



2019年1月25日也门问题专家小组给安全理事会主席的信

也门问题专家小组成员谨随信转递专家小组按照第 2402(2018)号决议第 6 段要求编写的最后报告。

该报告于 2019 年 1 月 8 日提交给安全理事会第 2140(2014)号决议所设委员会，委员会于 2019 年 1 月 18 日对报告进行了审议。

请将本信及报告提请安全理事会成员注意并作为安理会文件印发为荷。

也门问题专家小组

协调员

Ahmed **Himmiche**(签名)

专家

Fernando Rosenfeld **Carvajal**(签名)

专家

Wolf-Christian **Paes**(签名)

专家

Henry **Thompson**(签名)

专家

Marie-Louise **Tougas**(签名)

* 由于技术原因于 2019 年 6 月 26 日重发。



也门问题专家小组的最后报告

摘要

在整个报告所述期间，也门继续跌入人道主义和经济灾难。该国仍然严重分裂，武装团体的活动日趋增多，腐败现象根深蒂固，这加剧了武装冲突对普通也门民众的影响，在胡塞武装控制地区和已解放省份都是如此。虽然在一些阵线、特别是红海沿岸存在一些战事活动，但地面战仍主要局限于面积较小的地区。因此，大多数也门人继续生活在被冲突扭曲打破的经济状况中。

2018年12月，在秘书长也门问题特使马丁·格里菲思主持下，也门政府与来自萨那的一个代表团在瑞典举行会谈，这激发了人们对通过政治进程平息也门主要冲突的希望。会谈之后，为了支持执行关于减少对荷台达的威胁的新倡议，国际社会向沙特阿拉伯领导的联盟(“联盟”)和胡塞武装施加了相当大的压力，要求其停止在荷台达的战斗，因为这一战斗可能使也门的粮食无保障状况恶化为饥荒。

胡塞领导人继续巩固其对政府和非政府机构的控制。2018年头几个月，在萨那的全国人民大会领导层受到削弱并进行增选，被迫重新调整，服从胡塞武装的领导。尽管胡塞武装借此巩固了自己的地位，但还是遇到了萨那城内和周边社区的一些反对意见。

专家小组在获得准入方面仍然遇到困难。专家小组感到遗憾的是，胡塞武装迄今仍不愿让小组访问萨那，会见空袭受害者和商品贸易商。“联盟”虽允许专家小组查看缴获的武器，但做出准许决定所用的时间往往比预期的要长。

在反对胡塞武装的联盟内部缺乏共同利益，这继续加剧了该国的分裂。虽然也门总统阿卜杜拉布·曼苏尔·哈迪领导的政府及其联盟伙伴在实地打击胡塞部队方面取得了重大进展，但在也门全境恢复政府权威的目标远未实现。2018年继续出现强大的平行安全部队，而地方领导人对政府官员和安全部队履行专属职责和义务提出了重大挑战。

南方过渡委员会仍然是南方各省反对哈迪总统领导的政府的主要力量。南方过渡委员会的盟友，如阿拉伯联合酋长国支持的安全地带部队、哈德拉毛精锐部队、夏卜瓦精锐部队和地方政府官员，继续推进所谓“南方政治议程”，同时进一步提出分离主义诉求。一些南方团体认为也门改革集团是恐怖主义组织。

在整个报告所述期间，红海航道的安全和安保仍然面临巨大威胁。虽然海上安全事件的数量并不比2017年多，但随着胡塞武装研制并对红海上的商船使用反舰巡航导弹和水上简易爆炸装置等先进武器，商业航运受到的威胁日益增加。胡塞武装袭击了一艘向也门运送小麦的船只，这危及人道主义援助的运送，并导致也门进口商品的交易成本增加。胡塞武装还袭击并损坏了两艘各载有200万桶原油的沙特油轮。这些袭击可能在红海造成环境灾难。发动这些袭击的胡塞部队符合制裁指认标准。

在本报告所述期间，专家小组未获悉在也门东部主要陆路走私路线上有任何军火或军火相关物资被收缴。不过，2018年8月，一艘美利坚合众国军舰从驶向也门南海岸的一艘船上缴获了大量突击步枪，这强有力地表明，在亚丁湾仍存在非法武器贸易。专家小组注意到，胡塞部队继续使用增程型短程弹道导弹打击沙特阿拉伯境内目标，这一做法至少持续到2018年6月；还部署了反舰巡航导弹和水上简易爆炸装置。“联盟”允许专家小组查看在也门境内获取的反坦克导弹，上面显示的制造日期是2017年。

从2018年8月起，专家小组开始注意到使用了增程型无人驾驶飞行器，这使胡塞部队能够深入打击沙特阿拉伯和阿拉伯联合酋长国境内腹地的目标。2015年和2016年时，胡塞部队使用的是国外供应的完整或部分组装武器系统，比如增程型短程弹道导弹。但根据现有证据，专家小组注意到，它们现在越来越多地依赖进口高价值部件，然后将这些部件整合到当地组装的武器系统，如增程型无人驾驶飞行器中。专家小组正在继续调查胡塞武装在这一过程中是否得到了外国专家的协助。

专家小组发现，由于合法政府、地方当局、胡塞武装和其他民兵在各自地区收取收入，也门出现了明显的战时经济。他们都声称自己提供治理，或是与治理的提供者有联系，但鲜有证据证明这一点。政府和胡塞武装在控制战略资源及其相关收费问题上仍然存在重大冲突。这些资源包括荷台达、拉斯伊萨和萨利夫等主要港口、扎马尔省的公路检查站以及金融系统。

专家小组查明，也门境内外的少数公司使用虚假文件作为幌子公司运作，以掩盖向一名被列名个人捐赠燃料的行为。出售这一燃料的收入被用来资助胡塞武装的战争行动。专家小组发现，这些燃料是凭假证件从伊朗伊斯兰共和国港口装载的，以避免被联合国核查和视察机制检查发现。

专家小组发现伪造和假造的商业文件数量有所增加。虽然这种情况对也门来说并不新鲜，但对国际金融机构、捐助者和参与援助也门人民的人道主义执行机构的尽职调查构成了重大挑战。

2018年第三季度，也门严重缺乏支付进口燃料和其他大宗商品所需的硬通货，导致也门里亚尔迅速贬值。这促使也门政府建立了一个新机制，规定某些物品的进口必须通过在亚丁的也门中央银行办理。颁布了第75号令，目的是限制货币兑换企业发挥的作用。然而，这一机制造成了一种扭曲：它对与政府有联系的贸易商有利，对通过主要红海港口进口商品的贸易商却不利。第75号令已部分暂停执行，以使基本商品能进口到也门，但仍以该法令为依据限制不遵守该机制的燃料进口商。专家小组注意到，汇率波动似乎导致向胡塞武装控制地区的基本商品(包括燃料)进口减少，同时也限制了基本人道主义援助物资的运送。

在本报告所述期间，卷入冲突的各个当事方都存在广泛违反国际人道主义法和国际人权法的情况。“联盟”发动的空袭和胡塞部队滥用爆炸性弹药的行为，继续对平民和民用基础设施造成严重影响。任意逮捕和拘留、强迫失踪、对被拘留者实施虐待和酷刑的情况在也门各地仍普遍存在。

也门几乎没有法治，有罪不罚现象盛行，这助长了广泛违反国际人道主义法和国际人权法行为，特别是在拘留方面，尤其对记者和人权维护者构成威胁。

专家小组注意到，胡塞武装对人道主义行为体不断施加压力，且不遵守其义务，即便利人道主义救济物资迅速、不受阻碍地运送给有需要的平民。专家小组注意到，胡塞武装经常不尊重适用于保护人道主义救济人员、保健人员和保健基础设施的国际人道主义法。2018年期间，胡塞武装继续阻碍人道主义准入和援助，除其他外，操纵受益人名单，在没有提供任何理由的情况下拒绝向人道主义人员发放签证，以及限制人道主义行为体进入某些地区和设施。

目录

| | 页次 |
|-----------------------------|----|
| 一. 导言 | 7 |
| A. 任务和导言 | 7 |
| B. 方法 | 7 |
| C. 工作方案 | 8 |
| D. 与各利益攸关方和各组织的合作 | 9 |
| 二. 对也门和平、安全或稳定的威胁 | 10 |
| A. 挑战也门政府的权威 | 10 |
| B. 停止敌对行动和恢复政治进程遇到的障碍 | 16 |
| C. 安全和区域动态 | 16 |
| D. 海事安全 | 18 |
| 三. 军事单位和武装团体 | 19 |
| A. 也门政府和“联盟”的正规部队 | 20 |
| B. 武装团体 | 23 |
| 四. 军火以及定向军火禁运的执行情况 | 26 |
| A. 反舰艇巡航导弹 | 27 |
| B. 无人驾驶飞行器 | 28 |
| C. 导弹和火箭炮 | 31 |
| D. 水上简易爆炸装置 | 33 |
| E. 突击步枪非法贸易 | 35 |
| 五. 经济背景和财务概况 | 36 |
| A. 胡塞武装获得的收入来源 | 36 |
| B. 与政府有关联的地方当局可动用收入 | 40 |
| C. 腐败问题 | 41 |
| D. 伪造和贩运 | 45 |
| 六. 监测资产冻结和旅行禁令的执行情况 | 45 |
| 七. 违反国际人道主义法和国际人权法的行为 | 46 |

| | |
|-----------------------------------|----|
| A. 归咎于“联盟”的行为和事件 | 46 |
| B. 归咎于胡塞部队的行为和事件 | 50 |
| C. 归咎于也门政府的违反国际人道主义法和国际人权法行为..... | 53 |
| D. 归咎于代理部队的违反国际人权法行为 | 54 |
| E. 在武装冲突中招募和使用儿童 | 54 |
| F. 毁坏和盗窃文化财产 | 54 |
| 八. 阻碍人道主义援助 | 55 |
| A. 阻碍运送人道主义援助 | 55 |
| B. 阻碍分配人道主义援助 | 56 |
| 九. 建议 | 56 |
| 附件* | 58 |

* 附件只以来件所用语文分发且未经过正式编辑。

一. 引言

A. 任务和引言

1. 安全理事会第 2402(2018)号决议延长了有关也门的制裁措施的期限，并将也门问题专家小组的任务延长至 2019 年 3 月 28 日。专家小组担负下列任务：

(a) 协助安全理事会第 2140(2014)号决议所设委员会执行第 2140(2014)和 2216(2015)号决议规定的任务，包括随时向委员会提供相关信息，用于在后一阶段指认可能参与第 2140(2014)号决议第 18 段和第 2216(2015)号决议第 19 段所述威胁也门和平、安全或稳定活动的个人和实体；

(b) 收集、审查和分析各国、联合国相关机构、区域组织和其他有关各方提供的关于制裁措施和定向武器禁运执行情况的信息，尤其是有关破坏政治过渡的事件的信息；

(c) 最迟于 2018 年 7 月 28 日向委员会提交中期情况通报，并在同委员会讨论后，最迟于 2019 年 1 月 28 日向安全理事会提交最后报告；

(d) 协助委员会完善和更新受制裁措施限制的个人名单的信息，包括提供识别信息和供纳入公开公布的列名理由简述的增列信息；

(e) 与安全理事会设立的其他相关专家组，特别是安理会第 1526(2004)号决议设立的分析支助和制裁监测组¹ 合作。

2. 2018 年 8 月 10 日，专家小组根据第 2402(2018)号决议第 6 段向委员会提交了中期最新情况通报。² 专家小组于 7 月 9 日向委员会提交了关于 4 月 3 日和 5 月 10 日使用反舰艇导弹袭击红海商船的个案研究报告。

3. 本报告所述期间为 2018 年 1 月 1 日至 12 月 31 日。专家小组还继续调查了其 2018 年 1 月 26 日的上一份报告(S/2018/594)所涉未决问题。

B. 方法

4. 在调查时，专家小组遵循了第 2402(2018)号决议第 11 段，该段涉及安全理事会制裁的一般性问题非正式工作组报告(S/2006/997)建议的最佳做法和方法。专家小组着力遵守关于透明度和消息来源、书面证据、对可核实的独立消息来源进行确证和提供答辩机会等各项标准。³ 专家小组保持了调查的透明、客观、公正和独立，并通过平衡可核查的证据来确定调查结果。

5. 鉴于难以进入也门的大部分地区，专家小组仅限于检查沙特阿拉伯领导的联盟(“联盟”)回收的武器系统、部件和碎片。这些检查是在亚丁、沙特阿拉伯和

¹ 第 1526(2004)号决议设立的监测组，其任务期限经第 2368(2017)号决议延长至 2021 年 12 月的。

² 向委员会和安全理事会成员提供的该中期最新情况通报和其他最新情况通报属机密文件(存于秘书处档案)。

³ 关于方法和答辩机会的资料载于附件 1。

阿拉伯联合酋长国的各个军事设施进行的。专家小组还在美军“Jason Dunham”号导弹驱逐舰上检查了回收的一批武器。在许多情况下，缴获和回收的物项没有及时提供给专家小组，或者关键部件被会员国控制。在某些情况下，尽管会员国提供了物项，但由于联合国施加的行政和预算限制，专家小组未能及时进行检查，这给维护保管链带来挑战。为应对这一挑战，专家小组通过其他来源，包括面谈和分析照片图像，尽可能对本报告所载信息进行求证。为了查明供应网络以及可能违反定向军火禁运的情况，专家小组列入了相关信息，说明从胡塞武装的武器系统中回收的电气部件、发动机等物项的保管链，即使这些物项本身是民用性质的。

6. 在有必要提供证据时，专家小组列出了参与资助购买有关物项的个人和实体的名称，即使这些个人和实体并没有违反有关也门的制裁措施。专家小组还列出了银行账号的最后四位数，以显示证据的相关水平。

7. 专家小组只能在亚丁执行任务，这削弱了其获取关于违反国际人道主义法和国际人权法行为的第一手可靠证据以及进入事件现场和接触证人的能力。因此，本报告所调查和阐述的案件不是专家小组挑选的结果，而是由专家小组掌握的证据决定的。

8. 专家小组利用联合国从私人供应商那里购买的也门各地的卫星图像来支持调查。专家小组还使用了源自记录海上和航空数据的商业数据库及移动电话记录的信息。官员就自己的行为发表的公开声明以及通过官方媒体渠道发表的公开声明被认为是证据的佐证，除非被认定违背事实。专家小组力求尽可能以透明方式行事，但如果指明消息来源会使小组成员或其他人面临不可接受的安全风险，专家小组则决定不在报告中披露身份识别信息，而是将相关证据妥善保存在联合国档案中。

9. 专家小组审查了社交媒体，但未将由此收集的信息用作证据，除非可通过多个独立的消息来源或技术手法包括目击者加以印证，以达到可实现的最高举证标准。

10. 也门地名的拼写往往取决于消息来源所属族裔或翻译质量。对于报告中个人姓名和主要地名的拼写，专家小组采用了与以往联合国文件保持一致的做法，并引用了联合国术语参考系统(UNTERM)中的标准拼法。⁴ 会员国所提供文件中的伊斯兰教历日期已转换为相应的公历日期。附件 44 列有缩略语清单。

C. 工作方案

11. 在调查过程中，专家小组成员访问了巴林、吉布提、埃及、法国、德国、伊朗伊斯兰共和国、以色列、意大利、约旦、黎巴嫩、荷兰、阿曼、卡塔尔、沙特阿拉伯、土耳其、阿拉伯联合酋长国、大不列颠及北爱尔兰联合王国、美利坚合众国和也门。

12. 2018 年 7 月 25 日，秘书长向会员国通报了本组织面临的财政困境，并表示秘书处可能需要采取减少费用措施。2018 年 10 月，专家小组获悉其预算被裁减，

⁴ 地点名称的拼写与附件 2 所载地理空间信息科提供的也门地图保持一致。

这削弱了其执行授权任务的能力。本报告反映了专家小组在预算拨款减少的情况下所能完成的工作。

13. 专家小组两次请求正式访问也门政府控制下的地区(塔伊兹和马里卜)。出于安全考虑,对当时仍处于撤离状态的塔伊兹的访问没有成行。⁵ 虽然也门政府和沙特阿拉伯政府商定了专家小组访问马里卜的后勤安排,但由于联合国方面评估认为,在预定的访问时间(2018年11月)缺乏适当的安全安排,访问没有进行。

14. 专家小组四次请求访问胡塞武装控制的地区(萨那、荷台达和萨达)。⁶ 位于萨那的当局没有对这些请求作出任何正式答复。⁷

D. 与各利益攸关方和各组织的合作

1. 联合国系统

15. 专家小组希望着重强调它与秘书长也门问题特使办公室和在其到访邻国的联合国驻地协调员开展的富有成效的合作。联合国国家工作队和负有区域任务的联合国机构一直为专家小组的工作提供支助。专家小组始终与在萨那、亚丁和更广大区域的国家工作队官员保持直接接触,交流信息和专门知识。

16. 专家小组按照第 2402(2018)号决议第 7 段,与安全理事会关于伊拉克和黎凡特伊斯兰国(达伊沙)、基地组织及关联个人、团体、企业和实体的第 1267(1999)号、第 1989(2011)号和第 2253(2015)号决议所设委员会分析支助和制裁监测组、安全理事会关于索马里和厄立特里亚的第 751(1992)号和第 1907(2009)号决议所设委员会索马里和厄立特里亚问题监测组以及负责第 2231(2015)号决议执行工作的秘书处工作人员保持密切合作。

2. 与会员国的沟通

17. 专家小组向会员国和实体发出了 139 封信,索取与其任务有关的具体问题的资料。专家小组希望申明,收到此类索取资料书并不一定意味着这些国家的政府、个人或实体违反了制裁制度。不过,专家小组注意到,发给会员国的索取资料书有 16%目前仍在等待答复。在提交本报告时,专家小组仍正在等待下列国家的答复:中国、印度尼西亚、日本、马来西亚、阿曼、沙特阿拉伯、西班牙、阿拉伯联合酋长国和也门。此外,位于萨那的外交部和其他一些实体尚未作出答复。专家小组在本报告所述期间的往来信函总表载于本报告附件 3。

⁵ 2018年10月17日,安全和安保部解除了塔伊兹、拉哈杰、达利阿、贝达、阿比洋、马里卜、夏卜瓦、焦夫、哈德拉毛和马哈拉的“撤离状态”。

⁶ 分别于2018年5月13日、6月22日、8月13日和10月11日发出请求。

⁷ 专家小组仍定期与位于萨那的当局进行非正式接触。

3. 也门政府

18. 专家小组于 2018 年 6 月、7 月和 10 月在亚丁和利雅得会见了也门总统阿卜杜拉布·曼苏尔·哈迪、总理艾哈迈德·本·达格尔、外交部长兼副总理哈立德·阿里耶马尼和也门政府其他官员。⁸ 专家小组没有机会会见 2018 年 10 月 15 日接替本·达格尔先生的总理迈茵·阿卜杜勒马利克·赛义德。在这些会见中，也门官员都表示全力支持专家小组及其调查工作。

4. 胡塞武装

19. 专家小组与胡塞运动的代表保持电话联系。专家小组试图通过副外交部长 Hussein Al Ezzi 和发言人 Mohammed Abdusalam Salah Fletah 协调一次访问，并与他们分享了关于胡塞武装使用反舰艇导弹袭击红海船只的信函(见下文第 45 段)，从而给他们一个答辩机会；专家小组还针对 8 月 9 日空袭萨达 Dahyan 一事(见下文第 136(b)段和附件 33 附录 E)提出访问也门的请求。上述代表指出，位于萨那的当局不愿意与专家小组合作，理由是在其看来，专家小组的上一个报告 (S/2018/594) 中存在信息不准确之处。⁹

二. 对也门和平、安全或稳定的威胁

20. 安全理事会第 2140(2014)号决议第 18 段认定，阻碍或破坏海湾合作委员会倡议和执行机制协议提出的政治过渡的顺利完成，是对也门和平、安全或稳定的威胁，可用作指认标准。

A. 挑战也门政府的权威

21. 在本报告所述期间，也门政府的权威继续受到侵蚀。6 月至 8 月，哈迪总统在亚丁执政六个多星期，并访问了马哈拉省。尽管如此，专家小组尚未观察到有任何迹象表明他能够加强政府在解放区的权威。

22. 专家小组依据以下四个因素作出了这一评估：(a) 民兵团体扩散，对“联盟”资助的代理军事部队缺乏实际控制；(b) 南方过渡委员会及其附属机构带来挑战；(c) 对自然资源收入显然缺乏控制；(d) 胡塞部队继续控制萨那和其他北部省份。

⁸ 为了避免混淆也门政府和胡塞当局及各自所任用人员，专家小组在提及也门政府各部委和政府官员时将使用正常称谓，例如“国防部长”和“国防部”(英文首个字母大写)。在提及胡塞武装另设的行政当局时，将加修饰语“位于萨那的”，例如“位于萨那的国防部长和国防部”(英文首个字母小写)。在提及胡塞武装的军队编制和军衔时加引号以示区分，例如“将军”、“第 35 装甲旅”、“第 62 机械化旅”等等。专家小组意识到，在某些语文中，这一区别可能并不明确。

⁹ 除其他关切外，位于萨那的当局要求对 S/2018/594 号文件第 30 和 128 段及脚注 25 和 146 所述内容作出正式更正，其中涉及以下三人据报被处决或死亡的情况：Mahdy Maqawala“少将”、Abdullah al-Dhabaan“少将”和电信部长 Julaidan Mahmood Julaidan。文件印发后，专家小组收到消息说，这三人都还活着。专家小组建议胡塞当局向小组提交一封正式信函，具体说明他们对该文件的关切。

1. “联盟”和代理部队带来的挑战

23. 虽然也门政府与阿拉伯联合酋长国之间的关系已经解冻，但哈迪总统领导的政府仍然无法对解放区行使权力并履行职责和责任。2018年6月，在夺取荷达台的军事行动开始时，¹⁰ 王储穆罕默德·本·扎耶德·阿勒纳哈扬与哈迪总统举行会晤，¹¹ 此举标志着两国关系取得了进展。这不仅是双边关系的结果，也是沙特阿拉伯为也门政府与其联盟伙伴实现关系正常化所作努力的结果。2018年11月，沙特阿拉伯牵头努力改善阿拉伯联合酋长国与居住在利雅得的也门改革集团领导人的关系。¹²

24. 为维护也门政府在实地的权威和避免在阿拉伯联合酋长国影响范围内的南方势力进一步对抗也门改革集团而作出的这些努力均未奏效。

25. 在本报告所述期间，与前亚丁省省长 Aydarus al-Zubaydi 和前国务部长、萨拉菲派领导人 Hani bin Breik 领导的南方过渡委员会结盟的人员对政府官员发起敌对行动。¹³ 2018年1月，总统保护部队与安全总局局长 Shallal Ali Shaye 少将领导的部队(包括安全地带部队)在亚丁爆发冲突。¹⁴ 总理本·达格尔先生一直被围困在馬西克总统府，直至后来撤离到沙特阿拉伯。¹⁵

26. 2018年5月，本·达格尔先生与阿拉伯联合酋长国在索科特拉群岛问题上出现紧张关系。¹⁶ 这场危机再次由沙特阿拉伯调停，本·达格尔先生撤回沙特阿拉伯(见 S/2018/440)。10月，开始了新一轮反对政府的抗议活动，最初的起因是也门里亚尔迅速贬值和经济危机加深，但南方过渡委员会利用民众的不满情绪，

¹⁰ 半岛电视台，“沙特阿拉伯和阿联酋对也门港口城市荷台达发动攻击”，2018年6月13日。可查阅：www.aljazeera.com/news/2018/06/saudi-uae-launch-attack-yemen-port-city-hudaida-180613054921062.html；Jon Gambrell，“随着港口袭击临近，流亡的也门总统前往阿联酋”，2018年6月12日。可查阅：www.apnews.com/915213b7e567416e97646bc44c2f20b4。

¹¹ 《海湾消息报》，“穆罕默德会见也门总统哈迪”，2018年6月13日。可查阅：<https://gulffnews.com/uae/government/mohammad-receives-yemeni-president-hadi-1.2236071>。

¹² 专家小组继续监测这一和解在也门产生的影响。见 Al Arabiya，“沙特和阿联酋领导人会见也门改革集团主席”，2017年12月14日。可查阅：<https://english.alarabiya.net/en/News/gulf/2017/12/14/Saudi-and-UAE-leaders-meet-Yemen-Islah-party-chairman-.html>；Middle East Eye，“阿联酋王储接待也门改革集团领导人”，2017年11月14日。可查阅：www.middleeasteye.net/news/uae-crown-prince-hosts-leaders-yemens-al-islam-party-2053065044；Erica Stuke，“12月11日至17日：联军继续在提哈马展开进攻，也门改革集团领导人会见阿联酋方面”，The Yemen Peace Project。可查阅：www.yemenpeaceproject.org/blog-x/12172017。

¹³ 与南方过渡委员会有关联的安全结构的领导情况见附件4。

¹⁴ Susanne Dahlgren，“南方过渡委员会与也门战争”，2018年4月26日。可查阅：<https://reliefweb.int/report/yemen/southern-transitional-council-and-war-yemen>。

¹⁵ 人道主义事务协调厅，“也门：亚丁武装冲突升级-最新短讯1”，2018年1月29日。可查阅：<https://reliefweb.int/report/yemen/yemen-escalation-armed-clashes-aden-flash-update-1-29-january-2018-enar>。

¹⁶ Middle East Eye，“根据沙特协议，阿联酋军队从也门索科特拉群岛撤出”，2018年5月18日。可查阅：<https://www.middleeasteye.net/news/uae-begins-evacuating-forces-yemen-s-socotra-2088005109>。

把矛头指向总理。¹⁷ 南方过渡委员会指控本·达格尔先生腐败，并要求罢免他。¹⁸ 本·达格尔先生于 10 月 15 日被解职。¹⁹

27. 导致形势紧张的另一个原因是在整个南方，接受效忠政府领导人原则的一派萨拉菲神职人员²⁰ 和逊尼派伊斯兰政党也门改革集团的成员受到迫害。也门改革集团是促使阿里·阿卜杜拉·萨利赫(YEi.003)辞去总统职务的 2011 年 11 月海湾合作委员会倡议的签署方，因此对哈迪总统职位的持续合法性至关重要。也门改革集团也被视为穆斯林兄弟会的附属组织，后者在 2014 年被阿拉伯联合酋长国列为恐怖主义组织。²¹ 虽然阿拉伯联合酋长国部队未公开谴责也门改革集团，但南方运动和南方过渡委员会谴责也门改革集团为恐怖主义团体，²² 因此出现了对阿拉伯联合酋长国所支助的南方分子的指控，²³ 称他们是暗杀神职人员和若干也门改革集团成员和活动分子的幕后黑手(见附件 6)。²⁴

2. 胡塞武装带来的挑战

28. 在本报告所述期间，专家小组确定了胡塞网络成员，他们继续对政府的权威构成挑战。胡塞武装扩大了对其部队把持的北部地区政府和非政府机构的控制。专家小组注意到胡塞的领导结构相对固定。阿卜杜勒马利克·胡塞(YEi.004)仍处

¹⁷ 见 <http://adengd.net/news/340784/>; Aziz El Yaakoubi(路透社), “在联合国寻求和平之时, 也门分离主义者呼吁起义”, 《美国新闻与世界报道》, 2018 年 10 月 3 日。可查阅: www.usnews.com/news/world/articles/2018-10-03/yemen-separatists-call-for-uprising-as-un-pursues-peace。

¹⁸ 见 <http://adengad.net/news/340621/>; Sheridan Sullivant、Mohamad El Kari 和 Tess Frieswick, “亚丁湾安全评论”, 2018 年 10 月 3 日。可查阅: www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-october-3-2018。见本·达格尔先生给南方过渡委员会的答复, 可查阅: <https://twitter.com/ahmedbindaghar/status/1047134458858606593>。

¹⁹ 在政府对腐败指控展开调查时, 本·达格尔先生仍在利雅得。见 Ramadan Al Sherbini, “也门总统因经济困难罢免总理”, 《海湾新闻》, 2018 年 10 月 16 日。可查阅: <https://gulffnews.com/world/gulf/yemen/yemeni-president-sacks-pm-over-economic-woes-1.2290274>; Mohammed Abdul Malik, “也门总理被解职移送调查背后的原因是什么?” 半岛电视台, 2018 年 10 月 15 日。可查阅: www.tellerreport.com/news/--what-is-behind-the-exemption-of-the-yemeni-prime-minister-and-referral-to-the-investigation--.H1gMf7oGsX.html。

²⁰ 附件 5 描述了与这一派萨拉菲神职人员有关的动态。

²¹ Rania El Gamal, “阿联酋将穆斯林兄弟会列为恐怖主义组织”, 路透社, 2014 年 11 月 15 日。可查阅: www.reuters.com/article/us-emirates-politics-brotherhood/uae-lists-muslim-brotherhood-as-terrorist-group-idUSKCN0IZ00M20141115。

²² 见 <https://twitter.com/CMuRqWCngnJGOvg/status/1074268396018167809>。

²³ Jonathan Rugman, “阿联酋被控实施酷刑和开设秘密监狱”, 2018 年 12 月 6 日。可查阅: <https://www.channel4.com/news/uae-accused-of-torture-and-running-secret-prisons>。

²⁴ 专家小组约谈了也门改革集团的一些官员, 包括 Ansaf Mayu 以及一些活动分子, 他们提供信息说有人企图杀害他们, 并介绍了总部设在亚丁省 Tawahi 的反恐中心内的拘留情况。该中心位于省长官邸旁, 现在是南方过渡委员会总部。一些人表示, 他们在 Shallal Ali Shaye 少将的命令下被关押在 Khor Makser 的刑事调查局。另见: Aram Roston, “一个中东君主制国家雇佣美国前士兵来杀死政敌。这可能是战争的未来”。BuzzFeed News, 2018 年 10 月 16 日。可查阅: www.buzzfeednews.com/article/aramroston/mercenaries-assassination-us-yemen-uae-spear-golan-dahlan。

于领导结构的最顶端，同时他也是该组织的主要发言人。²⁵ Mahdi al-Mashat²⁶ 是阿卜杜勒马利克·胡塞的姻亲，与 Abdulkarim Amir al-Din al-Houthi 关系密切，继续担任最高政治理事会主席。穆罕默德·阿里·胡塞仍然领导最高革命委员会，但他试图通过社交媒体并通过在美国的媒体机构接触国际受众，将自己定位为胡塞武装的代言人。²⁷ 下图一和二显示了扮演重要角色的其他胡塞人。

图一

专家小组关注的胡塞人



资料来源：Nasser al Qawbary 的葬礼，2018 年 4 月 21 日(www.sahafah24.net/w1406027.html)。

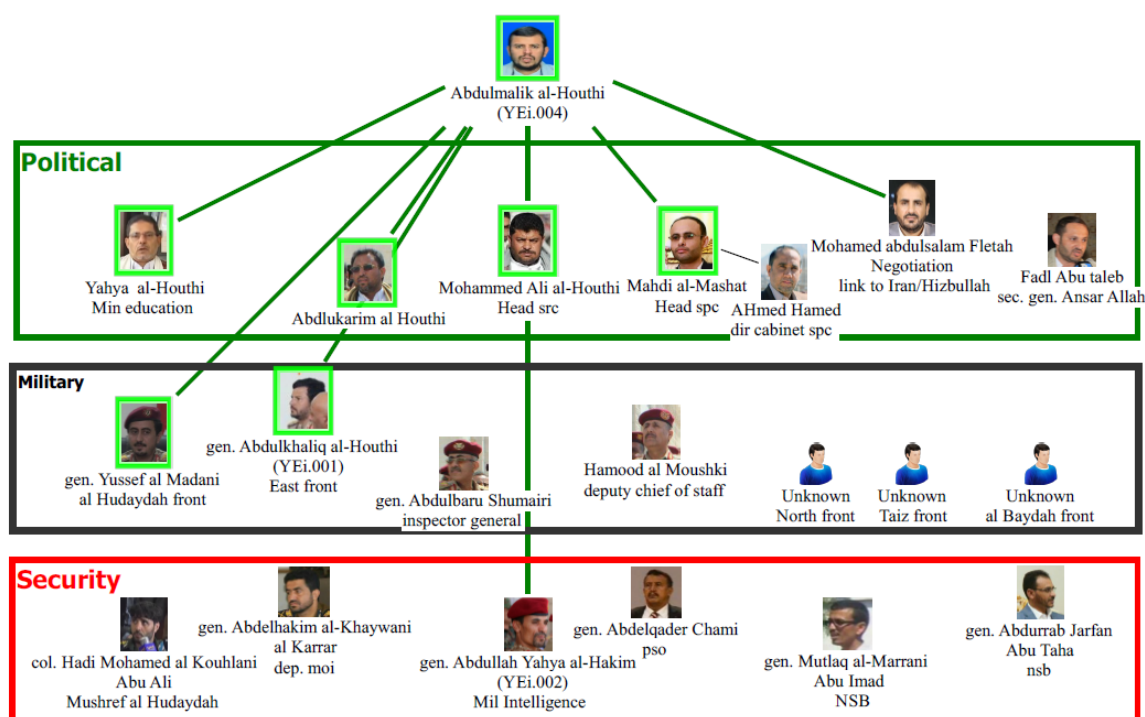
说明：从左至右：Abdulbaru Shumairi “少将”（警长）、Hamood al Moushki “少将”（副参谋长）、阿卜杜拉·叶海亚·哈基姆(YEi.002)、穆罕默德·阿里·胡塞、阿卜杜勒卡里姆·胡塞。

²⁵ Abdul Malik al Houthi, “让我们投降是不可能的”, 视频, 2017 年 10 月 27 日。可见: <https://www.youtube.com/watch?v=sp9YFt1mOfk>; PressTV, “胡塞: 沙特阻止真主的辅士代表团”, 视频, 2018 年 9 月 9 日。可见: <https://www.youtube.com/watch?v=V6w9p-Xyjn8>。

²⁶ Mahdi Mohammed Hussein al Mashat 的姓也译写为 “al Mshat” 或 “al Mashaad”, 1986 年 1 月 1 日出生在萨达(根据专家小组档案中的个人身份识别信息确定)。

²⁷ Mohammed Ali al-Houthi, “胡塞领导人: 我们希望也门和平, 但是沙特的空袭必须停止”, 《华盛顿邮报》, 2018 年 11 月 9 日。可查阅: https://www.washingtonpost.com/news/global-opinions/wp/2018/11/09/houthi-leader-we-want-peace-for-yemen-but-saudi-airstrikes-must-stop/?noredirect=on&utm_term=.af7d9725b002; 另见 Naseh Shaker 和 Faisal Edroos, “穆罕默德·胡塞: 我们想要一个统一和民主的也门”, 半岛电视台, 2018 年 12 月 25 日。可查阅: www.aljazeera.com/indepth/features/houthis-mohammed-al-houthi-united-democratic-yemen-181225104212165.html。

图二
专家小组关注的胡塞网络



资料来源：专家小组。

29. 胡塞武装面临的反对意见逐渐增多。在本报告所述期间，专家小组注意到，地方的抗议次数和异议程度有所增加。相关事件包括 10 月 6 日在萨那大学举行的抗议和 10 月 26 日在扎马尔省农村的一个村庄出现的异议。²⁸ 或许更重要的是，Sufyan 和 Khawlan 内的一些部落已经开始显示出拒绝胡塞控制的迹象。²⁹

3. 位于萨那的全国人民大会带来的潜在挑战

30. 自阿里·阿卜杜拉·萨利赫 2017 年 12 月去世以来，全国人民大会一直由胡塞武装领导人把持。专家小组注意到，全国人民大会已分裂为四个界定松散的派别：一派位于萨那；一派位于利雅得，与哈迪总统结盟；³⁰ 一派由 Sultan al-Barakani(全国人民大会助理秘书长)领导；一派倾向于艾哈迈德·阿里·阿卜杜

²⁸ 10 月 26 日星期五，Al-Wefaq 新闻网站报道说，在扎马尔省 Haqar 村，因村民拒绝跟喊胡塞口号，胡塞民兵便焚烧了村中的一座清真寺。报道援引村民的话说，来自邻村的胡塞武装分子与胡塞枪手一起进村，烧毁了他们的清真寺。

²⁹ 见 Al Arabiya, “背叛指控导致两名胡塞武装领导人被杀”，2018 年 11 月 27 日。可查阅：<https://english.alarabiya.net/en/News/gulf/2018/11/27/Treachery-accusations-lead-to-killings-of-two-Houthi-group-leaders-.html>。

³⁰ Rashad al-Alimi 和 Hafedh Ma'ayad 是居住在也门境外的全国人民大会官员，所谓的“南方全国人民大会”于 2018 年 12 月 2 日在亚丁举行了一次会议，见 <https://www.youtube.com/watch?reload=9&v=3EkgJKe5AfM&feature=youtu.be>；<http://adengad.net/news/352467/>。

拉·萨利赫(YEi.005)。³¹ 哈迪总统于 2018 年 12 月初试图在利雅得召开议会会议，选举新议长，这清楚表明他正在努力整合政治控制力。³²

4. 南方过渡委员会

31. 在本报告所述期间，南方过渡委员会继续在解放区各地向也门政府发起挑战。南方过渡委员会领导人从其位于亚丁省 Tawahi³³ 的总部策划了 1 月份对也门政府的袭击和若干抗议活动。专家小组回顾 2018 年 3 月 22 日也门常驻联合国代表给安全理事会主席的信(S/2018/242)，其中转递了也门政府对南方过渡委员会的地位及其非和平活动的评论意见。自 2018 年 2 月以来，南方过渡委员会主席 Al-Zubaydi 先生大部分时间住在阿拉伯联合酋长国阿布扎比，其间为公开露面对亚丁进行过几次短期访问。³⁴

32. 在本报告所述期间，与前亚丁省省长 Al-Zubaydi 先生和萨拉菲派领导人 Bin Breik 先生领导的南方过渡委员会结盟的武装分子向政府官员发起敌对行动。2018 年 1 月，总统保护部队与安全总局局长 Shaye 少将领导的部队，包括安全地带部队，在亚丁爆发了冲突。³⁵

33. 南方过渡委员会还呼吁在南方各省举行公开示威或声称对示威负责。专家小组注意到，当 9 月份出现针对货币危机的街头抗议时，即使人们焚烧了海湾合作委员会领导人的画像，南方过渡委员会也没有发表声明，谴责公众的愤怒情绪。与南方过渡委员会结盟的安全部队在亚丁省作出回应，遏制抗议活动。³⁶ 一周后，Al-Zubaydi 先生对也门政府发起言语攻击，南方过渡委员会宣布支持抗议活动。³⁷

34. 专家小组还注意到，安全地带部队以及哈德拉毛和夏卜瓦精锐部队在其军事学院毕业以及在阿比洋、亚丁、达利阿、拉哈杰、夏卜瓦和哈德拉毛等省的军事部署期间，被发现展示也门人民共和国旗帜和南方过渡委员会标志。在马哈拉省，部落武装分子和南方过渡委员会的关系依然紧张，阻碍了对南方过渡委员会表达类似的支持。

³¹ 这些意见来自对全国人民大会一些成员和也门政府官员的访谈。

³² 由于没有达到法定人数，哈迪总统尚未要求召开议会会议，但在 2018 年 12 月 27 日召集了一些议员开会。见 <https://presidenthadi-gov-ye.info/ar/archives/البربعاء-لقائه-خلال-الجمهورية-رئيس/>。

³³ 南方过渡委员会继续占据亚丁省省长官邸，作为委员会总部。

³⁴ 见 <http://alyoum8.net/news/30624>；<https://www.aljazeera.net/services/fullimagearticle/f6451603-4dff-4ca1-9c10-122741d17432/a12c56f3-1272-45f9-97dd-068aea06b905>；https://marebpress.net/news_details.php?lng=arabic&sid=134311；<https://news.un.org/ar/story/2018/08/1015742>。

³⁵ Dahlgren, “南方过渡委员会与也门战争”。<https://reliefweb.int/report/yemen/southern-transitional-council-and-war-yemen>。

³⁶ 起初，这些抗议活动是相对有组织的，主要由 Ade 等地区的地方工人工会领导。

³⁷ 见 <http://adengad.net/news/340621/>；<http://adengd.net/news/340784/>；Debriefer, “也门抗议活动升级，哈德拉毛省长威胁要停止石油出口”，2018 年 9 月 6 日。可查阅：<https://debriefer.net/en/news-3157.html>。

B. 停止敌对行动和恢复政治进程遇到的障碍

35. 继原定 2018 年 9 月在日内瓦举行的会谈取消后，秘书长也门问题特使马丁·格里菲斯于 12 月在瑞典成功启动了也门政府和胡塞武装新一轮会谈。³⁸ 会谈达成了三项协议，涉及荷台达及其港口周围的冲突降级、塔伊兹通路的开放以及囚犯交换。一个联合国小组于 12 月 23 日抵达荷台达市，当时据报荷台达省各地仍持续发生冲突和空袭。专家小组正在监测上述情况，以期确定可能符合指认标准的潜在肇事者。

C. 安全和区域动态

1. 区域动态

36. 因一些国家断绝与卡塔尔的外交关系而引起的危机以及巴林、沙特阿拉伯和阿拉伯联合酋长国与伊朗伊斯兰共和国之间的紧张关系，继续对也门冲突产生影响。近期举行的海湾合作委员会会议³⁹ 为解决与卡塔尔的政治冲突带来了积极成果，可能促成在也门问题上采取新的协调一致的办法，最大限度地减少也门境内反对胡塞武装的各派力量之间的分裂。

37. 相反，美国对伊朗伊斯兰共和国实施的新制裁以及海湾合作委员会国家对美国政策的支持力度给冲突带来了不确定性。伊朗伊斯兰共和国一再表示愿意在正在开展的政治进程中发挥积极作用，但这一建议遭到了也门政府、“联盟”和美国的拒绝。

38. 专家小组注意到了一则视频，其中指称 Fadhi Ba'Oum 正从伊朗伊斯兰共和国和卡塔尔获得财政支助，用于建立非暴力能力，打击“联盟”在也门南方各省的力量。⁴⁰ 专家小组正在监测有关也门改革集团从卡塔尔获取资金的指控是否会对和平与安全构成潜在威胁。⁴¹

³⁸ The New Arab, “在具有里程碑意义的联合国和谈期间，胡塞武装叛军拒绝撤出也门荷台达”，2018 年 12 月 7 日。可查阅：www.alaraby.co.uk/english/news/2018/12/7/houthi-rebels-refuse-to-withdraw-from-yemens-hodeida?utm_source=twitter&utm_medium=sf；Aziz El Yaakoubi, “胡塞武装在也门和谈中拒绝政府关于萨那机场的提议”，路透社，2018 年 12 月 7 日。可查阅：<https://www.reuters.com/article/us-yemen-security/yemen-government-proposes-re-opening-of-sanaa-airport-in-peace-talks-idUSKBNIO61FE>。

³⁹ The National, “所有六个海湾国家将参加海湾合作委员会首脑会议”，2018 年 11 月 19 日。可查阅：<https://www.thenational.ae/world/gcc/gcc-summit-to-be-attended-by-all-six-gulf-countries-1.793571>。

⁴⁰ 哈德拉毛省南方运动的一个派别由 Hassan Ba'Oum 领导，他的儿子 Fadhi Ba'Oum 目前在黎巴嫩和阿曼都有居所。见 https://twitter.com/Ahmedalsaleh_SY/status/1074011016210599936。专家小组继续调查“联盟”成员关于 Fadhi Ba'Oum 的亲密盟友与伊朗伊斯兰共和国接触的指控，相关指控视频见：<https://twitter.com/skynewsarabia/status/1045701203496239104>。

⁴¹ 专家小组注意到，2018 年 4 月 21 日，“联盟”在 Shahn 过境点逮捕了据报为情报官员的卡塔尔国民 Mohsen Saleh Saadoun Al-Karbi，指控他参与向也门境内的政治代理人提供财政支助。专家小组致函也门和卡塔尔政府，请求提供此案相关资料，现正等待也门的回复。卡塔尔告知专家小组，此人不曾担任情报官员，他经常往来阿曼和也门，探望在也门的亲属。卡塔尔有消息称，Al-Karbi 先生被捕后登上了一架飞往沙特阿拉伯的飞机，此后一直被单独拘禁。

39. 专家小组注意到，吉布提、埃及、约旦、索马里、苏丹和也门六国组成了新的红海和亚丁湾海上安保战略政治联盟。专家小组将继续观察该联盟可能对也门冲突产生的影响。

2. 与也门政府结盟的部队控制下的地区

40. 在本报告所述期间，专家小组注意到，除了荷台达省正在进行的军事行动之外，也门政府在解放南方八省以外更多领土方面进展甚微。与南方过渡委员会结盟且受阿拉伯联合酋长国直接资助的安全部队依然是整个也门南方地区的主要权力工具，导致也门政府部队在解放区的大部分地区遭到边缘化(见地图 1)。

41. 专家小组注意到，阿拉伯联合酋长国直接资助的部队，即安全地带部队和精锐部队的人员按时领取军饷和奖金，南方的政府部队则连月拖欠军饷，导致士气消沉。国家安全局和政治安全局等遗留机构被阿拉伯联合酋长国支持下的反恐单位、地方安全单位和精锐部队边缘化，阻碍了也门政府的情报收集工作。⁴²

3. “联盟”部队的参与情况

42. 专家小组评估认为，近期焦夫省、萨达省和荷台达省战场取得的进展坚定了“联盟”的看法，即可以迫使胡塞武装参加和平谈判。⁴³ 空袭仍在继续，但尚未在清除胡塞武装的主要领导人或其战地指挥官方面取得任何重要成果。2018年4月对最高政治理事会主席 Saleh al-Samad 的空袭是最成功的一次，⁴⁴ 他的死亡促使最高政治理事会的控制权合并到胡塞家族之下，而不是在胡塞武装的政治和军事两翼之间制造分裂。“联盟”继续向也门武装部队和一些代理武装团体提供资金、政治、军事和后勤支持。

43. “联盟”部队的主要行动区是也门北部边境、哈贾省、马里卜省和马哈拉省，在索科特拉群岛维持最基本的军事存在；而阿拉伯联合酋长国部队主要在亚丁省、阿比洋省、哈德拉毛省、荷台达省、夏卜瓦省和塔伊兹省(不包括塔伊兹市)行动。

