK and the US, Saudi Arabia would soon be unable to keep their fleet flying.

CAAT estimates that the UK has sold £25b of arms to the Saudi Coalition since the war began

UK export controls and CAAT's legal case

The UK's arms export control laws require the government to deny export licences for arms sales if "there is a clear risk that the goods might be used to commit serious violations of international humanitarian law" (criterion 2c). There is ample evidence that the Saudi coalition has repeatedly violated IHL, killing large numbers of civilians and destroying crucial civilian buildings. The use of UK weapons as part of this campaign is not in doubt. Yet, the government continues to insist that there is no "clear risk" that such weapons will be used to commit violations.

CAAT launched a judicial review case against the government in 2016, arguing that it was breaking UK arms export laws. In June 2019, the Court of Appeal ruled that the government's approach to deciding on export licences to Saudi Arabia was "irrational and therefore unlawful", as it failed to properly assess the record of past violations of IHL by the Coalition. The government was required to stop issuing new export licences (though exports were allowed to continue on existing licences), and to retake its past decisions on arms to the Saudi coalition for use in Yemen.

However, in July 2020, the government announced that it had completed its review, and had found that there were only a small number of "isolated incidents" of possible IHL

violations, that did not constitute a “pattern” of violations, and did not create a clear risk of future violations. It therefore resumed new export licencing, and since then has authorised £2.5 billion in new arms sales to Saudi Arabia, including £1.6 billion related to bombs and air-to-surface missiles.

In response to this, CAAT launched a new judicial review case in October 2020, and in April 2021 was given permission by the courts to proceed to a full hearing. CAAT argues that the government’s conclusions fly in the face of the overwhelming evidence of large numbers of violations of IHL by the coalition, which show many clear patterns. **The hearing will take place on 31 Jan – 2 Feb 2023.**



Developments in 2022

Early 2022 saw an upsurge in fighting, including three Saudi air strikes within a week in January which killed at least 80 civilians. However, a breakthrough came in April, when the warring parties agreed to a 2-months truce, starting 2nd April. This followed intense diplomatic efforts by UN special envoy for Yemen, Hans Grundberg. The truce was extended twice, but ended on October 2nd. The truce led to a major reduction in fighting, and a slight improvement in the humanitarian situation. Since the end of the truce, there has not been a major escalation, and in particular there have been no new Saudi air strikes. However, Saudi land forces continue to cause civilian casualties with artillery shelling. Diplomatic efforts by the UN to end the war continue.

The US, like the UK, has continued to arm Saudi Arabia, despite a pledge by President Biden to end support for “offensive” Saudi operations in Yemen. However, the Biden Administration did put on hold some sales of precision-guided munitions. Despite the UK’s role as “penholder” for the Yemen issue on the United Nations Security Council, it has made no meaningful efforts for peace.

All the factions in the conflict commit serious human rights abuses. Houthi violations of human rights in the areas they control have worsened during 2022, with severe repression of journalists and protestors. The Houthis have attacked

women’s rights in particular, forbidding women to travel unless accompanied by a male “guardian”.