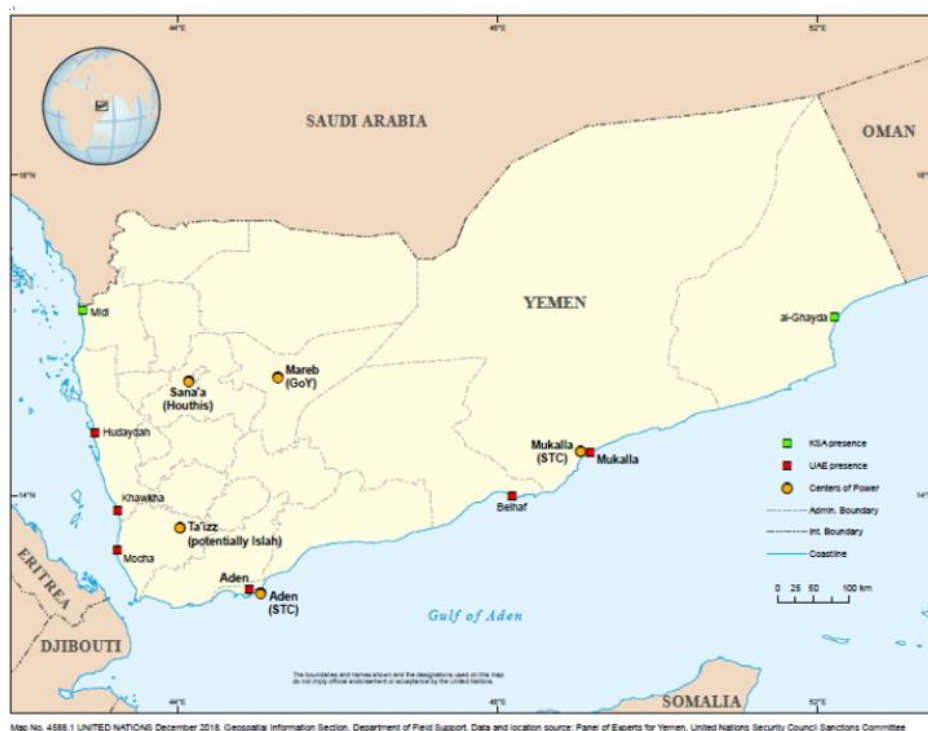
⁴² 专家小组在也门和区域内其他国家与熟悉这些问题的官员进行了访谈。

⁴³ 见 https://twitter.com/AlArabiya_Brk/status/1073234059399184385；https://twitter.com/AlArabiya_Brk/status/1073189923321188352。

⁴⁴ Gulf News, “沙特阿拉伯将胡塞武装团体 40 名领导人和成员列名”，2017 年 11 月 6 日。可查阅：<https://gulfnnews.com/world/gulf/saudi/40-leaders-members-of-al-houthi-militant-group-listed-by-saudi-arabia-1.2119394>。

地图 1

“联盟”部队在也门的部署情况



44. 专家小组继续观察地图 1 所示的属于特定行为体的、有影响力的新兴地理中心分布情况。

D. 海事安全

45. 2018 年，红海海事安全仍然面临巨大威胁。虽然事件总数没有超过上一年，但由于胡塞部队使用日益精良的武器系统攻击悬挂沙特阿拉伯国旗的油轮，商业航运受到了更多威胁。地图 2 说明该区域发生的海事安全事件的数量和分布情况，包括：

(a) 2018 年 4 月 3 日袭击悬挂沙特阿拉伯国旗的“Abqaiq”号巨型油轮，5 月 10 日袭击悬挂土耳其国旗的“Ince Inebolu”号散装货船，两次袭击均使用了反舰艇导弹(见下文第 80 段)；

(b) 1 月 6 日袭击“Niban”号巨型油轮未遂，2018 年 7 月 24 日成功袭击“Arzan”号巨型油轮，两次袭击均使用了小艇加水简易爆炸装置。两艘船都悬挂沙特阿拉伯国旗(见下文第 92 段)；

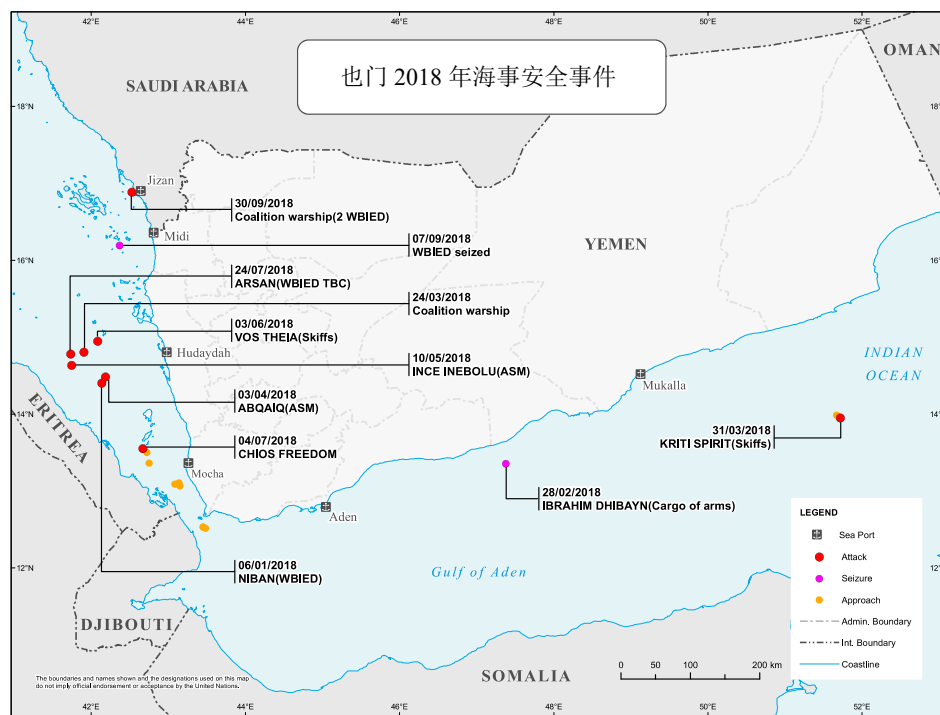
(c) 6 月 3 日，三艘载有武装人员的小艇袭击世界粮食计划署租用的、悬挂直布罗陀旗帜的 VOS 公司“Theia”号近海补给船未遂；

(d) 3月24日袭击一艘“联盟”部队军舰未遂，据称袭击使用了一枚火箭，9月30日在沙特阿拉伯 Jazan 港成功袭击一艘“联盟”部队军舰，袭击使用了二枚水上简易爆炸装置；

(e) 发生两次未遂袭击，多次有载有武装人员的可疑小艇靠近，这些事件可能与也门冲突无关。

地图 2

2018 年海事安全事件



46. 胡塞部队多次袭击运量高达 220 万桶原油的油轮。其中任何一次袭击都可能造成也门和该区域的环境和经济灾难。此外，对载有运送粮食的人道主义工作人员的商船发动袭击可能严重阻碍也门的人道主义援助交付工作。专家小组认为，这些袭击违反了国际人道主义法。⁴⁵

三. 军事单位和武装团体

47. 根据经安全理事会第 2216(2015)号决议重申的第 2140(2014)号决议第 17 段，专家小组继续调查与可能正在参与威胁也门和平、安全或稳定的行为或支持这些行为的武装团体有关联的个人和实体。

⁴⁵ 见红十字国际委员会(红十字委员会)，习惯国际人道主义法数据库，攻击民用物体(规则第 7 至 10 条)；攻击对平民生存不可或缺的物体(规则第 54 条)。可查阅：<https://ihl-databases.icrc.org/customary-ihl>。另见 1977 年 6 月 8 日订立的《1949 年 8 月 12 日内瓦四公约关于保护非国际性武装冲突受害者的附加议定书》(《第二议定书》)第 14 条。

48. 根据任务规定，专家小组重点关注规模更大、组织更严密、具有明确政治意图的团体。

A. 也门政府和“联盟”的正规部队

1. 政府部队

49. 11月8日，哈迪总统任命 Mohammed al Maqdashy 担任国防部长。与政府其他部门一样，也门国民军受到资金短缺的严重制约。国民军驻守一些战区并发挥积极作用，特别是在塔伊兹省以及夏卜瓦省西北部，但其补给明显不足。

50. 专家小组试图确定国民军的战斗序列。官方文件显示，有 136 930 名国民军和安全部队人员驻守在达利阿省、贝达省、焦夫省、马哈拉省、哈德拉毛省、哈贾省、伊卜省、马里卜省、萨那、夏卜瓦省和塔伊兹省(见附件 8)。

2. “联盟”的代理军队

51. 据报，目前由“联盟”支助在也门参战的各旅共有 100 000 名非正规部队人员。⁴⁶ 这些旅由各个小分队组成，每个小分队的人员主要来自同一社区，通常来自一个村庄，甚至一个家庭。

52. 阿拉伯联合酋长国军方明确表示，他们只向国民军提供支助，管控代理军队是国民政府的责任。⁴⁷ 而实际上，他们密切支持安全地带部队、Amaliqah 各旅、哈德拉毛和夏卜瓦精锐部队以及共和国卫队。

(a) 安全地带部队

53. 虽然也门政府表示安全地带部队由内政部管理，⁴⁸ 但专家小组依然认为，驻守阿比洋省、亚丁省、达利阿省和拉哈杰省的安全地带部队(见第 23 段)是在政府的指挥和控制结构以外行动(见 S/2018/594)。⁴⁹ 专家小组注意到，许多也门政府高级官员表示，他们对安全地带部队没有控制权，这些部队继续接受阿拉伯联合酋长国提供的训练和军饷。这些武装人员依然是阿比洋省、⁵⁰ 亚丁省和拉哈杰省⁵¹ 反恐行动的先锋力量。

54. 在阿比洋省、亚丁省、达利阿省和拉哈杰省，实际提供安全保障的仍然是安全地带部队，而非警察。Shaye 少将虽然是在亚丁的安全总局局长，统领内政部下属警察部队，但他继续担任阿拉伯联合酋长国军事指挥部与亚丁安全部队之间

⁴⁶ 数据来自 2018 年 10 月 9 日在亚丁与官方消息来源的访谈。该数字经四舍五入得到，大于实际数。Tihama 的主要前线有 16 至 19 个旅，因此在荷台达前线大约有 7 500 人。加上驻亚丁省、贝达省、哈德拉毛省、哈贾省、焦夫省、马里卜省、夏卜瓦省和塔伊兹省的已知部队，总人数接近 50 000 人。

⁴⁷ 2018 年 10 月 10 日在 Bureiqah 与阿拉伯联合酋长国军事参谋的访谈。

⁴⁸ 见 <http://adengad.net/news/337814/>。

⁴⁹ 专家小组在亚丁与各消息来源及内政部官员访谈时证实了这一点。

⁵⁰ 见 <http://adengad.net/news/338333/>。

⁵¹ 见 <http://adengad.net/news/337817/>。

的主要对话者。他也仍然是 Al-Zubaydi 先生和南方过渡委员会的坚定盟友。专家小组注意到，安全地带部队人员在亚丁省广泛部署，在当地起到了打击常见犯罪和有组织犯罪的作用。⁵² 此外，他们在反恐行动中的作用⁵³ 侧面推动了以迫害也门改革集团中的对手为重点的亲南方议程，⁵⁴ 也门改革集团被贴上恐怖主义分子的标签，被认为与阿拉伯半岛基地组织存在联系。⁵⁵

55. 专家小组注意到，虽然安全地带部队在上述地区巩固了作用，但一些南方武装分子仍然强烈反对其扩大作用和影响力。例如，在达利阿省，⁵⁶ 他们值守检查站的打算对地方安全指挥官构成威胁。⁵⁷

(b) 塔伊兹省部队

56. 塔伊兹市仍然饱受各级武装冲突之苦。该市通常被描述为一个被围困的城市，进出只有一条通行道路和几条危险的小径，不过现实更加微妙。主要通路由民兵控制，他们禁止特定类型的交通或要求支付高额通行费。围绕这一总体犯罪模式，还存在胡塞部队与对手之间的冲突，敌对政府军事单位之间的冲突和亲也门改革集团的武装分子与阿布·阿巴斯旅之间的冲突。所有这些武装力量都在争夺对塔伊兹部分地区或其周边地区的控制权，以攫取租金。⁵⁸ 这一战时经济态势妨碍了有效治理，限制了运送基本人道主义援助的通道。

57. 自 2018 年 4 月红十字国际委员会工作人员 Hanna Lahoud 遇刺以来，⁵⁹ 省长 Amin Ahmed Mahmoud、⁶⁰ 阿布·阿巴斯旅等军事团体、也门改革集团武装分子和政府军事单位(如第 22 旅和第 35 旅)之间的紧张局势持续升级。⁶¹ 专家小

⁵² 见 <http://adengad.net/news/338032/>。

⁵³ 见 <https://arabic.euronews.com/2018/03/12/military-operation-mighty-torrent-crushes-alqaeda-forces-in-abyan-governorate-in-yemen> ; www.alittihad.ae/article/63849/2018/التعقب-المعارك-أم-عملية-إطلاق-أبين-في-القاعدة-فلول。

⁵⁴ 见 <http://adengad.net/news/338014/>。

⁵⁵ 专家小组约谈了一些被拘留在亚丁的也门改革集团成员，后者提供了有关其拘留、拘留设施条件和已证实的党员或附属人员遭暗杀事件的证据。见附件 6。

⁵⁶ 见 https://arabic.sputniknews.com/arab_world/201804071031414457/اليمن-في-عنف-اشتباكات-

⁵⁷ 见 https://arabic.sputniknews.com/arab_world/201804101031486476/الضالع-مسلح-هجوم-اليمن-

⁵⁸ DeepRoot Consulting, “陷入困境：塔伊兹省冲突形势图”，2018 年 8 月 16 日。可查阅：www.deeproot.consulting/single-post/2018/08/16/Caught-in-the-Middle-A-Conflict-Mapping-of-Taiz-Governorate。

⁵⁹ 红十字国际委员会，“也门：红十字委员会工作人员在塔伊兹遭枪杀”，2018 年 4 月 21 日。可查阅：<https://www.icrc.org/en/document/yemen-icrc-staff-member-shot-and-killed-taiz>。

⁶⁰ 省长在访问亚丁时成为袭击目标。省长 9 月至 10 月间在也门境外待了一段时间。Middle East Monitor, “也门：塔伊兹省长逃脱暗杀企图”，2018 年 8 月 15 日。可查阅：<https://www.middleeastmonitor.com/20180815-yemen-taiz-governo-escapes-assassination-attempt/>。

⁶¹ Middle East Eye, “也门塔伊兹亲哈迪团体之间的紧张关系加剧”，2018 年 8 月 30 日。可查阅：<https://www.middleeasteye.net/news/yemen-tensions-heighten-between-pro-hadi-groups-taiz-abu-abbas-istahtaz-578236891>；Garda News, “也门：截至 8 月 14 日，塔伊兹的战斗造成 18 人死亡”，2018 年 8 月 15 日。可查阅：<https://www.garda.com/crisis24/news-alerts/146016/yemen-fighting-in-taiz-leaves-18-dead-as-of-august-14>。

组注意到，各团体继续试图填补塔伊兹市内各地的安全真空，这往往导致结盟关系变动，并为主要从事敲诈和受雇暗杀等犯罪活动的新的较小的好战团体提供了发展空间(见附件 9)。

58. 也门改革集团试图成为该市的主要团体并取得了一些进展，⁶² 但该党与省长仍为争夺对地方警察武装、宪兵和其他安全部队的控制权而关系紧张。⁶³

(c) 西海岸部队

59. 亲政府部队在西海岸荷台达省对胡塞武装开展的军事行动仍然是也门政府和“联盟”的首要任务。随着 2018 年 11 月重新开战，⁶⁴ 专家小组认为，亲政府部队在彻底清除荷台达市和荷台达港的胡塞部队前不会罢手。⁶⁵

60. 在红海海岸 Tihama 前线，Amaliqah 旅和共和国卫队仍然是领导对胡塞武装军事行动的主要力量。南方萨拉菲派指挥官领导的 Amaliqah 旅⁶⁶ 持续开展协调一致的媒体运动，宣传自己是军事行动的先锋，共和国卫队的媒体宣传则试图通过指挥官 Tariq Mohammed Saleh 访问前线的视频，确保其部队的战绩功劳获得同等认可。⁶⁷ 尽管这两支武装部队目标相同，都是要击败胡塞武装力量，但他们绝非拥有长期共同目标的盟友。两个团体竞相争取“联盟”成员国的支持，并争夺击败胡塞武装后对荷台达的控制权，因而关系紧张。Amaliqah 旅宣布支持哈迪总统，但共和国卫队指挥官 Saleh 尚未得到总统的正式任命。

61. 专家小组注意到，难以报告上述部队的结构。Amaliqah 旅往往随着指挥结构的变动缩小或扩大部署的单位数量，包括为应对战地指挥官伤亡或激励士兵而调

⁶² 萨那战略研究中心，“也门改革集团在塔伊兹的政治和军事崛起”，2018 年 11 月 12 日。可查阅：<http://sanaacenter.org/publications/the-yemen-review/6634>。

⁶³ 专家小组约谈了也门国内外的现任和前任塔伊兹官员，还约谈了该市及该省的居民。

⁶⁴ Murad Abdu，“聚焦：也门荷台达重新爆发战斗，粉碎了联合国领导的和平努力”，新华网，2018 年 11 月 25 日。可查阅：www.xinhuanet.com/english/2018-11/25/c_137629034.htm；The New Arab，“尽管做出推动和平的努力，也门重要城市重燃战火”，2018 年 11 月 20 日。可查阅：<https://www.alaraby.co.uk/english/news/2018/11/20/fighting-resumes-in-troubled-yemen-city-despite-peace-push>。

⁶⁵ 《日本时报》，“胡塞说他们愿意休战，随后也门荷台达再次爆发激烈战斗”，路透社，2018 年 11 月 20 日。可查阅：<https://www.japantimes.co.jp/news/2018/11/20/world/fierce-fighting-resumes-yemens-hodeida-houthis-say-theyre-open-truce/#.XBTgUSOZOgQ>。

⁶⁶ Amaliqah 旅的领导人主要来自拉哈杰省 Subayhi 县，但部队士兵来自南方各省。亲南方过渡委员会和亲南方运动的媒体机构发起了一场运动，利用士兵高举也门人民共和国旗帜的图像来表明南方战斗人员在解放荷台达中的作用(见 <https://www.youtube.com/watch?reload=9&v=h-0ixqmq5JA>)；另见 Aziz El Yaakoubi，“也门分离主义领导人说，对荷台达的进攻不会停止”，路透社，2018 年 9 月 20 日。可查阅：<https://www.reuters.com/article/us-yemen-security-interview/yemen-separatist-leader-says-hodeidah-offensive-will-not-stop-idUSKCN1M01XW>。

⁶⁷ Tariq Mohammed Saleh 是 2017 年 12 月 4 日身亡的阿里·阿卜杜拉·萨利赫(Yei.005)的侄子，曾担任驻萨那的高级军事指挥官。专家小组在前一份报告中曾报告此人在 2017 年 12 月冲突中身亡，但死讯未经证实(见 S/2018/594 第 29 段)；专家小组在中期最新情况通报中报告，经证实他还活着(见 <https://www.youtube.com/watch?v=yt7we4voK28>)。

整指挥结构。总体而言，明显的组织结构灵活性看似有利于旅及以下级别部队，但对更高级别的指挥仍构成挑战。

(d) **哈德拉毛精锐部队和夏卜瓦精锐部队**

62. 哈德拉毛精锐部队和夏卜瓦精锐部队分别驻守哈德拉毛省和夏卜瓦省，得到两省的部落志愿军的支持。两支部队都获得驻穆卡拉的阿拉伯联合酋长国部队的密切支助。

63. 专家小组继续监测 Belhaf 地区的夏卜瓦精锐部队力量。专家小组了解到，过去，马里卜省和夏卜瓦省的军事领导人都可以通过为石油和天然气行业提供保护服务，订立收入可观的合同。⁶⁸

B. 武装团体

1. 胡塞部队

64. 胡塞武装领导层继续在以家族为主导的结构内掌控最高政治和军事权力，该结构是主要建立在忠诚基础上的一个信任圈，主要成员要么来自胡塞家族，要么属于家族姻亲。领导干部主要但非全部是哈希姆(赛义德)家族成员。过去，胡塞武装领导层寻求政治包容性，试图获得政治、宗教和社会各界的支持；但最近有迹象表明，胡塞领导层内部人员的多样性正在下降。

65. 专家小组认为，沙特当局 2017 年 11 月发布胡塞官员“头号通缉”名单的举动只造成一人死亡。继最高政治理事会主席 Al Samad 先生 2018 年 4 月被打死后，“联盟”停止了清除胡塞武装领导层主要人员的行动。⁶⁹ 专家小组注意到，胡塞武装领导层已不再公开露面，胡塞武装在 2018 年 6 月停止了针对利雅得的导弹发射。

66. 胡塞武装的军事结构分为四部分：(a) 一部分在塔伊兹作战；(b) 一部分守卫荷台达；(c) 一部分在沙特阿拉伯边境沿线作战；(d) 一支共用的武装力量负责导弹和无人驾驶飞行器。除了荷台达省的战斗编队可能可以视为正式军事单位以外，专家小组尚未收到任何有关正式军事单位存在的证据，并驳斥了胡塞武装声称的其有能力行使政府职能的说法。

67. 胡塞武装的招募工作主要由社区一级的 mushrefeen (主管) 开展，这些主管说服年轻人(一些人年仅 16 岁，但多数为 18 至 22 岁)加入胡塞部队。专家小组注意到，来自农村地区的新兵大多没有完成小学教育，多数人属于实用性文盲(见附件 10)。

⁶⁸ 军事指挥官将意识到，2000 至 2014 年期间负责保护哈德拉毛省和夏卜瓦省油田的军事指挥官收取的经济收益是如此可观。

⁶⁹ The New Arab, “通缉：沙特阿拉伯数百万重金悬赏缉拿胡塞武装领导人”，2017 年 11 月 6 日。可查阅：<https://www.alaraby.co.uk/english/news/2017/11/6/wanted-saudi-arabia-slaps-bounties-on-houthi-leaders>。

2. 阿拉伯半岛基地组织

68. 阿拉伯半岛基地组织⁷⁰ 仍然活跃于也门一些南方省份以及塔伊兹省，但专家小组认为，与前几年相比，2018 年该组织的能力有所下降。美国主导的对阿拉伯半岛基地组织武装分子的打击活动“在 2017 至 2018 年间大幅减少”。⁷¹ 在贝达省和夏卜瓦省，阿拉伯半岛基地组织仍然是以美国为首的部队的打击目标。⁷²

69. 南方各省的反恐行动仍在继续。在阿比洋省，安全地带部队于 2018 年 12 月 12 日在 Madiyah 县发动了“粉碎复仇行动”，⁷³ 而阿拉伯联合酋长国支持的夏卜瓦和哈德拉毛精锐部队分别在夏卜瓦省 Sa'id 县周围和哈德拉毛省西部开展行动。⁷⁴

70. 专家小组还观察到了一些趋势，从中可以窥见阿拉伯半岛基地组织的存续能力。⁷⁵ 尽管该组织的媒体产出有所放缓——与 2017 年相比，Al Medad 公报和

⁷⁰ 打击极端主义项目，“阿拉伯半岛基地组织”。可查阅：<https://www.counterextremism.com/threat/al-qaeda-arabian-peninsula-aqap>；Critical Threats，“阿拉伯半岛基地组织”。可查阅：<https://www.criticalthreats.org/organizations/al-qaeda-in-the-arabian-peninsula>。

⁷¹ Bureau of Investigative Journalism，“也门：据报美国 2018 年开展的秘密行动”。可查阅：<https://www.thebureauinvestigates.com/drone-war/data/yemen-reported-us-covert-actions-2018>；Peter Bergen 等，“美国的反恐战争。无人驾驶飞行器袭击：也门”，New America。可查阅：<https://www.newamerica.org/in-depth/americas-counterterrorism-wars/us-targeted-killing-program-yemen/>；Bill Rogio 和 Alexandra Gutowski，“也门的袭击有所减少，但是半岛基地组织仍然构成‘重大威胁’”，Threat Matrix，2018 年 11 月 7 日。可查阅：<https://www.longwarjournal.org/archives/2018/11/yemen-strikes.php>。

⁷² 一些阿拉伯半岛基地组织武装分子从贝达省一个胡塞武装控制的监狱越狱。专家小组继续调查该事件以及每一名涉事武装分子的身份(见 <https://7adramout.net/alyamanalarab/1821877/هجوم-بأبواب-الوضع-في-الأمني-للحزام-نقطة-على-القاعدة>)。关于领导层，见 <https://www.state.gov/r/prs/ps/2018/10/286750.htm>；Thomas Joscelyn，“美国悬赏收集 2 名半岛基地组织高级领导人的信息”，FDD's Long War Journal，2018 年 10 月 18 日。可查阅：<https://www.longwarjournal.org/archives/2018/10/us-offers-reward-for-information-on-2-senior-aqap-leaders.php>；Courtney Kube、Robert Windrem 和 William M. Arkin，“在特朗普领导下，美国对也门的空袭次数增加了六倍”，CBS News，2018 年 2 月 1 日。可查阅：<https://www.nbcnews.com/news/mideast/u-s-airstrikes-yemen-have-increased-sixfold-under-trump-n843886>。

⁷³ Maher Farrukh (@MaherFarrukh)，“反恐行动仍在也门进行。阿联酋支持的也门部队于 12 月 9 日开始了精心命名的“粉碎复仇行动”，以清除也门南部阿比洋省的半岛基地组织。目前，行动集中在穆迪亚的北部山谷和山区”，2018 年 12 月 12 日。可查阅：<https://twitter.com/MaherFarrukh/status/1072913281445175297>；另见：www.adengd.net/news/353716/。

⁷⁴ Emily Estelle、Miranda Morton 和 Tomás Padgett Perez，“亚丁湾安全评论”，Critical Threats，2018 年 4 月 11 日。可查阅：<https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-april-11-2018>；Miranda Morton 等，“亚丁湾安全评论”，Critical Threats，2018 年 4 月 30 日。可查阅：<https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-april-30-2018>。

⁷⁵ Elisabeth Kendall，“也门当代圣战好战分子。威胁是如何演变的？”，中东研究所，2018 年 7 月。政策文件 2018-7。可查阅：https://www.mei.edu/sites/default/files/publications/MEI%20Policy%20Paper_Kendall_7.pdf。

Al-Malahim 媒体的产出大幅减少⁷⁶——但其仍试图通过在线平台领导全球圣战运动，⁷⁷ 出版了有关也门冲突和全球圣战的刊物。

71. 2015 年年中，伊斯兰教法辅士组织在塔伊兹等地区重新出现，意外地成为也门政府⁷⁸ 和“联盟”打击胡塞武装的盟友，尽管该团体军事能力大幅下降且领导层仍不明确。⁷⁹ 伊斯兰教法辅士组织已经分裂为多个派别，这些派别仅与 Qasim al-Raymi 和 Kahled Batarfi 领导的阿拉伯半岛基地组织中央领导层保持松散联系。⁸⁰ 如今，每一个小团体，通常称为“旅”，都由一名年轻的地方领导人指挥。这些旅主要从事犯罪活动，例如敲诈和暗杀(通常受人所雇)。

72. 在阿比洋省等地区，在安全地带部队领导、阿拉伯联合酋长国支持的反恐行动中，好战分子被认定为“基地组织成员和领导人”，很少被直接认定为伊斯兰教法辅士组织成员，⁸¹ 这可能与南方安全官员的叙事重点有关，而不是与被羁押者或被击毙者的直属组织关系有关。阿拉伯半岛基地组织似乎是由完全不同的个体组成的网络，移动通信对这些人已经构成重大威胁。

3. 伊拉克和黎凡特伊斯兰国

73. 伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)也门分支机构的人数仍然比阿拉伯半岛基地组织的少得多，而且似乎没有能力在其位于贝达省 Qayfah 县和 Humaydah 县的基地以外开展大规模袭击。伊黎伊斯兰国最近一次声称负责的也门重大袭击事件是 2018 年 2 月发生在亚丁的袭击。⁸²

⁷⁶ 加注并按时间顺序排列的内容，可见 <https://jihadology.net/category/al-malahim-media>。

⁷⁷ 社交媒体公司近期作出的限制好战团体使用其平台的决定对好战分子的影响仍有待观察。见 Alon Ben-Meir (@alonbenmeir) “消息应用程序#Telegram 是圣战分子首选平台或必用平台，该平台宣布，仅 12 月 6 日就取消了 3 000 多个“恐怖分子”的账户”，2018 年 12 月 9 日。可查阅：<https://twitter.com/AlonBenMeir/status/1071885136424300549>；Scott Terban，“对极端暴力分子使用社交媒体技术情况的评估”，Real Clear Defense，2018 年 2 月 5 日。可查阅：https://www.realcleardefense.com/articles/2018/02/05/an_assessment_of_violent_extremist_use_of_social_media_technologies_113015.html。

⁷⁸ 哈迪总统 2012 年掌权后，在沙特阿拉伯的财政支持和美国的军事支持下，对阿比洋省的伊斯兰教法辅士组织发起军事行动。见 Katherine Zimmerman，“也门基地组织：对抗来自阿拉伯半岛的威胁”，Critical Threats，2012 年 10 月 19 日。可查阅：<https://www.criticalthreats.org/analysis/al-qaeda-in-yemen-countering-the-threat-from-the-arabian-peninsula>；《也门时报》，“也门反恐部队打击伊斯兰教法辅士组织”，2012 年 4 月 16 日。可查阅：<https://reliefweb.int/report/yemen/yemen's-counter-terrorism-unit-fight-ansar-al-sharia>。

⁷⁹ 消息来自专家小组与塔伊兹现任和前任政府官员以及塔伊兹市民的访谈。

⁸⁰ Joscelyn，“美国悬赏收集 2 名半岛基地组织高级领导人的信息”。可查阅：<https://www.longwarjournal.org/archives/2018/10/us-offers-reward-for-information-on-2-senior-aqap-leaders.php>。

⁸¹ 警告：以下链接指向的页面包含令人不适的图像内容：<https://almasdaronline.com/cache/blitz/www.almasdaronline.com/articles/158545/index.html>；<https://www.almashhad-alyemeni.com/123020>。

⁸² 见 <https://almasdaronline.com/cache/blitz/www.almasdaronline.com/articles/158545/index.html>；另见 <https://www.almashhad-alyemeni.com/123020>。

74. 专家小组注意到，在本报告所述期间，伊黎伊斯兰国没有像阿拉伯半岛基地组织那样吸引大量战斗人员加入，这可能有多个原因，包括 2017 年 10 月美国对贝达省两个训练营进行了攻击，该组织无法获得阿拉伯半岛基地组织的资金，该组织与阿拉伯半岛基地组织发生冲突，后者与该地区一些部落的往来历史要久远得多。⁸³

75. 伊黎伊斯兰国和阿拉伯半岛基地组织在新兵问题上的冲突升级。⁸⁴ 随着两个组织都继续发布妖魔化对方的视频和通讯，双方在这方面的竞争趋于全球化。这些相互攻击侧重针对穆斯林犯下的罪行以及在对方组织内部安插间谍的指控。⁸⁵ 与阿拉伯半岛基地组织的情况不同的是，没有明确证据表明伊黎伊斯兰国正试图重新包装自我或分裂成较小的派别。

四. 军火以及定向军火禁运的执行情况

76. 根据第 2216(2015)号决议第 14 至 17 段，专家小组继续着重开展一系列监测和调查活动，以确定是否有任何违反定向军火禁运的行为，包括向委员会和安全理事会列名的个人和实体或为这些个人和实体的利益直接或间接供应、出售或转让军火的行为。

77. 专家小组未获悉在也门东部主要补给线上有任何军火相关物资被收缴。专家小组正在监测其先前报告的武器和弹药运送供应链(S/2017/81，第 60 段和表 1)是否受到了近期向马哈拉省部署沙特部队的影响。8 月 28 日，美国海军在也门海岸附近的一艘小艇上缴获了一大批运送的武器。专家小组继续调查这些武器的交付对象。

78. 胡塞部队继续向也门战场以外地区辐射力量，为此使用了增程型短程弹道导弹，打击沙特阿拉伯境内目标，这一做法至少持续到 2018 年 6 月(见下文第 80 段)；还部署了反舰巡航导弹和水上简易爆炸装置，攻击红海上的军事和民用船只。2018 年 8 月以来观察到了一种新型远程无人驾驶飞行器，部署此类无人机成为新的趋势，可使胡塞部队能够攻击阿布扎比和迪拜等远距离目标。重要的是，这些新武器可同时用于军事目的和政治目的，可以成为和谈期间的筹码。

79. 虽然“联盟”部队拥有海空优势，且所有陆地边界至少在理论上都在也门政府所属部队的控制之下，但专家小组认为，胡塞部队展现出了创新和部署更为精

⁸³ 目前大多数反恐和反阿拉伯半岛基地组织的活动都把重点放在贝达省贝达镇，包括针对一个小部落和大家族发起行动。Dhahab 家族兴起时，阿拉伯半岛基地组织已经在阿比洋三角洲建立了据点。Dhahab 家族及其追随者短暂占领了 Rada' 镇，但很快就在一场看似部落纷争中被镇民推翻。自 2012 年以来，该家族长期遭到追杀，最近一次袭击发生在 2018 年 11 月中旬。

⁸⁴ Jason Burke, “基地组织开始从伊斯兰国及其附属机构招募人员”, 《卫报》, 2018 年 1 月 19 日。可查阅: <https://www.theguardian.com/world/2018/jan/19/al-qaida-recruit-from-islamic-state-affiliates-isis>。

⁸⁵ Jihadology, “阿拉伯半岛基地组织的新视频信息: ‘他们的罪行’”, 2018 年 12 月 5 日。可查阅: <https://jihadology.net/2018/12/05/new-video-message-from-al-qaidah-in-the-arabian-peninsula-of-their-crimes/>。

良的武器系统的能力。不过，根据专家小组掌握的证据，虽然 2015 年和 2016 年从国外向胡塞部队提供了完整或部分组装的武器系统，如增程型短程弹道导弹，但胡塞武装现在似乎日益依赖进口的高价值部件，这些部件随后被整合到当地组装的系统中，例如整合到增程型无人驾驶飞行器中。专家小组继续调查胡塞部队在这一过程中是否得到外国专家的协助。

A. 反舰艇巡航导弹

80. 关于专家小组 2018 年 7 月进行的有关袭击红海商船事件的个案研究，专家小组收到了进一步资料，正在相应更新其调查。专家小组认为，胡塞部队应对 4 月 3 日“Abqaiq”号遇袭事件和 5 月 10 日“Ince Inebolu”号遇袭事件负责。专家小组约谈了船员、船运公司代表和海军专家，并分析了从两艘船上回收的残片及雷达图像(见附件 11)。根据对现有数据的评估，专家小组得出结论，两艘船都是被从陆地发射的反舰艇导弹击中的。在悬挂土耳其国旗、向也门运送谷物的“Ince Inebolu”号遇袭事件中，原本的目标似乎很可能是悬挂沙特国旗的巨型油轮“Manifa”号，事件发生时，该船正从“Ince Inebolu”号船附近经过。两起事件险些造成重大生命损失。

81. 2017 年 11 月 7 日，胡塞武装在媒体上公布了 5 枚名为“Al-Mandab-1”的反舰艇导弹图像，其外部特征与中国生产的 C-801 和 C-802 型反舰艇导弹相似。⁸⁶ 专家小组检查了两艘遇袭船只的射弹残片，发现以下情况：(a) 特征与 C-802 相似的物项；(b) 表明序列号为 C-802 的标识；⁸⁷ (c) 来自法国制造的 TRI-60 Microturbo 牌发动机的物项(见图三)。为查明所使用导弹的确切类型，专家小组已致函中国、法国和也门政府。专家小组收到也门政府的复函，确认在实施定向军火禁运之前，C-802 型反舰艇导弹是该国武器库的一部分，这意味着这些导弹 2015 年落入了胡塞武装之手。不过，也门政府的确认信没有说明以前进口了哪个版本的 C-802 型系列导弹。专家小组收到的资料显示，“Abqaiq”号遇袭事件中发现的 Microturbo 牌发动机曾供应给西班牙巴塞罗那的 SODIS SA 公司，部件编号为 200-01-20，序列号为 122。专家小组致函西班牙，要求提供该发动机最后一名已知保管人的信息，现正在等待西班牙的答复，并等待法国提供补充信息。专家小组收到中国提供的信息称，没有向也门出口 C-802 型导弹。

82. 袭击发生时，两船分别距离陆地 88 公里和 123.8 公里。C-802 型系列导弹有多个版本，包括射程为 190 公里的陆地发射版本。这些导弹的使用表明胡塞部队有能力切实威胁红海的商业航行。专家小组认为，胡塞部队结合使用了目视观察(从陆地和在小艇上)和陆基移动雷达来捕获目标。

⁸⁶ 见 <https://www.youtube.com/watch?v=k4xiknMgDTY&feature=youtu.be>。

⁸⁷ 2018 年 12 月专家小组才获准接触该物项。

图三 反舰艇导弹残片

致动器前缘和后缘呈锥形，这是 C-802 的一个特点



折叠机翼的连接处



从“Ince Inebolu”号上收集到的残片，带有 C-802 的标识



TRI-60 Microturbo 牌发动机的压缩机



资料来源：专家小组。

B. 无人驾驶飞行器

83. 胡塞部队继续部署中小型无人驾驶飞行器，用于各种目的，包括进行侦查和用作巡飞弹，即所谓“自杀式或神风特工队式无人机”。还有包括录像片段在内的报道称胡塞武装的一个无人驾驶飞行器能够投放手榴弹大小的弹药，但到目前为止，专家小组还无法独立核实这些说法。胡塞武装武器库中最常见的无人驾驶飞行器类型包括：Qasef-1 型，其特点与伊朗制 Ababil-2/T 巡飞弹相似，至少自 2016 年起就在也门使用(S/2018/594, 第 98 至 101 段和附件 38)；体型较小的 Rased 型无人驾驶侦察机，在中国制造的天行者 8-X 的基础上制造(同上，附件 39)；Hudhud-1 型无人驾驶侦察机，可能是在也门研制的。这些无人驾驶飞行器继续在也门被大量使用，这意味着胡塞部队仍可以从国外获得组装和部署无人驾驶飞行器所必需的关键部件，如发动机、制导系统等。专家小组继续调查从坠毁或缴获的胡塞武装无人驾驶飞行器中回收的部件的保管链，以更好地了解供应网络(见附件 12)。

图四
基于民用天行者 8-X 制造的 Rased 型无人驾驶侦察机



资料来源：专家小组。

图五
基于 Ababil-2/T 制造的巡飞弹 Qasef-1



资料来源：专家小组。

说明：无人驾驶飞行器以阿拉伯联合酋长国在亚丁的营地为目标，其飞行范围为 100 至 150 公里，弹头为 5 公斤炸药，混合了滚珠轴承。

图六
Hudhud-1 型无人驾驶侦察机，可能是在也门研制的



资料来源：专家小组。

说明：Hudhud-1 的侦查范围为 30 公里。

84. 在 2018 年年中以前，胡塞部队使用巡飞弹攻击近距离战场以外目标的能力受到 Qasef-1 有限飞行范围的制约，Qasef-1 的最大飞行范围为 150 公里，无法打击也门以外以及沙特阿拉伯南部边境地区。2018 年 9 月，专家小组检查了一种新型无人驾驶飞行器，本报告称之为 X 型无人机，其特点是拥有独特的 V 形尾翼和动力更强的发动机(见附件 12)，这可能就是胡塞武装所属媒体所称的 Samad-2/3 型无人驾驶飞行器。自此，专家小组已经检查了 5 架此型无人驾驶飞行器，它们用于侦察或攻击。在后一种情况下，飞行器搭载由 18 公斤爆炸物和滚珠轴承混合而成的弹头，其致死率将超过 Qasef-1 型。

85. X 型无人机的最大特点是续航时间和飞行范围大幅提高。在中国制 DLE170 型或德国制 3W110i B2 型发动机的驱动下，其最高时速可以达到 200 公里至 250 公里每小时；根据风况不同，该无人驾驶飞行器的最大活动范围可能在 1 200 公里至 1 500 公里之间。这使得胡塞武装声称的有能力打击利雅得、阿布扎比和迪拜等目标的言论有了可信度。专家小组收到的资料表明，一架 X 型无人机在燃料耗尽后在距离利雅得 30 公里以内的地方坠毁，但沙特阿拉伯公开否认发生过该袭击事件。

86. 专家小组认为，针对民用目标投放巡飞弹，例如已经证实的 4 月 11 日和 5 月 26 日 Qasef-1 型无人驾驶飞行器袭击沙特阿拉伯 Abha 民用机场以及 2018 年

下半年未经证实的巡飞弹袭击阿布扎比和迪拜的民用机场事件，可构成违反国际人道主义法。⁸⁸

图七

专家小组在沙特阿拉伯检查的 X 型无人机



资料来源：专家小组。

87. 尽管专家小组一再向沙特阿拉伯和阿拉伯联合酋长国提出请求，但未获准检查 X 型无人机的制导系统，而这一检查有助于发现供应网络的相关线索以及可能违反定向军火禁运的迹象。不过，专家小组正在调查在阿布扎比检查的两台 3W110iB2 型发动机的保管链，两台发动机的序列号分别为 1561517B 和 1561528B，由德国哈瑙的 3W-Modellmotoren Weinhold GmbH 公司制造。专家小组获得的文件显示，这两台发动机是 2015 年 6 月出口给雅典 Eurowings Aviation and Consultancy 公司的 21 台此型号发动机中的两台。专家小组认为这一出口没有违反针对也门的定向军火禁运。

C. 导弹和火箭炮

1. 弹道导弹

88. 胡塞武装在 2018 年整个上半年继续对沙特阿拉伯的目标实施弹道导弹攻击。1 月 5 日至 6 月 24 日期间，经证实至少发射了 11 次增程型短程弹道导弹(见表 1)，而在 2017 年只有 4 次经证实的发射。然而，2018 年下半年没有发射。这段时间内荷台达周围紧张局势加剧，攻击却没有继续，原因不明。有可能是胡塞

⁸⁸ 见共同第 3 条；《1949 年 8 月 12 日日内瓦四公约第二议定书》第 4 条；红十字委员会习惯国际人道主义法数据库，规则第 1、14 和 15 条。

武装耗尽了自身有限的弹道导弹供应，或者“联盟”成功摧毁了导弹组装设施和(或)发射基础设施。

表 1
2018 年已报告的增程型短程弹道导弹发射⁸⁹

| 日期 | 事件 | 导弹数目 | 说明 |
|----------|-------------|------|-----------------------------|
| 1 月 5 日 | 推测朝利雅得发射了导弹 | 1 | 弹着点在也门边境以北 100 公里处 |
| 1 月 30 日 | 推测朝利雅得发射了导弹 | 1 | 弹着点在利雅得西南 300 公里处 |
| 3 月 25 日 | 朝利雅得发射导弹 | 3 | 也门冲突爆发三周年，胡塞武装报告当天发射了 7 枚导弹 |
| 4 月 11 日 | 朝利雅得发射导弹 | 1 | 被防空系统拦截 |
| 5 月 9 日 | 朝利雅得发射导弹 | 2 | 被防空系统拦截 |
| 6 月 5 日 | 朝延布发射导弹 | 1 | 被防空系统拦截 |
| 6 月 24 日 | 朝利雅得发射导弹 | 2 | 被防空系统拦截 |

资料来源：专家小组，据媒体报道。

89. 专家小组在 2018 年 6 月和 9 月访问沙特阿拉伯期间检查了大约 10 枚被胡塞武装所属媒体称为 Borkhan-2H 型的增程型短程弹道导弹的碎片。检查结果表明，2017 年发射的导弹与 2018 年上半年针对沙特阿拉伯发射的导弹没有显著区别。为了查明是否有违反定向军火禁运的行为，专家小组继续调查构成导弹惯性导航系统的多个电子部件的保管链，特别是由日本生产的一些 ZUS25 2405 型和 ZUW25 2415 型动力转换器(见附件 13)。

2. 火箭弹

90. 胡塞部队继续针对位于也门境内和沙特阿拉伯南部边境地区的目标大量部署 Badr-1 型“导弹”。虽然胡塞武装所属媒体继续称 Badr-1 型为“短程弹道导弹”，但专家小组检查了落在吉赞和利雅得的数十枚 Badr-1 型火箭的残骸后发现，这种武器(至少其基本版)是一款无制导固体燃料火箭弹，利用很可能是购自石油工业的钢管在当地制造而成。至少自 2018 年 3 月起便开始在也门使用各种发射器发射 Badr-1。然而，胡塞武装 10 月份在媒体展示了其称为“Badr-1P 型”的改良版本，它的特点是在弹头后面加装了制导鳍翼。⁹⁰ 在展示中，胡塞武装声称改良版的射程为 130 公里，精准度为 3 米，这与 Badr-1 型基本版相比有很大改进。专家小组迄今未能检查来自 Badr-1P 型导弹的任何碎片。

⁸⁹ 见 S/2018/266、S/2018/337、S/2018/448 和 S/2018/636 以及“联盟”发言人的声明，引自 Al Arabiya，“沙特防空部队摧毁了胡塞武装针对延布发射的弹道导弹”，2018 年 6 月 5 日。可查阅：<https://english.alarabiya.net/en/News/gulf/2018/06/05/Saudi-air-defenceforces-destroy-Houthi-ballistic-missile-targeting-Yanbu.html>。

⁹⁰ 塔斯尼姆通讯社，“也门军队展示全新‘Badr-P-1’型弹道导弹”，2018 年 10 月 28 日，可查阅：www.tasnimnews.com/en/news/2018/10/28/1863829/yemeni-army-unveils-new-badr-p-1-ballistic-missile-video。

图八

胡塞武装所属媒体展示加装了制导鳍翼的 Badr-1 型导弹



资料来源：塔斯尼姆通讯社(Tasnim News Agency)，“也门军队展示全新‘Badr-P-1’型弹道导弹”，2018年10月28日。

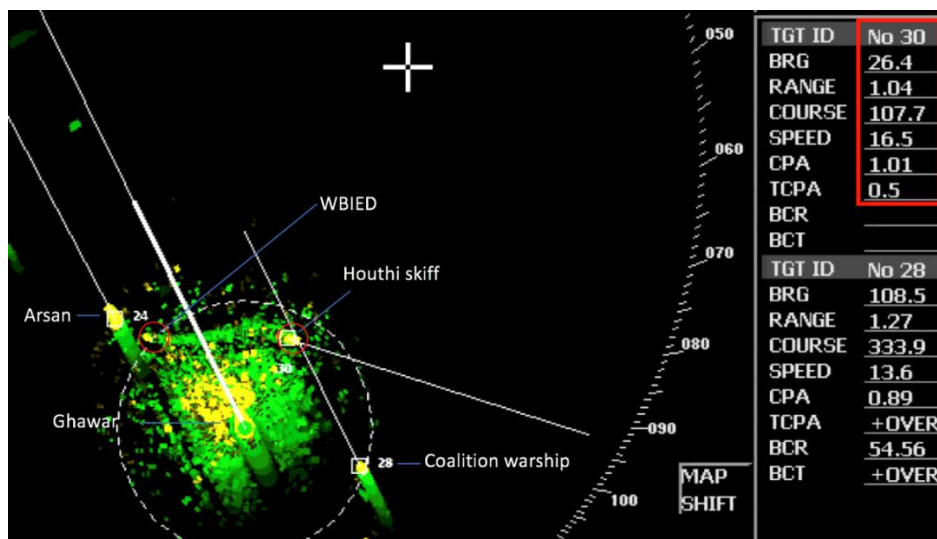
91. 专家小组继续调查“联盟”2017年2月在马里卜缴获的工业混合设备的用途(见 S/2018/594，第 92 至 96 段)。专家小组已确定，这两个储存容器中至少有一个装有煤油混合物，其化学特性与用作飞毛腿-B 型导弹推进剂的液体导弹燃料 TM-185 相一致。高压灭菌器的其中一个阀门有红棕色残留物，提示可能存在浓硝酸。这可能意味着该设备曾用于生产胡塞武装弹道导弹计划所需的氧化剂(见附件 14)。

D. 水上简易爆炸装置

92. 胡塞部队针对在红海作业的民用和军用船只增加部署了水上简易爆炸装置。2017 年记录了两次袭击且均只针对军事目标；相比之下，2018 年已证实使用或怀疑使用水上简易爆炸装置的事件至少有 5 起，其中包括 1 月 6 日针对悬挂沙特国旗的“Niban”号的未遂袭击，事件中有一枚疑似水上简易爆炸装置被“联盟”部队一艘军舰击沉；还包括 7 月 24 日针对悬挂沙特国旗的“Arsan”号的袭击，该船因此遭到严重损毁。专家小组约谈了船员、航运公司代表和海军专家，并分析了从“Arsan”号上回收的碎片以及雷达影像(见附件 15)。根据专家小组所见的雷达影像，尽管仍有疑问，⁹¹ 但最有可能的情形是由跟随一旁的胡塞武装小艇遥控水上简易爆炸装置开展袭击(见图九)。针对“Niban”号的袭击采用了类似作案手法。

⁹¹ 这些疑问涉及爆点在吃水线以上的高度(超出吃水线 1.5 米以上)以及向专家小组展示的碎片中的一项异物。

图九
显示袭击瞬间的雷达影像



资料来源：保密。

93. 9月30日，胡塞武装利用两枚水上简易爆炸装置对沙特阿拉伯吉赞港发动袭击，造成一艘沙特军舰严重损毁。这次袭击显示胡塞武装仍有能力在相当远的距离外使用配备了无线电控制计算机制导系统的水上简易爆炸装置实施袭击，对红海上的民用和军用船只构成威胁。不应低估这些威胁造成的经济影响。7月份“Arsan”号事件发生后，沙特阿拉伯的国营航运公司 Bahri 公司暂停了若干天驶经曼德海峡的航运活动，如果停航持续更长一段时间，将产生巨大成本。

94. 12月，专家小组得以在沙特阿拉伯检查一枚胡塞武装所属水上简易爆炸装置，该装置于9月时在红海无人岛 Fasht(北纬 16°11'54.0"，东经 42°22'18.0")被缴获。⁹² 与 2017 年记录的由“Shark-33”十米巡逻艇搭载的水上简易爆炸装置相比，这一装置要小得多，长度为 580 厘米，宽度约为 230 厘米。尽管专家小组一再向沙特阿拉伯发出请求，但仍未能检查其制导系统。不过，专家小组正在调查该装置各部件的保管链，这些部件包括由日本制造商雅马哈公司生产的发动机和由美国公司 SeaStar Solutions 制造的伺服电机(见附件 15)。

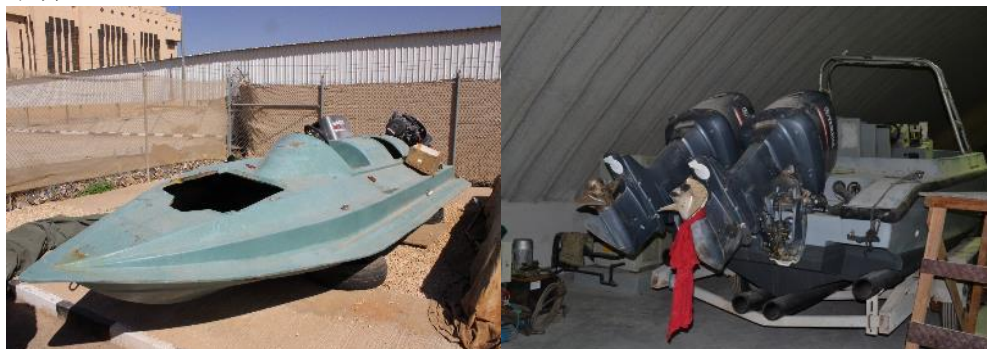
⁹² 见 <https://sahafahnet.net/news5870629.html>。

图十

2018年6月专家小组在利雅得和阿布扎比检查的水上简易爆炸装置

不明

Shark-33



资料来源：专家小组。

E. 突击步枪非法贸易

95. 专家小组调查了在亚丁湾一艘小艇上缴获的一批突击步枪。8月27日，“Jason Dunham”号部署的一架直升机观察到在索马里海岸以北约110公里处，有可疑包裹从一艘道船（“Al Shibouti”号）被转移至一艘小艇（“Ibrahim Dhibayn”号）（见附件16，地图）。随后，这艘小艇驶向也门，于8月28日在离也门海岸约22公里、靠近Irqah镇处被拦截。“Jason Dunham”号有一批人登上小艇，缴获了2522件武器。由于小艇已经不适合航行，有数量不详的更多步枪（可能有几百支）无法找回。结合这艘小艇的方位、大小以及在被拦截时严重超载、不断渗水的事实，这批武器似乎很可能是打算运往也门的。

图十一

专家小组登上“Jason Dunham”号船检查缴获的突击步枪



资料来源：专家小组。

96. 专家小组在 10 月份检查了缴获的武器，确定这些武器的特点与中国生产的 56-1 式突击步枪相符。这些步枪射程为 800 米，其特征是有向下折叠的钢制枪托（见附件 16 中的图片）。据报告，这些武器在缴获时处于全新的出厂状态，印有“26 厂”的生产印章以及“17-CN”和“18-CN”字样。专家小组认为，这些标记显示生产日期分别为 2017 年和 2018 年。专家小组还注意到，所有记录到的序列号都在 63000005 至 63090647 之间，这似乎表明它们来自同一生产批次。

97. 尽管专家小组一再向美国发出请求，但目前尚未收到已移交也门海岸警卫队的小艇船员的姓名和面谈记录，专家小组也尚未收到在小艇上缴获的移动电话和卫星电话的号码，这些号码也许可让专家小组确定在也门的武器预定接收方。这些武器可能本打算运往胡塞部队，如果是这样，就违反了定向军火禁运；也可能是运往阿拉伯半岛基地组织或伊黎伊斯兰国等非国家武装团体，这将对也门的和平与安全构成威胁。

五. 经济背景和财务概况

98. 专家小组按照其任务规定，继续调查依照第 2140(2014)和 2216(2015)号决议指认的个人及其网络继续违反制裁措施开展活动的经济背景情况。

A. 胡塞武装获得的收入来源

1. 胡塞武装控制国家资源和收入

99. 如专家小组上次报告(S/2018/594, 第 127 段)所述，由于定期从企业和电信公司收费并征收烟草和各种许可费，胡塞武装可能至少控制着 4 070 亿里亚尔。

100. 胡塞武装继续在受其控制的荷台达和萨利夫港征收关税。他们还继续在穿越扎马尔的主要公路上再次征收关税，几乎所有进口货物自不受胡塞武装控制的陆路过境点和港口抵达也门后，都要经过这条公路。

2. 胡塞武装从燃料进口中收缴的收入

101. 专家小组利用从燃料进口所收取费用的估计数来说明胡塞武装从荷台达港收缴的费用。专家小组掌握的数据显示，2016 年 9 月至 2018 年 10 月期间，从红海各港口进口的燃料超过 473 万公吨，平均每月进口量为 169 019 公吨。

102. 专家小组提供的数据有助于说明港口对胡塞武装的重要性。专家小组的评估依据是 Kamaran 投资公司与 Extra Petroleum 公司之间一份泄露给媒体的合同所提供的信息。合同文件显示，胡塞武装从每一升进口燃料中收取 48.19 里亚尔（见表 2）。根据燃料每月进口的平均数，胡塞武装收缴了 109.95 亿里亚尔（2 440 万美元），其中 11.4 亿里亚尔（250 万美元）用于支持战争活动（见附件 17）。

表 2
胡塞武装在荷台达一项燃料进口交易中收缴的收入

| 说明 | 共计(里亚尔) | 里亚尔/升 | 项目 | |
|---------------------------------|--------------------|--------------------|-----------------------|---|
| ملاحظات | إجمالي / ريال | المبلغ / ريال يمني | البيان | |
| مقابل البيان الجمركي + سند رسمي | 348,080,400 | 31.19 | Custom expenses | أجور جمارك بالنتر الواحد |
| مقابل سند رسمي | 108,000,000 | 10 | YPC expense | عمولة شركة النفط اليمنية |
| مقابل سند إيداع رسمي | 54,000,000 | 5 | War effort expense | مجهود حربي |
| مقابل البيان التفصيلي المرفق | 21,600,000 | 2 | Miscellaneous expense | لأجور متفرقة |
| | 531,680,400 | 48.19 | | الي مقابل اللتر الواحد (٨,٠٠٠ * ١,٣٥٠ = ١٠,٨٠٠,٠٠٠ لتر) |

资料来源: Kamaran 投资公司通过 Extra Petroleum 公司进口燃油的合同, 日期为 2016 年 6 月 19 日(专家小组档案)。

3. 潜在外部融资

(a) 通过燃料进口融资

103. 安全理事会在第 2140(2014)号决议第 11 段中决定, 会员国应确保本国国民或本国境内任何个人或实体均不向委员会指认的个人或实体或以这些个人或实体为受益方, 提供任何资金、金融资产或经济资源。专家小组因此调查了出口至也门的燃料产品的捐赠情况, 这种捐赠可能构成向被列名个人提供潜在资金援助, 因为这些燃料在胡塞武装控制地区的黑市销售后所得收益据称由代表这些人行事的中间人收回。

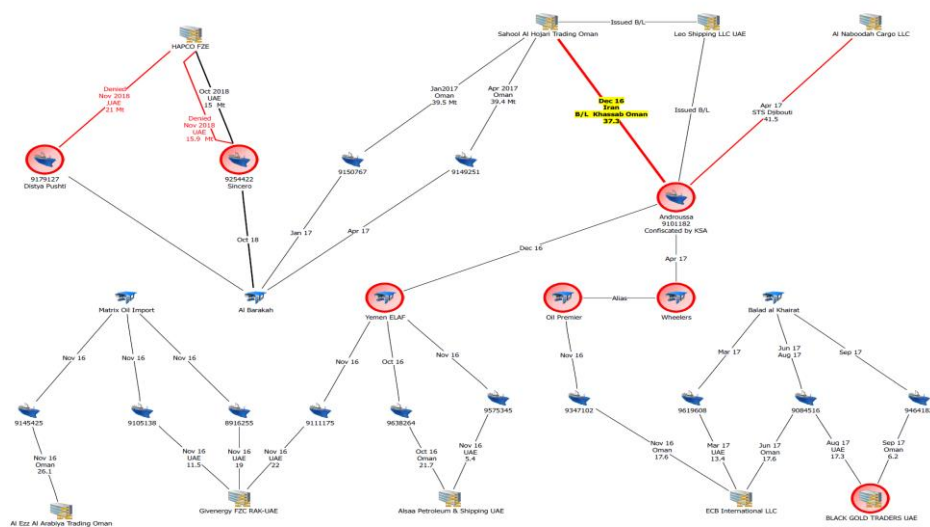
104. 在 2015 年之前, 除也门石油公司(Yemen Petroleum Company)之外只有少数几家公司持有燃料进口许可证。然而, 胡塞武装在 2015 年权力渐长后, 向多家公司发放了进口许可证。据贸易商所言, 每个许可证包括手续费在内要缴纳相当于 800 美元的费用。从 2016 年 9 月⁹³ 至 2018 年 10 月, 有 52 家公司担当了燃料进口收货方(见附件 18)。

105. 专家小组注意到, 一名萨那记者 Mohamed Abdo al-Absi 于 2016 年 12 月 20 日疑似被谋杀, 这名记者当时正在调查胡塞武装领导人为资助冲突而参与燃料进口的情况。联合国教育、科学及文化组织(教科文组织)总干事在根据教科文组织第 29(1997)号决议发表的声明中敦促对 Al-Absi 先生死亡一事开展彻底、

⁹³ 也门政府于 2016 年 5 月 5 日宣布实施联合国核查和视察机制(见 <https://vimye.org/doc/GoY%20Announcement%20of%20UNVIM%20Launch.pdf>)。专家小组分析了该机制自 2016 年 9 月起记录的数据。

独立的调查。⁹⁴ 专家小组注意到，据几家媒体报道，Al-Absi 先生提到过参与此类活动的三家公司：Mohammed Abdul Salam Salah Fletah(胡塞武装官方发言人兼胡塞武装 Masirah 电视频道董事会主席)⁹⁵ 拥有的也门人寿公司(Yemen Life)；Daghsan Mohamed Daghsan 拥有的 Oil Premier 公司；Ali Qarsha 拥有的黑金公司(Black Gold)。⁹⁶ 专家小组随后确定了三家名称相仿的公司，即 Yemen Elaf 公司、Oil Premier 公司(注意转写变化)和 Black Gold 公司，以及另外两家公司，即 Wheelers 公司(作为 Oil Premier 的幌子公司)和 Balad al Khairat 公司(作为 Black Gold 公司的收货方)。与这些公司相关的网络见图十二。

图十二
与胡塞武装有关联的燃料进口商网络



资料来源：专家小组。

106. 专家小组发现，Oil Premier 公司和 Wheelers 公司(见图十三的贸易许可证)与 Daghsan 先生有关联，根据附件 19 所载资料，这两家公司是与胡塞武装有关联的同一家企业的幌子公司。

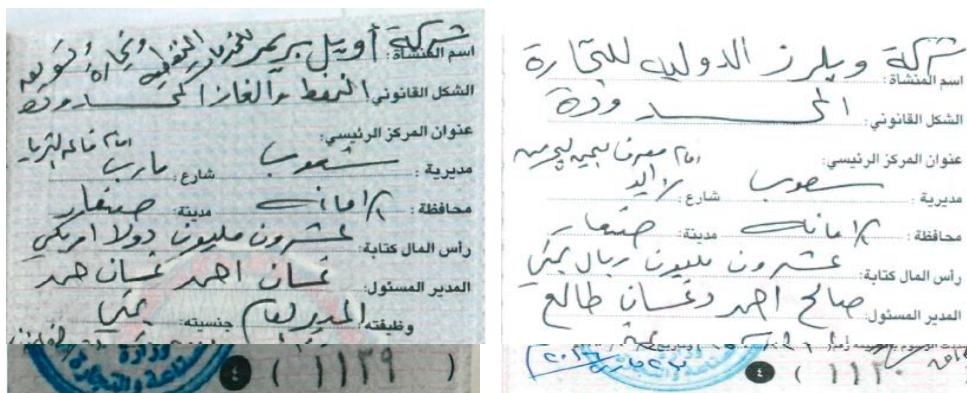
⁹⁴ 教科文组织，“总干事呼吁调查也门记者 Mohammed al-Absi 之死”，2017 年 2 月 10 日。可查阅：<https://en.unesco.org/news/director-general-calls-investigation-death-journalist-mohammed-absi-yemen>；无锁链女记者组织，“法医报告显示，记者 Mohammed al-Absi 死于中毒”，2017 年 2 月 5 日。可查阅：<https://womenpress.org/en/womenpress-news/journalist-mohammed-al-absi-dies-of-poisoning-forensic-medicine-report-reveals.html>。

⁹⁵ 见 www.almasirah.net 和 www.ansarollah.com/archives/205772。

⁹⁶ 见 <https://www.freedom-ye.com/news56383.html>。

图十三

注意到的 Oil Premier 公司和 Wheelers 公司贸易许可证不一致之处



资料来源：保密。

说明：左图：Oil Premier 公司的贸易许可证，日期为 2015 年 10 月 12 日，编号为 1139，代表人是 Ghassan Ahmed Ghassan Hamad；右图：Wheelers 公司的贸易许可证，日期为 2016 年 3 月 22 日，编号为 1120，代表人是 Saleh Ahmed Daghshan Tale'a。

107. 专家小组在上次报告(S/2018/594)第 150 段和附件 55 中报告了沙特阿拉伯于 2017 年 4 月 4 日没收“Androussa”号油轮的案件。该油轮在前往也门拉斯伊萨途中被沙特阿拉伯当局拦截检查并随后没收。专家小组发现，这批计划由 Daghshan 先生接收的燃料很可能是来自第三方的一笔捐赠，并由 Swaidan 公司充当经纪(该案最新情况见附件 20)。专家小组在继续调查此案的同时还发现，沙特阿拉伯可能是根据该油轮上一次航行的情况而下令予以没收。专家小组从油轮的文件中注意到，该油轮于 2016 年 12 月 11 日至 14 日从伊朗伊斯兰共和国 Bandar Abbas 港装载燃料，并于 2017 年 1 月 7 日至 27 日在也门拉斯伊萨卸下燃料。专家小组还获得了阿拉伯联合酋长国 Leo 航运有限责任公司(Leo Shipping LLC)签发的提单副本，提单谎称该船于 2016 年 12 月 14 日在阿曼 Khasab 装船，并指定 Yemen Elaf 为收货方。专家小组还发现，Leo 航运公司签发了其他貌似谎称燃料从阿曼港口装载的提单(见表 3 和附件 21)。专家小组就这些发现向 Leo 航运公司发出信函，仍在等候答复。

表 3

谎称油轮在阿曼装船的提单

| 油轮 | 托运人 | 开具日期 | 收货人 | 调查结果 |
|-------------|----------------------------------|---------------------|------------|---|
| PVT Eagle 号 | Al Ezz Al Arabiya | 2016 年 11 月 8 日 | Matrix Oil | 写明在阿曼 Khasab 装船，但(船舶)自动识别系统于 2016 年 11 月 7 日在伊朗伊斯兰共和国 Abadan 附近被关闭 |
| Androussa 号 | Sahool al Hojari Trading (阿曼) | 2016 年 12 月 14 日 | Yemen Elaf | 写明在阿曼 Khasab 装船，但燃料由伊朗国家石油公司(the National Iranian Oil Company)于 2016 年 12 |

| 油轮 | 托运人 | 开具日期 | 收货人 | 调查结果 |
|-------------|-------------------------------|-----------------|-----------|--|
| | | | | 月 13 日在 Bandar Abbas 发运; 船只被沙特阿拉伯没收 |
| Nautilus 号 | Sahool al Hojari Trading (阿曼) | 2017 年 1 月 10 日 | Albarakah | 写明在阿曼 Khasab 装船, 但(船舶)自动识别系统显示 2017 年 1 月 8 日该船在伊朗伊斯兰共和国 Busher 附近 |
| Safe Sino 号 | Sahool al Hojari Trading (阿曼) | 2017 年 3 月 27 日 | Albarakah | 写明船只在阿曼 Khasab 装船, 但(船舶)自动识别系统显示 2017 年 3 月 15 日该船在 Busher 附近 |

资料来源: 专家小组, 所依据的是机密来源信息和(船舶)自动识别系统追踪信息。

(b) 通过外国个人和实体融资

108. 专家小组追查了向胡塞武装提供无人驾驶飞行器和一台火箭燃料混合机的情况, 发现来自伊朗的个人和实体为这些交易提供了资金(详情见表 4 和附件 22)。

表 4

为在也门发现的军备物项提供资金的被追查个人和实体

| 出资人或实体 | 在伊朗伊斯兰共和国的最后保管人 |
|--|--|
| 1 来自挪威 Bekkestua 的 M.G. ⁹⁷ | 2014 年 8 月 29 日将后来在也门发现的火箭燃料混合机设备发运至: Noran Sanat Daryaye Chalous Company No.257 South Lalehzar Street 11447 Tehran |
| 2 Succor General Trading ⁹⁸ No 206 North Iranshahr Avenue, 1584636634, Tehran, Islamic Republic of Iran 使用阿拉伯联合酋长国 Emirates Islamic Bank 账户, 账号为 xxxxxxxx6102 | 自 2015 年起将用于后来在也门发现的 Qasef 无人驾驶飞行器的设备运至: Eastern Suite, 1st Floor, No.1 Espinas Building, Mirzababaei Blvd Pounak Square, Tehran |

B. 与政府有关联的地方当局可动用收入

109. 专家小组继续调查也门政府控制之外的地方部队如何收取收入。位于亚丁的也门中央银行行长告知专家小组, 也门中央银行马里卜分行继续在国家政府控制之外开展业务。⁹⁹ 11 月份对马里卜的访问被取消后, 专家小组与该省省长 Sultan Aradah 举行了一次远程会议, 省长告知专家小组, 也门中央银行马里卜分

⁹⁷ 专家小组致函伊朗伊斯兰共和国, 告知此人的识别信息并要求提供资料, 但伊朗伊斯兰共和国否认与之有任何联系。

⁹⁸ 专家小组致函伊朗伊斯兰共和国和阿拉伯联合酋长国, 告知涉及该公司的证据; 伊朗伊斯兰共和国否认该公司有参与, 阿拉伯联合酋长国尚未答复。

⁹⁹ 专家小组于 2018 年 9 月在利雅得与也门中央银行行长 Mohammed Zeman 会晤。

行在行政上与也门中央银行亚丁分行有关联，但也门中央银行作为也门全国性银行运作的条件和保障尚未实现。¹⁰⁰ 省长指出，马里卜分行以 2014 年预算为基准提供多项公共服务，并为也门中央政府控制下的邻近省份的内政部安全部队发放工资和口粮，还向负责为胡塞武装控制地区内的石油设施提供安保的警卫发放薪金(见附件 23)。¹⁰¹ 省长还否认为隶属国防部的国民军提供任何支持。虽然省长否认有原油被大量盗窃或走私用于出口，但专家小组继续调查此类指控以及对国家资源控制造成的潜在影响。

C. 腐败问题

110. 专家小组调查了针对也门冲突各方的腐败指控。《联合国反腐败公约》确认了腐败对社会稳定和安全造成的严重问题和威胁，也门于 2005 年 11 月 7 日批准了该公约。

1. 胡塞武装控制地区的腐败问题

111. 在胡塞武装建议以现金取代人道主义实物物资分发后，¹⁰² 专家小组调查了胡塞武装是否打算建立这两种机制，以便将人道主义援助转用于支持战争。¹⁰³ 有人道主义行为体提出，资金可能被转用于为被列名个人谋利，从而带来不遵守制裁措施的风险。专家小组与相关人道主义行为体进行了互动。据专家小组了解，通过人道主义行为体流向胡塞武装控制地区的现金流动有以下三条主要渠道：

(a) 劳动密集型工程和社区服务：国际开发协会通过特别危机应对窗口由紧急危机应对项目额外筹资提供 2.5 亿美元；¹⁰⁴

(b) 紧急现金转移：在本报告所述期间，国际开发协会通过危机应对窗口提供 2 亿美元，这是紧急危机应对项目的第二次额外筹资，资助对象是也门 22 个省内社会福利基金覆盖的 150 万个家庭；¹⁰⁵

¹⁰⁰ 专家小组与马里卜省省长举行的远程会议，2018 年 11 月 26 日。

¹⁰¹ Sultan Aradah 还说，虽然以 2014 年预算为基线，但他听从哈迪总统的指示。省长办公室向专家小组出示了会计文件，显示 2018 年 1 月至 11 月石油和液化石油气的收入总额为 839.1 亿里亚尔(1.864 亿美元)，支出为 847.8 亿里亚尔(1.884 亿美元)。

¹⁰² 2018 年 10 月 1 日穆罕默德·阿里·胡塞给联合国的信(见附件 24)。

¹⁰³ Maggie Michael, “联合国暂停对 900 万也门人的重要现金援助”，2018 年 10 月 3 日，美联社。可查阅：www.apnews.com/ad579b337fe84023af1716d4e406cf03/UN-suspends-crucial-cash-aid-to-9-million-Yemenis。专家小组注意到文章里面提到联合国儿童基金会(儿基会)迫于胡塞武装的压力暂停向也门进行现金转移。文章称，儿基会无法建立从受益人处直接得到反馈的呼叫中心，因而作出了这一决定。儿基会的这个项目管理着约 3 000 万美元的款项，每季度发放；这一方案很可能得到执行。根据 PAD2402 号报告的附件 3(脚注 117)，每月向每个家庭转移平均数额为 5 000 里亚尔的援助金(相当于 20 美元，按 1 美元兑换 250.05 里亚尔计算)，但是，以也门里亚尔计算的数额将保持不变这一规划假设可能无法成立。

¹⁰⁴ 联合国开发计划署项目编号：P161806，由世界银行于 2017 年 1 月 17 日批准。

¹⁰⁵ 儿基会项目编号：P163729，由世界银行于 2017 年 5 月 19 日批准，由国际开发协会提供总额相当于 2 亿美元的赠款；项目详情载于世界银行报告，可查阅：<http://documents.worldbank.org/curated/en/682921495418453668/pdf/RY-ECRP-AF2-Project-Paper-5-8-17-05122017.pdf>。

(c) 现金转移,用于支付人道主义行动以及从也门当地供应商购买小麦粉等人道主义物资。

112. 专家小组已确认,人道主义行为体的现金转移工作是通过也门银行及其相应代理行进行的,但不受也门中央银行监督,而其他汇款,如也门侨民汇款,则通过没有任何官方监督的货币兑换公司转移。这种硬通货的流通被用于支付也门所需货物的进口。¹⁰⁶

2. 各方的腐败阻碍了商业货物进口

113. 2018年,也门政府和沙特阿拉伯政府曾几次指责胡塞武装阻挠油轮¹⁰⁷进入,意图利用这些油轮作为抵御海上入侵的屏障,或用作敲诈为避免产生滞期费而愿意支付高额佣金的贸易商的一种手段,或作为人为制造燃料短缺的手段,迫使国内燃料价格上涨,从而有利于胡塞控制地区的黑市,据称该黑市由围绕穆罕穆德·阿里·胡塞建立的一个卡特尔控制。穆罕穆德·阿里·胡塞则在他的社交媒体帖子中提到了“联盟”拖延或阻挠油轮进入的几起案件。¹⁰⁸

114. 专家小组追查了已获得联合国核查和视察机制核批的4艘油轮。由于也门颁布了关于进口的第75号令,“联盟”随后拒绝放行“Sincero”号和“Distya Pushti”号,而“Biendong Melody”号和“Carpe Diem II”号则被胡塞武装拖延放行。

115. 专家小组查明了因“联盟”要求改道沙特港口而造成的其他延误,其中包括“Ince Atlantic”号和“Faisal M”号改道接受检查,“Ince Inebolu”号被胡塞武装袭击后改道维修。“Crystal Sambu”号改道接受检查,疑似已在一次类似于“Androussa”号经历的事件中被沙特阿拉伯扣押。专家小组已查明,在2018年,“联盟”拖延杂货船的天数共计877天,而胡塞武装在荷台达锚泊区拖延船只共计293天(见附件26)。拖延造成的滞期费分别为2631万美元和879万美元。

3. 倾向于通过信用证为进口提供融资

116. 专家小组调查了也门中央银行2018年6月21日根据第75号令建立的进口机制带来的影响。这一财务机制采取了在开具美元信用证之前为签发跟单信用证要求预先付款的做法。信用证适用于希望进口小麦、大米、糖、牛奶和食用油等特定基本商品的贸易商。¹⁰⁹

¹⁰⁶ 专家小组根据联合国核查和视察机制的统计数字估计,胡塞武装控制地区每月需要1.63亿美元的硬通货来支付通过红海港口进口燃料和基本商品的费用,还需要额外数额来支付运费、保险和金融交易费。附件25载有对进出也门的现金流所作的分析。

¹⁰⁷ 最新的是“Biendong Melody”号和“carpe diem II”号油轮。

¹⁰⁸ 穆罕穆德·阿里·胡塞最近在2018年11月3日发布的推特帖子涉及“Distya Pushti”号和“Sincero”号(见https://twitter.com/Moh_Alhouthi/status/1058809356156915712?s=19)。

¹⁰⁹ 根据2018年9月3日第75号令,也门中央银行将以硬通货承兑所有用于进口基本商品的已开具信用证。

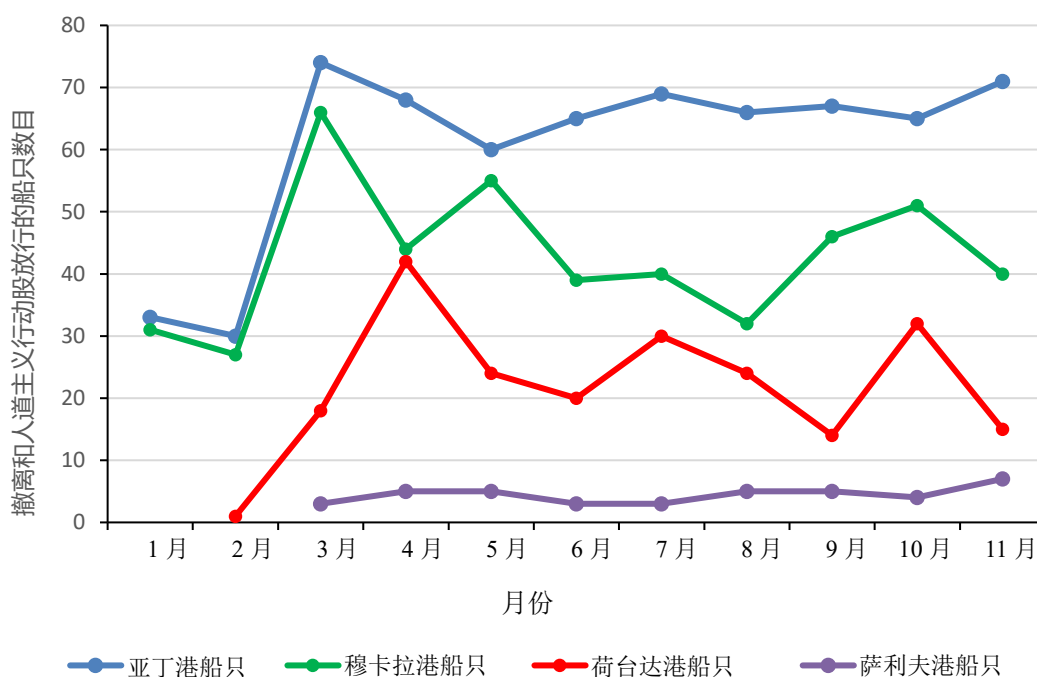
117. 新的进口机制会造成迟开信用证,而且未能遵守第 75 号令规定的企业所进口的货物被禁止进入也门。专家小组正在调查这二者是否构成阻碍向也门提供人道主义援助或违反国际人权准则的因素。

118. 专家小组分析了一份载有信用证开具情况的文件,发现其中绝大部分贸易商在也门南部和东部有业务。¹¹⁰ 专家小组致函也门政府,请求提供关于新进口机制效果的资料。也门政府在给专家小组的答复中表示,也门中央银行正在为能够转账的贸易商开具跟单信用证,但胡塞武装 2018 年 11 月 4 日发通知要求在也门的所有银行及其分行不得以现金承兑信用证开具,并威胁惩罚违反者(见附件 27)。

119. 专家小组注意到,新的进口机制加上非常不稳定的汇率可能给进口商造成额外的不确定性和摩擦,其中一些进口商在 2018 年 10 月和 11 月期间不愿冒险进口商品,联合国核查和视察机制关于这些月份的记录证实了这一点。¹¹¹ 图十四说明通过红海港口运送食物和燃料的船只流量有所减少,尤其是与亚丁湾相比。

图十四

2018 年 1 月至 11 月经由也门各港口进口粮食的情况



资料来源:专家小组,根据由沙特阿拉伯提供、位于利雅得的撤离和人道主义行动股的数据判断。该股负责为从港口进入也门开具放行证明。

说明:核批放行的船只数目包括运载燃料的油轮。

¹¹⁰ 截至 2018 年 9 月底,也门和沙特阿拉伯的相关部门仅批准了 89 项请求中的 22 项。

¹¹¹ 专家小组在 2018 年期间与四大粮食进口商或其代理人进行了沟通。

4. 与政府有关联的官员的腐败和挪用资金问题

120. 专家小组目前正在调查三起影响公共服务提供的腐败案件。¹¹²

(a) 挪用公共资金

121. 专家小组正在调查潜在的腐败案件和分配用于亚丁、阿比洋和拉哈杰发电的公共资金被挪用的案件。

122. 专家小组收到一张发票，显示亚丁炼油公司(Aden Refinery Company)应向 Alessi 集团海外航运与装卸公司(Overseas Shipping and Stevedoring Company OSSCO)的子公司 ASA Shipping Company FZCO 支付 300 多万美元的款项，用于原油油轮“M Spirit”号的租金和滞期费。¹¹³ 专家小组无法理解该船在 9 月 4 日至 10 月 6 日在亚丁港锚泊区长期延误而产生滞期费的原因，也不明白发票中的额外滞期费项下为何有重复计算的天数(见附件 28)。也门政府在答复专家小组关于这一问题的信时表示，这艘油轮是根据通过 Alessi 集团签订的合同，将原油从哈德拉毛运至亚丁炼油厂，还表示仅支付了合同的一小部分。专家小组继续开展调查。

123. 专家小组收到的文件显示，招标文件中注明的燃料数量与之后于 2017 年向发电厂分发的燃料数量之间存在很大差距(见附件 29)。专家小组在一封信中向也门政府传达了这一信息，指出招标书中的条款似乎有利于一名在亚丁拥有垄断地位的当地投标人。也门政府在答复中告知专家小组以下情况：在 2018 年，(a) 经济和财政状况迫使也门修改燃料招标条款，致使其他投标人难以达到要求；(b) 中央控制和审计局已重新启动运作，¹¹⁴ 并开始对 2015-2018 年期间亚丁燃料进口情况进行审计；(c) 2018 年 11 月起，沙特阿拉伯以实物形式捐赠燃料用于发电。

(b) 操纵军用口粮合同安排

124. 专家小组正在调查一宗关于军队粮食供应的潜在腐败案件。也门武装部队于 2017 年 5 月 24 日与 Ahmed Assoufi 贸易公司(Ahmed Assoufi for Trade)签署了一项合同，2017 年 6 月 1 日至 2018 年 5 月 31 日期间为 137 000 名士兵提供口粮(见附件 30)。Ahmed Assoufi 贸易公司以每月 4 110 万沙特里亚尔(1 095 万美元)的价格执行合同，直到军事后勤支助司在 2017 年 10 月 10 日的一封正式信函中命令其停止供应，此时离商定的合同到期日还有很长一段时间。Ahmed Assoufi 贸易公司被另一家公司 Anhar Al Khaleef 贸易公司(Anhar Al Khaleej for Trade)取而代之，据称该公司与也门高级官员关系密切。专家小组向也门政府出示了有关文件，请政府加以确认和评论。

¹¹² 关于也门腐败问题的报告，可查阅：www.business-anti-corruption.com/country-profiles/yemen/。

¹¹³ 专家小组还会见了 Alessi 集团主席 Ahmed Al Essi，媒体广泛报道他参与腐败活动并对亚丁港的管理施加影响，对此他予以否认。他告知专家小组，他随时准备必要时接受联合国专家对他 在亚丁的业务进行审查。

¹¹⁴ 政府还于 2018 年底重新启动了国家最高反腐败委员会。

D. 伪造和贩运

125. 在上次报告(S/2018/594)第 142 至 144 段和附件 53 方面, 专家小组继续收集与印制面值 5 000 里亚尔钞票和护照有关联的潜在网络的信息。专家小组收到关于 Reza Heidari 的资料。¹¹⁵ Heidari 先生是一名伊朗国民, 他被美国财政部列名, 原因是他通过自己在德国注册的公司伪造上述钞票, 为伊朗伊斯兰共和国伊斯兰革命卫队“圣城旅”提供技术等方面的支持。他于 2018 年 3 月 1 日被德国法兰克福联邦法院定罪, 判处 7 年监禁。¹¹⁶ 专家小组致函德国政府, 索要关于此人的信息, 现正等待答复。

126. 专家小组收集了有关一个潜在金融诈骗网络可疑活动的信息, 该网络参与协助为居住在国外的也门国民以难民身份移民到加拿大。这个在沙特阿拉伯和土耳其运作的网络声称向也门人出具难民身份证明提供便利, 收取每人约 5 000 美元、每家约 10 000 美元的服务费(见附件 31)。土耳其当局查获了一本拟由一名被捕者寄往国外的西班牙假护照、三张西班牙护照全息图和一张意大利身份证。

127. 专家小组还就亚丁省和马里卜省据称为胡塞武装走私现金和文物的以下案件继续收集资料(见附件 32):

(a) 2018 年 8 月 16 日, 亚丁 Ma'alla 港: 在一艘驶往吉布提的商船上缴获 12 件走私文物, 收货人是一名来自萨那、居住在吉布提的也门商人;

(b) 2018 年 11 月 6 日, 马里卜: 在一辆从扎马尔出发的车辆上缴获走私文物和物品;

(c) 2018 年 11 月 7 日, 马里卜: 在驶往萨那的两辆汽车中分别查获 2 610 000 美元和 900 万沙特里亚尔的走私现金。

128. 专家小组于 7 月 4 日在亚丁与 Abu al-Abbas 会晤, 后者证实他保管着塔伊兹 Urdi 国家博物馆约三分之二的藏品。他表示与文化部进行了讨论, 以便确定将这些藏品移交给也门政府的机制。专家小组于 2018 年 10 月获悉, 双方未能达成共识, 这些藏品仍由 Al-Abbas 先生保管。

六. 监测资产冻结和旅行禁令的执行情况

129. 根据经第 2342(2017)号决议第 5 段延长的第 2140(2014)号决议第 11 和 21(b) 段的规定, 专家小组继续收集、审查和分析与会员国执行资产冻结措施有关的信息。专家小组继续重点关注被列名的 5 人, 确定和调查可能代其行事或受其指示行事的其他个人和实体以及由其拥有或控制的实体。

¹¹⁵ 出生日期: 1977 年 1 月 10 日。一本护照号码为 A37899489(伊朗伊斯兰共和国), 2021 年 7 月 26 日到期; 另一本护照号码为 R24530943(伊朗伊斯兰共和国), 2017 年 6 月 23 日到期; 见 <https://www.federalregister.gov/documents/2017/11/30/2017-25792/notice-of-ofac-sanctions-actions>。

¹¹⁶ 见 <https://www.welt.de/regionales/hessen/article174075140/Haft-fuer-Geldfaelschung-50-Millionen-Blueten-hergestellt.html>。

130. 在委员会决定更新名单，将阿里·阿卜杜拉·萨利赫据报身亡一事列入名单后，专家小组放弃了其在上一次报告(S/2018/594)中提出的关于此人死后产生的继承财富不再属于专家小组任务范围的意见。

131. 专家小组尚未收到阿拉伯联合酋长国就其是否已冻结哈立德·阿里·阿布杜拉·萨利赫的有关资产作出的任何确认，专家小组认为他正在管理其兄弟和父亲(均已列入名单)的财富。

七. 违反国际人道主义法和国际人权法的行为

132. 安全理事会第 2140(2014)号决议第 9 段促请所有各方履行国际法、包括有关国际人道主义法和人权法为其规定的义务。第 2140(2014)号决议第 17、18 和 21 段结合第 2216(2015)号决议第 19 段一并解读，进一步澄清了专家小组在调查违反国际人道主义法和国际人权法及侵犯人权行为以及调查阻碍提供人道主义援助行为方面的责任。

133. 虽然国际人权法主要对国家具有约束力，但普遍认为，非国家武装团体在对特定领土和人口行使类似于政府的职能时，应尊重基本人权标准(见安全理事会第 1193(1998)和 1479(2003)号决议及第 1894(2009)号决议第 1 段；A/HRC/2/7(2006)，第 19 段)。因此，胡塞部队应尊重国际人权法规范，接受专家小组的监测。

134. 专家小组一直与记者、媒体工作者和人权维护者等人员保持联系，其中大多数人报告称，他们担心自己的人身安全和家人的安全。几人因其工作性质而收到直接威胁，有些人在胡塞部队和也门政府控制区被捕。一些人为求安全而逃离也门。专家小组对这些领域从业人员的安全感到关切，认为也门普遍存在法治殆失的现象，并充斥着有罪不罚的风气，这对记者、媒体工作者和人权维护者构成持续威胁(见大会第 72/175、72/247 和 53/144 号决议)。

A. 归咎于“联盟”的行为和事件

1. 与空袭有关的违反国际人道主义法行为

135. 专家小组调查了 2018 年在胡塞武装控制区发生的影响平民和民用物体的 5 次空袭。这些空袭据报造成约 78 人死亡，153 人受伤，并严重损坏了民用物体。专家小组还调查了 1 起在人口居住区发生的炮击案件，这起事件系“联盟”或胡塞部队所为，据报造成 55 人死亡，170 人受伤(见表 5)。专家小组致函“联盟”，请求提供关于这 5 次空袭的信息，并会见了联合事件评估小组。专家小组在 2018 年 6 月和 12 月访问利雅得期间与沙特阿拉伯官员分享了这些信息。沙特阿拉伯当局就 A 案向专家小组提供了书面答复。“联盟”就 B、C 和 F 案发表了公开声明(见表 5)。

表 5
2018 年报告的空袭和使用爆炸物事件

| 案件 | 日期 | 地点 | 弹着点 | 弹药 | 受害者/损害 |
|----|----------|--|------------------------------|----------------|--|
| A | 4 月 2 日 | N 14°49'01.6" E 42°59'39.0" | 荷台达 Hali 区的 民用建筑 | 空投炸弹 | 14 人死亡, 包括 7 名儿童和 4 名妇女 |
| B | 4 月 22 日 | N 15°41'24" E 43°21'07" | 哈贾省 Bani Qays 的 Raqah 村婚礼 | 空投炸弹 | 21 人死亡, 包括 11 名儿童; 约 90 人受 伤, 包括几名儿童 |
| C | 5 月 27 日 | N 14°49'53.5" E 42°56'02.2" | 荷台达港码头 | 空投炸弹 | 码头受损 |
| D | 7 月 23 日 | N 17°2'25.09" E 43°55'6.58" | 萨达 Nashur 的供 水系统 | 空投炸弹 | 测井、管道和太阳 能电池板受损 |
| E | 8 月 2 日 | N 14°46'46.08" E 42°57'03.92" / N 14°46'53.01" E 42°56'51.74" | 荷台达 Athawra 的医院和 鱼市 | 120 毫米 迫击炮弹 | 55 人死亡, 170 人 受伤 |
| F | 8 月 9 日 | N 17°03'51.2" E 43°36'05.8" | 萨达 Dayhan 的公 共汽车 | 空投炸弹 | 约 43 人死亡, 63 人受伤, 多数为儿 童 |

136. 在所调查的 6 起事件中, 专家小组认为:

(a) “联盟”在 B、C、D 和 F 案中负有责任, 可能在 A 案中负有责任。关于 E 案, 专家小组未能根据所收集的证据确定责任归属。¹¹⁷ 在 E 和 F 案中, 专家小组请求获准访问相关地点, 但胡塞当局未提供正式答复(见第 19 段)。A、B、D、E 和 F 事件的详细个案研究载于附件 33。¹¹⁸ E 事件详情载于附件 34。

(b) 在 E 案中, 没有证据表明, 目标地区或附近的平民(初步证据表明他们不应受到袭击)失去了保护。在 D 案中, 目标所在地或附近没有证据表明民用物体已变为军事目标。在 F 案中, 专家小组收集的证据证实, 这一事件确有发生, 而且有包括儿童在内的大量人员伤亡。但专家小组注意到, 围绕这一事件的叙述有些部分相互矛盾, 例如, 事发后公共汽车所显示的行驶方向与官方说明中所述

¹¹⁷ 专家小组认为, 用于此次袭击的迫击炮具有德国莱茵金属公司(Rheinmetall)或其南非子公司莱茵金属丹奈尔军火公司(Rheinmetall Denel Munitions)所产迫击炮的特点, 后者据报还在沙特阿拉伯的一家工厂生产迫击炮弹(见附件 34)。但专家小组注意到, 也门境内的不同团体都持有来自沙特阿拉伯的许多武器。Deutsche Welle, “也门与全球军火贸易”, 视频, 2018 年 12 月 4 日。见 <https://www.youtube.com/watch?v=tkUv2R97I-Y>; Rod Austin, “也门: 调查发现沙特人向忠于其事业的派别转移军火”, 《卫报》, 2018 年 11 月 28 日。可查阅: www.theguardian.com/global-development/2018/nov/28/arms-yemen-militia-were-supplied-by-west-find-analysts。

¹¹⁸ 附件 32 附录 G 载有专家小组获得的关于其上一次报告(S/2018/594)所述 2017 年 6 月 9 日萨那空袭的补充信息。

的方向相反(见图十五和十六及附件 33 附录 F)。专家小组正在继续调查 A、E 和 F 案；

图十五
胡塞当局人权部所述路线



资料来源：保密。

图十六
事发后的公共汽车



صورة تظهر حطام الحافلة التي كانت تقل الطلاب والتي تعرضت للإسهداف المباشر في الغارة الجوية. وثقها الفريق صباح اليوم التالي للغارة الجمعة 10 أغسطس 2018م.