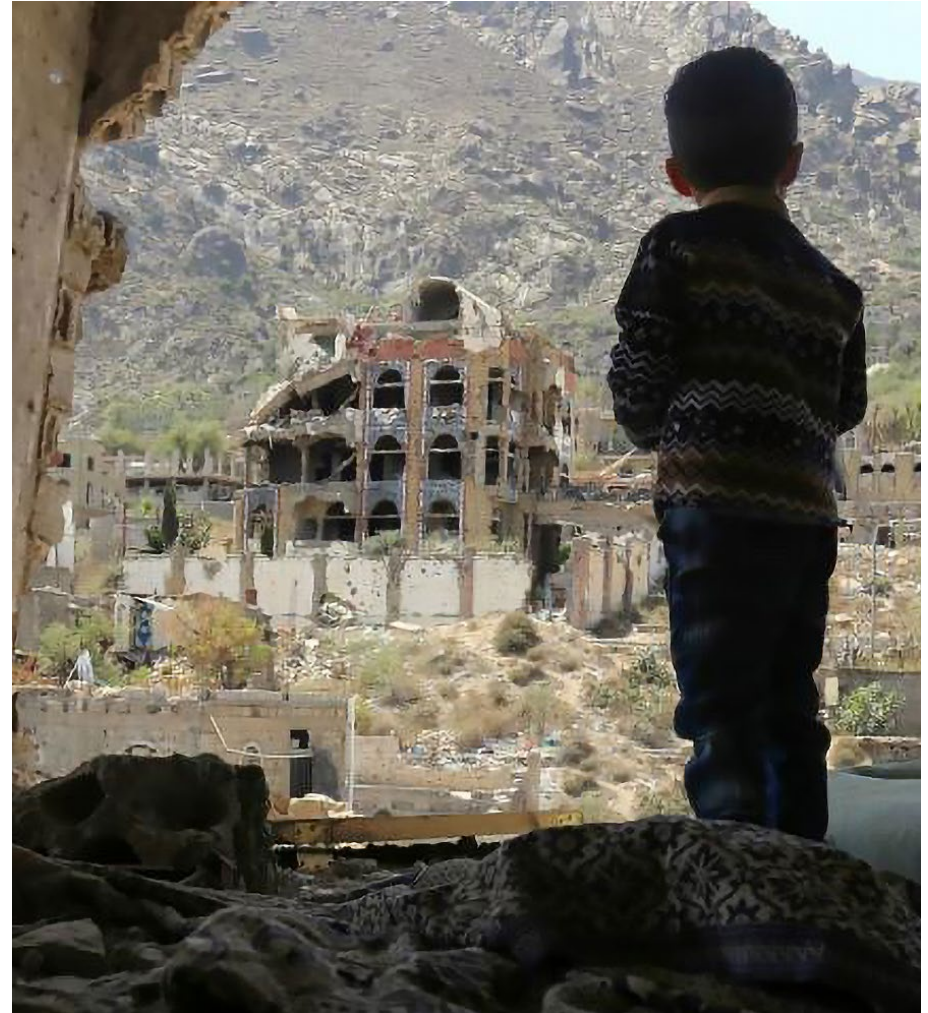
Accountability gap

Yemeni organisations such as Mwatana for Human Rights have documented human rights abuses by all sides to the conflict, and have sought to promote accountability for such crimes. However, none of the warring parties shows any inclination to hold their people accountable for war crimes and other abuses. Indeed, in many cases they appear to be promoted at the highest level. There is likewise a dearth of international efforts to promote accountability.

One international mechanism did exist – a Group of Eminent Experts (GEE) on Yemen, established in 2017 by the UN Human Rights Council (UNHRC), to investigate abuses by all parties. Its reports were significant in documenting these crimes at an official UN level, and the GEE frequently called for an end to arms sales to all warring parties. However, in October 2021, the UNHRC voted to end the GEE’s mandate, following heavy lobbying by Saudi Arabia. **It is notable that an upsurge in Saudi air strikes targeting civilians began soon after the end of the GEE’s activities.** Subsequent efforts at the UN to create a new accountability mechanism have not yet borne fruit.

Recommendations

- 1 End all UK arms sales to Saudi Arabia, UAE, and other active members of the coalition bombing Yemen**, including all training, maintenance, and support for the Saudi Air Force, in line with Criteria 2c of the Strategic Export Licensing Criteria, and in light of the overwhelming evidence of violations of International Humanitarian Law in Yemen.
- 2 Open an investigation into the ongoing failure of the UK's arms export controls** to ensure adherence to the Strategic Export Licensing Criteria and International Humanitarian Law, by means of an inquiry by the Committees on Arms Export Control.
- 3 Use the UK's position as penholder for Yemen at the UN Security Council**, and in particular the UK's forthcoming Presidency of the Security Council in April, to push forward urgent diplomatic efforts to end the conflict.
- 4 Promote efforts within the UN General Assembly, Security Council, and Human Rights Council** to reestablish an international, impartial and independent mechanism to investigate war crimes and human rights abuses committed by all parties to the war.
- 5 Increase emergency humanitarian aid to Yemen**, in line with the Integrated Review's commitment to reestablish spending of 0.7% of gross national income on development, and work with international partners to ensure that aid efforts, in particular the World Food Programme's activities, are fully funded.



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