资料来源：保密。

(c) 即使在部分案件中，“联盟”发动袭击的对象是军事目标，但平民失去了保护(如在 B 和 F 案中所称)，专家小组依然认为，在这些袭击中遵守国际人道主义法相称原则和防范原则的可能性极低。在 C 案中，专家小组推断，袭击者可能遵守了国际人道主义法的适用规则；专家小组仍在调查此案。

137. 对平民和民用物体的整体累积影响表明，即使采取了防范措施，这些措施基本上也是不足和无效的。

138. 专家小组注意到，在 B 和 F 案中，联合事件评估小组发现，在遵守接战规则方面出现失误，导致大量平民伤亡。根据国际人道主义法，冲突各方必须采取一切可行的防范措施，以避免并无论如何尽量减少附带造成的平民死亡、对平民的伤害和对民用物体的损坏(见表 6)。¹¹⁹

139. 专家小组注意到，在 B 和 F 案中，“联盟”建议采取法律措施，追究肇事者责任，并就这些行动造成的损害和损失向受害者提供援助。¹²⁰

140. 专家小组在 2018 年 12 月访问利雅得期间口头获悉，可依照沙特阿拉伯《军事司法法》，就 F 案采取法律程序。¹²¹ 根据国际人道主义法，各国必须调查据称由其国民或武装部队或在其管辖的领土范围内犯下的战争罪，并酌情起诉犯罪人。¹²² 就专家小组所知，没有任何国家就也门境内敌对行动中所犯的战争罪提起诉讼，专家小组欢迎提供这方面的任何信息。

141. 策划、批准和(或)实施严重影响平民和民用物体的袭击的责任人可能符合第 2140(2014)号决议第 17 和 18 段所载指认标准。

表 6

“联盟”和联合事件评估小组的来文

| 日期 | 事件 | “联盟”的正式答复 |
|----------|---------------------------|---|
| 4 月 2 日 | 荷台达 Hali 区的民用建筑 | “联盟”没有对该地实施空袭，而是对距离该地 3 288 米处实施了空袭 |
| 日期 | 事件 | 联合事件评估小组的声明 |
| 4 月 22 日 | 哈贾省 Bani Qays 的 Raqah 村婚礼 | “联盟”对该地实施了空袭；联合事件评估小组发现存在失误，表明未遵守接战规则程序，以尽量减少对平民的附带伤害 |

¹¹⁹ 红十字委员会习惯国际人道主义法数据库，规则第 15 条。

¹²⁰ 沙特通讯社，“Al-Mansour 参赞：联合事件评估小组是独立的，与也门冲突各方保持同样的距离”，2018 年 9 月 12 日。可查阅：www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903；沙特通讯社，“‘恢复也门合法性联盟’联合部队指挥部声明”，2018 年 9 月 1 日。可查阅：www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423。

¹²¹ 专家小组获悉，可根据《军事司法法》第 130 条采取法律程序。见 www.ksa-employers.com/showthread.php?t=134450&fbclid=IwAR06kJSZfo86OCeqcqWfp62DqiGxBjm44yu-jLYeRlYcKdv9LjTjexnjaZY。

¹²² 红十字委员会习惯国际人道主义法数据库，规则第 158 条。

| 日期 | 事件 | 联合事件评估小组的声明 |
|-------|-------------------|---|
| 5月27日 | 荷台达港码头 | “联盟”对该地实施了空袭，并声称击中了一处军事目标 |
| 8月9日 | 萨达 Dahyan 市场的公共汽车 | “联盟”对该地实施了空袭；联合事件评估小组指出，在遵守接战规则方面存在失误，造成了不合理的平民伤害 |

2. 与拘留有关的违反国际人道主义法和国际人权法行为

142. 2018年，专家组收到了与阿拉伯联合酋长国实施拘留有关的4起案件的信息，这些案件涉及对违反国际人道主义法和国际人权法行为的指控。¹²³ 由于难以获得证据，专家组仍在进行调查。专家组收到的信息证实，其上一次报告(S/2018/594，第166至172段)所述的违法模式依然存在。在专家组调查的案件中，没有一起案件中的家属获悉被拘留者的命运。专家组收到2018年12月13日阿拉伯联合酋长国的正式信函，其中指出，该国努力翻修 Bin Ahmed、Mansurah 和 Mukalla 监狱，并为司法系统提供支持，否认其参与了违反国际人道主义法或国际人权法的行为。专家组仍在进行调查。专家组还在调查1名卡塔尔国民于2018年4月在也门被“联盟”部队逮捕的案件，此后该人一直被关押在不明地点。¹²⁴

143. 根据国际人道主义法，各国必须调查据称由其国民或武装部队或在其管辖的领土范围内犯下的战争罪，并酌情起诉犯罪人。¹²⁵ 就专家组所知，没有任何国家就也门境内武装冲突中与拘留有关的战争罪提起诉讼，专家组欢迎提供这方面的任何信息。

144. 在实施拘留方面违反国际人道主义法和国际人权法的责任人可能符合第2140(2014)号决议第17和18段所载的指认标准。专家组仍在调查这一问题。

B. 归咎于胡塞部队的行为和事件

1. 对人口居住区的平民滥用爆炸物

145. 专家组调查了在塔伊兹和马里卜的人口稠密区滥用爆炸物(几乎可以确信的)4起事件，这些事件造成13名平民死亡，43名平民受伤(见表7)。¹²⁶ 此外，在人口居住区使用非制导爆炸物还会产生与遵守适用的国际人道主义法规则有关的问题。迫击炮弹和其他炮弹具有固有的不精确性，对平民和民用物体附近

¹²³ 专家组约谈了1名曾被拘留的人员以及其他3名被拘留者的亲属和(或)所属组织。

¹²⁴ 见上文脚注41。

¹²⁵ 红十字委员会习惯国际人道主义法数据库，规则第158条。

¹²⁶ 滥用爆炸物违反国际人道主义法。见1949年日内瓦四公约所共有的第3条(共同第3条)和红十字委员会习惯国际人道主义法数据库，规则第1条。

的目标远距离使用这些炮弹会增加滥杀滥伤的可能性。¹²⁷ 关于 3 起事件(A、C 和 D)的详细个案研究载于附件 35。

146. 专家小组调查了胡塞部队 1 月 5 日、1 月 30 日和 3 月 25 日不分青红皂白地对沙特阿拉伯境内目标实施炮击的 3 起案件。专家小组请沙特阿拉伯提供信息，说明这些事件对平民和(或)民用物体造成的影响。专家小组尚未收到沙特阿拉伯提供的信息。

表 7
2018 年调查的也门炮击案件

| 案件 | 日期 | 地点 | 弹着点 | 弹药 | 受害者/损害 |
|----|----------|----------------------------------|--|---------------|------------------------|
| A | 1 月 11 日 | N 13°31'51.35" E 43°57'11.07" | 塔伊兹 Sabir al-Mawadim 县 Shaykhit 村公路 | 2 枚迫击 炮弹 | 4 人死亡：2 名妇 女和 2 名儿童 |
| B | 5 月 2 日 | N 15°29'34.9" E 45°18'58.6" | 马里卜北郊用作儿童兵重 返社会中心的建筑 | 迫击炮弹 | 建筑物受损 |
| C | 5 月 22 日 | N 15°27'41.22" E 45°19'16.33" | 马里卜 Adhban 清真寺附近 的市场 | 卡秋莎火 箭弹 | 5 人死亡，22 人 受伤 |
| D | 7 月 17 日 | N 13°34'9.51" E 44° 0'0.01" | 塔伊兹 Sinah 区的住宅楼 | 82 毫米迫 击炮弹 | 3 人死亡，16 人 受伤 |

2. 直接以平民为狙击目标

147. 专家小组收到关于狙击手在塔伊兹省杀害平民的信息。专家小组调查了造成 3 名平民死亡(1 名妇女和 2 名儿童)和 1 人受伤的 2 起案件。¹²⁸ 国际人道主义法禁止以不直接参与敌对行动的平民为目标。¹²⁹ 人权规范也保护生命权。¹³⁰ 专家小组认为，持续以平民为攻击目标的行为属于第 2140(2014)号决议第 17 和 18 段规定的范畴。

3. 袭击医院和医疗单位

148. 专家小组调查了胡塞部队 11 月 11 日违反国际人道主义法、袭击一辆救护车的事件，救护车上有明显的红新月标志，载有手无寸铁的苏丹士兵。¹³¹ 11 月

¹²⁷ 红十字国际委员会，《人口居住区内的爆炸性武器：人道主义、法律、技术和军事方面》，专家会议，2015 年 2 月 24 日和 25 日(2015 年 6 月，瑞士)。可查阅：https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?__store=default，电子图书。

¹²⁸ 见机密附件 36。

¹²⁹ 共同第 3 条；《1949 年 8 月 12 日日内瓦四公约第二议定书》第 4 条；红十字委员会习惯国际人道主义法数据库，规则第 1 和 89 条。

¹³⁰ 《世界人权宣言》第三条和《公民权利和政治权利国际公约》第六条。

¹³¹ 见共同第 3 条和《1949 年 8 月 12 日日内瓦四公约第二议定书》第 7 和 11 条。

12 日，胡塞外交部副部长 Hussein al Ezzi 在社交媒体上发布了关于此次袭击的视频，对这一行为表示赞赏(见图十七)。¹³²

图十七

Hussein al Ezzi 发推文赞扬袭击救护车行为



149. 专家小组还调查了胡塞部队进入荷台达 5 月 22 日医院的案件，胡塞部队在 11 月 1 日至 7 日期间强迫患者和医务人员撤离该医院并对该医院造成破坏，¹³³ 这一行为违反了国际人道主义法(见附件 37)。¹³⁴

4. 与剥夺自由有关的违法行为

150. 专家小组调查了 25 起与胡塞部队剥夺他人自由有关的违反国际人道主义法和国际人权法案件，包括任意逮捕和剥夺自由、酷刑、虐待、强迫失踪以及缺乏正当法律程序(见机密附件 38)。

151. 专家小组记录了 8 起强迫失踪案件，其中被拘留者被关押在其亲属不知道的地点，关押时间从 3 个月到 4 年不等。在其中 5 起案件中，亲属仍然不知道被拘留者命运如何。国际人道主义法特别要求拘留当局记录被拘留者的详细情况，¹³⁵ 并允许他们与家人通信。¹³⁶

¹³² 由专家小组存档的 Hussein al Ezzi 所发视频和推文。

¹³³ 例如，大赦国际，“也门：胡塞枪手突袭医院，荷台达平民面临迫在眉睫的攻击”，2018 年 11 月 7 日。可查阅：www.amnesty.org/en/latest/news/2018/11/yemen-huthi-gunmen-raid-hospital-as-hodeidahs-civilians-face-imminent-onslaught/；Bethan McKernan，“随着摊牌临近，也门重要港口的战斗愈演愈烈”，《卫报》，2018 年 11 月 7 日。可查阅：www.theguardian.com/world/2018/nov/07/yemen-hodeidah-airstrikes-saudi-led-coalition-ceasefire-calls。专家小组收到了来自保密信息来源的医院受损照片。

¹³⁴ 见共同第 3 条和《1949 年 8 月 12 日日内瓦四公约第二议定书》第 7 和 11 条。

¹³⁵ 红十字委员会习惯国际人道主义法数据库，规则第 123 条。

¹³⁶ 须遵守通信频率、当局审查的必要性等方面的合理条件；见红十字委员会习惯国际人道主义法数据库，规则第 125 条。

152. 专家小组继续记录胡塞部队为交换被也门政府或有关部队关押的胡塞武装作战人员而实施拘留的案件。专家小组重申，任何将拘留平民完全作为今后囚犯交换筹码的行为均构成国际人道主义法所禁止的挟持人质行为。¹³⁷ 专家小组还继续记录拘留当局从拘留中牟利的案件。

5. 针对记者实施的违法行为

153. 专家小组调查了记者和媒体从业人员在萨那(11 起)和塔伊兹(1 起)被任意逮捕和拘留的 12 起案件。与这些案件有关的信息载于机密附件 39。专家小组认为，在所调查的这些案件中，胡塞当局多次实施违反国际人道主义法和人权规范的行为，包括任意逮捕和剥夺自由、虐待以及侵犯与家人通信和接受探视的权利、获得公平审判的权利及言论自由权。¹³⁸

6. 针对宗教少数群体的不容忍和歧视

154. 自 2016 年以来(S/2018/193, 第 149 段)，许多巴哈教徒被以不尊重正当法律程序的方式剥夺自由或逮捕。¹³⁹ 2018 年，专家小组继续调查涉及巴哈教徒的案件，他们被以不尊重正当程序的方式剥夺自由、逮捕并(或)没收财产(见附件 40)。因信仰活动而剥夺某一群体的自由或没收其财产有违人权规范。¹⁴⁰

C. 归咎于也门政府的违反国际人道主义法和国际人权法行为

155. 专家小组调查了也门政府所属部队在马里卜和塔伊兹实施任意拘留和法外处决的案件。与专家小组所调查案件有关的更多信息载于机密附件 41。

156. 专家小组调查了涉及在内政部管辖下运作的亚丁 Bureiqa 简易监禁中心内约 650 至 700 名移民的拘留条件和待遇问题的违反国际人权法案件。专家小组收到确认，获悉该中心已于 2018 年 4 月关闭。也门政府下令逮捕该中心负责人 Khaled al-Awani 及其他 5 人，禁止 Al-Awani 先生离开也门，并暂停发放其工资。Al-Alwani 先生和 3 名嫌疑人仍然在逃。¹⁴¹

157. 如上文第 116 段所述，2018 年 10 月和 11 月，专家小组调查了迟开信用证以及未能遵守第 75 号令规定的公司无法将货物运入也门的情况。根据《经济、

¹³⁷ 共同第 3 条；红十字委员会习惯国际人道主义法数据库，规则第 96 条。另见红十字委员会，《关于 1949 年 8 月 12 日日内瓦四公约的评注》(2016 年)，第 651 段。

¹³⁸ 见《1949 年 8 月 12 日日内瓦四公约第二议定书》第 4 条；红十字委员会习惯国际人道主义法数据库，规则第 87、90、99、100、125 和 126 条；《公民权利和政治权利国际公约》第十九条；《世界人权宣言》第十九条。

¹³⁹ 见 www.amnesty.org/en/latest/news/2018/09/yemen-24-bahai-people-including-a-child-facing-possible-death-penalty。

¹⁴⁰ 见《1949 年 8 月 12 日日内瓦四公约第二议定书》第 4 条；红十字委员会习惯国际人道主义法数据库，规则第 88 条。另见《世界人权宣言》第二、七、十七和二十条。

¹⁴¹ 2018 年 10 月 2 日阿拉伯联合酋长国给专家小组的信。

社会及文化权利国际公约》第十一条，也门政府必须采取适当措施，确保也门所有平民都能获得足够的粮食供应。¹⁴²

D. 归咎于代理部队的违反国际人权法行为

158. 专家小组调查了与亚丁安全地带部队和夏卜瓦精锐部队实施任意逮捕和拘留、强迫失踪和法外处决有关的违反国际人权法事件。与专家小组所调查案件有关的更多信息载于机密附件 41。

159. 如第 23 段所述，专家小组发现有证据表明，也门政府对这些部队并无有效控制。相反，这些由阿拉伯联合酋长国于 2016 年建立的部队现在由该国资助、武装和训练。专家小组还获悉，阿拉伯联合酋长国实际上负责组织和协调这些部队的行动。专家小组继续调查这些部队的具体违法行为应归咎于阿拉伯联合酋长国还是也门政府。无论如何，这两个国家都有义务尽职预防和调查其代理人和第三方可能侵犯人权的行为，追究肇事者责任，并对所造成的伤害提供补救。¹⁴³

E. 在武装冲突中招募和使用儿童

160. 专家小组收到了关于胡塞部队招募儿童的 2 起具体案件的信息和据称被与也门政府有关的部队招募的 31 名儿童的名单。¹⁴⁴ 由于难以获得第一手证据、有必要保护受害者而且儿童的家人不愿就招募儿童问题与专家小组或非政府组织沟通，专家小组未能汇编个案研究，仍在继续进行调查。虽然本报告中缺乏具体个案研究，但不应将此视为招募儿童现象在也门并不普遍的证据。¹⁴⁵

F. 毁坏和盗窃文化财产

161. 专家小组调查了 3 起文物被盗案件(见第 127 段；另见 S/2018/594，第 137 至 139 段)。国际人道主义法禁止以任何形式盗窃、抢劫或侵占对任何民族的文化遗产具有重要意义的财产。¹⁴⁶

162. 专家小组调查了荷台达省 Fazzah 地区历史悠久的 Ahmed Al-Faz 清真寺及陵墓于 2018 年 10 月 22 日被毁的事件(见附件 42)。¹⁴⁷ 专家小组未能独立查明

¹⁴² 《经济、社会及文化权利国际公约》。关于武装冲突中的食物权问题，除其他外，见 A/72/188。关于《经济、社会及文化权利国际公约》在武装冲突中的适用性问题，除其他外，见 E/2015/59。

¹⁴³ 国家有义务尽职预防私人行为违反国际法，这是一项确立已久的原则。例如，见阿拉巴马案(美国诉大不列颠)，仲裁裁决书，1872 年 9 月 14 日。关于侵犯人权问题，除其他外，见人权事务委员会关于《公约》缔约国的一般法律义务的性质的第 31 号一般性意见(2004)，第 8 段。另见《禁止酷刑和其他残忍、不人道或有辱人格的待遇或处罚公约》。也门自 1987 年起加入《公民权利和政治权利国际公约》，阿拉伯联合酋长国自 2012 年起加入《禁止酷刑公约》。

¹⁴⁴ 由专家小组存档的报告和名单。专家小组还打算访问马里卜的一处恢复中心，但访问被取消。

¹⁴⁵ 见 S/2018/465，其中报告了经核实的 842 起案件，均涉及在也门境内武装冲突中招募和使用儿童。

¹⁴⁶ 见《关于发生武装冲突时保护文化财产的公约》第四和十九条；红十字委员会习惯国际人道主义法数据库，规则第 40(b)条。

¹⁴⁷ 教科文组织谴责了毁坏该古迹的行为。教科文组织，“教科文组织谴责也门荷台达省一座历史悠久的清真寺和陵墓遭到蓄意破坏”，2018 年 10 月 30 日。可查阅：<http://whc.unesco.org/en/news/1895>。

应为此次袭击负责的具体团体，仍在继续调查。根据国际人道主义法的适用规则，除针对直接袭击提供的一般保护外，¹⁴⁸ 文化财产还享有额外和具体的保护。¹⁴⁹

八. 阻碍人道主义援助

163. 根据第 2216(2015)号决议第 19 段，专家小组继续调查阻碍向也门提供人道主义援助，包括阻碍在也门获得和分配人道主义援助的情况。

A. 阻碍运送人道主义援助

164. 专家小组认为，“联盟”在 2018 年继续阻碍商业航班从萨那机场起飞，致使也门平民无法利用这些航班在境外获得医疗服务。胡塞武装控制区的民众如需在也门境外寻求医疗援助，必须前往赛永或亚丁机场，要前往这些机场需乘车几小时，而且有可能在多个检查站受到骚扰。专家小组注意到，2018 年 12 月 3 日，“联盟”允许胡塞部队的 50 名成员乘坐飞机从萨那机场起飞，以接受医疗后送。

165. 专家小组还分析了也门各港口 2018 年的进口数据，这些数据表明，进口货物逐渐从红海沿岸港口转向也门政府控制的港口。专家小组正在调查这一转变是由于特意施行了限制胡塞武装发展经济的政策，还是由于与政府有关联的商业游说团体施加了影响，以求增加自身在进口市场中所占份额。

166. 专家小组掌握的统计数据表明，亚丁和穆卡拉的港口活动大幅增加，而荷台达的港口活动有所减少(见上文第 119 段)。人们认为荷台达的货物进口量占也门总进口量的 70%，但这种认识与现实不符。自 2017 年 11 月沙特阿拉伯当局暂时关闭胡塞武装控制的港口以来，所有集装箱货物都经由亚丁港运输。¹⁵⁰ 此外，自 2018 年 4 月以来，主要的集装箱运输商对军事行动日益逼近荷台达表示关切。¹⁵¹

167. 一家进口商因缴纳滞期费、向买方支付延误罚款和一艘船的保险费用增加而损失超过 800 000 美元。2018 年 10 月和 11 月，该进口商停止进行动物饲料贸易，对也门境内的家禽生产能力造成不利影响。专家小组仍在调查此事。

¹⁴⁸ 红十字委员会习惯国际人道主义法数据库，规则第 7 条。

¹⁴⁹ 见《1949 年 8 月 12 日日内瓦四公约第二议定书》第 16 条。另见红十字委员会习惯国际人道主义法数据库，规则第 38 条；《关于发生武装冲突时保护文化财产的公约》，第四和十九条。

¹⁵⁰ 2018 年在荷台达停泊的集装箱船全部为人道主义援助运输船：2018 年 2 月 18 日，“Spero”号；2 月 24 日，“Buxcontact”号；5 月 26 日，“Venus”号；8 月 12 日，“Ym Wellbeing”号。以上信息基于 <https://maritime.ihs.com>。

¹⁵¹ 专家小组出席了联合国核查和视察机制、贸易商和航运商于 2018 年 5 月 14 日在吉布提举行的会议，与会代表宣称，除非保证荷台达不会受到冲突影响，否则他们不愿开始从荷台达进口集装箱。

B. 阻碍分配人道主义援助

168. 2018 年，专家小组调查了胡塞部队阻碍分配人道主义援助的情况，包括：(a) 逮捕和恐吓援助人员；(b) 不尊重人道主义组织的独立性；(c) 拒绝办理、拖延办理或取消签证；(d) 干预对受益人和业务区的选择。专家小组获悉，为继续正常运作，一些国际组织不得不屈从于胡塞当局的压力。

169. 专家小组认为，位于萨那的国家安全局副局长 Motlaq Amer al-Marrani(又名 Abu Emad)在 2018 年继续阻碍人道主义援助的运送(见 S/2018/594，第 193 段；机密附件 72)。

170. 应人道主义利益攸关方的要求，与本节有关的信息和分析载于机密附件 43。

九. 建议

171. 专家小组建议安全理事会：

(a) 考虑在其决议或主席声明中纳入相关措辞，提醒也门政府、会员国和其他各方注意腐败对也门和平与安全构成重大威胁，所涉犯罪人可能符合第 2140(2014)号决议规定的指认标准；

(b) 考虑在其决议或主席声明中纳入相关措辞，敦促胡塞武装确保尊重有关人道主义行为体的中立、公正和独立原则；

(c) 考虑在其决议或主席声明中纳入相关措辞，提醒也门政府注意《经济、社会及文化权利国际公约》第十一条为其规定的义务(该条承认人人有权享有适当生活水准，特别是充足食物，在武装冲突情况下仍然适用)，使也门政府履行根据该公约所承担的义务，确保现有进口机制有利于将货物特别是食物运入也门所有地区。

172. 专家小组建议委员会：

(a) 考虑与秘书长办公厅接触，提议与也门政府和捐助方协作，加强联合国核查和视察机制，以便建立相关分析能力，查明利用虚假文件逃避船只检查、为违反第 2140(2014)号决议所规定制裁提供便利的各个网络；

(b) 考虑与秘书长办公厅接触，提议与世界银行、国际货币基金组织和主要行为体协调举办会议，以支持政府根据《联合国全球契约》的原则实施尽职调查机制，以最佳方式管理现金流动和货物进口；

(c) 考虑与秘书长办公厅接触，请联合国核查和视察机制及荷台达的监测机制与专家小组订立协议，就可能发生的威胁也门和平、稳定与安全的行为，包括违反国际人道主义法、国际人权法、定向军火禁运和阻碍人道主义援助的行为共享信息；

(d) 考虑致函也门政府，鼓励其根据《关于发生武装冲突时保护文化财产的国际公约》第十九条，与保管 Urdu 国家博物馆藏品和文物的 Abu al-Abbas 缔结特别

协议，以便着手将这些藏品和文物的保管权安全移交给也门政府，并请也门政府向委员会报告所采取的任何步骤以及可能需要国际行为体提供的援助；

(e) 考虑致函国际海事组织，提醒该组织注意红海海域反舰巡航导弹和水上简易爆炸装置构成的风险，并鼓励该组织与商业航运业讨论这些威胁，以便制定适当的防范和反制措施；

(f) 考虑致函国际民用航空组织，提醒该组织注意无人驾驶飞行器和巡飞弹对民用航空构成的风险，特别是在阿拉伯半岛繁忙的国际机场附近，并鼓励该组织与机场运营方和航空公司讨论这些威胁，以便制定适当的防范和反制措施。

List of annexes:

| | <i>Page</i> |
|--|-------------|
| Annex 1. Methodology | 60 |
| Annex 2. UN Geographic Information Systems (GIS) map (place name identification) | 64 |
| Annex 3. Summary of Panel correspondence (2018) | 66 |
| Annex 4. Leadership and structure of provincial security and security belt forces | 68 |
| Annex 5. Salafiyya in Yemen: arrival, fragmentation and conflict | 69 |
| Annex 6. Clerics Targeted / Assassinated in Aden | 72 |
| Annex 7. Houthis network of interest to the Panel | 75 |
| Annex 8. The Order of Battle of the National forces based on official documents | 76 |
| Annex 9. Ta'izz Militants | 79 |
| Annex 10. Recruiting into the Houthi forces | 81 |
| Annex 11. Anti-ship cruise missiles | 82 |
| Annex 12. Unmanned aerial vehicles | 87 |
| Annex 13. Components of extended-range short-range ballistic missiles | 91 |
| Annex 14. Industrial Equipment | 93 |
| Annex 15. Water-borne improvised explosive devices (WBIEDs) | 96 |
| Annex 16. Seizure of assault rifles | 101 |
| Annex 17. Estimates of revenue collected by the Houthis from fuel imports | 107 |
| Annex 18. Import of fuel to Red Sea ports from September 2016 to October 2018 | 110 |
| Annex 19. Network of fuel importers associated with the Houthis | 113 |
| Annex 20. Confiscation of MT Androussa (IMO 9101182) by KSA in 2017 | 121 |
| Annex 21. Shipment of fuel from Iran to Ras Issa, falsely reported as loaded in Oman | 128 |
| Annex 22. Tracing of items for military equipment found in Yemen | 143 |
| Annex 23. Ma'rib's revenues and expenses (balance sheet January to November 2018) | 144 |
| Annex 24. Mohamed Ali Al Houthi's letter concerning cash transfers | 145 |
| Annex 25. Hard currency transfer and cash flow to and from Yemen | 148 |
| Annex 26. Delays incurred to vessels importing basic commodities into Yemen | 152 |
| Annex 27. Issuance of Letters of Credit for imports of basic commodities | 154 |
| Annex 28. Suspicious demurrage costs paid by CBY in Aden | 160 |
| Annex 29. Discrepancies in fuel imports for electricity in Aden | 162 |
| Annex 30. Manipulation of contractual arrangements for food rations for the military | 164 |
| Annex 31. A network involved in the forgery of immigration documents | 168 |
| Annex 32. Smuggling of cash and cultural artifacts | 171 |
| Annex 33. Case studies of Airstrikes in Yemen (2018) | 174 |
| Appendix 33.A. Use of explosive ordnance in Al Hudaydah on 2 April 2018 | 175 |

| | | |
|----------------|---|-----|
| Appendix 33.B. | Airstrike of 22 April 2018, Bani Qis, Hajjah (wedding) | 178 |
| Appendix 33.D. | Airstrike of 23 July 2018, Noshour, Sa'adah (water borehole). | 180 |
| Appendix 33.F: | Airstrike in Dahyan market, Sa'dah (2018) | 183 |
| Appendix 33.G. | Airstrike in residential area, Sana'a (9 June 2017) | 193 |
| Annex 34. | Mortar attacks in al Hudaydah on 2 August 2018 | 195 |
| Annex 35. | Case study on the use of explosive ordnance against civilian areas (2018) | 198 |
| Appendix 35.A. | Mortar bomb strike in Shahid, Tai'zz (11 January 2018) | 199 |
| Appendix 35.C. | Rocket attack near Adhban Mosque in Ma'rib (22 May 2018). | 202 |
| Appendix 35.D. | Mortar bomb strike in Sunah, Ta'izz (17 July 2018). | 204 |
| Annex 36. | Targeting of civilians by Houthi forces in Tai'zz | 206 |
| Annex 37. | Attack against the 22 May Hospital (Hudaydah) 1- 7 November 2018 | 207 |
| Annex 38. | Violations of IHL and IHRL by organs of the Houthis. | 210 |
| Annex 39. | Arbitral arrest and detention of journalists | 211 |
| Annex 40. | Arbitral arrest and detention of Baha'i community | 212 |
| Annex 41. | IHRL violations in relation to detention by security forces | 213 |
| Annex 42. | Case study on destruction of cultural property | 214 |
| Annex 43. | Obstruction of humanitarian assistance | 216 |
| Annex 44. | Full list of abbreviations | 217 |

Annex 1. Methodology

1. The Panel used satellite imagery of areas of Yemen procured by the United Nations from private providers to support its investigations. It also used commercial databases recording maritime and aviation data and mobile phone records. Public statements by officials through their official media channels were accepted as factual unless contrary facts were established. While the Panel strived to be as transparent as possible, in situations in which identifying sources would have exposed them or others to unacceptable personal security risks, the Panel decided not to include identifying information in the present report and instead placed the relevant evidence in United Nations archives.
2. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, to appropriately meet the highest achievable standard of proof.
3. The spelling of toponyms within Yemen often depends on the ethnicity of the source or the quality of transliteration. The Panel has adopted a consistent approach in the present report.
4. The Panel has placed importance on the rule of consensus among the Panel members and agreed that, if differences and/or reservations arise during the development of the report, it would only adopt the text, conclusions and recommendations by a majority of four out of the five members. In the event of a recommendation for designation of an individual or a group, such recommendation would be done on the basis of unanimity.
5. The Panel has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this report. Their response has been taken into consideration in the Panel's findings. The methodology for this is provided in appendix A.

Appendix A to Annex 1: ‘The opportunity to reply’ methodology used by the Panel

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity¹ in a Panel’s report, could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/material in support of their narrative. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
 - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
 - (b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:
 - (i) Result in the individual moving assets if they get warning of a possible recommendation for designation;
 - (ii) Restrict further access of the Panel to vital sources;
 - (iii) Endanger Panel sources or Panel members;
 - (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or
 - (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.
3. If the circumstances set forth in 2 (b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.
4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.
5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.
6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.
7. The individual, on the other hand, in making their determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representative or his government) to communicate on his/her behalf on subsequent interactions with the Panel.

¹ Hereinafter just the term individual will be used to reflect both.

Appendix B to Annex 1: Violations relating to IHL, IHRL, and acts that constitute human rights abuses investigative methodology

1. The Panel adopted the following stringent methodology to ensure that its investigations met the highest possible evidentiary standards, despite it being prevented from visiting places in Yemen other than Aden. In doing so it has paid particular attention to the “Informal Working Group on General Issues of Sanctions Reports”, [S/2006/997](#), on best practices and methods, including paragraphs 21, 22 and 23, as requested by paragraph 11 of resolution [2402 \(2018\)](#).
2. The Panel’s methodology in relation to its investigations concerning IHL, IHRL and human rights abuses is set out as below:
 - (a) All Panel investigations are initiated based on verifiable information being made available to the Panel, either directly from sources or from media reports.
 - (b) In carrying out its investigations on the use of explosive ordnance, the Panel relies on at least three or more of the following sources of information:
 - (i) At least two eye-witnesses or victims;
 - (ii) At least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iii) If there are casualties associated with the incident, and if the casualties are less than ten in number, the Panel obtains copies of death certificates and medical certificates. In incidents relating to mass casualties, the Panel relies on published information from the United Nations and other organizations;
 - (iv) Technical evidence, which includes imagery of explosive events such as the impact damage, blast effects, and recovered fragmentation. In all cases, the Panel collects imagery from at least two different and unrelated sources. In the rare cases where the Panel has had to rely on open source imagery, the Panel verifies that imagery by referring it to eyewitnesses or by checking for pixilation distortion;
 - a. In relation to airstrikes, the Panel often identifies the responsible party through crater analysis or by the identification of components from imagery of fragmentation; and
 - b. The Panel also analyses imagery of the ground splatter pattern at the point of impact from mortar, artillery, or free flight rocket fire to identify the direction from which the incoming ordnance originated. This is one indicator to assist in the identification of the perpetrator for ground fire when combined with other source information.
 - (v) The utilisation of open source or purchased satellite imagery wherever possible, to identify the exact location of an incident, and to support analysis of the type and extent of destruction. Such imagery may also assist in the confirmation of timelines of the incident;
 - (vi) Access to investigation reports and other documentation of local and international organizations that have independently investigated the incident;
 - (vii) Other documentation that supports the narrative of sources, for example, factory manuals that may prove that the said factory is technically incapable of producing weapons of the type it is alleged to have produced;
 - (viii) In rare instances where the Panel has doubt as to the veracity of available facts from other sources, local sources are relied on to collect specific and verifiable information from the ground. (For example, if the Panel wished to confirm the presence of an armed group in a

particular area);

(ix) Statements issued by or on behalf of a party to the conflict responsible for the incident; and/or

(x) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(c) In carrying out its investigations on deprivation of liberty and associated violations the Panel relies on the following sources of information:

(i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;

(ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;

(iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iv) Medical documentation and, where applicable, death certificates;

(v) Documentation issued by prison authorities;

(vi) Interviews with medical personnel who treated the victim, wherever possible;

(vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;

(viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;

(ix) Statements issued by the party to the conflict responsible for the incident; and/or

(xx) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(d) In carrying out its investigations on other violations, including forced displacement and threats against medical workers, the Panel relies on information that includes:

(i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;

(ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) Documentation relevant to verify information obtained;

(iv) Statements issued by the party to the conflict responsible for the incident; and/or

(v) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(e) The standard of proof is met when the Panel has reasonable grounds to believe that the incidents

had occurred as described and, based on multiple corroboratory sources, that the responsibility for the incident lies with the identified perpetrator. The standard of proof is “beyond a reasonable doubt”.

(f) Upon completion of its investigation, wherever possible, the Panel provides those responsible with an opportunity to respond to the Panel’s findings in so far as it relates to the attribution of responsibility. This is undertaken in accordance with the Panel’s standard methodology on the opportunity to reply. Generally, the Panel would provide detailed information in any opportunity to respond, including geo-locations. However, detailed information on incidents are not provided when there is a credible threat that it would threaten Panel sources, for example, in violations related to deprivation of liberty, violations associated with ground strikes on a civilian home, or in violations associated with children.

(g) If a party does not provide the Panel with the information requested, the Panel will consider whether this is of sufficient gravity to be considered as non-compliance with paragraph 8 of resolution [2402 \(2018\)](#), and thus consideration for reporting to the Committee.

3. The Panel will not include information in its reports that may identify or endanger its sources. Where it is necessary to bring such information to the attention of the Council or the Committee, the Panel may include more source information in confidential annexes.

4. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: 1) with the specific permission of the sources; and 2) where the Panel is, based on its own assessment, certain that these individuals would not suffer any danger as a result. The Panel stands ready to provide the Council or the Committee, on request, with any additional imagery and documentation to supports the Panel’s findings beyond that included in its report. Appropriate precautions will be taken though to protect the anonymity of its sources.

Annex 2. UN Geographic Information Systems (GIS) map (place name identification)



Map No. 3847 Rev. 3 UNITED NATIONS
January 2004

Department of Peacekeeping Operations
Cartographic Section

Annex 3. Summary of Panel correspondence (2018)

Table 3.1
Correspondence with Member States

| <i>Ser.</i> | <i>Member State</i> | <i>Number of letters sent by the Panel</i> | <i>Number of unanswered letters by Member State</i> | <i>Remarks</i> |
|-------------|--------------------------|--|---|----------------|
| 1 | Belgium | 1 | | |
| 2 | Canada | 1 | | |
| 3 | China | 6 | 2 | |
| 4 | Djibouti | 2 | | |
| 5 | Egypt | 1 | | |
| 6 | France | 2 | | |
| 7 | Germany | 2 | | Note 1 |
| 8 | Greece | 1 | | Note 1 |
| 9 | Honduras | 1 | | |
| 10 | Indonesia | 1 | 1 | |
| 11 | Islamic Republic of Iran | 4 | | Note 1 |
| 12 | Italy | 3 | | |
| 13 | Japan | 2 | 1 | |
| 14 | Jordan | 1 | | |
| 15 | Malaysia | 1 | 1 | |
| 16 | Norway | 2 | | |
| 17 | Oman | 2 | 1 | |
| 18 | Qatar | 1 | | |
| 19 | Russian Federation | 2 | | |
| 20 | Kingdom of Saudi Arabia | 29 | 4 | |
| 21 | Spain | 1 | 1 | |
| 22 | Tanzania | 1 | | |
| 23 | Turkey | 1 | | Note 1 |
| 24 | United Arab Emirates | 12 | 1 | |
| 25 | United States of America | 2 | | |
| 26 | Yemen | 25 | 5 | |
| 26 | | 107 | 17 | |

Note 1: Additional information still awaited.

Table 3.2
Correspondence with Sana'a based authorities

| <i>Entity</i> | <i>Number of letters sent by the Panel</i> | <i>Number of unanswered letters by entity</i> | <i>Remarks</i> |
|--|--|---|----------------|
| Sana'a based ministry of foreign affairs | 5 | 5 | |
| Total | 5 | 5 | |

Table 3.3
Correspondence with international and regional organizations

| <i>Ser.</i> | <i>Organization</i> | <i>Number of letters sent by the Panel</i> | <i>Number of unanswered letters</i> | <i>Remarks</i> |
|-------------|-------------------------------|--|-------------------------------------|----------------|
| 1 | Combined Maritime Force (CMF) | 2 | | |
| 2 | UNICEF | 1 | | |
| 3 | WFP | 1 | | |
| 3 | | 4 | | |

Table 3.4
Correspondence with Companies

| <i>Ser.</i> | <i>Company</i> | <i>Number of Annex 13f letters sent by the Panel</i> | <i>Number of unanswered letters</i> | <i>Remarks</i> |
|-------------|------------------------|--|-------------------------------------|----------------|
| 1 | 3W | 1 | | |
| 2 | Bahri | 3 | | |
| 3 | Component Distributers | 1 | 1 | |
| 4 | Digi | 1 | 1 | |
| 5 | Dileton | 2 | | |
| 6 | Hengstler | 1 | | |
| 7 | Houthis | 5 | | |
| 8 | Ince Shipping | 1 | | |
| 9 | Leo Shipping | 1 | 1 | |
| 10 | MIRA | 1 | | |
| 11 | R.shipping | 1 | | |
| 12 | raytheon | 1 | | |
| 13 | Safran | 2 | | |
| 14 | seastar | 1 | 1 | |
| 15 | Steyr | 1 | 1 | |
| 3 | | 23 | 5 | |

Annex 4. Leadership and structure of provincial security and security belt forces

| <i>Serial</i> | <i>Name</i> | <i>Position</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|--|---|-----------------|----------------|
| 1 | Colonel Khader al-Nub | Director of General Security | Abyan | |
| 2 | Colonel Abd al-Latif al-Sayed | Commander Security Belt Forces | Abyan | |
| 3 | Lieutenant Colonel Mohammed al-Oban | Deputy Commander Security Belt Forces | Abyan | |
| 5 | Major General Shallal Ali Shaye | Director of General Security | Aden | |
| 6 | Brigadier General Wadha Omar Abdulaziz | Commander Security Belt and 3 rd Support Brigade | Aden | |
| 7 | Brigadier General Munir Mahmoud Ahmed al-Mashali | Commander 1 st Support Brigade Emergency Forces | Abyan/Aden | |
| 8 | Colonel Nabil al-Mashwashi | Commander 2 nd Support Brigade | Aden | |
| 9 | Colonel Hader al-Shukhaty | Commander 4 th Support Brigade | Lahij | |
| 10 | Colonel Mukhtar al-Nubi | Commander 5 th Support Brigade | Radfan/Lahij | |

Annex 5. Salafiyya in Yemen: arrival, fragmentation and conflict

I. Background

1. Fragmentation of the Salafi establishment in Yemen is not new, but the current conflict has exacerbated rivalries and influenced the approach to fundamental doctrinal principles. The schism present today involves factions previously identified as quietists/apolitical, political and jihadist.²

2. The emergence and proliferation of Salafi-led armed groups since July 2015 occurred outside the control of the Government of Yemen and the Coalition. The Panel has observed how each group gravitated to a source of financial support, and then deployed to a specific battle front against Houthis, such as the city of Ta'izz and the West Coast. Threats to peace and security emerge from loose command and control and growing rivalries.³

3. Since the arrival of Yemeni Salafi shaykh Moqbil bin Hadi al-Wada'i in Dammaj, Sa'dah governorate⁴ in the 1970s Salafiyya has expanded and evolved. The establishment of Dar al-Hadith Institutes eventually led to a network of Salafi centers throughout Yemen's north and south. Shaykh Moqbil's pupils became directors of Salafi centers in Ibb, Ma'rib, Lahij, Sana'a, al-Shahir, and Ta'izz to name a few, and sparked a movement that attracted many Yemeni youth as well as foreigner students.⁵

4. As the Salafi movement grew, shaykh Moqbil saw the establishment of 'associations' as a departure from his teachings. These associations were seen by Moqbil as driven by profits and political activism. He also engaged the emerging role of the Muslim Brotherhood in Yemeni politics and the religious sphere.⁶ These views were aligned with shaykhs like Mohammed Aman al-Jami of Ethiopia. This criticism by Moqbil extended to his own former pupils, like Mohammed al-Adeni of al-Fiyush Institute in Lahj. As well as criticism of his former companions like Mohammed Mohammed al-Mahdi, co-founder of *Dawiyat al-Khayriyya al-Hikma al-Yamaniyya* (al-Hikma),⁷ which would eventually ally with *al-Tajammu'u al-Yamani lil-Islah* (al-Islah Party).

5. Following shaykh Moqbil's death in 2001, his deputy Yahya al-Hajuri, became his successor. This move led to further tension between Moqbil's pupils across Yemen. Conflict also intensified with figures such as shaykh Abd al-Majid al-Zindani (spiritual leader in al-Islah Party and founder of al-Iman University in Sana'a) shaykh Mohammed al-Qadhi in Sana'a and Shaykh Abdullah al-Ahdal of Hadhramawt. Rivalries and fragmentation was exacerbated by events following the Arab Spring, as Dammaj and other Salafi centers became targets of Houthis or other anti-Salafi elements.⁸

6. The necessity to defend Salafi centers against Houthis, for example, led to a shift in views on political participation and armed conflict by various students of shaykh Moqbil. This sparked new rivalries among his former students and a re-alignment of alliances with entities such as al-Hikma Association and al-Islah Party, including the emerging alliance between shaykh Hani bin Breik and pro-secessionist elements based in Aden, and the alliance between Abu al-Abbas and the UAE in Ta'izz.⁹

² For an in-depth look into the history of Salafis in Yemen, see Bonnefoy, Laurent. *Salafism in Yemen: Transnationalism and Religious Identity*. London, Hurst & Company, 2011. <https://journals.openedition.org/cy/1945>

³ <https://theintercept.com/2018/06/07/yemen-hodeidah-uae-saudi-arabia-houthis/>

⁴ Sa'dah is regarded as the traditional seat of Zaydis since their arrival in the late 800s AD. See Dresch, Paul. *A History of Modern Yemen*. Cambridge University Press, 2001; Haykel, Bernard. *Revival and Reform in Islam: The Legacy of Muhammed al-Shawqani*. Cambridge University Press, 2003. P5-6.

⁵ For presence of foreign students see <https://ctc.usma.edu/deconstructing-salafism-in-yemen-2/>

⁶ *Salafism in Yemen*, p56, 64,76.

⁷ *Ibid*, pxiv, 63, 65.

⁸ Fighting broke out in August 2013 between Houthis and Salafis in Dammaj, leading to a mobilization of Salafi elements from across Yemen to support Shaykh Yahya al-Hajuri. Dammaj was eventually evacuated by order of President Abdo Rabbo Mansour Hadi in December 2013, see <https://reliefweb.int/report/yemen/salafis-forced-flee-dammaj-government-forces-unable-protect-they-say>

⁹ See paragraph 43, S/2018/594; <https://www.yemenpeaceproject.org/blog-x/2017/10/5/militant-salafism-in-taiz-three-clusters-and-many-differences>

7. The level of tension has led to direct confrontation between Salafi factions and assassinations of prominent clerics. This level of conflict has been primarily driven by views on the Salafi principle of *Wilayat al-Amr* (based on allegiance to the ruler) and the engagement of armed conflict as a duty in *Jihad*.

8. We see two factions of Salafis, one upholds the principle of Wali al-Amr, and the other has engaged dissent without calling for Jihad.

II. Wilayat al-Amr

9. Allegiance to the contemporary ruler is a principle of the Quietist/apolitical Salafi current. Dammaj Salafis under shaykh al-Hajuri remained at the margins during the Arab Spring, even through the period of the National Dialogue Conference in Sana'a.¹⁰ Unlike the Salafi al-Rashad party,¹¹ established in 2012, Dammaj Salafis rejected taking sides during the popular uprising against Ali Abdullah Saleh (Yei.003) and political participation in the transition process under Abdo Rabbo Mansour Hadi.

10. Eventually, shaykh al-Hajuri illustrated his commitment to *wali al-amr* (the ruler) by complying with president Hadi's evacuation from Dammaj in December 2013. Al-Hajuri displayed loyalty to the ruler, president Hadi, even if it cost him his base in Dammaj. Shaykh Abu al-Abbas, another former pupil of shaykh Moqbil, has also justified his role in the conflict in Ta'izz against the Houthis as support for president Hadi. Interestingly enough, Abu al-Abbas has yet to frame his role in the armed conflict as revenge or jihad against Houthis, claimed as his primary foes in Ta'izz.¹²

11. In Ta'izz, Salafi elements leveraged work conducted by charity organizations like al-Hikma since 1991 to attract followers at the start of hostilities in 2015. Abu al-Abbas, for example, entered Ta'izz city from al-Turba and gained strength from local recruits, as have other militias in the area. Such Salafi groups then claimed their activities would turn to providing social services to the population, including security and courts. Salafi leaders claimed this was only to fill the vacuum in the absence of government authority. These were activities far beyond those engaged by Salafi associations in the past.

12. In Aden governorate, the environment involved a number of rivalries and new conflicts. Salafi clerics and leaders of Resistance elements in Aden no longer face Houthi elements after July 2015,¹³ now they encountered increasing hostility from secessionist elements, themselves in a political conflict with president Hadi, seen as *wali al-amr*.

13. Southern elements believed Salafi clerics from Dammaj and those affiliated with al-Islah party would promote dissent among their congregations and promote opposition to secessionist agendas. While many of Salafi leaders have been killed (see Annex 10) since the liberation of Aden, a number of them have shifted their views, along with newly emerging leaders, and have become leaders of armed groups fighting Houthis along various fronts with UAE support.

III. Dissent without Jihad

14. Tension between Salafi factions has not only led to violence but also has fragmented the front against Houthis. In both Aden and Ta'izz the secondary armed conflict involves Salafis and elements of al-Islah party. In Aden, shaykh Hashem al-Saeed was an early voice antagonizing al-Islah following liberation of Aden.¹⁴ He publicly called for supporters to fight al-Islah, even though he is not a southern secessionist. In Ta'izz, Abu al-Abbas remains a staunch opponent of al-Islah party, even though the Salafi shaykhs claims to support president Hadi, whose government is heavily supported by al-Islah from Riyadh, Saudi Arabia.¹⁵

¹⁰ See <https://www.usip.org/publications/2013/03/yemens-national-dialogue>

¹¹ <https://journals.openedition.org/cy/2811>

¹² Abu al-Abbas has made such claims during interviews with the Panel.

¹³ <https://www.bbc.com/news/world-middle-east-33563190>

¹⁴ Comments made by leaders of al-Islah to the Panel during interviews November 2018.

¹⁵ See S/2018/594 and <http://sanaacenter.org/publications/the-yemen-review/6634>

15. The principles of *Wilayat al-Amr* and *Jihad* intersect where Salafis aim at ascending as a center of influence (over al-Islah) and defeating Houthis along all fronts (Hudayda, Ta'izz and Sa'dah). Hashem al-Saeed (Aden), Abd al-Rahman 'Abu Zurah' (Subaiha, Lahij), Abu al-Abbas (Ta'izz) and Hani Bin Breik (Aden), each have their own aspirations and approach to the armed conflict. All count with substantial support from southern recruits and UAE training and/or financial support.

16. Abd al-Rahman 'Abu Zurah', leader of al-Amalaqa (Giants) Brigades, claims allegiance to president Hadi, even as he receives support from the UAE to fight against Houthis in Hudayda. Hani bin Breik, vice president of the Southern Transitional Council (STC), supports a secessionist agenda while claiming to recognize president Hadi.¹⁶ Bin Breik, and some STC elements, claim their support for security forces against government troops in January 2018 focused on corrupt individuals like former Prime Minister Ahmed bin Dagher, commanders of Presidential Protection Brigades and al-Islah elements.

17. While nearly all Salafi factions agreed on joining the fight against Houthis since 2015, differences remain among leaders as to their role in the wider conflict and future political roles. Some clerics like Samhan al-Rawi,¹⁷ of al-Buraiqa, were allegedly killed for their links to al-Qaeda elements. Others like Mohammed al-Adeni,¹⁸ are said to have opposed an expanded role beyond the fight against Houthis in Aden in 2015.

18. Without a doubt, Salafi elements have nearly abandoned the quietist approach, but a substantial faction has also rejected a political role or a wider definition of *jihad* during the ongoing conflict. It is highly doubtful that Salafis who have received training, financial support and weapons since July 2015 will eventually disarm and return to their mosques and learning centres. Al-Islah and the latecomer al-Rashad Party will certainly be challenged in the near future in their respective spheres of influence. This may come in form of political opposition or armed conflict.

¹⁶ <https://www.sadaalmawakea.com/show/790058/>

¹⁷ <https://english.alarabiya.net/en/News/middle-east/2016/01/31/Yemeni-resistance-commander-assassinated-in-Aden.html>

¹⁸ <https://www.youtube.com/watch?v=SPgeVaJX8os>

Annex 6. Clerics Targeted / Assassinated in Aden

Table 6.1
List of Salafi clerics targeted / assassinated in Aden

| <i>Ser</i> | <i>Name</i> | <i>Title</i> | <i>Location</i> | <i>Remarks</i> |
|------------|--------------------------------------|--|-----------------|--|
| 1 | Ali Uthman al-Jaylani ¹⁹ | Imam of al-Qa'drya Mosque | | 4 January 2016 |
| 2 | Samhan al-Rawi | Imam of Ibn al-Qaym Mosque | | 31 January 2016 |
| 3 | Abd al-Rahman al-Adeni | Shaykh at Fayush Institute | | 28 February 2016 |
| 4 | Marwan Abu Shawqy | | | 29 April 2016 |
| 5 | Abid Majmal | Imam of al-Faruq Mosque | | 5 July 2016 |
| 6 | Fayz al-Dhubiani | | | 21 July 2016 ²⁰ |
| 7 | Abd al-Rahman al-Zahry ²¹ | Imam of al-Rahman Mosque | | 23 July 2016 |
| 8 | Salah Khalys | Imam of al-Radha Mosque | | 15 August 2016 |
| 9 | Yaseen al-Hushaybi | Imam of Zayd Mosque | | 10 October 2017 / Mansoura, Aden |
| 10 | Fahd al-Yunsi | Imam of al-Sahaba Mosque | | 18 October 2017 / |
| 11 | Adel al-Shahiry | Imam of Sa'ad bin Abi Waqass Mosque | | 28 October 2017/ |
| 12 | Abd al-Rahman al-'Amrani | Imam of al-Sahaba Mosque /Fayush Institue | | 5 December 2017 |
| 13 | Fayz Fuad | Imam and preacher of Abd al-Rahman bin Awaf Mosque | | 12 December 2017 |
| 14 | Saleh al-Shaybani | Imam of al-Qirqa'n Mosque | | 5 January 2018 |
| 15 | Ameen Ba'Yamin ²² | Imam of al-'Adl Mosque | | 18 January 2018 |
| 16 | Aref al-Subeihi | Imam of al-Rahman Mosque | | 24 January 2018 |
| 17 | Shawqi Kamadi | Imam of al-Thawar Mosque | | 13 February 2018 |
| 18 | Jalal al-Marmy | Imam of Al Bayt Mosque | | 14 February 2018 |
| 19 | Yasser al-Azzy | Imam of Sahat al-Shuhada Mosque | | 28 March 2018 |
| 20 | Nadhal Ba'Hawyrith | Imam of al-Dhahybi Mosque | | 28 March 2018 |

¹⁹ Confirmed by al-Islah party leaders interviews by the Panel in November 2018.

²⁰ Al-Islah party leaders provided 24 July 2016 as the date.

²¹ Confirmed by al-Islah party leaders interviews by the Panel in November 2018.

²² Ibid

Table 6.2
List of other Salafi clerics targeted / assassinated²³

| <i>Serial</i> | <i>Name</i> | <i>Position</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|--|---|-------------------|------------------------|
| 1 | Shaykh Ali Othman al-Jaylani ²⁴ | Imam and preacher at al-Qa'drya mosque | Crater, Aden | Killed 04 Jan. 2016 |
| 2 | Shaykh Wahhad Awn | Salafi, Resistance leader and Director of Mansoura Prison | Mansoura, Aden | 06 May 2016 |
| 3 | Yasser al-Hamudy | Resistance leader | Abyan | 15 June 2016 |
| 4 | Shaykh Thabet al-Khalaly | Imam and preacher of al-Habilayn mosque | al-Habilayn | Killed on 03 Aug. 2016 |
| 5 | Yasser 'Azzy ²⁵ | Imam and preacher Omar bin al-Hitab | Mansoura, Aden | 04 April 2018 |
| 6 | Muhammed Ragheb Ba'Zara' | Imam and preacher at Abdallah Azzam mosque | Mua'lla, Aden | 21 July 2018 |
| 7 | Hamid al-Athwary | Imam at al-Farqa'n | Khor Makser, Aden | 23 Oct. 2018 |

Table 6.3
List Members of al-Islah Party assassinated²⁶

| <i>Serial</i> | <i>Name</i> | <i>Title</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|--|--|-----------------|--|
| 1 | Shaykh Salah Khalis ²⁷ | Former Head of Islah Branch in Ade | Aden | Killed in Mansoura / 15 Aug. 2015 |
| 2 | Shaykh Fayz Fuad ²⁸ | Imam and preacher of Abd al-Rahman bin Awaf Mosque | Aden | Killed in Mansoura/ 12 Dec. 2017 |
| 3 | Shaykh Shawqi Muhammed Muqbil Kamady ²⁹ | Member of Islah Executive Committee - Aden | Aden | Killed in Mu'alla near Mareb school/14 Feb. 2018 |
| 4 | Safwan Abd al-Mawleh al-Sharjabi | Lawyer, Human Rights Activist/Islah member | Aden | Killed in Mu'alla/ 9 May 2018 |

²³ Names highlighted during interviews with Aden leaders of al-Islah, November 2018.

²⁴ See No. 1 in list above.

²⁵ He is No. 19 on list above. News article on footnote 1 gives date of assassination as 28 March 2018, but he died on 4 April 2018.

²⁶ Names highlighted during interviews with Aden leaders of al-Islah, November 2018.

²⁷ See No. 8 in list above.

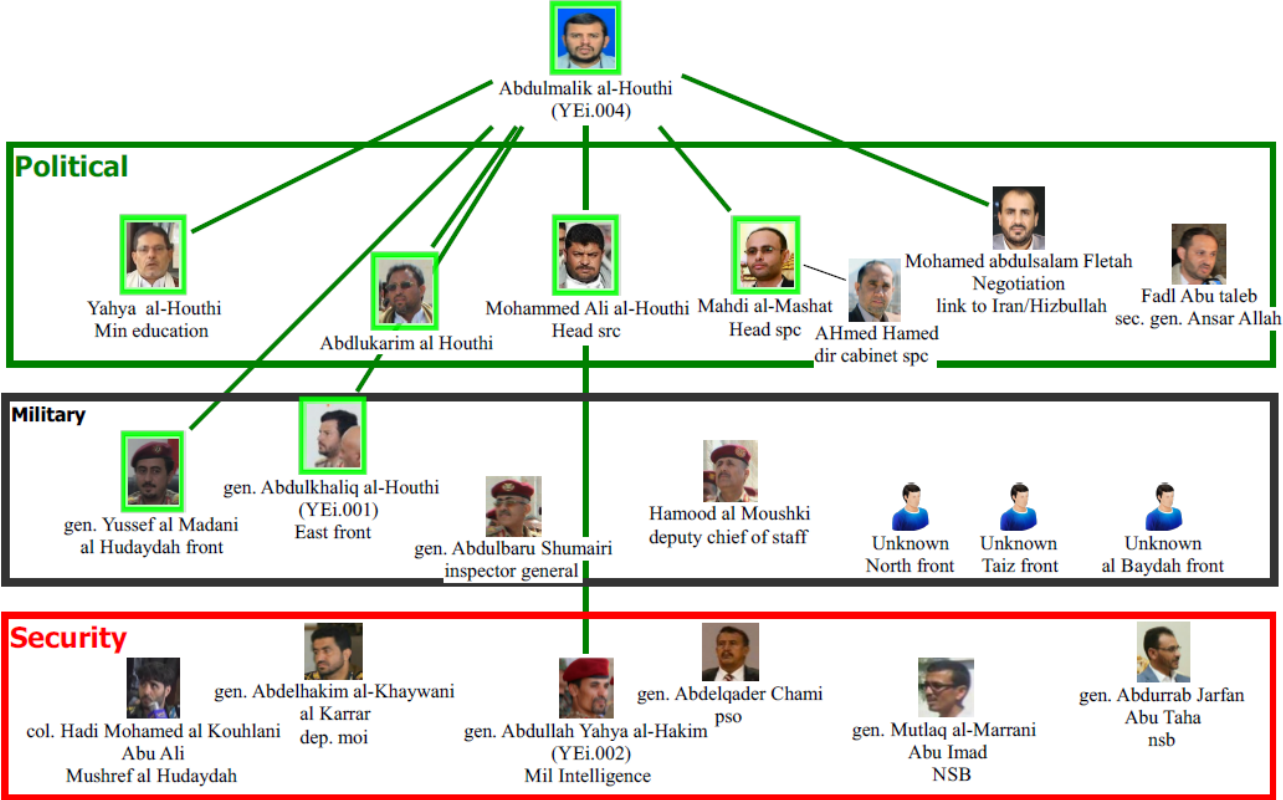
²⁸ See No. 13 in list above

²⁹ See No. 17 in list above. News article on footnote 1 gives date of assassination as 13 February 2018.

Table 6.4
List of members of ‘Resistance’ (al-Muqawma) assassinated

| <i>Serial</i> | <i>Name</i> | <i>Position</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|---------------------------|-------------------|-----------------|---------------------------|
| 1 | Hamdi Zayd al-Shatiry | Resistance leader | Khur Makser | Killed on 30 Aug. 2015 |
| 2 | Ahmed al-Idrisy | Resistance leader | Mansoura | 30 Aug. 2015 |
| 3 | Makhfuth Jamal Muhammed | Resistance member | Mansoura | 27 Jan. 2016 |
| 5 | Sjhaykh Mazen al-Aqraby | Resistance leader | Mansoura | 20 Feb. 2016 |
| 6 | Brg. Gen. Hariz al-Halimy | Resistance leader | Mansoura | 28 June 2016 |
| 7 | Saleh Aydarous al-Janidy | Resistance leader | Abyan | 31 July 2016 |

Annex 7. Houthi network of interest to the Panel



Annex 8. The Order of Battle of the National forces based on official documents

| <i>Ser</i> | <i>Governorate</i> | <i>Unit name</i> | <i>Location</i> | <i>Strength</i> |
|------------|--------------------|---|-----------------|-----------------|
| | Ad Dali' | | | 1,570 |
| 1 | | Assadrein Brigade | Mryes | 800 |
| 2 | | Camp 30 Hamk | Mryes | 770 |
| | Al Baydah | | | 1,880 |
| 3 | | al Awadh Groups | Al Baydah | 30 |
| 4 | | Al Baydah Axis | Al Baydah | 290 |
| 5 | | Al Baydah Resistance | Al Baydah | 450 |
| 6 | | Al Baydah Security | Al Baydah | 410 |
| 7 | | Governorate Police and Special Security | Al Baydah | 600 |
| 8 | | Qania Resistance | Al Baydah | 100 |
| | Al Jawf | | | 18,942 |
| 9 | | 101 Brigade | Al Jawf | 2,840 |
| 10 | | 123 Brigade | Al Jawf | 504 |
| 11 | | 137 Brigade | Al Jawf | 840 |
| 12 | | 139th Infantry Brigade | Mafag al Jawf | 1,300 |
| 13 | | 37th Brigade al Khsha'ha | Al Khasha'ha | 3,378 |
| 14 | | 4th Border Protection Brigade | Al Jawf | 300 |
| 15 | | 6th Military District and Recruits | Al Jawf | 3,140 |
| 16 | | 9th Brigade | Al Jawf | 600 |
| 17 | | al Amal Brigade | Al Jawf | 1,000 |
| 18 | | Al Fath Brigade | Al Jawf | 480 |
| 19 | | Al Jawf Axis HQ | Al Jawf | 720 |
| 20 | | Al Jawf Hospital | Al Jawf | 320 |
| 21 | | Annasr Brigade | Al Jawf | 2,970 |
| 22 | | Khaled Ben Al Waleed Brigade | Al Jawf | 300 |
| 23 | | Special Forces Battalion Allabanat | Al Jawf | 250 |
| | Al Mahrah | | | 6,538 |
| 24 | | 11th Border Protection Brigade Tays | Rimah | 2,918 |
| 25 | | 123 Brigade | Al Ghaydah | 1,710 |
| 26 | | 137th Brigade | Al Mahrah | 1,090 |
| 27 | | 2nd Military District HQ & al Mahrah Axis | Al Mahrah | 820 |
| | Hadramawt | | | 16,340 |
| 28 | | 135th Brigade | Saywun | 3,360 |
| 29 | | 1st Military district Command HQ | Saywun | 2,330 |
| 30 | | 24th Mechanized Brigade | Al Abr | 2,780 |
| 31 | | 2nd Residential Protection Brigade | Al Wadea | 1,350 |
| 32 | | 315th Brigade | Thamud | 2,450 |
| 33 | | 5th Border Protection Brigade | Al Wadea | 500 |
| 34 | | 63rd Infantry Brigade | Al Wadea | 850 |
| 35 | | 7th Brigade | Al Abr | 1,300 |

| <i>Ser</i> | <i>Governorate</i> | <i>Unit name</i> | <i>Location</i> | <i>Strength</i> |
|------------|--------------------|--|-----------------|-----------------|
| 36 | | 83rd Infantry Brigade | Al Wadeea | 300 |
| 37 | | Artillery Brigade | Al Wadeea | 300 |
| 38 | | Shwitter Brigade | Al Wadeea | 500 |
| 39 | | Special Forces Units | Al Wadeea | 200 |
| 40 | | Thamud axis | Thamud | 120 |
| | Hajjah | | | 7,060 |
| 41 | | 5th Military District | Midi | 7,060 |
| | Ibb | | | 2,850 |
| 42 | | Al Qafr Resistance 6th Military District | Al Qafr | 30 |
| 43 | | General Security | Ibb | 700 |
| 44 | | General Security + Reception Camp | Qa'taba | 1,500 |
| 45 | | Ibb Security Axis Reception | Al Sha'ir | 620 |
| | Ma'rib | | | 49,610 |
| 46 | | 103rd Infantry Brigade | Sirwah | 2,210 |
| 47 | | 107th Brigade safe | Safer | 2,520 |
| 48 | | 125th Infantry Brigade | al Mass | 1,484 |
| 49 | | 13 Brigade | Ma'rib | 2,470 |
| 50 | | 14 Armored Brigade | Sahn al Watan | 2,820 |
| 51 | | 180th Air Defense Brigade | Sahn al Watan | 660 |
| 52 | | 1st Shaddadi Brigade | Ma'rib | 600 |
| 53 | | 203 Infantry Brigade | Sahn al Watan | 2,270 |
| 54 | | 26th Infantry Brigade | Harib | 3,060 |
| 55 | | 29 Brigade Amaleqa | Unknown | 600 |
| 56 | | 2nd Shaddadi Brigade | Ma'rib | 300 |
| 57 | | 310th Armoured Brigade | al Mass | 1,300 |
| 58 | | 312nd Armored Brigade | Serouah | 2,440 |
| 59 | | 314 Brigade and Recruits | al Mass | 2,330 |
| 60 | | 3rd Military District Branches | Ma'rib | 2,560 |
| 61 | | 3rd Military District Command HQ | Ma'rib | 1,270 |
| 62 | | 3rd Mountain Infantry Brigade | Sirwah | 800 |
| 63 | | 63rd Infantry Brigade | Sahn al Watan | 500 |
| 64 | | Al Bashaeer Camp | Al Jouba | 495 |
| 65 | | Al Hashd Camp | Al Mass | 500 |
| 66 | | Al Hazm Batallion | Harib | 820 |
| 67 | | Al Mass camp | Al Mass | 400 |
| 68 | | Annasr Training Camp | Al Mil | 750 |
| 69 | | Bani Dabyan Resistance | Sirwah | 276 |
| 70 | | Bani Dabyan Tribes | Sirwah | 95 |
| 71 | | El Kara Hospital | Ma'rib | 150 |
| 72 | | General Security Ma'rib | Ma'rib | 1,000 |
| 73 | | Headquarters | Ma'rib | 1,430 |
| 74 | | Ibb Axis 55 Artillery | Unknown | 1,320 |

| <i>Ser</i> | <i>Governorate</i> | <i>Unit name</i> | <i>Location</i> | <i>Strength</i> |
|--------------|--------------------|---|-----------------|-----------------|
| 75 | | Infrastructure Guard | Ma'rib | 400 |
| 76 | | Madghal Hospital | Ma'rib | 40 |
| 77 | | Military Hospital Ma'rib | Ma'rib | 50 |
| 78 | | Patrol Police | Ma'rib | 300 |
| 79 | | Peacekeeping Brigade | Sahn al Watan | 1,170 |
| 80 | | Personal Security | Ma'rib | 1,300 |
| 81 | | Prisons Services | Ma'rib | 250 |
| 82 | | Reception Camp | Al Mil | 1,300 |
| 83 | | Recruit al Abdiyah | Al Abdiyah | 1,000 |
| 84 | | Recruit Ma'rib | Ma'rib | 3,660 |
| 85 | | Special Batalion- Hazm 2 | Sahn al Watan | 550 |
| 86 | | Special Forces Batallion | Ma'rib | 400 |
| 87 | | 133rd Infantry Brigade | Naq'a | 150 |
| 88 | | Special Forces school | Ma'rib | 60 |
| 89 | | Tihama Camp | Al Mil | 1,550 |
| | Sana'a | | | 15,220 |
| 90 | | 117 Infantry Brigade | Fardat Nehem | 1,590 |
| 91 | | 121 Infantry Brigade | Fardat Nehem | 1,420 |
| 92 | | 131st Infantry Brigade | Fardat Nehem | 6,000 |
| 93 | | 133rd Infantry Brigade | Fardat Nehem | 1,850 |
| 94 | | 1st Mountain Infantry Brigade | Fardat Nehem | 1,100 |
| 95 | | 72 Infantry Brigade | Fardat Nehem | 2,160 |
| 96 | | 7th Military District HQ | Fardat Nehem | 30 |
| 97 | | 81st Brigade | Fardat Nehem | 670 |
| 98 | | Athama Resistance 7th Military District | Athama | 200 |
| 99 | | Sana'a Police | Fardat Nehem | 200 |
| | Shabwah | | | 16,420 |
| 100 | | 19 Infantry Brigade | Bayhan | 2,540 |
| 101 | | 21st Brigade | Bayhan | 3,810 |
| 102 | | 2nd Marine Infantry Brigade | Ateq | 1,170 |
| 103 | | 2nd Mountain Infantry Brigade | Ateq | 2,150 |
| 104 | | 30th Brigade + Ateq Axis HQ | Ateq | 3,750 |
| 105 | | Recruit Bayhan | Bayhan | 3,000 |
| | Ta'izz | | | 500 |
| 106 | | Ta'izz Resistance | Ta'izz | 500 |
| Total | | | | 136,930 |

Annex 9. Ta'izz Militants³⁰

| <i>Serial</i> | <i>Name</i> | <i>Position</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|---|--|---|--|
| 1 | Shabab al-Dawla al-Khilafah al-Islamiyyah | Group | Ta'izz city | Panel is investigating its relations to groups outside Yemen |
| 2 | Abd al-Mo'omen al-Zaylai | Commander of Shabab al-Dawla al-Khilafah al-Islamiyyah | Ta'zz city | |
| 3 | Hasm Battalion | Group | Ta'izz City | This group may also be known as 'Hassan Battalion' |
| 4 | Ammar al-Jandubi | Field commander | Ta'izz city | Hasm Battalion |
| 5 | Al-Qa'qah Brigade | Group | Ta'izz city | Leadership appears to be from outside Ta'izz governorate |
| 6 | Al-Kuthr Battalion | Group | Al-Kuthr & al-Sharaf neighborhoods of Ta'izz city | Number of militants in the low hundreds |
| 7 | Waleed al-Rahyf | Al-Kuthr Battalion | Al-Kuthr & al-Sharaf neighborhoods of Ta'izz city | Regarded as leader of Al-Kuthr Battalion |
| 8 | Al-Tulab Brigade | Group | Al-Hisab/Bir Basha areas of Ta'izz city | The Panel is investigating the group's relations with other actors |
| 9 | Majid Mah'yub al-Sha'rabi | Spiritual Leader | | Relations with al-Sa'lik Brigade |
| 10 | Sa'ad al-Qumairi | Al-Sa'lik Brigade member | Ta'izz city | |
| 11 | Al-Hussein Ben Ali | Al-Sa'lik Brigade field commander | Ta'izz | Relations with the Lone Wolves Group |
| 12 | 'Usbat al-Haq Brigade | Group | Al-Jumhuri area, City of Ta'izz | A splinter group from Abu al-Abbas Brigade |

³⁰ Information was provided through interviews conducted by the Panel in Yemen and outside the country during the reported period.

| <i>Serial</i> | <i>Name</i> | <i>Position</i> | <i>Location</i> | <i>Remarks</i> |
|---------------|-----------------------------|---|--|--|
| 13 | Abu al-Walid Batallion | Group | Al-Qahira area, city of Ta'izz | |
| 14 | Lone Wolves Battalion | Group | Bab Musa/al- Nasariyya areas of city of Ta'izz | |
| 15 | Mujmua'a al-Malithmeen | Group | Ta'izz city | The Masked Group |
| 16 | 'Usu'd al-Sunnah | Group | Ta'izz city | The Panel is investigating its relation to ISIS |
| 17 | Naji Muhammad al-Khuli | Spiritual leader of 'Usu'd al-Sunnah | Ta'izz city | |
| 18 | Bilal Ali Muhammad al-Wafi' | Ansar al-Sharia | Ta'izz city | The group remains present in: al-Jumhuri/al- Samil Market and other neighborhoods of Ta'izz city |

Annex 10. Recruiting into the Houthi forces

1. Houthi recruiting is primarily performed at community level. Houthi supervisors (known as *Mushrifeen* pl.) persuade young men some as young as 16, but mostly in the 18 – 22 range, to join the Houthi forces.³¹ Most recruits from rural areas have not completed primary education, and the majority are not functionally literate. Young men do not join as individuals, they go in groups – brothers or cousins, or people from a close-knit community. Hunger is a common reason for joining, people know that recruits will have access to food. Recruits tend to come from the poorest families in any community.³²

2. The recruitment messages that the Houthi supervisors project are based on loyalty to community and addressing grievances: young people are told that they have a chance to address the wrongs wrought upon Yemen by fighting to repel an invading force that directly impacts on their communities and may overrun them if it is not repelled. Once the young men arrive for formal training in the Houthi training camps they are shown videos in which Abdulmalik al-Houthi (YEi.004) talks to them directly and motivates them to fight together.³³

3. The young men know that the men fighting for the Coalition are paid 1,000 SAR a month plus a combat bonus, while the Houthis might only pay 30,000 – 40,000YER a month, and many recruits may have to buy some of their own food. The recent devaluation of the Yemeni Riyal and rising food prices increased the hardship on the Houthi fighters since it has made it hard for many of them to save any money.

4. Houthi fighters fight for one ‘tour’ of six to eight months, some of them go home and do not return to the ranks. Over their six months’ duty, they may not save even 30,000YER; this, given the rising price of food, means that their incentives to serve longer are decreasing.³⁴ ‘Promotion’ simply means taking a fighting position with a very high mortality rate. i.e. recruits are promoted into martyrdom. Unlike in previous periods of conflict, when fighters return home, they are not allowed to keep their weapon - even if the weapon was provided by the fighter or his family.

5. In communities where people fear losing a generation of young men, the communities now pool money to pay for teachers to work and keep their children and young people in school, in order to keep them away from Houthi recruiters and improve their chances of taking roles other than fighting.³⁵

³¹ See: https://www.youtube.com/watch?time_continue=31&v=PorUt9Bzc6E

³² Panel interviews with sources in Sana’a, November-December 2018.

³³ See for instance <https://www.youtube.com/watch?v=sp9YFt1mOfk>. In a telephone interview with sources in Sana’a in November it was reported to the Panel that – for instance -the Houthi recruiters point out that prior to 2015 Aden had two prisons, it is now reported to have twenty-seven prisons (as reported on Al Jazeera in June 2018).

³⁴ Panel interviews with sources in Sana’a, November-December 2018.

³⁵ Panel interviews with sources in Sana’a, November-December 2018.

Annex 11. Anti-ship cruise missiles

1. The Panel continues to investigate the use of anti-ship cruise missiles by the Houthi forces against civilian and military vessels in the Red Sea. Based on the available data, the Panel has come to the conclusion that both the crude carrier *Abqaiq* on 3 April 2018 and the bulk carrier *Ince Inebolu* on 10 May 2018 were hit by anti-ship cruise missiles launched from territories of Yemen under the control of the Houthi forces. In November 2017, the Houthis showed in their media images of five anti-ship cruise missiles, which they called *Al Mandab 1*.

Figure 11.1

Anti-ship cruise missiles *Al-Mandab-1* shown in the Houthi media



Source: <https://www.youtube.com/watch?v=k4xiknMgDTY&feature=youtu.be>

2. In their media, the Houthis had declared their intention to block the Red Sea shipping lanes in early January 2018³⁶ and this announcement coincided with the first recorded, unsuccessful attack, most likely using a WBIED, against the crude carrier *Niban* on 6 January 2018. The stated intention was to bring the Coalition to the negotiation table and to ease the military pressure on the West Coast by threatening the vital oil exports through the Red Sea.

3. The crew of the *Ince Inebolu* reported that an unidentified skiff passed in the proximity of the bulk carrier before the attack and the crews of numerous other commercial vessels have also reported suspicious approaches by small boats preceding attempted or successful attacks. The Panel believes that the Houthi forces use the AIS of vessels operating in the Red Sea to track their movements³⁷, and then deploy small vessels to confirm their identity and to relay their positions to the launch stations in Yemen. Mobile radars are then used to acquire the targets. The Panel has no information regarding the launching platforms used but given the trajectory of the missiles and the fact that the Houthi forces do not have access to larger naval ships, it assumes that mobile, land-based launchers are used.

³⁶ See interview with the chief of the Houthi's political council, Saleh al-Samad, with SABA News Agency, quoted in: <https://www.reuters.com/article/us-yemen-security/yemens-houthis-threaten-to-block-red-sea-shipping-lane-idUSKBNIEY2AP>

³⁷ Crude carriers flying the flag of the Kingdom of Saudi Arabia are known to have a policy to turn off their AIS transponders while operating close to territories under the control of the Houthi forces. However, as the AIS is always turned off and turned back on at the same positions, it is comparatively easy to calculate when the vessels are in range for an attack.

Figure 11.2

Radar image from *Abqaiq* showing the trajectory of the missile



Source: Confidential

4. At the time of the attack, the *Abqaiq* was 88km and the *Ince Inebolu* was about 124km away from the nearest coastal area in Yemen. Prior to these attacks, the Houthi forces were known to be in possession of Chinese-made Chinese C801 anti-ship cruise missiles, which they captured in 2015 from the Yemeni Navy, but those missiles have a published range of 42 kilometres, which would put both vessels outside of the attack range. The Panel therefore is investigating whether the Houthi forces obtained longer-range missiles.

Figure 11.3

Positions and headings of *Abqaiq* and *Ince Inebolu* at the time of the attack



Source: Panel

5. The Panel has inspected projectile debris from both *Abqaiq* and *Ince Inebolu* at military installations in the Kingdom of Saudi Arabia in June, September and December 2018 and found technical characteristics consistent with the Chinese-made C802 anti-ship cruise missile or its Iranian-made variant *Noor*. These systems are using a

turbo-engine, which significantly increases their effective range (to 120 to 190km) compared with the earlier C801 missile, which would have allowed for attacks on the two civilian vessels.

6. Among the projectile debris from both vessels (see figure 11.5 below), the Panel recovered components, which show technical characteristics consistent with French-manufactured Microturbo TRI-60-2 engines³⁸. One of the pieces also shows the Commercial-and-Government-Entity (CAGE) code F1989, which has been allocated to **Microturbo SA** in Toulouse/France. The company has confirmed the technical analysis of the Panel and has traced one component found on the *Abqaiq* to an engine manufactured in November 1992 in France and exported in December 1992 to **SODIS SA** in Barcelona/Spain. The Panel has contacted the Government of Spain in order to trace the chain of custody for this engine and is waiting for a response. The Panel notes that in addition to the factory markings, several components of the Microturbo engines identified among the debris, show additional, post-production markings. The Panel is investigating whether these markings were added by an unknown party, for example while the engines were being refurbished.

Figure 11.4

Significant debris of the two Microturbos with characteristics similar to TRI-60-2



Left: Debris of Missile#2 (Ince Inebolu)

Right: Debris of Missile#1 (Abqaiq)

³⁸ The TRI-60-2 Microturbo engine is a small turbojet engine, which is designed to power cruise missiles and aerial targets. It has no known civilian application.

Figure 11.5
Features of TRI-60-2



Source: <http://www.leteckemotory.cz/motory/microturbo/>

Figures 11.6
Microturbo components showing markings



Missile #1 (Abqaiq)
071-01-102/1
F1989 92 B2801500
DN28
KA1189



Missile #2 (Ince Inebolu)
067-01-034-06 (A)
M 16 126 "126 new marking"
F1989



Missile #1 (Abqaiq)
4530077.002 N973



Missile #1 (Abqaiq)
 ?ESPA 12/91 **F1989** 077-01-015-
 b 824 (stamp 05)

Source for all pictures: Panel

7. During an inspection in the Kingdom of Saudi Arabia in December 2018, the Panel was able to access additional debris from the *Ince Inebolu*, which contained what appears to be markings from a C802 anti-ship cruise missile, as well as other markings showing Chinese characters (see figure 11.7 below). However, the chain of custody for those items remains unclear and the Panel does not understand why these items were only made available six months later than the rest of the debris. The Panel has received information from China that the country's authorities are unable to confirm whether the markings are authentic. Therefore, the Panel cannot conclude with certainty that the missiles were developed or manufactured in China.

Figure 11.7
Pieces of debris allegedly from Missile #2 (Ince Inebolu)



Source: Panel

8. The Panel has received confidential information, including photographic evidence regarding the attack on the Israeli corvette INS *Hanit*, which was attacked by two anti-ship cruise missiles on 14 July 2006 off the coast of Lebanon. These missiles were deployed by the non-state Lebanese armed group Hezbollah and are believed to have also been C802 missiles. The photographic evidence presented to the Panel included components similar to those inspected by the Panel in the Kingdom of Saudi Arabia, some of which were clearly marked with **Microturbo's F1989** cage code. This is a further indication that at least some of the C802 missiles are indeed powered by Microturbo TRI-60-2 engines.

9. In late November 2018, the Panel was informed by the Government of Yemen that both C801 and C802 anti-ship cruise missiles were part of the Yemeni Navy's arsenal prior to the imposition of the targeted arms embargo in 2015. The Government of Yemen stated that the missiles were captured by the Houthi forces and modified, allegedly with the assistance of Iranian or Hezbollah technical experts with the aim to increase their range. The Panel continues to investigate these allegations.

Annex 12. Unmanned aerial vehicles

1. The Panel continues to investigate the use of unmanned aerial vehicles in reconnaissance and attack roles both in Yemen and against targets in the Kingdom of Saudi Arabia, and possibly, in the United Arab Emirates. The Panel has inspected the debris of UAVs of different types at military facilities in Yemen (Aden), in the KSA and in the UAE. The debris of the UAV had been recovered by Coalition forces after the UAVs were either shot down or crash-landed.

2. Since August 2018, the Houthi forces have begun to deploy a new type of UAV, here called the *UAV-X*, which has a length of 280cm, a wingspan of 450cm and a circumference of 84cm. It features distinctive V-shaped tail fins and is powered by a rear-mounted pusher-engine. The two *UAV-X*, which were inspected by the Panel in the UAE were powered by German-made 3W110i B2 engines (see below), while the three *UAV-X*, which were inspected by the Panel in the KSA were powered by Chinese-made DLE 170 engines.

Figure 12.1
Debris of a “UAV-X” inspected in KSA



Source: Panel

Figure 12.2
DLE 170 engine



Source: Panel

Figure 12.3
3W110i B2 engine



Source: Panel

3. The *UAV-X* is being used by Houthi forces both in reconnaissance roles (featuring a *Nikon D810* digital camera) and in attack roles. In the latter case, the *UAV-X* is used as a loitering munition carrying a warhead of 18kg of explosives mixed with ball bearings.

Figure 12.4
Lens of *Nikon D810* digital camera recovered from *UAV-X* debris



Source: Panel

Figure 12.5
Warhead of explosives mixed with ball bearings recovered from *UAV-X* debris



Source: Panel

4. Based on information received from the engine manufacturer, the 3W110i B2 engine has a fuel consumption of 3.5 liters per hour. The fuel tank of the *UAV-X*, in the main fuselage, has a capacity of approximately 21 liters, which would allow for an endurance of six hours without the need to re-fuel. In KSA, the Panel has also inspected what appears to be additional external fuel tanks for the *UAV-X*, which would increase the endurance further. The engine manufacturer estimates that, depending on prevailing wind conditions, an airspeed of 200 to 250km per hour and a maximum range of 1,200 to 1,500km could be achievable for the *UAV-X*.

Figure 12.6
Possible external fuel tanks for the *UAV-X*



Source: Panel

1. The Panel has documented the serial numbers for the engines powering the *UAV-X*, in order to identify the supply networks as well as potential violations of the targeted arms embargo. While a reply from the People's Republic of China regarding the DLE 170 engines is still pending, the Panel has received information that the two 3W110i B2 engines were part of a shipment of 21 engines, which were exported in June 2015 to **Eurowings Aviation & Consultancy Ltd.** in Athens/Greece (see documentation below). The Panel has contacted Greece to identify to which company the two engines were re-exported. A reply is still pending.

Figure 12.7
Delivery note from 3W-International GmbH

3W-International GmbH



3W-International GmbH · Hollersr. 12 · D-61350 Bad Homburg

Eurowings Aviation & Consulting Ltd.
12 Ventouri Street

15561 Holargos Athen
Greece



Delivery Note No. 2015-128

Customer No.: 60175
Processed by: cw

Delivery date: 22.06.2015
Date: 22.06.2015

| Item | Qty. | Unit | Art.-No. | Weight kg | Description |
|------|------|------|------------|-----------|---|
| 1 | 21,0 | pcs | 10.001.420 | | 3W-110i B2, tractor, counter clockwise gasoline engine incl. ignition |
| 2 | 21,0 | pcs | 10.001.500 | | 3W-112i B4, tractor, counter clockwise gasoline engine incl. ignition |

Source: Confidential

Figure 12.8
Packing list from 3W-International GmbH

753.1 Packliste / Packing list*

Kunde / Customer: EUROWINGS Datum/Date: 23.06.15

AB-2248

| Karton Nr. / Box no. | Menge / Qty. | Einheit / Unit | Artikelnummer / Art.-No. | Bezeichnung / Description | Bestellnummer / Order no. | Kartongröße / Box Size | Gewicht / Weight (kg) | verpackt / packed |
|----------------------|--------------|----------------------------|--------------------------|----------------------------|---------------------------|------------------------|-----------------------|-------------------|
| 16 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561518B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561526B | | | |
| 17 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561519B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561525B | | | |
| 18 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561523B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561529B | | | |
| 19 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561510B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561511B | | | |
| 20 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561527B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561521B | | | |
| 21 | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561528B | H124 | 9,3 | UW |
| | 1 | Stück / pcs Paar / pair | 10.001.420 | 3W.110iB2+ Twignition 35cm | 1561509B | | | |



753.1 Packliste / Packing list

Kunde /
Customer: EUROWINGS

Datum/Date: 23.06.15
AB-2248

| Karton Nr. / Box no. | Menge / Qty. | Einheit / Unit | Artikelnummer / Article number | Bezeichnung | Seriennummer / Serial number | Kartongröße / Box Size | Gewicht / Weight (kg) | verpackt / packed |
|-------------------------|-----------------|-----------------------------|-----------------------------------|--------------------------------------|---------------------------------|------------------------|--------------------------|-------------------|
| 8 | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506271L | | | |
| 9 | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506283L | H124 | 11,1 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506272L | | | |
| 10 | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506286L | H124 | 11,1 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506288L | | | |
| 11 | 1 | Stück / pcs. Paar / pair | 10.000.200 | 3W.112IB4 + 2 x Twinignition 35+45cm | 1506270L | H124 | 10,1 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561517B | | | |
| 12 | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561515B | H124 | 9,3 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561522B | | | |
| 13 | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561524B | H124 | 9,3 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561514B | | | |
| 14 | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561513B | H124 | 9,3 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561520B | | | |
| 15 | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561516B | H124 | 9,3 | UW |
| | 1 | Stück / pcs. Paar / pair | 10.001.420 | 3W.110IB2+ Twinignition 35cm | 1561512B | | | |

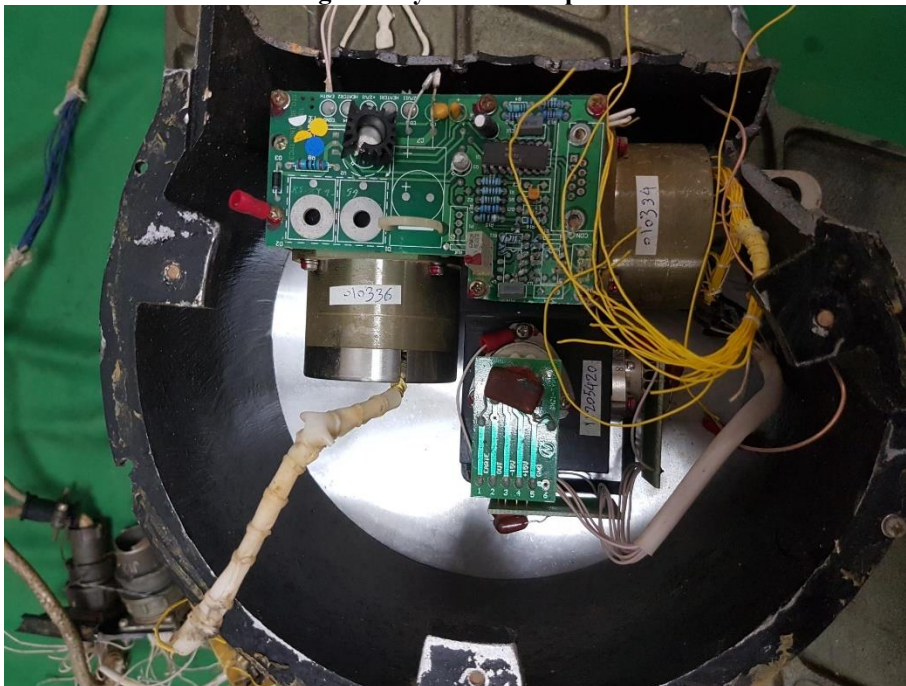
Copyright Qualitätsmanagement 3W, Revision 1, Seite 1 von 2, Gültig ab 10.12.2012

Source: 3W-International GmbH

Annex 13. Components of extended-range short-range ballistic missiles

1. The Panel continues to investigate whether the ER-SRBMs in 2017 and 2018 deployed by the Houthi forces against targets in the Kingdom of Saudi Arabia were supplied in violation of the targeted arms embargo. The Panel has inspected the debris of approximately ten ER-SRBMs at different locations in KSA in June, September and December 2018. The Panel is investigating the chain of custody of the components of the inertial navigation system (INS) of the ER-SRBM.

Figure 13.1
Debris of the inertial navigation system on its platform



Source: Panel

2. Among the debris, the Panel has identified several DC-DC 24V to 5V 4A **ZUS25 2405** and **ZUW25 2415** power converters, which were produced by **COSEL Co.**³⁹ in Japan. The Panel has been able to identify the following LOT numbers:

- 2362463CR;
- 2374022CR;
- 2374023CR;
- 2382930CR.

³⁹ <https://en.cosel.co.jp/>

Figure 13.2
ZUS25 2415 and ZUS25 2405 DC-DC power converters



Source: Panel

3. The Panel continues to investigate the chain of custody of the power converters in order to identify supply networks and possible violations of the targeted arms embargo, even though the converters are civilian in nature. Converters with the serial numbers above were exported to the following customers of the People's Republic of China, the United States and Norway:

a. **ZUS252405 converter**

- i. 157 converters with LOT No. 2374022CR and 57 converters with LOT No. 2374023CR were shipped on 24 September 2012 to **Shanghai Manwa Electronics Co. LTD.** in Shanghai/ People's Republic of China. The company declared that it will deliver them to **Sikexun Technology (Shenzen) Co., LTD.**
- ii. 60 converters with LOT No. 23744023CR were shipped on 24 September 2012 to Component Distributors, Inc. in Denver/USA. The company declared that it would deliver them to **IDEXX Laboratories, Inc.**

b. **ZUS252415 converter**

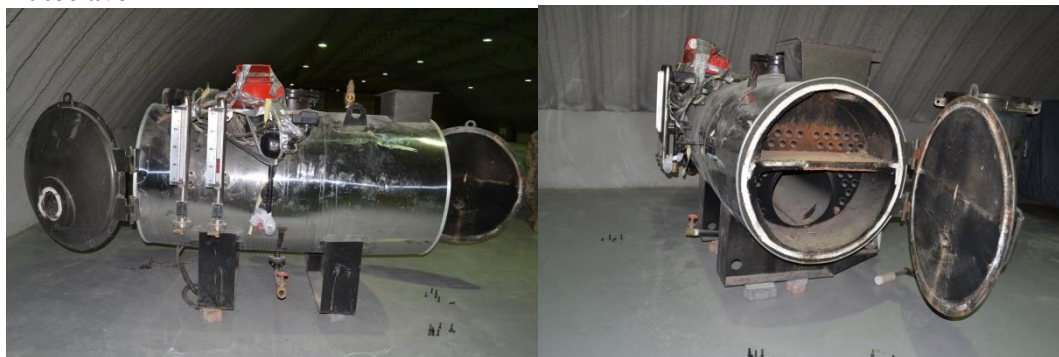
- i. 57 converters with LOT No. 2362463CR and 120 converters with LOT No. 2382930CR were shipped to **Shanghai Manwa Electronics CO., LTD.** in Shanghai/People's Republic of China on 26 September 2012. The company declared that it would deliver them to **Sikexun Technology (Shenzen) Co., LTD.** or **Beijing Huaheng Nengda Dianyuan Techniwque CO., LTD.**
- ii. 2 converters with LOT No. 2362463CR were shipped to **Powerbox Norway** (formerly Crafterc) in **Osteras/Norway** on 19 September 2012.

4. The Panel has requested information regarding the chain of custody of those items from the authorities of the People's Republic of China, the United States and Norway. Replies are still pending and the Panel will update this case as additional information becomes available.

Annex 14. Industrial Equipment

1. The Panel continues to investigate the purpose of the industrial ‘mixing’ equipment, which was seized by the Coalition in Ma’rib in February 2017 and which the Panel first reported on in its last report (see [S/2018/594](#), paragraphs 92 to 96). The Panel has inspected the equipment at a military facility in the United Arab Emirates in June, September and December 2018. The Panel has discussed the purpose of the equipment with independent scientists and has also arranged for the chemical analysis of the content of one of the storage tanks. The results of the chemical analysis of the reddish-brown residue which was discovered by the Panel during the inspection is still pending.
2. The equipment consists of different components, including an industrial-sized autoclave (see figure 14.1), a large vertical kneading machine (see figure 14.2), two storage containers for liquids (see figure 14.3), a control desk (see figure 14.3) and a container containing a metal mesh screen (see figure 14.4), presumably for the kneading machine. With the exception of the autoclave, the equipment seems to have been in factory-fresh condition. Chemical analysis has shown that one of the storage tanks contains a kerosene-gasoline mix, which is known as a missile fuel under the name TM-185 (see figure 14.5).
3. The Panel believes that the equipment could be used to produce a mix of 73-80% nitric acid (HNO_3) and 20-27% nitrogen tetroxide (N_2O_2), which under the name AK27I is used as a storable oxidizer in rocket propellant. The mix of TM-185 fuel and AK27I oxidizer is used as the propellant for the *SCUD-C* short-range ballistic missile and presumably also to propel the *Qiam/Borkhan-2H* ER-SRBM. The Panel continues to investigate the purpose of the equipment and will update the case as additional information becomes available.

Figure 14.1
Autoclave



Source: Panel

Figure 14.2

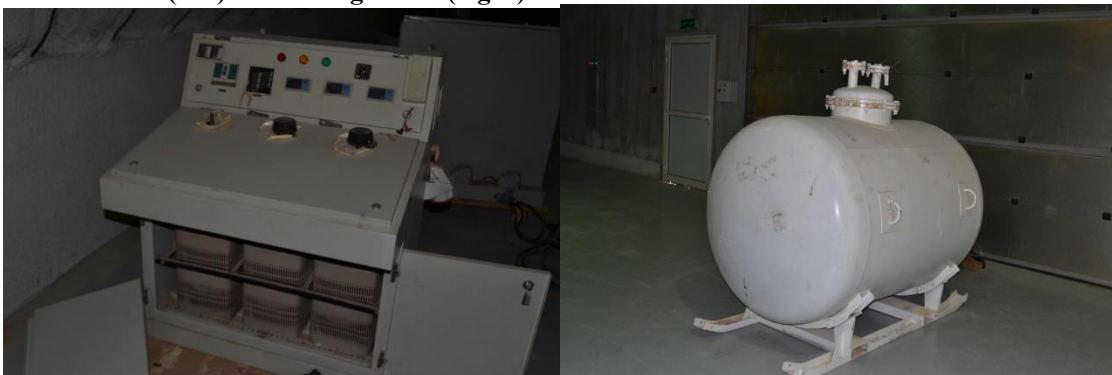
Vertical kneading machine, comparison between equipment found in Yemen (left) and equipment used to produce rocket fuel in a scientific context (right)



Source: Panel

Figure 14.3

Control desk (left) and storage tank (right)



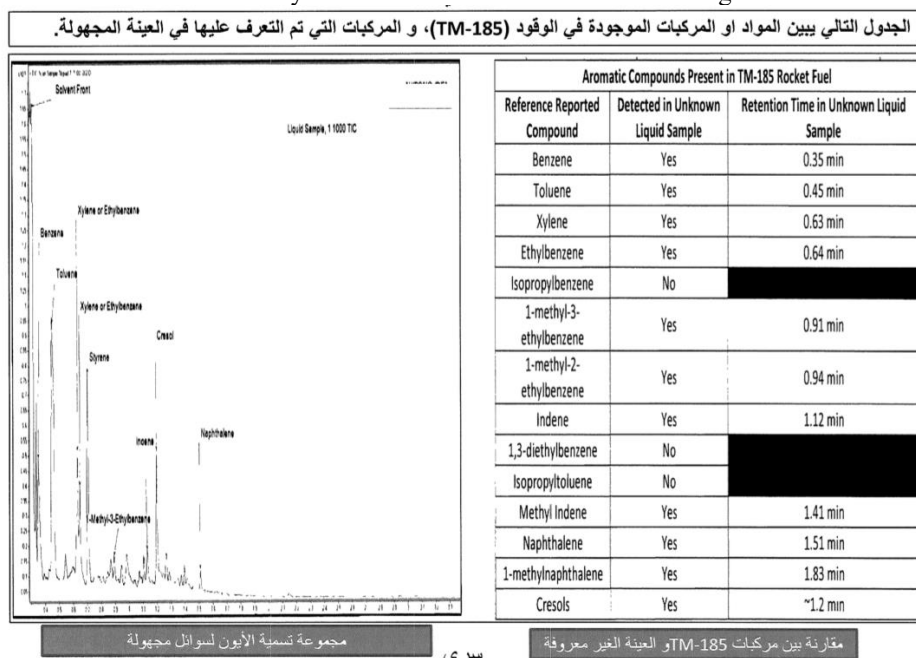
Source: Panel

Figure 14.4
Metal container with a metal mesh screen



Source: Panel

Figure 14.5
Results of the chemical analysis of the content of one of the storage tanks



Source: Confidential

Annex 15. Water-borne improvised explosive devices (WBIEDs)

1. The Panel continues to investigate the deployment of water-borne improvised explosive devices (WBIEDs) by Houthi forces against military and civilian vessels in the Red Sea. During the reporting period, WBIEDs are suspected to have been the weapon system in two attacks against commercial vessels: the thwarted attack against the Saudi-flagged crude carrier *Niban* on 6 January 2018, and the successful attack against the Saudi-flagged crude carrier *Arsan* on 24 July 2018. The Panel believes that the Houthi forces use the same approach to identify suitable targets, which is discussed in Annex Arms 1 for the deployment of anti-ship cruise missiles, i.e. the tracking of AIS signals (until the transponders are turned off), the use of mobile, land-based radar equipment and visual confirmation from small boats.

2. The Panel has reviewed radar images from the *Arsan* and from the crude carrier *Ghawar*, which was part of the same convoy at the incident. The Panel has also interviewed the crew of the *Arsan*, as well as representatives of the shipping line and a number of independent naval experts. During visits to the Kingdom of Saudi Arabia in September and December 2018, the Panel has visited the vessel and has inspected the damage, as well as the debris of the weapon system. It should be noted that, despite several requests, the debris of the weapons system was only made available to the Panel in December 2018, five months after the attack, which raises concerns regarding the chain of custody of the evidence.

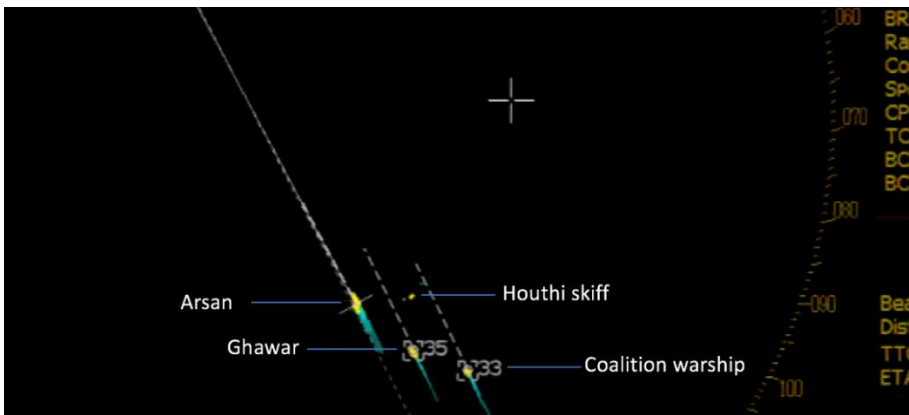
Figure 15.1

Radar image from the *Arsan* showing the convoy and the approaching Houthi skiff



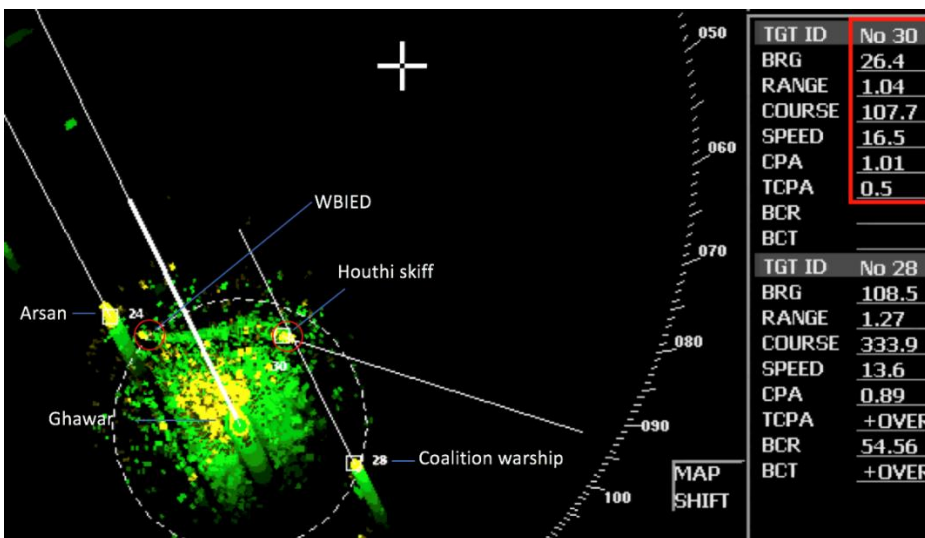
Source: Confidential

Figure 15.2
Radar image from the *Arsan* showing the Houthi skiff approaching from 4 o'clock



Source: Confidential

Figure 15.3
Radar image from the *Ghawar* showing the WBIED approaching *Arsan* and the Houthi skiff speeding away towards the Yemeni coast shortly before the explosion



Source: Confidential

3. The radar images show that the convoy, consisting of the *Arsan* (in front), *Ghawar* (in the center) and an unknown Coalition warship was traveling in a North-Westerly direction through the Red Sea, when it was approached by an unknown small boat from an Easterly direction. That vessel, presumably a Houthi skiff, then proceeded to cut between the *Arsan* and the *Ghawar*, but then made a sudden turn and sped towards a South-Easterly direction, i.e. towards the Yemeni coastline. The *Ghawar* radar, which unlike the one on the *Arsan*, was set to capture not only the vessels, but also the bow waves, then shows another contact, which seems to detach from the Houthi vessel and which approaches the *Arsan* from behind, ultimately contacting with the stern of the vessel. At that moment, an audio recording from the voyage data recorder, i.e. the 'black box', of the *Arsan*, which has been analysed by the Panel records the detonation, followed by the ship's alarm as well as the reaction of the bridge crew.

Figure 15.4
Damage on the *Arsan*



Source: Upper left-hand side – Confidential, all other images - Panel

4. The explosion occurred at the stern of the *Arsan*, between 100 and 150cm above the waterline and cut a rectangular hole of approximately 2 meters x 1 meter into the hull. The projectile then drilled through a steering ram and damaged a second, temporarily disabling the vessel. A pressure blast followed the impact, destroying doors in the engine room, but otherwise damage was limited to a local fire, which was extinguished by the crew. No injuries were sustained by the crew.

5. The damage documented by the Panel is consistent with a shaped charge, which is reported to be used by the Houthi forces on their *Shark-33* WBIEDs. The Houthis use the warhead of the P-15 ‘Termit’ anti-ship missile, also known by its NATO reporting name as ‘Styx’, of which they captured an unknown number from the arsenal of the Yemeni Navy in 2015. This warhead features a hollow charge of 454kg of explosives, which would explain the damage to the steering ram, which is made of massive steel, as well as the pressure wave. Whereas the ‘Styx’ warhead is mounted on the missile in such a way that the trajectory of the charge is angled downwards, with the aim to perforate the hull upon exit and to sink the attacked vessel, it has been hypothesized that this is not the case for the WBIED, which would explain the vertical blast angle.

Figure 15.5
Projectile debris recovered from the *Arsan*



Source: Panel

6. The Panel has inspected the debris from the *Arsan* and noted that it looks very different from the debris recovered from the *Abqaiq* and the *Ince Inbebolu*, which were hit by anti-ship cruise missiles. The debris did not contain any turbo-engine components; however it did contain pieces of fibreglass, which is consistent with the *Shark-33* patrol boat, which forms the platform for Houthi WBIED. This would also be consistent with the radar images from the *Ghawar*, which show the water displaced by the WBIED, but only a faint echo of the vessel itself, which is typical for small boats made of fibreglass.

Figure 15.6
Unknown object, made of aluminium found among the debris



Source: Panel

7. While an attack by a Houthi WBIED seems to be the most likely scenario, some questions remain unresolved. These include the height of the impact, between 100cm and 150cm above the waterline, as well as the presence of an unidentified object (see figure 15.6 above) among the debris. The Panel will continue to investigate and update this case as new information becomes available.

Annex 16 Seizure of assault rifles

I. Background

1. On 28 August 2018, the guided-missile destroyer USS *Jason Dunham* (DDG 109) seized a shipment of illicit weapons found aboard a stateless skiff in the international waters of the Gulf of Aden. The hailing was part of a flag verification. According to media reports, 2,521 AK-type automatic rifles were seized.⁴⁰

2. In October 2018, the Panel was able to inspect the seized weapons onboard the USS *Jason Dunham* and also received a briefing by the captain of the vessel and members of the boarding party regarding the circumstances of the seizure. The Panel is still waiting for the official report from the United States on the seizure.

II. Circumstances of the seizure

3. On 27 August 2018, the crew of the USS *Jason Dunham* received information about suspicious activities by a dhow outside of Somalia's territorial waters, which had been loitering in the same area for three to four days. The *Jason Dunham*'s helicopter, operating outside of the visual and audio range of the dhow's crew, first observed the transfer of packages from the dhow to a skiff on 27 August 2018 at 1446 local time (1146 Zulu time) at 11°57.761' N and 047°50.802' E (see map at figure 16.12) and continued to observe the transloading until 1629 local time (1329 Zulu time), when it had to return to the *Jason Dunham*. Video images and stills of the transloading have been released by the United States Navy to the news media.

Figure 16.1

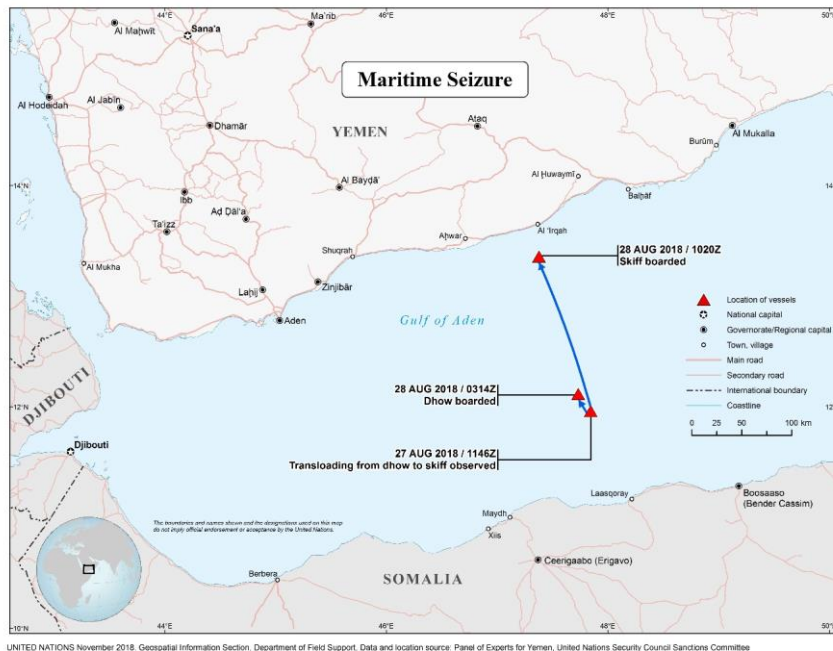
Still image from US Navy video showing the transloading of packages



Source: https://www.navy.mil/viewVideoDVIDS.asp?id=90&story_id=106907

⁴⁰ <http://www.cusnc.navy.mil/Media/News/Display/Article/1621512/jason-dunham-counts-2521-ak-47s-seized/>.

Figure 16.2
Map showing the positions of the dhow and the skiff on 27 and 28 August 2018



4. On 28 August 2018, the dhow was intercepted by the *Jason Dunham* at 0614 local time (0314 Zulu time) in the vicinity 12°07' N and 047°44' E. A United States Navy boarding party searched the dhow, which had a crew of five and carried no cargo, other than a bag of flour. According to information provided by the United States Navy, the dhow was stateless and its name was given as *Al Shibouti*. Even though the crew was interviewed and navigation and communication devices (mobile and satellite phones) onboard the vessels analysed by authorities of the United States, no information regarding the home port of the dhow, the nationality of its crew or its journey prior to the intercept were released to the Panel. According to the United States Navy, the crew denied the transloading of goods to a skiff on the previous day. The crew was released after the interview and the whereabouts of the vessel and its crew are unknown.

5. Following the inspection of the dhow, the *Jason Dunham*, using its helicopter, searched for the skiff and intercepted it on 28 August 2018 at 1020 local time (1320 Zulu time) in the vicinity of 13°21.5' N and 047°22.7' E, close to Yemeni territorial waters. The skiff was heavily overloaded and sat very low in the water. When its crew noted the approach of the helicopter, they tried to accelerate, but suffered a failure of their outboard motors. A boarding party from the *Jason Dunham* hailed the skiff, performed a flag verification boarding and discovered a large quantity of weapons. The three crew members of the skiff were then taken onboard the *Jason Dunham* and the boarding party began transferring the weapons, a process which had to be interrupted when the skiff continued to take on water and was no longer safe for the boarding party. The *Jason Dunham* then scuttled the skiff to avoid it becoming a hazard to navigation. The boarding party estimated that between 100 and 200 weapons could not be retrieved from the vessel.

Figure 16.3
Image showing the boarding of the skiff by a boarding party from the *Jason Dunham*



Source: https://www.navy.mil/submit/display.asp?story_id=106959

6. The crew of the skiff was interviewed and claimed to have come from western Yemen, according to their interviewers; they also spoke Yemeni Arabic. The master of the skiff admitted to loading between 2,600 and 2,700 rifles from the dhow on the previous day. He claimed that he did not know the master of the dhow, but rather received the coordinates of the *rendez-vous* point by satellite phone. Pictures provided by the United States Navy show the followings markings on the skiff: *Ibrahim Dhibayn*, presumably the name of the vessel, as well as Khayr Fibreglass Factory and the number 733873. The skiff was powered by two 75 hp outboard motors and carried a number of fuel drums, as well as a handheld GPS navigation device and a Thuraya satellite phone. Despite repeated requests, the data from these devices was not made available to the Panel. The three members of the crew were later handed over to the Yemeni coast guard, operating out of Aden.

Figure 16.4
Details of markings on the skiff



Source: https://www.navy.mil/list_all.asp?id=106907.

III. Technical analysis of the seized weapons

7. According to photographs and other information provided by the United States Navy, the rifles were wrapped in foam sheets, packaged in green plastic bags and tied with zip ties. Each bag contained four rifles. As no packaging has been retained, the Panel is unable to independently verify this information. The Panel also received a list of serial numbers from the United States with 2,521 complete and one partial serial number for the weapons recovered. The serial numbers all had eight digits and all started with 6300xxxx.

8. The Panel inspected the seized weapons onboard the *USS Jason Dunham* in one of the vessel's open helicopter hangars. A selection of weapons was presented on two tables, with the rest being stacked in four rows. The Panel took samples from each row and documented the markings; it also disassembled one rifle completely and documented the markings on each component. All the rifles inspected (108 weapons, or about 4.3 percent of the total number), as well as those clearly visible in the stacks (at least 400) were of the same make and model, namely Chinese Type 56-1 7.62x39mm assault rifles with wood fittings and underfolding steel shoulder stocks. The features of the rifles were consistent with the make and model type (stamped receiver, enclosed front sight, rear sight zero marked "D" and sighted at 800 metres, "L" and "D" fire selector. The rifles appeared to be in factory-fresh condition, but showed traces of, in some cases significant, erosion, due to exposure to salt water during storage on the *Jason Dunham*.

Figure 16.5
Close-up Type 56-1 assault rifle, showing the underfolding steel shoulder stock



Source: Panel

9. The rifles all showed markings consistent with production in factory number 26 ("26" in a triangle, **Jianshe Machine Tool Factory** in Chongqing/People's Republic of China) and with production dates between 2017 and 2018 ("17-CN" for lower serial numbers, "18-CN" for higher serial numbers). The 8-digit serial numbers were engraved on the left front section of the receiver, below the rear sight. Some markings were emphasized in white. The last five digits of the number were also located on the right side of the bolt carrier assembly, rear of the bolt cocking handle, as well as on the bolt itself. Figure 16.8 shows the serial numbers documented by the Panel.



Figure 16.6

Factory 26 marking
17-CN marking
Serial number:
63000361



Figure 16.7

Factory 26 marking
18-CN marking
Serial number:
63004514

Figure 16.8
Serial numbers documented by the Panel

| | | | |
|----------|----------|----------|----------|
| 63000361 | 63009112 | 63015554 | 63021774 |
| 63001232 | 63009131 | 63015641 | 63021790 |
| 63002455 | 63009738 | 63015874 | 63022064 |
| 63002806 | 63010070 | 63016251 | 63034279 |
| 63003123 | 63010142 | 63016370 | 63036472 |
| 63003640 | 63011205 | 63016603 | 63041424 |
| 63003982 | 63010290 | 63017100 | 63042298 |
| 63004508 | 63011300 | 63017332 | 63042318 |
| 63004514 | 63011372 | 63017574 | 63042811 |
| 63004577 | 63011383 | 63017676 | 63042839 |
| 63004938 | 63011885 | 63017721 | 63043109 |
| 63004946 | 63012258 | 63017832 | 63043790 |
| 63005163 | 63012260 | 63018123 | 63043944 |
| 63005827 | 63012507 | 63018298 | 63043918 |
| 63006339 | 63012748 | 63017832 | 63044194 |
| 63006368 | 63013233 | 63018357 | 63044436 |
| 63006451 | 63013244 | 63018589 | 63044986 |
| 63006572 | 63013361 | 63019302 | 63045173 |
| 63006938 | 63013449 | 63019386 | 63045340 |
| 63007176 | 63013477 | 63019662 | 63045538 |
| 63007182 | 63013493 | 63020172 | 63045562 |
| 63007800 | 63014434 | 63020174 | 63046902 |
| 63008000 | 63014609 | 63020229 | 63045719 |
| 63008028 | 63014829 | 63020438 | 63046154 |
| 63008971 | 63015348 | 63020486 | 63046264 |
| 63008114 | 63015372 | 63020575 | 63047444 |
| 63008131 | 63014546 | 63021154 | 63048118 |

IV. Investigation of possible violations of the targeted arms embargo

10. The Panel continues to investigate the chain of custody of the seized weapons, as well as the intended recipient in Yemen. The Panel has contacted the authorities of the People's Republic of China, Yemen and the United States requesting additional information about the consignment of weapons, the identity of the vessels and its crew, as well as the data from the navigation and communication devices of onboard of both the dhow and the vessel. The Panel also seeks to interview the three members of the skiff's crew, who are being held in detention by the Yemeni Coast Guard in Aden. The Panel has received information from China that the weapons were not exported to Yemen.

Annex 17. Estimates of revenue collected by the Houthis from fuel imports

1. The Panel has used estimates of tax collection from imports of fuel in order to illustrate Houthi revenues from the port of al Hudaydah. To do this, the Panel analysed the imports of fuel, and the taxation applied, in order to assess the volume of funds collected through imports via al Hudaydah. Data available to the Panel reveal that more than 4.73 million metric ton (MT) of fuel have been imported through the Red Sea port between September 2016 and October 2018 at an average volume of 180 MT per month.

2. The data produced by the Panel helps illustrate the significance of the port for Houthi forces and their strong desire to maintain control of the port. The Panel based its evaluations on information taken from a contract between Kamaran Investment Company and Extra Petroleum⁴¹ that was leaked to the media.⁴² The Panel has confirmed both the authenticity of the documents and the litigation process initiated by Kamaran. The contract document indicated that the Houthis were collecting 48.19 Yemeni Riyal (YER) for each litre of fuel imported, comprising customs charges, fees for Yemen Petroleum Company, war effort taxation and miscellaneous expenses, see table 17.1.

Table 17.1
Revenues collected by the Houthis from import of fuel at al Hudaydah port in 2018

| <i>Month</i> | <i>MT*</i> | <i>Liter (L)</i> | <i>Total Recovered</i> | | <i>War effort recovered</i> | |
|-----------------|------------------|----------------------|------------------------|--------------------|-----------------------------|-------------------|
| | | | 48.19YER/L | US\$** | 5 YER/L | US\$ |
| Monthly average | 180,000 | 243,000,000 | 11,710,170,000 | 26,022,600 | 1,215,000,000 | 2,700,000 |
| Total | 2,160,000 | 2,916,000,000 | 140,522,040,000 | 312,271,200 | 14,580,000,000 | 32,400,000 |

* Metric tonne (MT) for fuel 1MT has a volume around 1350 liter

**Market exchange rate in late 2018: US\$ 1 = YER 450 (the amount would have been twice when the exchange rate was YER250 for US\$ 1).

⁴¹ Extra Petroleum is registered in Yemen according to its website <http://extrapetroleum.com/>. The Panel received confirmation that the address in Canada in Extra's letter does not correspond to a business registered in that country. Extra Petroleum applied for UNVIM clearance on 31 October 2016 with tanker *MT Androussa* (IMO 9101182).

⁴² The agreement mentions a tanker *Fair Apollon* to load fuel from *Hung Ze He* through ship-to-ship transfer STS at Hudaydah anchorage area. AIS records of *Fair Apollon* who was renamed in September 2017 as *Palomar* (IMO 9464182) indicates indeed that she was conducting STS operations from mid-August 2016 to mid-April 2017. *Hung Ze He* could not be identified by the Panel. *Androussa* was confiscated by KSA on 14 September 2017 see annex 20

Figure 17.1
Expenses including taxes paid by fuel importers in al Hudaydah



التاريخ: ٦ سبتمبر، ٢٠١٦

رقم المرجع: Ex-34

الأخوة / شركة كمران للصناعة والإستثمار،،

المالية
للمرور والبنزين
المرور والبنزين
للمرور والبنزين
الموضوع / أجور و تكاليف شحنة ٨.٠٠٠ طن مادة البنزين

تهديكم شركة إكسترا بتروليوم أطيب التحايا ونبارك لكم قدوم عيد الأضحى المبارك أعاده الله عليكم بالخير ودوام التوفيق،،

بالإشارة إلى الموضوع أعلاه بخصوص الشحنة الخاصة بكم كمية ٨.٠٠٠ ثمانية ألف طن من مادة البنزين.

يرجى التوجيه لمن يلزم بصرف إجمالي قيمة التكاليف باسم شركة إكسترا بتروليم بالخدمات النقلية ليتسنى لنا فتح البيان الجمركي ودفع الرسوم والعمولة الأخرى و إستكمال إجراءات دخول السفينة و تفريغها في خزانات شركة النفط اليمنية كما هو موضح بالجدول أدناه مقابل الليتر الواحد:

| ملاحظات | إجمالي / ريال | المبلغ / ريال يمني | البيان |
|---------------------------------|--------------------|--------------------|---|
| مقابل أجور جمارك بالليتر الواحد | 348,080,400 | 31.19 | |
| مقابل عمولة شركة النفط اليمنية | 108,000,000 | 10 | |
| مقابل مجهود حربي | 54,000,000 | 5 | |
| * مقابل أجور متفرقة | 21,600,000 | 2 | |
| | 531,680,400 | 48.19 | الإجمالي مقابل الليتر الواحد (٨.٠٠٠ طن * ١.٣٥٠ ليتر = ١٠.٨٠٠.٠٠٠ ليتر |

بيان تفصيلي الأجور المتفرقة بالجدول أدناه :

| المبلغ / دولار أمريكي | إجمالي المبالغ / ريال | البيان |
|-----------------------|-----------------------|---|
| 3,000,000 | | أجور معاملة جمارك و تخليص مقابل فاتورة و سند إستلام من الشركة المخلصة |
| 600,000 | | أجور لجنة الفحص |
| 1,000,000 | | أجور وكيل ملاح |
| 3,648,000 | 12,000 | رسوم تصريح مؤسسة الموانئ مقابل سند رسمي / دولار |
| 7,296,000 | 24,000 | أجور ميناء (وقوف في الغاطس + تفريغ) مقابل سند رسمي / دولار |
| 6,056,000 | | عمولة شركة إكسترا بتروليوم |
| 21,600,000 | | الإجمالي / ريال |

هذا و سيتم تصفية المبالغ المحددة أعلاه بحسب بيانها و تسليمكم كافة الوثائق و السندات الرسمية.

وتفضلوا بقبول خالص التقدير والاحترام،،



د/ ماجد بن بطر
المدير العام
Extra Petroleum Co. Sana'a (Yemen) Office
P.O. Box 7876 - Tel: +967-1-239311 / 2 / 5
Fax: +967-1-239312 - Mob: +967-773 777 775
Email: info@extrapetroleum.com
Extrapetroleum@yemen.net.ye
enquiry@extrapetroleum.com
extrapetroleum@gmail.com

Canada office: 2700 Saratoga Place, Suite # 715
Ottawa On K1T-1W4 Canada
Office: 1-613-796-3860
Fax: 1-613-695-3865 - Mob: 1-613-608-4566
E-mail: mitak.awad@extrapetroleum.com

WWW.EXTRAPETROLEUM.COM

Figure 17.2
Financing mechanism for import of fuel



• الكمية المتفق عليها :

اتفق الطرفان على ان يقوم الطرف الاول بشراء كمية (8000 طن متري +/- ٥%) ثمانية الف طن متري من مادة البترول لصالح الطرف الثاني وتسليمها في غاطس ميناء الحديداء الجمهورية اليمنية وهذه الكمية تم تقريرها حسب إتفاق الطرفين .

• النوع & المواصفات :

Gasoline RON 92 -

• السعر :

اتفق الطرفان على أن يقوم الطرف الأول بشراء إجمالي الكمية المحددة في هذا العقد وتسليمها الي الطرف الثاني في غاطس ميناء الحديداء بسعر (653.70\$) ستمائة وثلاثة وخمسون دولار وسبعون سنت للطن المتري الواحد بدون عمولة التحويل إلى الخارج

ويتم احتساب عمولة التحويل كالتالي:

في حال ايداع المبلغ بالدولار الى الحساب البنكي للضامن يتم احتساب عمولة تحويل بواقع 2.5% وفي حال التسليم نقدا يتم احتساب 4% كعمولة تحويل مضافه الى السعر الأساسي

وفي حال الدفع بعملة الريال اليمني يتم احتساب السعر بحسب سعر الشراء للدولار في نفس يوم التسليم ويسعر الصرف المحدد في حال الاستلام نقدا او في حال الاستلام بشيك بنكي مضافاً اليه عمولة تحويل بواقع 4%

السعر أعلاه شامل التامين واية رسوم اخرى.

• شروط الدفع :

- يلتزم الطرف الثاني بدفع مبلغ ٣٠% ثلاثون بالمائة من إجمالي قيمة 8000 طن متري خلال مباشرة بعد التوقيع وتسليم لدى شركة السنباني للزراعة والدواجن لحسابهم رقم "10186252" في بنك التضامن الاسلامي كطرف ثالث ضامن للطرفين .

Translation Extract:

The first party agrees to purchase the whole agreed quantity and to be delivered to the second party at Hudaydah port at a price of US\$ 653.70 excluding the cost for foreign fund transfer

Fees for foreign fund transfer:

Price to include additional 2.5% in case of transfer in US\$ to the guarantor and 4% in case of transfer in YER
In case of payment in cash the exchange rate to purchase US\$ of the day will be applied

The second party shall transfer 30% of the price as advance at the signing of the contract.

Annex 18. Import of fuel to Red Sea ports from September 2016 to October 2018

1. The Panel studied the import of fuel to areas under Houthi control since the commencement of UNVIM on 5 May 2016.⁴³ The de-regulation of fuel imports by the Houthis opened the business up to many companies that are new to the international fuel trade. The Houthis began issuing new licenses in 2016 to allow new companies to import fuel under new or renewed trade licenses.

2. Prior to 2015, only a few companies held licenses to import fuel in parallel to the YPC, however, after gaining power in 2015, the Houthis have issued import licenses to various companies, according to their traders each license costs the equivalent to US\$ 500 and US\$ 300 administrative handling. The 'import fuel rush' peaked in 2016 and early 2017. From September 2016 to October 2018, 52 companies have acted as consignees in the import of fuel, a list of these 52 traders is given in table 18.1.

3. During the study period of September 2016 to October 2018, the current fuel consignees have received 346 shipments of fuel, mainly from UAE (62%) and Oman (28%) and less than 10% from other countries or ship-to-ship transfers. Within the same study period, a total of 343 tankers, with a monthly average of 12 tankers with a capacity of between 4 to 62 Mt, have berthed in Ras Issa; and more lately only to Hudaydah. The flow of tankers decreased gradually from a rate of 33 tankers a month at the end of 2016, when Ras Issa was used to receive fuel, to less than 10 tankers per month at Hudaydah. From May 2018 onwards, military operations along the Red Sea coast started to move towards Hudaydah and marine traffic has slowed. The berthing capacity in Hudaydah port, combined with a limited capacity to discharge and store fuel before being transported out of Hudaydah by road has, on several occasions, created delays in the anchorage areas.

⁴³ The Government of Yemen announced the United Nations Verification and Inspection Mechanism for Yemen (UNVIM), 5 May 2016, see <https://vimye.org/doc/GoY%20Announcement%20of%20UNVIM%20Launch.pdf>.

Table 18.1
Import of fuel to Red Sea ports from September 2016 to October 2018 (quantity of in 1000 of MT per company per 2 months)

| 2 months/ Consignee | 9-10 2016 | 11-12 2016 | 1-2 2017 | 3-4 2017 | 5-6 2017 | 7-8 2017 | 9-10 2017 | 11-12 2017 | 1-2 2018 | 3-4 2018 | 5-6 2018 | 7-8 2018 | 9-10 2018 | 1000 Mt (shipment) |
|------------------------|--------------|---------------|-------------|-------------|-------------|-------------|--------------|---------------|-------------|-------------|-------------|-------------|--------------|-----------------------|
| Unknown | 26.4 | | | | | | | | | | | | | 26.4 (1) |
| Unknown | 62.1 | | | | | | | | | | | | | 62.2 (1) |
| Robbo | 3 | | | | | | | | | | | | | 3.0 (1) |
| Alzarari | 3.8 | | | | | | | | | | | | | 3.8 (1) |
| Al-Hadha Co | 4.1 | | | | | | | | | | | | | 4.1 (1) |
| Mok Corp | 4.9 | | | | | | | | | | | | | 4.9 (1) |
| Abha | 5.2 | 5 | | | | | | | | | | | | 10.2 (2) |
| Nama`a | 27.5 | | | | | | | | | | | | | 27.5 (1) |
| Extra | 28.5 | | | | | | | | | | | | | 28.5 (1) |
| Mufazer | | 5 | | | | | | | | | | | | 5.0 (1) |
| Almokbily | | 5.4 | | | | | | | | | | | | 5.4 (1) |
| Global Safe | | 14.7 | | | | | | | | | | | | 14.7 (1) |
| Golden Oil | | 15 | | | | | | | | | | | | 15.0 (1) |
| Oil Premier | | 17.6 | | | | | | | | | | | | 17.6 (1) |
| Bin Dowal | | 24 | | | | | | | | | | | | 24.0 (1) |
| CAC Singapore | | 68 | | | | | | | | | | | | 68.0 (1) |
| Hudaydah Ship. | | 27.4 | | | | | | | | | | | | 27.4 (1) |
| Middle East | | 11.8 | | | | | | | | | | | | 11.8 (1) |
| Whealers | | | | 41.5 | | | | | | | | | | 41.5 (1) |
| Medhlai | | | | 12 | | | | | | | | | | 12.0 (1) |
| Dynasty | | 8.1 | | | | | | | | | | | | 8.1 (2) |
| Matrix Oil | | 56.6 | | | | | | | | | | | | 56.6 (3) |
| Yemen Elaf | 43.7 | 42.7 | | | | | | | | | | | | 86.4 (4) |
| Al Baydhani | | 17.3 | 17.2 | | | | | | | | | | | 34.5 (4) |
| Aggreko | 77 | 28 | | | | | | | | | | | | 35.7 (3) |
| Al Hutheili | | | | 57.9 | | | | | | | | | | 57.9 (2) |
| Climax | | 39.3 | 7.5 | 16.4 | | | | | | | | | | 63.2 (8) |
| Al barakah | | | 39.5 | 39.4 | | | | | | | | | 52 | 131.0 (5) |
| Roqi | | | | | 11.5 | | | | | | | | | 11.5 (1) |
| Rebat | | | | | | 4.7 | | | | | | | | 4.7 (1) |
| Altakamol | | | | | | | 4 | | | | | | | 4.0 (1) |
| Govisco | | | | | | | | 7.9 | | | | | | 7.9 (1) |
| Eurogas | | | | | | | | | | 2 | | | | 2.0 (1) |
| Yemen Crude | | | | | | | | | | 3.6 | | | | 3.6 (1) |
| Saba Ship. | | | | | | | | | | | | 5 | | 5.0 (1) |
| Al-Emteaz | | | | | 13 | 8 | 7.7 | | | 8 | | | | 36.7 (5) |
| Mopc | | | | | 3.4 | 10.6 | | | | 6.5 | | | 17.5 | 38.0 (6) |
| YPC | | 34 | | | | | 4.3 | | | | | | | 38.3 (3) |
| Alhamady | | 8.8 | | | | 12 | 22.1 | | | 9 | | | | 51.9 (5) |

| 2 months/ Consignee | 9-10 2016 | 11-12 2016 | 1-2 2017 | 3-4 2017 | 5-6 2017 | 7-8 2017 | 9-10 2017 | 11-12 2017 | 1-2 2018 | 3-4 2018 | 5-6 2018 | 7-8 2018 | 9-10 2018 | 1000 Mt (shipment) |
|--------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-------------------------|
| Balad | | | | 13.4 | 17.6 | 17.3 | 6.2 | | | | | | | 54.5 (4) |
| Begad | 45 | 75.4 | | | 18.5 | 4.3 | | 15.9 | 4.8 | | | | | 163.9 (21) |
| Waqood | | 7.1 | | 15.4 | 12 | | 7.1 | | 10 | | | | 10 | 61.6 (7) |
| Abkar | | 10.9 | | | | | | 4.4 | 21.1 | 14.4 | 7.8 | | 4.4 | 63.0 (10) |
| Falcon | | | | | 16.2 | | 8.2 | 3.8 | | 8.2 | 3.8 | 11.1 | 16.5 | 67.9 (10) |
| Deema | | 13.8 | | 16.3 | 9.4 | 4.3 | 16.2 | | | 10.3 | | | | 70.3 (11) |
| Azzahra | 14.1 | 9.3 | 13.5 | | 13 | 36.7 | 8 | | 8 | | | | | 102.6 (8) |
| YCH | | 41.5 | | 83 | | | | | 21 | 20.5 | | | | 166.0 (5) |
| Atramico | | 28.7 | | | | 72.2 | | | 30 | | 25.6 | 55.6 | | 212.1 (9) |
| Sam Oil | | 18.7 | 22.8 | 53 | 27.8 | 89.5 | 34.6 | | 26.1 | 16 | | 14.5 | 20.9 | 323.9 (29) |
| Blue Diam. | | | | | 2.9 | 16.8 | 56.7 | 39.6 | 67.6 | 92.1 | 44.4 | 48.8 | 59.9 | 428.8 (33) |
| Osaily | 50.1 | 108.1 | 17.0 | 76.6 | 34.5 | 89.8 | 4.6 | 25.8 | 6.9 | 34.7 | 26.0 | 18.2 | 24.5 | 516.8 (41) |
| Atico | 82.7 | 106.0 | 25.6 | 75.6 | 26.0 | 30.0 | 72.0 | | 32.8 | 42.7 | 41.0 | 56.8 | 35.0 | 626.2 (38) |
| Tamco | 20.7 | 50.7 | 30.3 | 64.0 | 65.6 | 40.2 | 56.4 | 25.7 | 60.9 | 77.3 | 69.6 | 66.8 | 106.4 | 734.6 (39) |
| Active consignee | 16 | 28 | 8 | 13 | 14 | 14 | 12 | 7 | 11 | 9 | 7 | 8 | 10 | |
| 1000 Mt (Shipments) | 429.6 (27) | 898.8 (66) | 173.4 (14) | 564.5 (35) | 271.5 (24) | 436.4 (31) | 308.0 (25) | 123.1 (11) | 289.2 (25) | 345.4 (35) | 218.2 (14) | 276.8 (17) | 347.2 (21) | 4682.1 (343) |

Annex 19. Network of fuel importers associated with the Houthis

1. The Panel noted a suspected murder on 20 December 2016, of Mohamed al-Absi, a Sana'a-based journalist who was investigating the involvement of Houthi leaders in imports of fuel that may finance the conflict. The UNESCO Director General pushed for a thorough independent inquiry into his death in a statement issued in line with Resolution 29 adopted by UNESCO Member States (1997).⁴⁴ The Panel noted that, according to several media sources, Mohamed al-Absi had mentioned three companies involved in such activities: Yemen Life, owned by Mohamed Abdussalam Fletah (Houthi official spokesperson and chair of the board of the Houthi Masirah TV channels.⁴⁵); Oil Primer, owned by Daghsan Mohamed Daghsan; and Black Gold, owned by Ali Qarsha.⁴⁶ The Panel has identified three companies: Yemen Elaf, Oil Premier (note the transliteration changes) and Black Gold Import, as well as two additional companies 'Wheelers' as a front to Oil Premier and 'Balad al Khairat' acting as consignee for Black Gold. Details are in table 12.1 below.

Table 19.1
Network of fuel importers with links to the Houthi

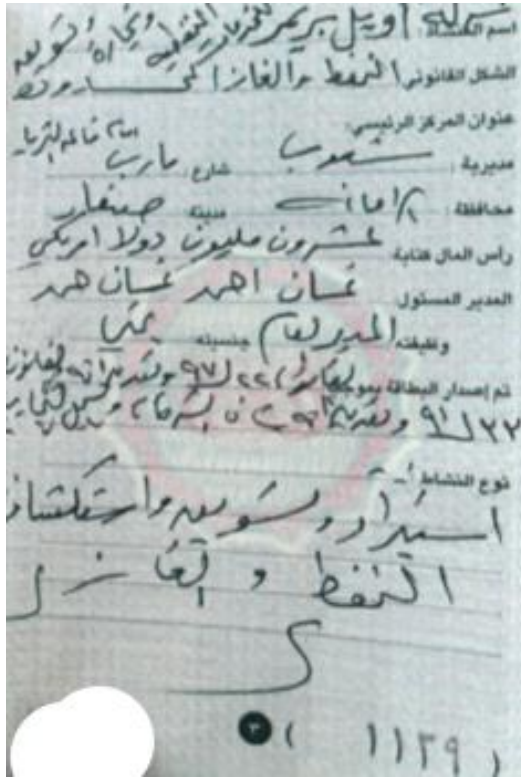
| Shipper | From | Consignee | Tanker | Imo | date | cargo (Mt) |
|---------------------------|------|------------------|----------------------|---------|--------|------------|
| Sahool Al Hojari Trading | Oman | Al Barakah | <i>MR Nautilus</i> | 9150767 | Jan-17 | 39,500 |
| Sahool Al Hojari Trading | Oman | Al Barakah | <i>Safe Sino</i> | 9149251 | Apr-17 | 39,440 |
| HAPCO FZE | UAE | Al Barakah | <i>Sincero</i> | 9254422 | Sep-18 | 15,000 |
| HAPCO FZE | UAE | Al Barakah | <i>Distya Pushti</i> | 9179127 | Oct-18 | 21,042 |
| HAPCO FZE | UAE | Al Barakah | <i>Sincero</i> | 9254422 | Nov-18 | 15,985 |
| ECB International LLC | UAE | Balad al Khairat | <i>Nu Shi Nalini</i> | 9619608 | Mar-17 | 13,364 |
| ECB International LLC | Oman | Balad al Khairat | <i>Sala 1</i> | 9084516 | Jun-17 | 17,618 |
| ECB International LLC | UAE | Balad al Khairat | <i>Sala 1</i> | 9084516 | Aug-17 | 17,308 |
| ECB International LLC | UAE | Balad al Khairat | <i>Palomar</i> | 9464182 | Sep-17 | 6,200 |
| ECB International LLC | Oman | Oil Premier | <i>Prime Royal</i> | 9347102 | Nov-16 | 17,560 |
| Givenergy FZC RAK-UAE | UAE | Matrix Oil | <i>Bahia Damas</i> | 8916255 | Nov-16 | 19,000 |
| Givenergy FZC RAK-UAE | UAE | Matrix Oil | <i>Aquarius</i> | 9105138 | Nov-16 | 11,500 |
| Al Ezz Al Arabiya Trading | Oman | Matrix Oil | <i>Eagle</i> | 9145425 | Nov-16 | 26,100 |
| Al Naboodah Cargo LLC | STS | Wheelers | <i>Androussa</i> | 9101182 | Mar-17 | 41,500 |
| Alsa Petroleum & Shipping | Oman | Yemen Elaf | <i>Feng Hai 29</i> | 9638264 | Oct-16 | 21,700 |
| Givenergy FZC RAK-UAE | UAE | Yemen Elaf | <i>Sirius 2</i> | 9111175 | Nov-16 | 21,988 |
| Alsa Petroleum & Shipping | UAE | Yemen Elaf | <i>Bakhtiyar V.</i> | 9575345 | Nov-16 | 5,400 |
| Sahool Al Hojari Trading | UAE | Yemen Elaf | <i>Androussa</i> | 9101182 | Dec-17 | 37,300 |

⁴⁴ <https://en.unesco.org/news/director-general-calls-investigation-death-journalist-mohammed-al-absi-yemen>; <https://womenpress.org/en/womenpress-news/journalist-mohammed-al-absi-dies-of-poisoning-forensic-medicine-report-reveals.html>

⁴⁵ Founded on <https://www.almasirah.net>

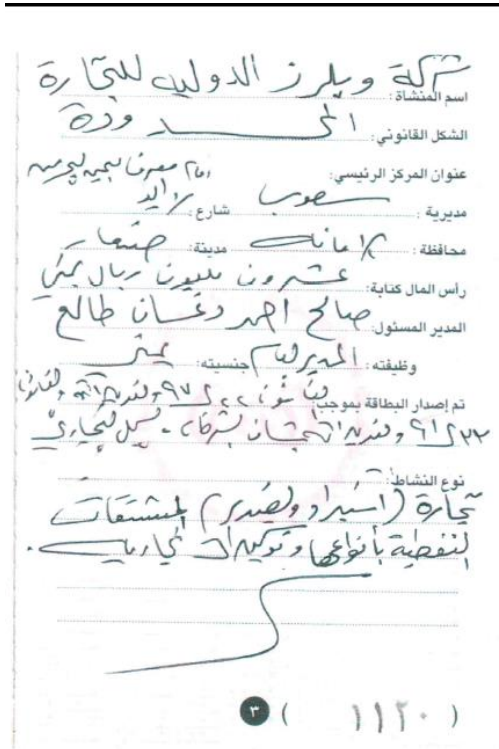
⁴⁶ <https://www.freedom-ye.com/news56383.html>

Figure 19.1
Trade license Oil Premier



Source: Confidential

Figure 19.2
Trade license Wheelers



Source: Confidential

2. The Panel noted that the two companies are probably a front for the same business interest with links to the Houthis based on the following:

- The two licenses indicate the same address in the district of Shu'ub with unclear address in the district;
- Saleh Ahmed Daghsan Talea was born in Sa'dah Yemen on 2 January 1978 to a family known in Yemen for smuggling activities, including facilitating arms smuggling to supply the Houthis;
- 'Ghassan Ahmed Ghassan' in Oil Premier's trade license is probably a transliteration change, effected to conceal the identity of the company;
- Another transliteration change was found in a financing contract with Swaidan where Saleh Ahmed Daghsan was spelled as Saleh Ahmed Da'san, see paragraph 20.8 in annex 20;
- The sequence numbers of the licenses are unexpectedly in the wrong order;
- Saleh Ahmed Daghsan died 22 January 2018⁴⁷ and was referred to in a condolence letter as a "companion and comrade of studies" by Saleh al Sammad;⁴⁸
- The condolence letter was addressed to Daghsan, Yahya, Ali and Abduladhim who seem to be Saleh Daghsan's brother;

⁴⁷ Based on his passport number 03863763 issued in Sana'a valid from 3 May 2010 to 3 May 2016, and a residency certificate in UAE number 6982549 valid from 20 May 2013 to 19 May 2015, as a purchasing representative sponsored by Palm Emirates Catering Services. The UAE informed the Panel that his residency certificate was not renewed and that he left the UAE in early 2015.

⁴⁸ The former president of the Houthi supreme political council in Sana'a who died in a Coalition airstrike on his convoy in Hudaydah on 19 April 2018, <https://www.sabanews.net/ar/news485526.htm>.

- (h) Ahmad Salih [or Ahmed Saleh] Hindi Daghsan⁴⁹ is possibly an alias of or another name for Mr. Saleh Ahmed Daghsan Talea's father; and lastly
- (i) *MT Androussa* seems to have been confiscated based on intelligence information, which, unfortunately, the Government of KSA did not share with the Panel.

3. The Panel gathered documents of the other three consignees of interest for the ongoing investigation, identified above (see figure 19.3 to 19.6). It is noted that none of these five consignees was designated as a consignee in 2018 apart from al Barakah which received one shipment in September 2018 but was denied entry to al Hudaydah for two of its tankers in November 2018 by the Coalition. AIS records of the two tankers concerned *Distya Pushti* (IMO 9179127) and *Sincero* (IMO 9254422) indicate that they have remained in the Djibouti anchorage area since late October 2018. The Panel received information that the ownership of the shipments of the two tankers might have transferred to a known importer able to receive clearance for the tankers to proceed to al Hudaydah.

Figure 19.3

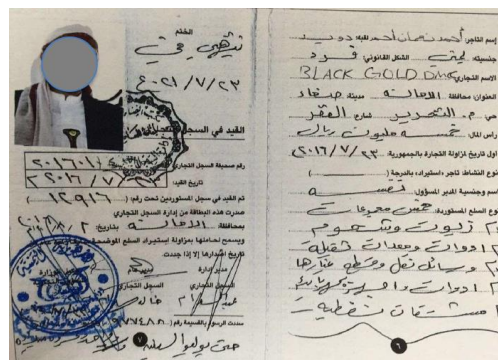
Trade license Black Gold owned by Ali Qarsha

Source: <http://moit.gov.ye/moit/ar>

Figure 19.5

Trade license Yemen Elaf

Figure 19.4

Trade license Black Gold DMCC⁵⁰ owned by Ahmed Nou'man Duwaid

Source: Confidential.

Figure 19.6


Trade license Balad al Khairat


⁴⁹ Number 22 with reward of US\$ 10 million for information leading to his arrest on the list announced by Saudi Arabia on 5 November 2017, <https://www.thenational.ae/world/mena/saudis-name-and-put-price-on-heads-of-40-leaders-of-houthi-terror-groups-1.673306>.

⁵⁰ DMCC is normally used for companies registered in Dubai; Dubai Multi Commodities Centre (DMCC) was established by the Government of Dubai as a hub for international trade

Figure 19.7

Invoice for the sale of fuel by Black Gold Traders LLC to Balad al Khirat using an account in UAE

 **BLACK GOLD TRADERS L.L.C**

| COMMERCIAL INVOICE | | | | | | |
|---|--|-------------------|--------------------------------|---------|---------------------|----------------------|
| PROV. INVOICE NO.: | BG/PI00105/A0138 | COMM. INV REF.: | BG/IN00105/A0139 | | | |
| PROV. INV. DATED.: | 25/07/2017 | COMM. INV. DATE.: | 02.09.2017 | | | |
| CONTRACT REF. NO.: | 105/A0138 | CONTRACT DATED.: | 24.07.2017 | | | |
| SELLER INFORMATION: | BLACK GOLD TRADERS LLC P.O.BOX NO.: 127982, DUBAI, UAE TEL.: +971 4 3797318 | | | | | |
| BUYER INFORMATION: | BALAD AL KHAIRAT FOR IMPORTING OIL PRODUCTS HADA ST. SANA'A YEMEN | | | | | |
| BL DATE: | 02.09.2017 | VESSEL NAME: | MT PALOMAR | | | |
| PARTIAL SHIPMENT: | NOT ALLOWED | DELIVERY TERMS: | CFR - HODEIDAH, YEMEN | | | |
| CARGO DETAIL | | | | | | |
| DESCRIPTION | QUANTITY | U O M | QUANTITY | U/PRICE | TOTAL AMOUNT | |
| | | | IN MT | BBL/USD | USD | AED @ 3.6725 |
| GASOLINE RON 92 | 54,518.71 | BBL | 6,208.36 | 59.450 | 3,241,137.31 | 11,903,076.77 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL QUANTITY = | 54,518.71 | | TOTAL AMOUNT = | | 3,241,137.31 | 11,903,076.77 |
| AED AMOUNT IN WORDS: | Eleven Million Nine Hundred Three Thousand Seventy Six and fills Seventy Seven only. | | | | | |
| PRICING : | shall be fixed price of USD 59.450 per barrel basis | | | | | |
| PAYMENT TO BE EFFECTED WITHOUT OFFSET, DEDUCTIONS TO.: | | | | | | |
| BENEFICIARY: | BLACK GOLD TRADERS LLC | BANK: | COMMERCIAL BANK OF DUBAI (CBD) | | | |
| | | ADDRESS: | 26-AL QUOZ, DUBAI - UAE | | | |
| | | AED ACCT: | 1001919271 | | | |
| | | AED IBAN: | AE18 [REDACTED] 9271 | | | |
| | | SWIFT: | CBDUAEAD | | | |
| For BLACK GOLD TRADERS LLC | | | | | | |
|  | | | | | | |

Source : Confidential

Table 19.2
List of fuel importers currently conducting business in Yemen

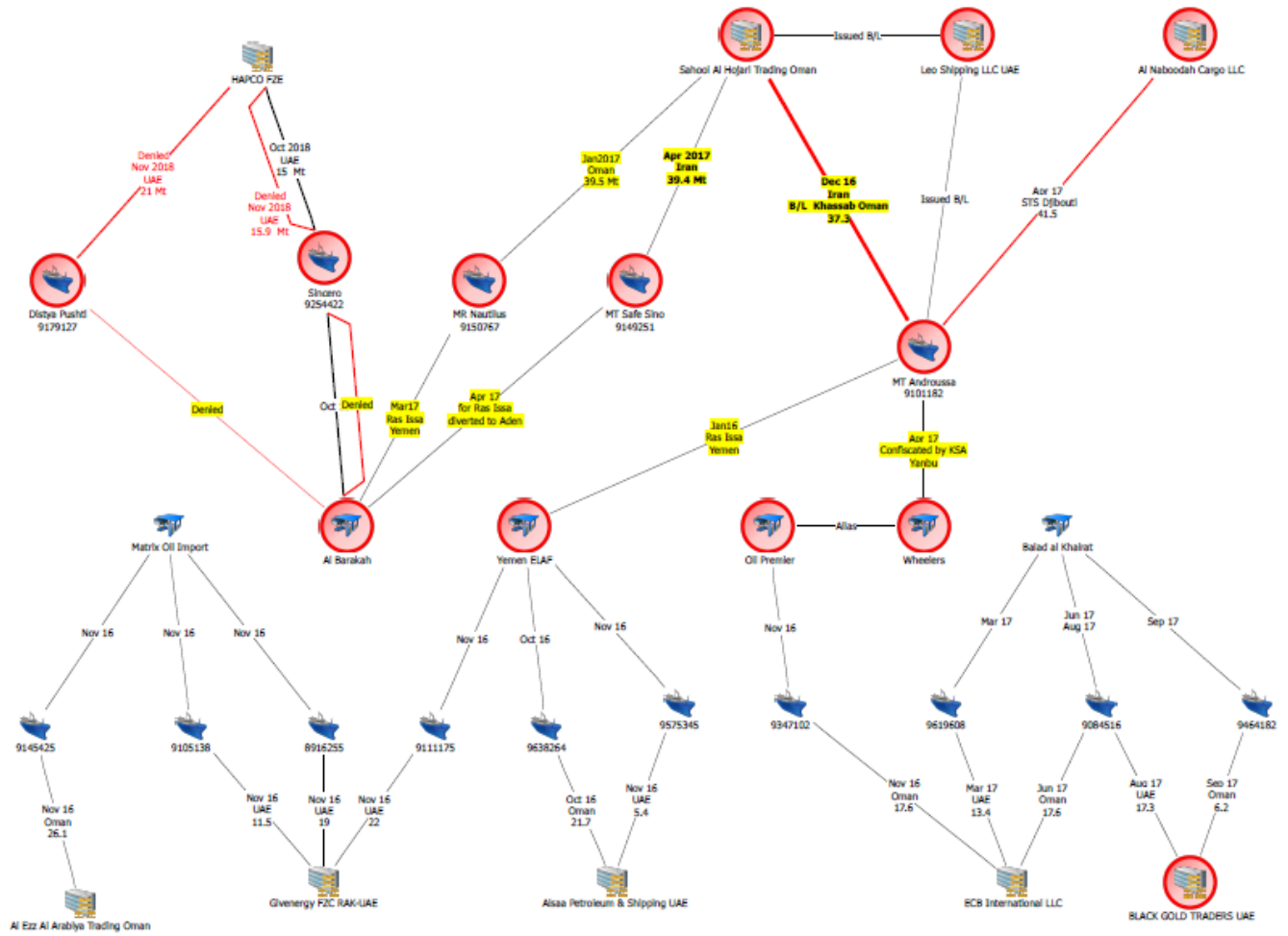
| ملاحظات | اسم التاجر | اسم الشركة |
|--|------------------------|--------------------------------|
| تاجر من صعده بدء العمل بدايه الازمه | حسين المطيعي | ديما يمن |
| تاجر من المخاء بدء العمل بدايه الازمه | يحيى العسيلي | العسيلي |
| كان تاجر سوق سوداء للمشتقات وبيداء العمل بدايه الازمه | احمد البيضاني | البيضاني |
| | | الرباط |
| | | اتلانك |
| من تعز كان يتبع توفيق عبدالرحيم وبيداء العمل ايام الازمه | امين دبان | نفت اليمن |
| صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطيه | الفقيه وشركاه | يمن اولاف |
| | | سام اويل |
| | | ستار بلاس |
| | | قصور صنعا |
| صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطيه | الحثلي | اينكو |
| معروف لديكم للمصانع | هانئ سعيد | وقود |
| لديه مصنع طلاء بدء العمل ايام الازمه يستورد كيروسين للمصنع | الشيثاني | التكامل |
| بيداء العمل ايام الازمه | ابكر من بيت الفقيه | ابكر |
| | | ابكر لاستيراد المشتقات |
| تجاره عامه بدء العمل ايام الازمه ويحتكر المواد البترولييه | الحمادي | الحمادي للتجاره |
| صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطيه | عبدالله الجبالي وشركاه | الجبالي |
| تاجر صرافه وبيداء العمل بدايه الازمه | العوامي للصرافه | مؤسسه العوامي للصرافه |
| تاجر سابق في مجال النفط والغاز | المفزر | موبك |
| صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطيه | الحثلي و عبدالله فاضل | الطاقه |
| غير معروفه | غير معروفه | رقي |
| غير معروفه | غير معروفه | الذهب الاسود |
| تاجر معروف لدية محطات وقود في اب | اوسان عثمان القبايطي | بيجاد الدولية |
| صاحب شركة ملاحية معروفة | سليمان بكاري | بلو دايموند |
| شركة تجارية معروفة ولها عدة استثمارات | نبيل هيل سعيد | شركة وقود للاستثمارات المحدودة |
| تبعهم | ابو احمد | مؤسسه الشهداء |
| تبعهم | الشرقي | اويل بريمر |
| تبعهم | ابو احمد | نما |
| تبعهم | غير معروف | جياش |
| تبعهم | ابو احمد | مرديف |
| تبعهم | الشرقي | يمن كروود |
| تبعهم شركة جديدة | ابو احمد | ابراج اليمن |
| تبعهم لتموين الدفاع | غير معروف | ازال |
| تاجر من صنعا بدء العمل بدايه الازمه | عبدالله الوزير | الزهراء |

Source: Government of Yemen.

Table 19.3
List of fuel importers shared by the Government of Yemen

| <i>Name of trader</i> | <i>Company's name</i> | <i>Remarks</i> |
|--------------------------------|---|--|
| Hussein al Mutayi* | Deema Yemen | From Sa'dah; started after 2015 |
| Yahya al Osaily | Al Osaily | From al Mukha; started after 2015 |
| Ahmed al Baydhani* | Al Baydhani Ar Ribat Antlantic | Black market trader started in 2015 |
| Amin Dabwan | Naft Yemen | From Ta'izz: was associated with Tawfiq Abdulrahim, started after 2015 |
| Al Faqih & associates | Yemen Elaf Sam Oil Star Plus Qussur Sana'a | Owned fuel stations before starting import of fuel |
| Al Hutheily | Aitco | Owned fuel stations before starting import of fuel |
| Hael Saeed | Wuqud | Known trader |
| Shaibany | Al Takamul | Owns a factory, imports for his industry |
| Abkar from Bait al Faqih | Abkar Abkar oil Import | Started import after 2015 |
| Al Hammadi | Al Hammadi for trading | Started import after 2015 |
| Abdullah al Jabbahi | Al Jabbahi | Owned fuel stations before starting import of fuel |
| Al Awami Exchange | Al Awami Exchange | Started import after 2015 |
| Al Mufazzer | Mopc | Previous fuel trader |
| Al Hutheily and Abdullah Fadel | Al Taqah | Owned fuel stations before starting import of fuel |
| Unknown* | Roqi | Unknown |
| Unknown* | Black Gold | Unknown |
| Awsan Othman Al qubati | Begad International | Known trader with fuel stations in Ibb |
| Sulayman Bakkari | Blue Diamond | Owns shipping company |
| Nabeel Hael Saeed | Wuqud for investment | Known company with several investments |
| Abu Ahmed* | Ashuhada company | Working for the Houthis |
| Al Sharafi* | Oil Premier | Working for the Houthis |
| Abu Ahmed* | Nama | Working for the Houthis |
| Unknown* | Jayash | Working for the Houthis |
| Abu Ahmed* | Mardiff | Working for the Houthis |
| Al Sharafi* | Yemen Crude | Working for the Houthis |
| Abu Ahmed* | Abraj al Yemen | Working for the Houthis |
| Unknown* | Azal | Working for the Houthis |
| Abdullah al Wazeer | Al Zahra'a | Known trader, started after 2015 |

Figure 19.8
Network of consignees and shippers of interest to the Panel's investigation



Annex 20. Confiscation of *MT Androussa* (IMO 9101182) by KSA in 2017

1. In paragraph 150 and annex 55 of S/2018/549, the Panel reported the case of the confiscation of the marine tanker *MT Androussa* (IMO 9101182) with her cargo by KSA on 4 April 2017 while she was en route to Ras Issa in Yemen. The seizure was ordered as a result of a judgement issued by the Jeddah First Instance Customs Committee of 14 September 2017. To date, the Panel is not aware of any report from the Saudi authorities to the Sanctions Committee on Yemen containing relevant details on the inspection and seizure of the tanker as required by paragraph 17 of resolution 2216 (2015). Furthermore, the Panel could not identify, in the judgement above, any reference to resolution 2216 (2015) nor any material fact that could be related to the implementation of that resolution (see figure 20.1).

Figure 20.1

Last page of the Jeddah First Instance Customs Committee Judgement No. 395 of 1438H issued on 23 Dhil Hijja 1438 H corresponding to 14 September 2017

وحيث الثابت قيام السفينة (MT ANDROUSSA) بعدة مخالفات تم ضبطها
بتقرير اللجنة الأمنية المكلفة بتوثيق وتفريش السفينة وفحصها مما تقرر معه
اللجنة الحكم بمصادرة السفينة (MT ANDROUSSA) بكامل حمولتها ومصادرة
الأنابيب الحديدية المشتبه بها .
لهذه الأسباب وبعد الدراسة والمداولة قررت اللجنة وبالإجماع ما يلي:-
منطوق القرار :
أولاً/مصادرة السفينة (MT ANDROUSSA) بكامل حمولتها ومصادرة
الأنابيب الحديدية المشتبه بها بإعتبارها البضائع محل التهريب.
قراراً قابلاً للاستئناف خلال ٣٠ يوماً من تاريخ تبليغ الحكم الابتدائي.
١١

Panel's unofficial translation from Arabic

Since it was confirmed that *MT Androussa* was involved in several violations observed in the report of the security committee in charge of inspecting the vessel, and the decision of the said committee to confiscate the vessel and its cargo, as well as the suspicious steel pipes found on board.

For these reasons and after deliberation, the committee decided on consensus the following:

First; to confiscate the vessel *MT Androussa* with its cargo in full and the suspicious steel pipes on the grounds that they were smuggled goods.

This decision is subject to appeal within 30 days from the notification date of the first instance judgment.

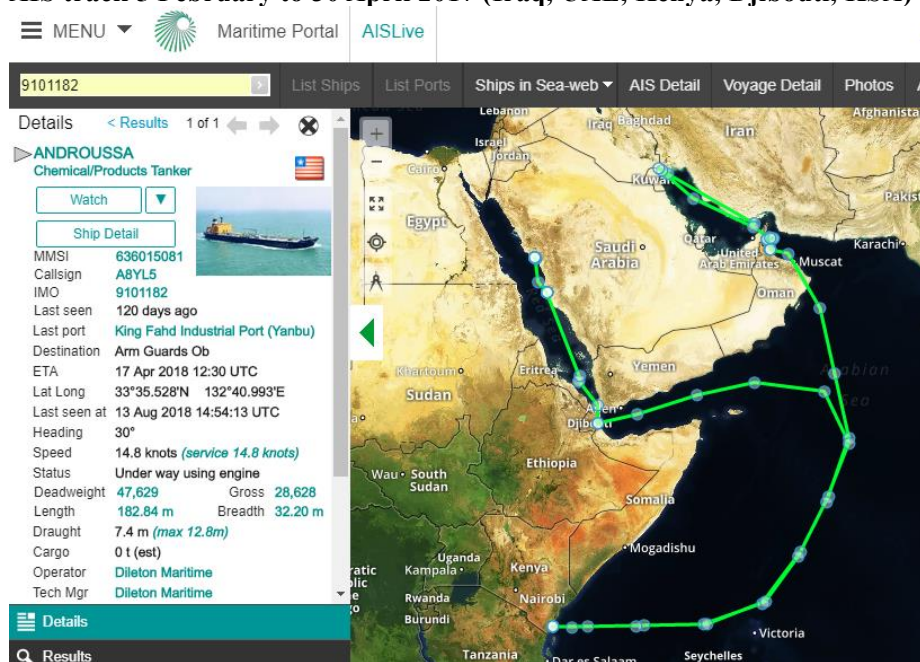
END OF TRANSLATION

2. *MT Androussa* was carrying 41,696 Mt of Gasoil received from a ship-to-ship transfer (STS) from *Nordic Star* (IMO 9748679) off the coast of Djibouti with Emirates NDB, Dubai designated as the shipper and the consignee, according to the Bill of lading (B/L), as Swaidan Trading Co. LLC “Swaidan”.⁵¹ The tanker had been cleared by UNVIM but this clearance was later revoked after receiving intelligence reports indicating that the vessel failed to mention, in its UNVIM request, that she had recently berthed in Iranian ports. The Panel confirmed through AIS tracks and log books on board the tanker that she had indeed called into Bandar Abbas port in Iran from 11 to 14 December 2016 (see annex 21).

3. The Panel visited the tanker on 25 December 2017 and could not find any evidence of prohibited items on board (figure 20.7). The Panel understood, from discussions with Saudi officials, that the tanker had been confiscated based on intelligence information related to the financing of the Houthis through fuel donations coming from external actors. On these grounds, the Panel initiated an investigation of potential financial support for the benefit of a listed individual, in line with paragraph 11 of resolution 2140 (2014).

4. If a port of *call* was intentionally hidden, this is a clear reason to both revoke the UNVIM clearance and grounds for conducting an inspection under the resolution 2216 inspection regime. However, the Panel does not consider that this act on its own constitutes a reason for the Saudi officials to intercept the vessel in international waters and confiscate it, based on the observed irregularities mentioned in the judgement after the inspection in Jeddah and Yanbu.

Figure 20.2
AIS track 5 February to 30 April 2017 (Iraq, UAE, Kenya, Djibouti, KSA)



⁵¹ B/L issued on 1 April 2017 offshore Djibouti, in possession of the Panel which also indicates that it was delivered to Swaidan Trading Co. LLC, a subsidiary of Al Naboodah Group Enterprises “Al Naboodah” (Al Naboodah Cargo Centre LLC, PO Box 10652 Dubai, UAE), <http://www.swaidanvehicles.com/contact-us>, the website does not mention import or export of fuel among its business activities.

Figure 20.3
AIS track 28 March to 1 April 2017 (Djibouti)

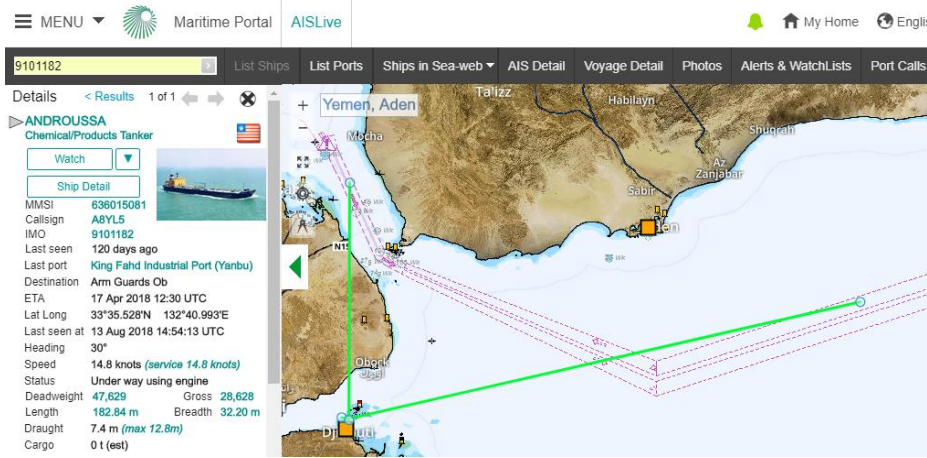


Figure 20.4
AIS track for MT Androussa and Nordic Star 30 March to 1 April 2017 (STS transfer from Nordic Star at coordinates 11°39'25"N 43°09'21"E off coast Djibouti)

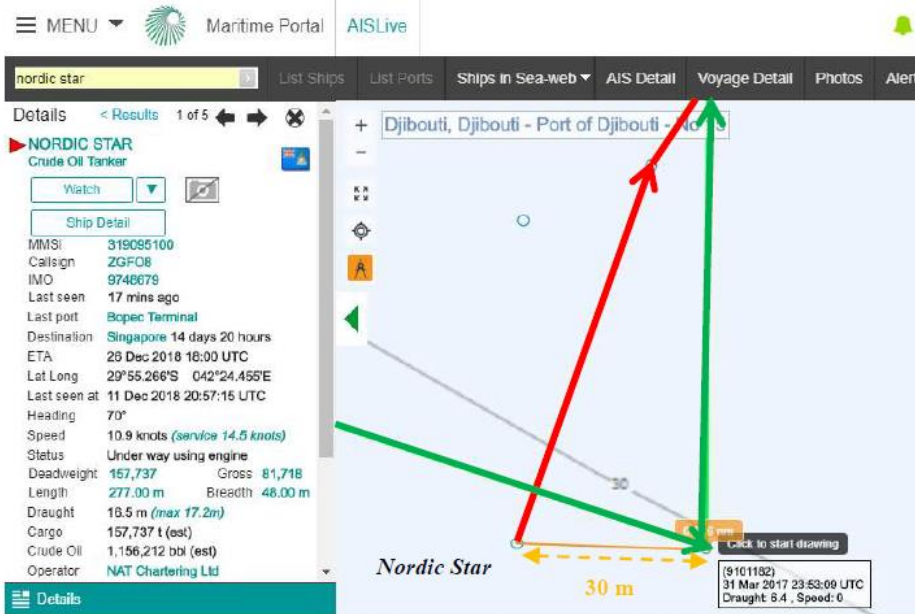


Figure 20.5
Port log book MT Androussa 31 March to 1 April 2017 indicating STS Nordic Star

| | | |
|----------|------|--|
| | 0930 | CHECKLIST NO. 3 COMPLETED |
| | 0942 | FIRST LINE TO MASTER VESSEL "NORDIC STAR" |
| | 1020 | TUGS CLEAR TAD |
| | 1030 | TUGS CLEAR AT |
| | 1042 | 1 PILOT OFF |
| | 1100 | ALL LINE + MISC FAST / CHECKLIST NO. 4 COMPLETED |
| | 1206 | COMMENCE HOSE CONNECTING |
| | 1230 | COMPLETED HOSE CONNECTING |
| | 1305 | PILOT OFF |
| | 1248 | COMMENCE TANK INSPECTION |
| | 1330 | COMPLETED TANK INSPECTION |
| | 1242 | 250 BARS ON BOARD |
| | 1430 | COMMENCE CARGO OPERATION / LOADING |
| | 1415 | NOR ACCEPTED |
| 01-04-17 | 0900 | COMMENCE SAMPLING |
| | 0918 | COMPLETED SAMPLING |
| | 0514 | COMPLETE LOADING |
| | 0542 | COMMENCE BLOWING / 0548 - COMMENCE UNLASHING |
| | 0618 | COMMENCE HOSE ON CONNECTION |

Source: Panel

5. Additional documents held by the Panel indicate that payment for the cargo, the freight price of the tanker and the policy insurance were all paid by Swaidan.⁵² That specific cargo had been invoiced earlier by al Naboodah to Wheelers for a price of US\$ 19,283,058.50 (figure 20.8).⁵³

6. The Panel sent official letters to both the UAE authorities and Swaidan requesting them to provide the Panel with information on the business relationship between Swaidan and Wheelers, as well as clarifying the financial instrument used for payment of the cargo price by Daghsan. Swaidan has not yet replied to the Panel. The Panel received official information that neither Oil Premier nor Wheelers have bank accounts in UAE and that the company which used to sponsor Daghsan residency in the UAE ceased to operate after expiry of its company license on 2 September 2016.

7. Documents held by the Panel indicate that the transactions between Swaidan and Daghsan are both inconsistent and suspicious. A financial agreement indicates Swaidan as a second party, while the first party is Oil Premier instead of Wheelers which was the consignee. Another inconsistency is the mention of Saleh Ahmed Daasan as the representative of Oil Premier. The Panel believes that the agreement was drafted by someone with no knowledge of Wheelers nor Oil Premier and who transliterated the spelling of 'Daghsan' by missing a dot above the second letter of his name in Arabic.⁵⁴ Swaidan has not yet indicated to the Panel if and how it received any funds from Daghsan's companies, which were the consignees of the fuel imported to Yemen. The Panel

⁵² Documents indicate that the fuel carried by Androussa was invoiced by Litasco Middle East DMCC to Swaidan at a cost of US\$ 20,012,768.29 and that the insurance premium of 107,822.03AED for the cargo was paid by the same company.

⁵³ The Panel also noted that the al Naboodah invoice indicates a price per barrel (Bbl) of US\$ 63.13 lower than the price of purchase, as invoiced by Litasco at US\$ 64.73 per Bbl CFR Ras Issa (Cargo freight INCOTERMS).

⁵⁴ Daasan and Daghsan have similar script characters while the second has a dot on the second letter from the right: دغسان دغسان

considers that the fuel which was destined for Daghsan could be a donation from a third party and that Swaidan acted as a broker. The Panel continues to investigate.

Figure 20.6

***MT Androussa* at the port of Yanbu visited by the Panel on 25 December 2017**



Source: Panel

Figure 20.7

Steel pipes considered suspicious by KSA (Panel on 25 December 2017)



Source: Panel

Figure 20.8
Invoice dated 27 March 2017 of Swaidan Trading Co. LLC for Wheelers General Trading Company



شركة سويدان التجارية ذ م م
 SWAIDAN TRADING CO. LL

INVOICE / PACKING LIST

BUYER:
 WHEELERS GENERAL TRADING COMPANY
 AL AMANAH SAQWOB, ZAID DHAGSAN
 BUILDING, SANA, YEMEN.

DATE: 3/27/2017

PROFORMA INVOICE No.27031701

| | |
|-------------------|------------|
| PRODUCT | GASOIL |
| TERMS OF DELIVERY | OAP YEMEN |
| VESSEL | ANDROUSSA |
| LOAD PORT | DJIBOUTI |
| DISPORT | RAS ISA |
| QUANTITY | 305,450.00 |

| DESCRIPTION | GROSS WEIGHT (BBL) | PRICE USO/BBL | TOTAL AMOUNT (USO) |
|-------------------|--|------------------|--------------------|
| QUANTY | 305,450.000 | 63.13 \$ | 19,283,058.50 |
| PROVISIONAL PRICE | MOPAG (58.63 USO/BBL) + 4.5 USO/BBL | | |

| | | |
|------------------------------------|----|---------------|
| TOTAL VALUE DUE TO SWAIDAN TRADING | \$ | 19,283,058.50 |
|------------------------------------|----|---------------|



HEAD OFFICE
 P.O.Box 1200, Dubai, UAE
 Tel. +971 4 294 8111
 Fax +971 4 294 8998

ABU DHABI BRANCH
 P.O.Box 2239
 Abu Dhabi, UAE
 Tel. +971 2 555 4233

AL AIN BRANCH
 P.O.Box 1250
 Al Ain, UAE
 Tel. +971 3 721 1792

FUJAIRAH BRANCH
 P.O.Box 371
 Fujairah, UAE
 Tel. +971 9 222 2731

SHARJAH BRANCH
 Tel. +971 6 508 5333
 Fax +971 6 538 7904
 RAK BRANCH



SWAIDAN000228

Source: Case No 3:18-cv-00398-HZ, Portland, Oregon, USA

Figure 20.9
Financial agreement between Swaidan and Oil Premier

This Contract made on this day Thursday , February 24th, 2017 between First Party OIL PREMIER FOR OIL & GAS TRADING AND SERVICES and Second Party (Alnaboodah Cargo Center) in Sana'a, Yemen.

First Party

Company Name: Oil Premier for Oil & Gas Trading and Services
Address: Airport Street, nearby Mouad Hospital, Sana'a
Registration No.: [REDACTED] **Date:** 12-10-2015
Country: Republic of Yemen
Represented by: Saleh Ahmed Daasan
Designation: Chairman
Nationality: Yemeni **Passport No.:** [REDACTED] **Issued from:** Yemen **Date:** 12-2-2015
 (Hereinafter referred to as "FP")

And:

Second Party

Company Name: Swaidan Trading Co LLC , UAE and (Alnaboodah Cargo Center)
Address: PO Box 1200, Dubai
Registration No.: 00000000 **Date:** 000000000
Country: United Arab Emirates **Emirate of:**xxxxxxxx
Represented by: Hassan Ali Shaban General Manager in Swaidan Trading Group
 And Raed Hiassat (General Manager of Alnaboodah Cargo Center)
Nationality:..... **Passport No.:** **Issued from:** **Date:**

(Hereinafter referred to as "SP")

(Collectively hereinafter referred to as "Parties")

Whereas, the two contractual parties mutually agreed, under full capability to enter into and execute this contract in accordance with the following Preamble and Clauses.

The image shows a handwritten signature in black ink on the left side. To the right of the signature is a circular stamp. The stamp contains the text 'OIL PREMIER FOR OIL & GAS TRADING AND SERVICES' around the perimeter and 'ALNABOODAH CARGO CENTER' in the center.

SWAIDAN000002

Source: Case No 3:18-cv-00398-HZ, Portland, Oregon, USA

Annex 21. Shipment of fuel from Iran to Ras Issa, falsely reported as loaded in Oman

1. The Panel investigated cases of shipment of fuel for the benefit of Houthi consignees potentially acting on behalf of listed individuals in violation of sanctions measures. The Panel compared the B/L of lading of some shipments with AIS track of the tankers carrying them and found inconsistencies. These include issuance of B/L of lading by two companies with no link to the tankers. The B/L of loadings were very likely false as the practice in maritime trade is that they have to be issued by the master or by authorized persons indicating that the cargo has been shipped or received for shipment.⁵⁵ The Panel found the following discrepancies in the B/L:

Table 21.1.
B/L of loadings falsely stating that the tanker was loaded in Oman

| Tanker | B/L Issuer | Shipper | Issue date | Consignee | Findings |
|-------------------------|-------------------|-------------------|------------|---------------------|---|
| <i>MT Pvt Eagle</i> | Leo Shipping, UAE | Al Ezz Al Arabiya | 8/11/2016 | Matrix Oil | Stated as loaded in Khasab, Oman but AIS off near Abadan, Iran on 7 November 2016 (see figure 21.1) |
| <i>MT Androussa</i> | Leo Shipping, UAE | Sahool, Oman | 14/12/2016 | Yemen Elaf | Stated as loaded in Khasab, Oman but Fuel shipped in Bandar Abbas by NIOC ⁵⁶ on 13 December 2016; vessel confiscated by KSA (see figures 21.2 to 21.11) |
| <i>MR Nautilus</i> | Leo Shipping, UAE | Sahool, Oman | 10/1/2017 | Albarakah | Stated as loaded in Khasab, Oman but AIS off near Busher, Iran 8 January 2017 (see figures 21.12 to 21.14) |
| <i>MT Safe Sino</i> | Leo Shipping, UAE | Sahool, Oman | 27/3/2017 | Albarakah | Stated as loaded in Khasab, Oman but AIS off near Busher Iran on 15 March 2017 (see figures 21.15 to 21.17) |
| <i>MT Crystal Sambu</i> | Adeema, UAE | Adema, UAE | 9/3/2018 | Yemen Crude Trading | Stated as loaded in Sohar, Oman but AIS probable STS; vessel seized by KSA (see figures 21.18 to 21.20) |

Source: Panel based on information from confidential sources and AIS tracking

2. The Panel sent letters to the owners of *MT Androussa*, sharing with them the Panel's findings and requesting an explanation of the inconsistencies. The owners of *MT Androussa* shared with the Panel evidence indicating that they have not hidden their voyages to Iran and that the tanker was under a time charter agreement with R. Shipping Inc, a company with an office in Greece. Documents at figures 21.8 and 21.9 indicate that R.Shipping requested *MT Androussa* to issue a false B/L and that *MT Androussa* refused. R.Shipping then requested the owners to order the tanker to proceed to Ras Issa for Yemen Elaf instead of the initial destination in UAE. The Panel sent letters to R.Shipping and Leo Shipping in order to provide information related to their involvement in the transactions. The Panel sent letters to the Islamic Republic of Iran, the Sultanate of Oman and to UAE requesting information explaining the discrepancies and evidence that the fuel was sold and not a result of donation for the benefit of listed individuals. The Panel received a letter from R Shipping informing that it sub-chartered the vessel to Sasco Logistic LLC (Dubai, UAE) which then sub-chartered her to Yemen Elaf which requested the issuance of switch bills of lading indicating that the fuel was shipped by Sahool in Oman.

⁵⁵ See for example UK Carriage of Goods by Sea Act 1924 s.4: A bill of lading which: (a) represents goods **to have been shipped** on board a vessel or to have been received for shipment on board a vessel; (b) has been signed **by the master** of the vessel or **by a person who was not the master but had the express, implied or apparent authority of the carrier** to sign bills of lading

⁵⁶ National Iranian Oil Company (NIOC), <http://en.nioc.ir/Portal/Home/>

Figure 21.1

Bill of Lading falsely stating that *MT Pvt Eagle* was loaded in Khasab Oman on 8 November 2016 issued by Leo Shipping LLC, Dubai UAE

| | |
|--|---|
| CODE NAME: "CONGENBILL" EDITION 1994 | |
| Shipper AL EZZ AL ARABIYA TRADING CO P.O. 570 P.C. 217 AUQAD - SALALAH SULTANATE OF OMAN | B/L NO: KHA/01 |
| Consignee MATRIX OIL FOR IMPORT P.O. BOX 23154 SANAA, YEMEN | HEAD OWNERS SOUTHERN PETROLEUM TRANSPORTATION JOINT SOTCK COMPANY M FLOOR, PVFCCO TOWER, MAC DINH CHI STR., HO CHI MINH CITY VIETNAM |
| Notify Address Notify as above | NON-NEGOTIABLE COPY |
| Vessel Port of Loading MT PVT EAGLE KHASAB | |
| Port of discharge RAS ISA (YEMEN) | |
| Description of Goods: Product Grade :- GAS OIL METRIC TONS 26,106.753 LONG TONS 25,695.00 BARRELS 197,682.00 "CLEAN ON BOARD" FREIGHT PAYABLE AS PER CHARTER PARTY | |
| Freight Payable as per Charter party | <p>Shipped in apparent good order and condition by Aeez Al Arabiya Trading Co. On board Vietnam vessel, MT Pvt Eagle, Whereof Capt. NGUYEN TRONG AI is the master at the Port of Khasab, Sultanate of Oman</p> <p>This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.</p> <p>In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void.</p> |
| <p>CHARTER-PARTY DATED ON <u>13/10/2016</u></p> <p>Time used for loading days hours</p> <p>(As per SOF)</p> | |
| <p>Freight payable at FREIGHT PAYABLE</p> <p>Number of original Bs/L (03) THREE</p> | <p>Place and date of issue DUBAI DATE: 8/11/2016</p> <p>Signature: AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT PVT EAGLE</p> |

Source: Confidential

Figure 21.2
MT Androussa pilot card indicating that she arrived to Bandar Abbas on 11 December 2016 with deadweight (DWT) of 16184 MT i.e. the weight in metric tons of all the cargo or water ballast

SHIP FORM Pilot Card
 Code: F-SHIP-15-02
 Revision: 1
 Date: 01/07/2015
 Ship's File: BR1

Instruction: Frequency - Every Pilotage Send to office? N

VESSEL / PILOT INFORMATION EXCHANGE

M/T "ANDROUSSA" PORT: Bandar Abbass Iran DATE: 11.12.2016

A. DIMENSIONS / TONNAGE

| | | |
|---|--|--------------------------|
| Gross: 28,628 MT | Net: 12,678 MT | Summer Draft: 12,82 M |
| Present Displacement: 25790 MT | Present DWT: 16184 MT | |
| L.O.A.: 182.80 M | L.B.P.: 172 M | BEAM: 32.20 M |
| Bridge to Bow: 145 M | Bridge to Manifolds: 25 M | Bridge to Stern: 37.80 M |
| Draft FWD: 5.60 | Draft MID: 6.30 | Draft AFT: 7.00 |
| Calculated Squat at Full SEA speed: 1 M | Calculated Squat at maneuvering Slow speed: 1.81 M | |
| Calculated Air Draft in Ballast: 37.5m | Calculated Air Draft in Load: 34m | |

Source: Panel, 25 December 2017 on board MT Androussa in Yanbu, KSA

Figure 21.3
MT Androussa pilot card indicating that she left Bandar Abbas on 14 December 2016 with deadweight (DWT) of 39321 MT i.e. with full cargo capacity

SHIP FORM Pilot Card
 Code: F-SHIP-15-02
 Revision: 1
 Date: 01/07/2015
 Ship's File: BR1

Instruction: Frequency - Every Pilotage Send to office? N

VESSEL / PILOT INFORMATION EXCHANGE

M/T "ANDROUSSA" PORT: Bandar Abbass Iran DATE: 14.12.2016

A. DIMENSIONS / TONNAGE

| | | |
|---|--|--------------------------|
| Gross: 28,628 MT | Net: 12,678 MT | Summer Draft: 12,82 M |
| Present Displacement: 48927 MT | Present DWT: 39321 MT | |
| L.O.A.: 182.80 M | L.B.P.: 172 M | BEAM: 32.20 M |
| Bridge to Bow: 145 M | Bridge to Manifolds: 25 M | Bridge to Stern: 37.80 M |
| Draft FWD: 11.10 | Draft MID: 11.10 | Draft AFT: 11.10 |
| Calculated Squat at Full SEA speed: 1 M | Calculated Squat at maneuvering Slow speed: 1.81 M | |
| Calculated Air Draft in Ballast: 37.5m | Calculated Air Draft in Load: 34m | |

Source: Panel, 25 December 2017 on board MT Androussa in Yanbu, KSA

Figure 21.4

Androussa pilot card indicating that she arrived to Ra's As Salif, Yemen, on 14 January 2017 with the same DWT of 39321 MT as when she left Bandar Abbas

| SHIP FORM Pilot Card | | Code: F-SHIP-15-02 |
|---|-------------------|--------------------|
| Instruction: Frequency - Every Pilotage | Send to office? N | Revision: 1 |
| | | Date: 01/07/2015 |
| | | Ship's File: BR1 |

| VESSEL / PILOT INFORMATION EXCHANGE | | |
|---|---------------------------|--------------------------|
| M/T "ANDROUSSA" | PORT: RA'S AS SALIF YEMEN | DATE: 07.01.2017 |
| A. DIMENSIONS / TONNAGE | | |
| Gross: 28,628 MT | Net: 12,678 MT | Summer Draft: 12,82 M |
| Present Displacement: 48927 MT | Present DWT: 39321 MT | BEAM: 32.20 M |
| L.O.A.: 182.80 M | L.B.P.: 172 M | Bridge to Bow: 145 M |
| Bridge to Bow: 145 M | Bridge to Manifolds: 25 M | Bridge to Stern: 37.80 M |
| Draft FWD: 11.20 | Draft MID: 11.20 | Draft AFT: 11.20 |
| Calculated Squat at Full SEA speed: 1 M. Calculated Squat at maneuvering Slow speed: 1.81 M | | |

Source: Panel, 25 December 2017 on board Androussa in Yanbu KSA

Figure 21.5

Androussa pilot card showing that she left Abbas on 27 January 2017 with DWT of 16647 MT, almost the same water ballast as when arriving to Bandar Abbas


| SHIP FORM Pilot Card | | Code: F-SHIP-15-02 |
|---|-------------------|--------------------|
| Instruction: Frequency - Every Pilotage | Send to office? N | Revision: 1 |
| | | Date: 01/07/2015 |
| | | Ship's File: BR1 |

| VESSEL / PILOT INFORMATION EXCHANGE | | |
|---|---------------------------|--------------------------|
| M/T "ANDROUSSA" | PORT: RA'S AS SALIF YEMEN | DATE: 27.01.2017 |
| A. DIMENSIONS / TONNAGE | | |
| Gross: 28,628 MT | Net: 12,678 MT | Summer Draft: 12,82 M |
| Present Displacement: 26253 MT | Present DWT: 16647 MT | BEAM: 32.20 M |
| L.O.A.: 182.80 M | L.B.P.: 172 M | Bridge to Bow: 145 M |
| Bridge to Bow: 145 M | Bridge to Manifolds: 25 M | Bridge to Stern: 37.80 M |
| Draft FWD: 5.60 M | Draft MID: 6.35 M | Draft AFT: 7.10 M |
| Calculated Squat at Full SEA speed: 1 M. Calculated Squat at maneuvering Slow speed: 1.81 M | | |
| Calculated Air Draft in Ballast: 37.5m. Calculated Air Draft in Load: 34m | | |

Source: Panel, 25 December 2017 on board Androussa in Yanbu, KSA

Figure 21.6

Bill of Lading falsely stating that *MT Androussa* was loaded in Khasab Oman on 14 December 2016 issued by Leo Shipping LLC, Dubai UAE

| | |
|---|---|
| CODE NAME: "CONGENBILL" EDITION 1994 | |
| Shipper SAHOOL AL HOJARI TRADING & CONT. CO. P.O. BOX 2589 SALALAH SULTANATE OF OMAN | B/L NO: KHA/ANDR/01 |
| Consignee YEMEN ELAF FOR IMPORT OF OIL DERIVATIVES SANAA REPUBLIC OF YEMEN | HEAD OWNERS ANDROUSSA SHIPPING S.A., 80 BOARD STREET, MONROVIA, LIBERIA |
| Notify Address Notify as above | NON-NEGOTIABLE COPY |
| Vessel Port of Loading MT ANDROUSSA KHASAB | |
| Port of discharge RAS ISA (YEMEN) | |
| Description of Goods: Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR METRIC TONS 37,298.00 LONG TONS 36,709.00 BARRELS 284,675.00 "CLEAN ON BOARD" FREIGHT PAYABLE AS PER CHARTER PARTY | |
| Freight Payable as per Charter party | Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co. On board Liberia vessel, MT Androussa, Whereof Capt. VASKO IVANOVIC is the master at the Port of Khasab, Sultanate of Oman |
| CHARTER-PARTY DATED ON <u>8/12/2016</u> | This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment. |
| Time used for loading days hours (As per SOF) | In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void. |
| Freight payable at FREIGHT PAYABLE | Place and date of issue DUBAI DATE: 14/12/2016 |
| Number of original Bs/L (03) THREE | Signature : AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT ANDROUSSA P.O.Box : 34295 Dubai- U.A.E  |

Source: Confidential

Figure 21.7
Bill of Lading stating that *MT Androussa* was loaded FOB (Free on Board) in BandarAbbas, Iran on 13 December 2016

BILL NO. 95

**IN THE NAME OF GOD
BILL OF LADING**

Shipped in apparent good order and condition by **NATIONAL IRANIAN OIL CO.**
Onboard the **LIBERIA**

Motorship **ANDROUSSA**
Steamship
Is Master at the port of **BANDAR ABBAS - IRAN**

whereof [REDACTED]

a quantity said to be:

| | | | | | | | | | | | |
|-------|------------------------------------|---------|----------------|----------|---------------|------------|---------------|---------------------|---------------|---------------|--------------|
| GRADE | GAS OIL MAX 0.5 PCT SULPHUR | BARRELS | 284,675 | LONG TON | 36,709 | METRIC TON | 37,298 | GP. GRAVITY AT 60°F | 0.8260 | API 1 AT 60°F | 39.81 |
|-------|------------------------------------|---------|----------------|----------|---------------|------------|---------------|---------------------|---------------|---------------|--------------|

Measurement, weight, gauge, quality, nature, value, and condition of the cargo unknown to the vessel and the master, to be delivered at the port of **UMTAD ARAB EMIRAT (ZUJAYR)**
always about. **TO ORDER OF SWAPER (MOC) ACCOUNT OF ILEDA**

OR SO NEAR THEREAS AS VESSEL CAN SAFELY GET.
INSURANCE AND FREIGHT PAYABLE AS PER CHARTER PARTY

of order on payment of freight at the rate of _____

DELV. TYPE: FOB

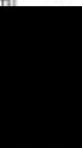
This shipment is carried under and pursuant to the terms of the Charter dated _____ at _____ between _____


TRANSSHIPMENT NOT ALLOWED

as charter, and all the terms whatsoever of the said Charter except the rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.

If this Bill of Lading is a document of title to which the Carriage of Goods by sea Act of the United States, approved April 16, 1936 or similar legislation giving statutory effect to the international Convention for the Unification of Certain Rules relating to Bills of Lading at Brussels of August 25, 1924, applies by reason of the port of loading or discharge being in territory in which the said Act or other similar legislation is in force, this Bill of Lading shall have effect subject to the provisions of the said Act or other similar legislation, as the case may be, which shall be deemed incorporated herein, and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act or other similar legislation, if any term of this Bill of Lading is Repugnant to the said Act or other similar legislation, such terms shall be void to that extent but no further.

In Witness Whereof, the Master has signed _____ (THREE) _____
tender and date, one of which being accomplished, the others will be void.
Dated at **BANDAR ABBAS - IRAN** this **13 TH** day of **DECEMBER** **2016**

MASTE




WARSHIPOLLOVY - BILL OF LADING

CONFIDENTIAL PAGE NOT FOR PUBLIC DISSEMINATION

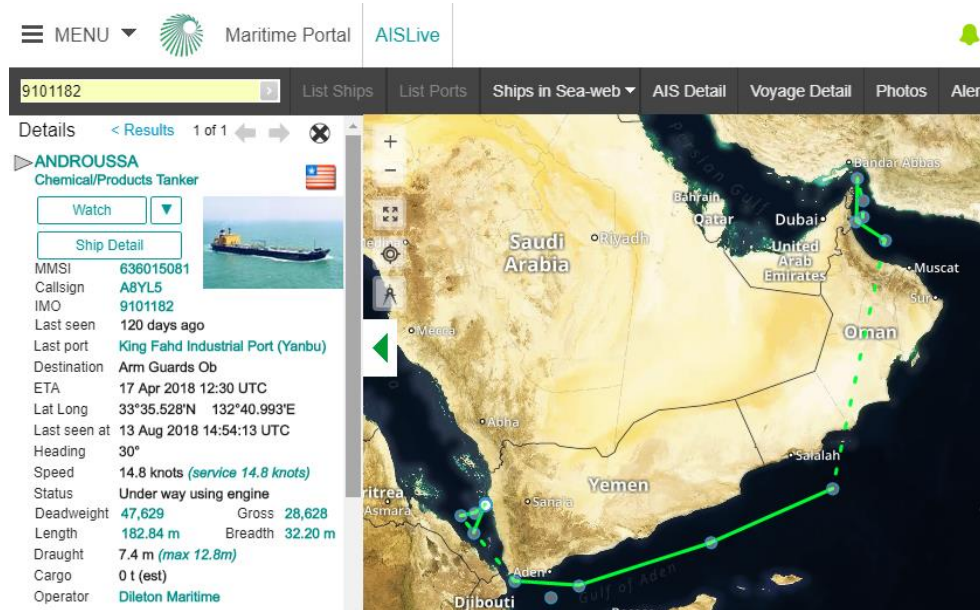
Figure 21.8

CONFIDENTIAL PAGE NOT FOR PUBLIC DISSEMINATION

Figure 21.9

Figure 21.10

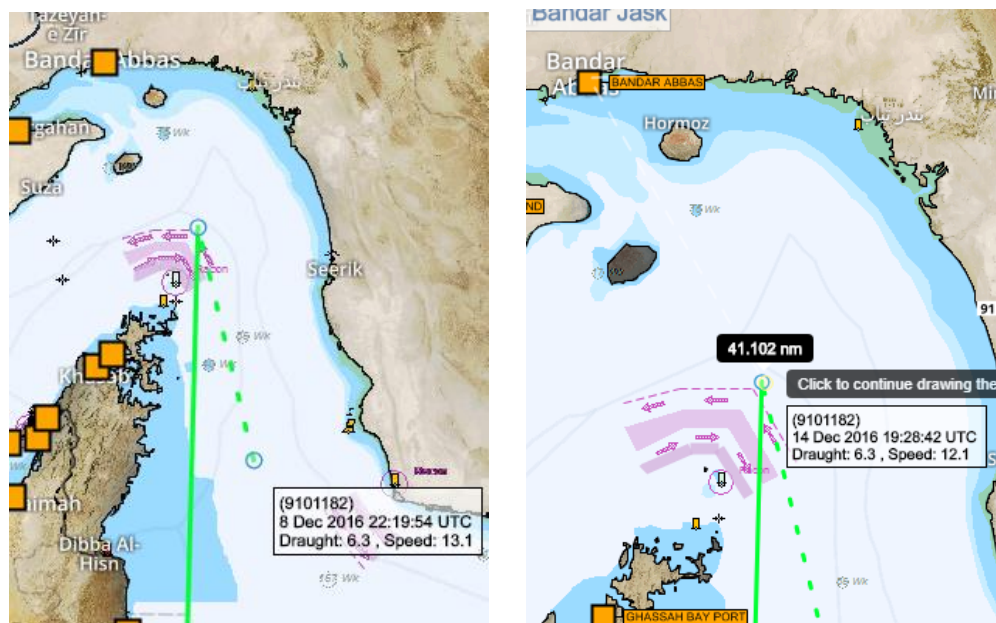
AIS track of *MT Androussa* from 4 December 2016 to 27 January 2017 (Fujairah, UAE- Bandar Abbas, Iran – Ras Issa, Yemen)



Source: <https://maritime.ihs.com/>

Figure 21.11

AIS track *MT Androussa* 8 to 15 December 2016 showing that AIS was off on 8 December and switched on, on 14 December 2016, 41 Nm outbound from Bandar Abbas after loading fuel



Source: <https://maritime.ihs.com/>

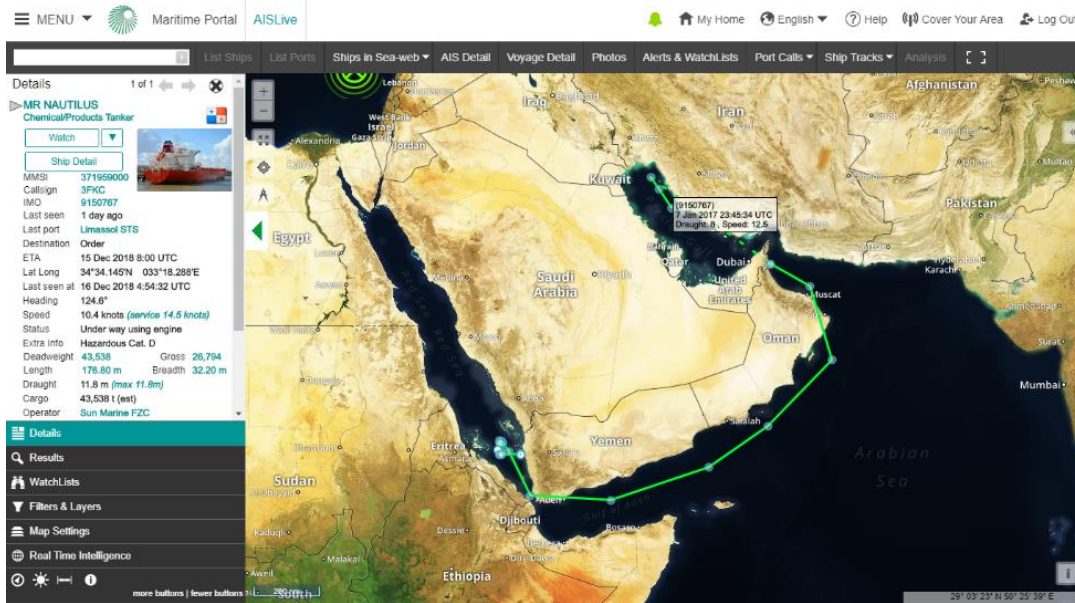
Figure 21.12

Bill of Lading falsely stating that *MR Nautilus* was loaded in Khasab Oman on 10 January 2017 issued by Leo Shipping LLC, Dubai UAE

| | | | |
|--|----------------------------------|--|--|
| CODE NAME: "CONGENBILL" EDITION 1994 | | B/L NO: KHA/NAUT/01 | |
| Shipper SAHOOL AL HOJARI TRADING & CONT. CO. P.O. BOX 2589 SALALAH SULTANATE OF OMAN | | HEAD OWNERS ARUNDEL INVESTMENT GROUP LIMITED BRITISH VIRGIN ISLANDS | |
| Consignee ALBARAKAH REPUBLIC TRADING COMPANY HODEIDAH YEMEN | | NON-NEGOTIABLE COPY | |
| Notify Address Notify as above | | | |
| Vessel MT MR NAUTILUS | Port of Loading KHASAB | | |
| Port of discharge RAS ISA (YEMEN) | | | |
| Description of Goods: Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR METRIC TONS 39,561.00 LONG TONS 38,935.00 BARRELS 300,307.00 "CLEAN ON BOARD" FREIGHT PAYABLE AS PER CHARTER PARTY | | | |
| Freight Payable as per Charter party CHARTER-PARTY DATED ON <u>7/1/2017</u> Time used for loading days hours (As per SOF) | | Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co. On board Panama vessel, MT MR Nautilus, Whereof Capt. YAZICI TANJU is the master at the Port of Khasab, Sultanate of Oman This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment. In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void. | |
| Freight payable at FREIGHT PAYABLE | | Place and date of issue DUBAI DATE: 10/1/2017 | |
| Number of original Bs/L | | Signature : AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT MR NAUTILUS | |

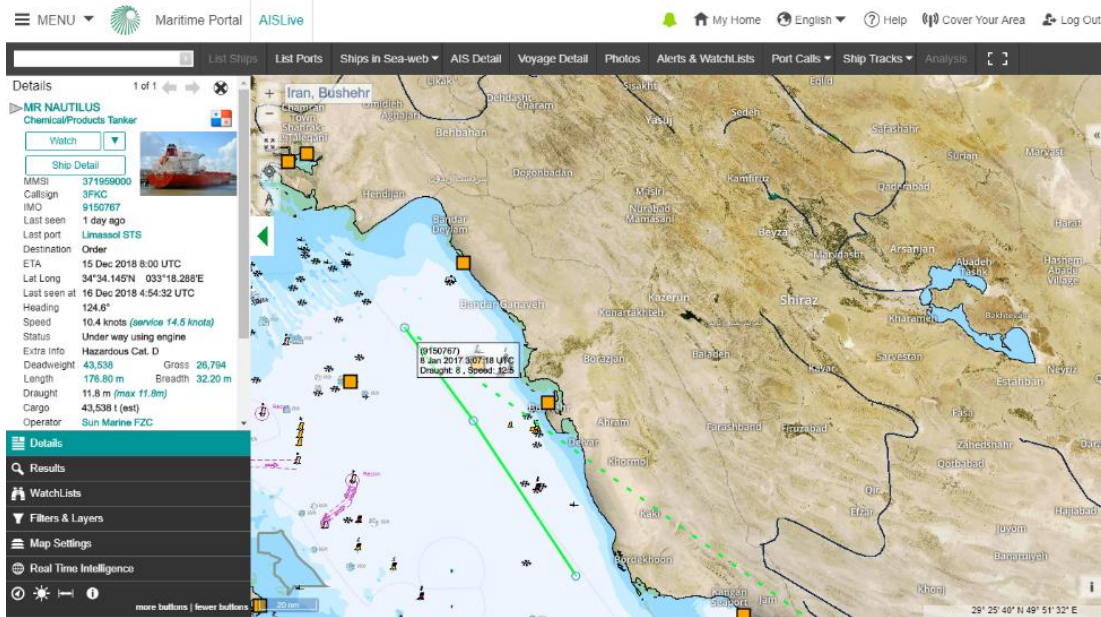
Source: Confidential

Figure 21.13
AIS track of *MR Nautilus* from 1 December 2016 to 10 March 2017 (Iran - Ras Issa, Yemen)



Source: <https://maritime.ihs.com/>

Figure 21.14
AIS track of *MR Nautilus* switched off on 8 January 2017 off the coast of Iran



Source: <https://maritime.ihs.com/>

Figure 21.15
Bill of Lading falsely stating that *MT Safe Sino* was loaded in Khasab Oman on 27 March 2017 issued by Leo Shipping LLC, Dubai UAE

| | |
|---|--|
| CODE NAME: "CONGENBILL" EDITION 1994 | |
| Shipper SAHOOL AL HOJARI TRADING & CONT. CO P.O BOX 2589 SALALAH SULTANATE OF OMAN | B/L NO: 100-00 |
| Consignee ALBARAKAH REPUBLIC TRADING COMPANY HODEIDAH YEMEN | HEAD OWNERS PAN ORIENTAL SHIPPING HOLDING LIMITED |
| Notify Address Notify as above | NON-NEGOTIABLE COPY |
| Vessel Port of Loading MT SAFE SINO KHASAB | |
| Port of discharge RAS ISA (YEMEN) | |
| Description of Goods: Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR METRIC TONS 39,440.00 LONG TONS 38,819.00 BARRELS 298,858.00 "CLEAN ON BOARD" FREIGHT PAYABLE AS PER CHARTER PARTY | |
| Freight Payable as per Charter party CHARTER-PARTY DATED ON <u>9/3/2017</u> Time used for loading days hours (As per SOF) | Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co On board Panama vessel, MT SAFE SINO, Whereof Capt. KANG HUIYE is the master at the Port of Khasab, Sultanate of Oman This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment. In witness whereof, the master has signed Bills of Lading of this tenor and date, one of which is being accomplished, others will be void. |
| Freight payable at FREIGHT PAYABLE | Place and date of issue DUBAI DATE: 27/03/2017 |
| Number of original Bs/L | Signature : AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT SAFE SINO |

Source: Confidential

Figure 21.16
AIS track of *MT Safe Sino* from 15 March to 26 April 2017 (Iran – Yemen)

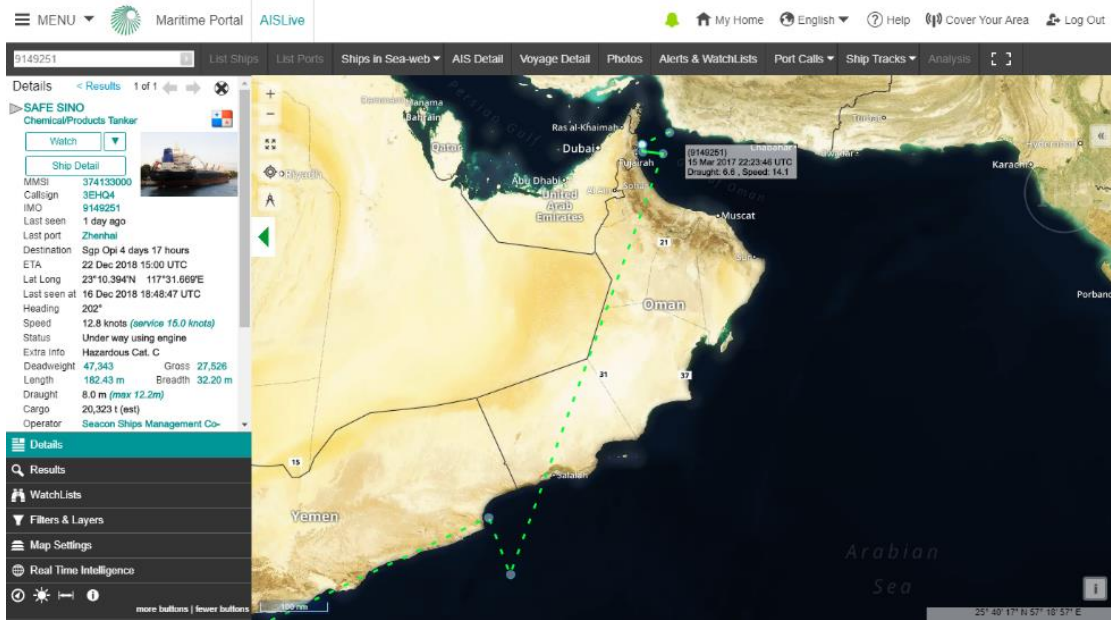


Figure 21.17
AIS track of *MT Safe Sino* switched off on 15 March 2017 off the coast of Iran

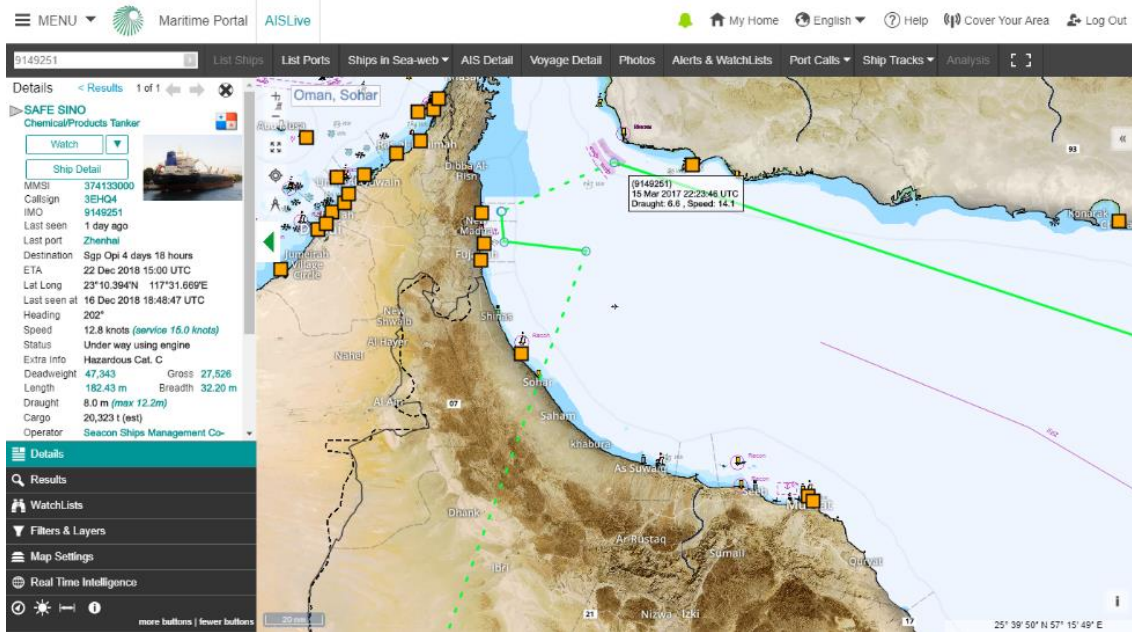


Figure 21.18

Bill of Lading not consistent with the practice as it is not signed by the Master of *MT Crystal Sambu* (IMO 8717908) but by Adeema, UAE indicating that it was loaded in Sohar, Oman on 9 March 2018 for suspicious consignee


| BILL OF LADING | | |
|---|-----------------------------|--|
| | | ORIGINAL |
| SHIPPER: ADEEMA OIL FZE P O BOX : 233599 DUBAI -UAE | | Bill of Lading No. CS-007-2018 |
| | | CONSIGNEE: YEMEN CRUDE TRADING & OIL SERVICES SANAA REPUBLIC OF YEMEN |
| VESSEL :MT CRYSTAL SAMBU IMO : 8717908 | FLAG : PANAMA | NOTIFY ADDRESS:- ENJAZ SHIPPING CO, LTD. |
| PORT OF LOADING : SOHAR - OMAN | | |
| DESTINATION : HODEIDAH PORT- YEMEN | | |
| Description of Goods "GASOLINE 92R UNLEADED" | | |
| QUANTITY: | | |
| CUBIC MTRS@ 15°C | : | 5029.135 |
| METRIC TONS (IN AIR) | : | 3583.840 |
| LONG TONS | : | 3527.2372 |
| US BARRELS @60F | : | 31655.02 |
| LITRES | : | 5,029,135 |
| CLEAN ON BOARD | | |
| <p>This shipment is carried under and pursuant to the terms of the Charter party under which the cargo was loaded. All terms, conditions, clauses and exception of the said Charter Party, including but not limited to the arbitration clause are incorporated herein, form part hereof, and shall govern the rights of the parties concerned in this Shipment save as otherwise expressly provided by the following clause:-</p> <p>Notwithstanding any Charter Party or Bill of Lading provision to the contrary, any claims whatsoever arising here under brought by, or against the Shipper may be determined in the courts of the country where the B/L was issued in accordance with that countries law, subject to the foregoing, nothing contained in this provision shall effects the rights and obligations of other parties to this Bill of Lading including the right to arbitrate claims. By becoming a holder of this Bill of Lading or becoming the person to whom delivery of the cargo is to be made the consignee shall be liable for any and all unpaid freight, dead freight, demurrage and other charges. Shipped on board the cargo specified above in accordance with Shipper's declaration in apparent good condition, weight, volume, quality and value unknown, and to be delivered at port of discharge or so near there unto as the vessel may safely get always afloat.</p> <p>IN WITNESS whereof the Owner or Charterer or Master or Agents of the said vessel has signed the Original Bill of Lading of this tenor and date, one of which being accomplished the other shall be void.</p> | | |
| Place of issue SOHAR- OMAN | Date of issue 09-03-2018 | Signature |
| Freight : N/A | |  |
| <p>For the purpose of this Bill of Lading, SHIPPER means the person consigning the cargo for the carriage on Charter's behalf, CHARTER means the person entering the Charter Party contract with the Carrier.</p> | | |

Figure 21.19
AIS track of *MT Crystal Sambu* from 1 January 28 March 2018 when it was seized in Yanbu, KSA

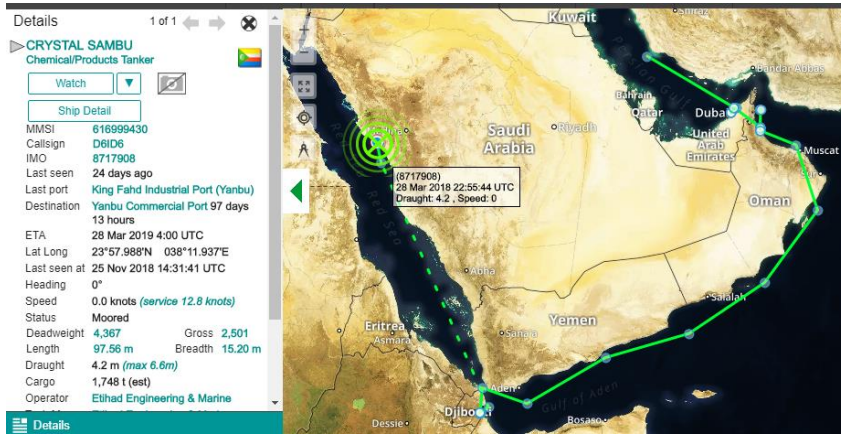
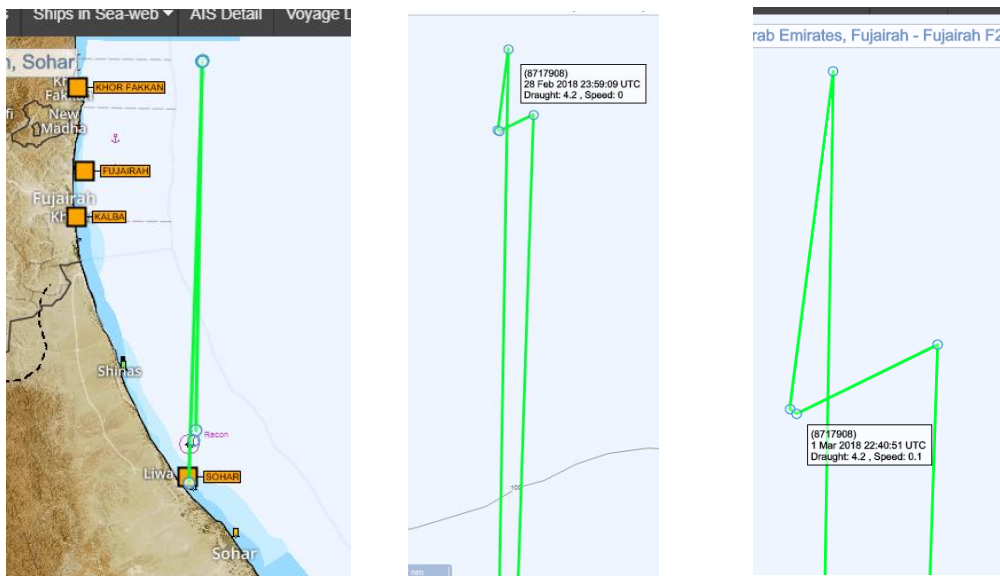





Figure 21.20
AIS track of *MT Crystal Sambu* from 28 February to 2 March 2018 showing potential ship to ship transfer from 1 to 2 March 2018



Annex 22. Tracing of items for military equipment found in Yemen

List of last custodians outside and inside Iran of items found in prohibited equipment in Yemen

| Item | System | Last custodian outside Iran | Last custodian in Iran |
|--|-----------------------------------|--|--|
|  | Mixing unit for rocket solid fuel | Trafag AG (Industriestrasse 11, 8608 Bubikon, Switzerland Purchased by Mr. Mxxx Ghaxx of Iranian origin living in Bekkestua, Norway | Shipped on 29 August 2014 to Noran Sanat Daryaye Chalous Co., no. 257 South Lalehzar St., 11447 Tehran, Iran |
|  | Mixing unit for rocket fuel | Hid-Tek Limited of Unalp Sok No:1/A, Nilüfer, Bursa, Turkey | Shipped on 28 May 2015 to Araz Fakh Azar, Ltd. Co. Km 3 Karaj old Road, beside Shir Pastorizeh, Tehran Trade Complex, Iran |
|  | Titanium Gear Servo for UAV | Succor General Trading Succor website with address: No 206 North Iranshahr Avenue, 1584636634, Tehran Iran Using account xxxxxxxxx6102 at Emirates Islamic Bank, UAE | Shipped since 2015 for UAV Qasef found in Yemen to: Eastern Suite, 1st Floor, No.1 Espinas Building, Mirzababaei Blvd Pounak Square, Tehran, Iran (Tel +98 21 4461 8198-9) |

Annex 23. Ma'rib's revenues and expenses (balance sheet January to November 2018)

التقرير التفصيلي للإيرادات والتفقات للفترة من يناير - نوفمبر 2018م

الإيرادات :

تورد جميع إيرادات النفط والغاز إلى حساب الحكومة وليس إلى حساب السلطة المحلية وتصرف أما عبر الموازنات المقررة والمعتمدة أو عبر توجيهات من رئاسة الجمهورية ورئاسة الحكومة.

| ملاحظات | تفاصيل الإيراد | الجهة | المبلغ | | |
|---------|--------------------------|---------|----------------------|----------------|------|
| | | | ريال | ف | |
| | قبل خصم 20% حصة المحافظة | إيرادات | الشرعة اليمنية للغاز | 55,724,643,461 | 0.21 |
| | قبل خصم 20% حصة المحافظة | إيرادات | شرعة النفط اليمنية | 27,269,115,243 | |
| | متنوعه | | أخرى | 926,112,883 | |
| | | | الإجمالي | 83,919,871,587 | 0.21 |

الإجمالي الكلي للإيرادات والتفقات

| البيان | المبلغ | |
|------------------|----------------|------|
| | ريال | ف |
| إجمالي النفقات | 84,788,226,716 | 0.5 |
| إجمالي الإيرادات | 83,919,871,587 | 0.21 |
| الفارق بالنقص | 868,355,129 | 0.29 |

أخيراً: التزامات معلقة (واجبة السداد)

1- الطاقة المشتراة مارب من سبتمبر إلى ديسمبر 2018م

2- الطاقة المشتراة الجوف من سبتمبر إلى ديسمبر 2018م

3- التزامات مستحقة للغير مستخلصات لم تدفع للمقاولين للمشاريع المنفذة بالمحافظة ومتعهد التغذية (للمنطقة العسكرية الرابعة - عدن) وغيرها

ملاحظة: لم يتم خصم حصة التنمية للمحافظة 20% من إيرادات النفط والغاز للعجز في الإيرادات .

Extracts (Report on revenues and expenses 2018)

All revenues from oil and natural gas are transferred to a Government account and not to accounts owned by local authorities. Funds are used according to approved budget expenditure or to instructions from the President and the Prime Minister.

Revenues (83,919,871,567): US\$ 186,488,603 [conversion added by the Panel at YER 450 to 1 US\$]

Yemen gas Company: YER 55,724,643,461;

Yemen Petroleum Company: YER 27,269,115,243;

Others: YER 926,112,883;

Expenses (84,788,226,716).US\$ 188,418,282 [conversion added by the Panel at YER 450 to 1 US\$]

Annex 24. Mohamed Ali Al Houthi's letter concerning cash transfers

Figure 24.1 Letter in Arabic

الرقم :
التاريخ :
المرفقات :

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجمهورية اليمنية
اللجنة الثورية العليا
رئيس اللجنة

سعادة الأمين العام للأمم المتحدة / السيد أنطونيو غوتيرس
سعادة وكيل الأمين العام للأمم المتحدة للشئون الإنسانية / السيد مارك لوكو
سعادة المبعوث الخاص للأمين العام للأمم المتحدة إلى اليمن / السيد مارتن غريفتش

تشهد الجمهورية اليمنية تدهورا كبيرا في الأوضاع الإنسانية التي تصفونها بالأزمة الإنسانية "الأسوأ في العالم"، والناجمة عن عدوان وحشي وحصار وحظر جوي وبري وبحري، واستهداف مباشر للعملة الوطنية بعدة طرق ووسائل هدفت إلى إحداث انهيار للعملة المحلية أمام العملات الأجنبية، وإيقاف المرتبات، مما رتب تفاقم الكوارث في الأوضاع الاقتصادية والمعيشية للشعب اليمني، حتى بات ما كان يعرف لديكم بحظر المجاعة شبحا ماثلا أمام العالم وأمام جميع المنظمات والمصادر والمدخلات التابعة لمنظمة الأمم المتحدة وغيرها.

ونظرا لكل ذلك فإننا نعرب عن أسفنا لعدم تمكنكم أو مجلس الأمن الدولي من إلزام دول العدوان بإيقاف العدوان الذي يشنه التحالف ضد بلدنا بدون إقرار من مجلس الأمن أو تفويض من الأمم المتحدة، بما يعنيه من انتهاك واضح لمواثيقها التي تلزمكم بتحمل مسؤوليتكم القانونية والأخلاقية للوقوف بحزم ضد انتهاك القوانين أو المواثيق، وهو ما نص عليه قسمكم عند توليكم المنصب.

وأمام انتهاكات التحالف المتعمدة والمتكررة التي استهدفت كل شيء بما في ذلك مخازن وقوافل تابعة للأمم المتحدة، وما يترافق معها من حصار ومنع أو إعاقة لوصول الكثير من المساعدات للمحتاجين من أبناء الجمهورية اليمنية، وهي جرائم تحدثت عنها ووردت في بعض التقارير مرارا وتكرارا.

وحتى لا يبقى الشعب اليمني رهين المجاعات، أو نشاهد توابيت الموت بأكثر مما شاهدناه، والتي وصل عدد وفيات الأطفال فيها إلى أكثر من ٢٤٠٠٠٠ طفل لأسباب سوء التغذية وانعدام الخدمات الصحية الرئيسية وغيرها، والتي لو توفرت لما كان ليتوفى طفل يعني كل عشر دقائق، مع الإشارة إلى أن هذا العدد الكبير جدا لم يتضمن عدد الذين قتلوا من الأطفال بالقصف الجوي والأسلحة المحرمة دوليا.

وإننا أمام كل ذلك نضع بين أيديكم حلا حقيقيا تستطيع من خلاله الأسرة اليمنية المحتاجة أن تهزم المجاعة التي أعلن السيد مارك لوكو أنكم تخسرون الحرب أمامها، ونضمن من خلاله بإذن الله مع السماح - تحت إدارتكم - بالتأكد من سلامة وصحة البيانات لجميع المستهدفين في كل المحافظات المستهدفة لدينا، وبضمن أيضا إزالة أي مبرر لاية جهة تريد أن تعيق وصول هذه المساعدات بذريعة الخشية من أن تصل إلينا.

كما ويقل هذا الحل من النفقات التي تقدمها منظماتكم أو الفرق أو الشركات التي تعمل معكم أو توفر النقل لكم، وبما يكفل لكم استيعاب أكبر قدر ممكن من المحتاجين، وبضمن سلامة أي فرق ميدانية من الاستهدافات المباشرة لقوافلكم الغذائية أو مخازنكم أو غيرها.

كما لا يحتاج هذا الحل إلى منافذ آمنة، مع انعدام الثقة بالالتزام التحالف بها، فهو من يخترق وينتهك كل القوانين كما تعلمون، وكما أشار إليه مجلس حقوق الإنسان وغيره من المنظمات الدولية التي أعلنت ذلك رسميا، وأيدها الكثير من أعضاء مجلس الأمن في جلساته الخاصة باليمن.

وتمثل الحل في آلية لاستبدال المواد الإغاثية العينية بالنقد المالي المرصود للأسرة المحتاجة بدا بيد، من خلال فتح حساب بنكي لكل أسرة، ليتحقق من خلاله مبدأ الشفافية وفعالية وصولها للمستحقين، وبهذه الآلية ستوفرون مبالغ تصل إلى النصف تذهب في النقل والتخزين والفرق العاملة، كما تتأكدون من وصولها إلى الأسر المحتاجة في المناطق التي يصعب الوصول إليها بسبب قصور المواصلات ووسائل النقل أو أي عراقيل أخرى.


ومن خلال هذه الآلية سيتم الالتزام بالمبادئ الإنسانية للتغلب على كل العوائق التي تقف حاجزا دون وصول المساعدات الإنسانية إلى مستحقيها لأي سبب كان، حيث ستوفر سبل لرفع الحواجز التي تحول دون استيراد السلع الإنسانية، وللحد من التأخيرات البيروقراطية، ونحن حاضرون للمزيد من المساعدة والإيضاح بالتفاصيل واستقبال ومناقشة أي تساؤلات. ومن هنا نؤكد أنكم بتطبيق هذه الآلية ستضمنون وصول المساعدات الإنسانية بكل شفافية ومصداقية للعمل الإنساني، وتحملكم المسؤولية عن استمرار الآلية الحالية التي يشوبها الكثير من النقص والاختلالات، والتي أطلعنا بعض مسؤولي الإغاثة والمنظمات الدولية عليها، ونؤكد لكم أننا بالتعاون جميعا نستطيع أن ننقصر على المجاعة بإذن الله تعالى.

وتقبلوا خالص التحية والتقدير

محمد علي الحوثي
رئيس اللجنة الثورية العليا
الجمهورية اليمنية

Figure 24.2
Translation by the Houthis of a letter sent by Mohamed Ali Al Houthis,

Republic of Yemen
 Supreme Revolutionary Committee
 Head of Committee



Ref No: (133)
 Date:
 Attach: (1-1)

In the name of Allah, the Beneficent, the Merciful

His Excellency the United Nations Secretary-General \Mr. António Guterres
His Excellency the United Nations Under-Secretary-General for Humanitarian Affairs \ Mr. Mark Lowcock
His Excellency the United Nations Secretary-General Special Envoy to Yemen \ Mr. Martin Griffiths

The Republic of Yemen is witnessing a significant deterioration in the humanitarian situations in which you describe as the "worst of the world" which is resulted by a savage aggression and air, land and sea blockade and siege, and direct targeting for the national currency with different means and methods that aimed to collapse the local currency against the foreign currencies, and stop paying salaries, which led to the aggravation of disasters in the economic and living conditions of the Yemeni People, until what is known for you as Famine Danger, became a ghost standing in front of the world and in front of all the organizations and all the resources and entries of the United Nations and others.

Considering all of that, we express our regrets for the inability of you or the Security Council to obligate the aggression countries to stop the aggression that the coalition is waging against our country without approval from the Security Council or delegation from the United Nation, which means a clear violation for their charters, which obligate you to hold you responsible legally and ethically to stand strictly against the violation of laws and charters, Which is stipulated within your oath when you assumed the position

And in front of the deliberate and frequent violations of the coalition that targeted everything including warehouses and caravans of the United Nation, and the accompanying blockade, prevention or obstruction for accessing many aids to reach the needy from the People of the Republic of Yemen, which are crimes you talked about and were stated in some reports Repeatedly

And in order not to keep the Yemeni People as subject to famines, or we see the coffins of death more than we have seen, where the children deaths reached more than 240000 child because of the malnutrition and the lack of the main medical service and other means, which if were available, there wouldn't be a dead Yemeni child every 10 minutes, with indicating that this huge number didn't include the children who were killed by the airstrikes and the international prohibited weapons

And in front of all of that, we put a real solution in your hands through which the needy Yemeni family can defeat the famine which Mr. Mark Lowcock declared that you are losing the war in front of it. We guarantee - Allah's Willing - that through this solution with the permission - under your administration - to ensure the rightness and accuracy of the data for all the targeted in all of our targeted governorates, and also guarantees removing any justification for any party that wants to impede the access of these aids under the pretext of the fear that they will reach us.

This solution also reduces the expense that your organizations, teams, the companies that work with you or provide transportation for you, ensuring you to absorb as much needy as possible, and ensuring the safety of any field teams from any direct targeting for your foodstuff's caravans or warehouses or others.

Also, this solution, doesn't need any safe corridors, with the complete lack of trust of coalition's comply with it, as it is the one who violates and breaks all laws as you know, and as was mentioned by the Human Rights Council and others of international organizations who declared that officially, and supported by a lot of Security Council members at its hearings on Yemen

The solution is represented by a mechanism for replacing the relief supplies in-kind with cash allocated for the needy family hand in hand, by opening a bank account for each family, to achieve the concept of transparency and the

Page 1 of 2

Republic of Yemen
Supreme Revolutionary Committee
Head of Committee



Ref No: []
Date:
Attach: []

efficiency of reaching the beneficiaries, and with this mechanism, you will save the half of the amounts spent in transportation, storing and working teams and you will also make sure that it reached the needy families in the areas that are hard to reach either because of transportation means failure, or any other obstacles

And with this mechanism, the humanitarian principals will be adhered to overcome all obstacles that all block the access of the humanitarian aids to the beneficiaries for any reason, where there will be ways to lift the barriers that prevents importing humanitarian goods, and to reduce bureaucratic delays, and we are ready for more help, explain in detail and receive and discuss any questions. And here we confirm that by applying this mechanism, you will guarantee the access of your humanitarian aids transparently and credibility for the humanitarian work, and we hold you responsible for continuing the current mechanism which is fraught with many shortcomings and imbalances which we briefed about some relief officials and international organizations, and we assure you that we are together can cooperate to overcome the famine, Allah Almighty's willing.

With my sincere greetings and appreciation


Mohammed Ali AL-Houthi
Head of the Supreme Revolutionary Committee
Republic of Yemen

Annex 25. Hard currency transfer and cash flow to and from Yemen

1. The Panel has investigated the flow of hard currency to and from Yemen in order to identify potential cases of sanctions evasion by proxies acting on behalf of listed individuals; diversion of public funds and funds intended for humanitarian assistance; payment for purchase of military equipment in violation of the targeted arms embargo by resolution [2216 \(2015\)](#).

2. The Panel interacted with the Governor of CBY, with the chair of the Economic Committee of Yemen⁵⁷ and held phone interviews with directors of banks and owners of money exchangers. The Panel has identified the following circulation of hard currencies:

(a) Transfer to and within Yemen

- Funds from sale of oil from Hadramawt transferred to CBY accounts outside Yemen;⁵⁸
- Cash transfers by humanitarian agencies to Yemen through banks and money exchangers;
- Money remittances from Yemeni nationals through Money exchangers paid in Yemen in US\$ and then exchanged later to YER at the market rate;
- Currency exchange of salaries paid by the Coalition to elements of proxy forces in SAR;⁵⁹
- Payment in US\$ to local staff and contractors of humanitarian organisations.

(b) Transfer from Yemen

- Payment of import through commercial banks to cover L/Cs issued by correspondent banks;
- Payment for import effected through CBY Aden since July 2018, to cover L/Cs issued by correspondent banks;
- Payment for imports of fuel through money exchangers to cover documentary collection known as Cash Against Documents (CAD).
- Funds collected after the sale of fuel allegedly donated to the Houthis by external actors.

3. Import of essential commodities and fuel to cover needs in Houthis controlled areas requires about US\$ 163 million per month in hard currency and additional amounts to cover freight, insurance and financial transactions costs (see table 21.1).

⁵⁷ President Hadi appointed Hafedh Mayad on 8 August 2018 as his advisor and chair of the economic committee, Presidential Decree [159 \(2018\)](#) at <https://presidenthadi-gov-ye.info/ar/archives/-صدر-قرار-رئيس-الجمهورية-بتعيين-حافظ-مع-2>.

⁵⁸ The Panel gathered information from Government officials estimating that revenues from export of oil from Hadramawt are estimated at US\$ 100 million every two months which are transferred to account held by the Government. Data on exports of fuel from independent sources are not yet available to the Panel.

⁵⁹ The Panel received information from elements of proxy forces that they are receiving a monthly salary from UAE in Saudi currency with a minimum SAR 1200 (US\$ 320).

Table 25.1
Monthly needs of hard currency for import of essential commodities

| Commodity | Quantity (Mt) | Price per Mt (US\$) ⁶⁰ | Cots per month (US\$) |
|-------------------------------------|---------------|-----------------------------------|-----------------------|
| Fuel Products | 180,000 | 570 | 102,600,000 |
| wheat | 414,111 | 220 | 31,110,552 |
| Corn and Soybean Meal ⁶¹ | 71,458 | 280 | 20,008,492 |
| sugar | 26,435 | 280 | 7,401,828 |
| Rice | 4,805 | 410 | 1,970,173 |
| Total | | | 163,091,045 |

4. In practice, the payment in international trade is concluded through open accounts, bills of exchange, documentary bills or letter of credits.⁶² However, the use of L/Cs seems to have gradually been replaced by payment in advance in cash as US and European banks ceased to accept transactions with Yemeni banks due to risks of money laundering and non compliance with sanctions measures. The Panel interviewed the Governor of CBY, importers, shippers, staff in the central bank in Sana'a under Houthis control, directors of banks in Sana'a and money exchangers in order to identify the financial mechanisms used to import fuel and other commodities to Yemen. It also analysed financial documents related to some imports and found that most of these imports have been financed through Cash Against Documents (CAD) by money exchangers in Yemen and in UAE and in few occasions transfers through correspondent banks in Europe and the Middle East. As Yemen has ceased to have external revenues to cover its imports, the source of hard currency seems to be limited to remittances by Yemeni expatriates, funds disbursed by the Coalition as salaries or donations to buy allegiance and cash transfer for humanitarian projects. The funds disbursed in SAR currency in Yemen has not yet been repatriated through regular transfers in order to be exchanged to US\$ to cover import.⁶³ Figure 25.2 illustrates the hard currency flows identified by the Panel.

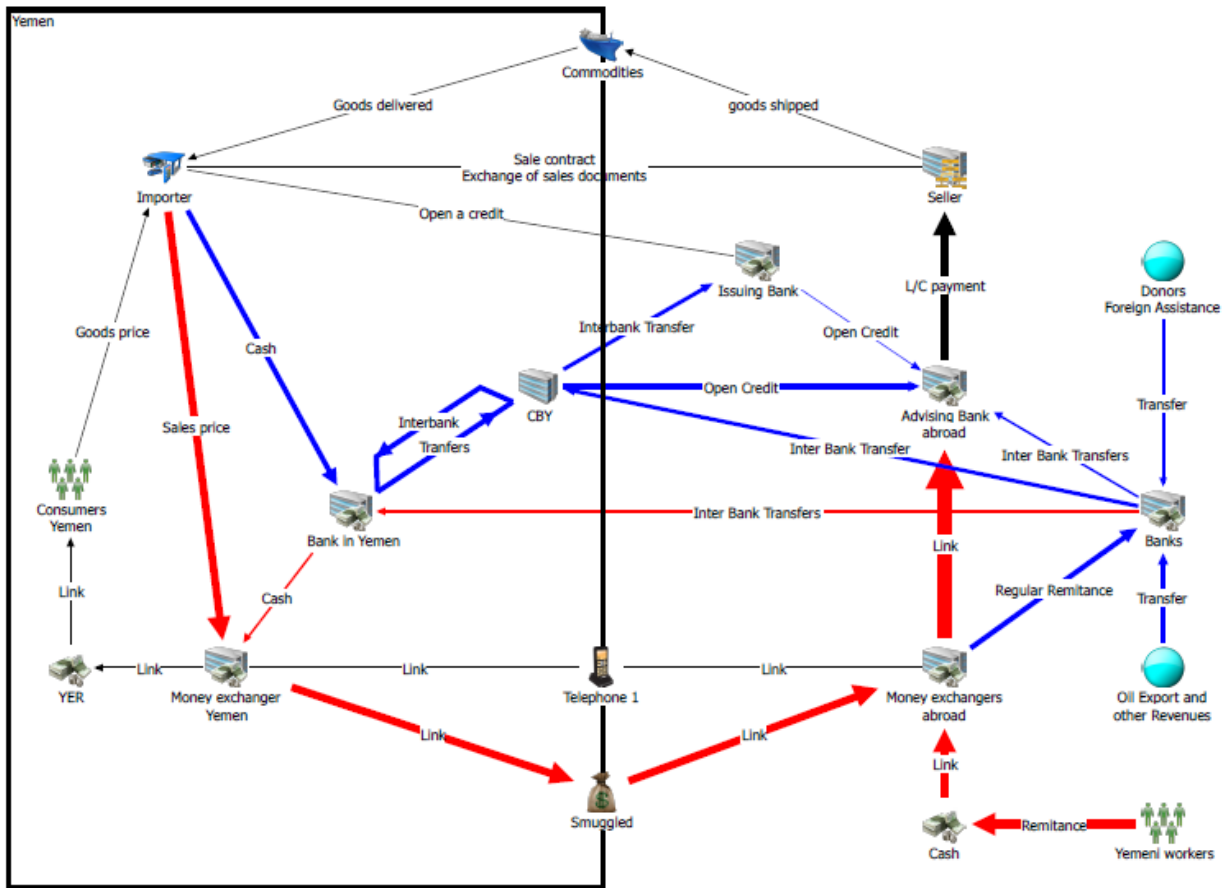
⁶⁰ Based on average price from <https://www.indexmundi.com/commodities/?commodity=corn&months=60>, the Panel did not include freight, for fuel (1 Mt = 1264.17 US Gallon)

⁶¹ Commodities critical for poultry production which is the main source of protein in Yemen but not covered by Decree No 75.

⁶² Indira Carr, International trade law, fifth edition, 2014, p432

⁶³ Before the conflict, Yemen used to ship its excess in hard currency to KSA through Bahrain (see

Figure 25.2.
Cash flows to finance import



5. The Economic Committee and CBY believe that the devaluation of YER has been caused by the scarcity of US\$ and the speculation by money exchangers. In order to prevent the devaluation, CBY started to regulate the licensing for money exchangers through Aden and also to deny entry to Yemen of shipment for traders who fail to produce bank documents as proof of purchase. CBY has also attempted to start covering the issuance of L/Cs starting July 2018 from the Saudi deposit within the mechanism of Decree No 75. The Panel is monitoring how the introduction and the suspension of Decree No 75 will affect the import to Yemen. Table 25.2 shows the respondent and correspondent banks used to transfer hard currency to Yemen as gathered from several documents analysed by the Panel. The Panel is using this data in order to identify potential cases of deception by Yemeni actors of international companies and financial entities for the purpose of concealing prohibited financial transactions under sanctions measures on Yemen.

Table 25.2.
Respondent banks and correspondent banks used to transfer hard currencies to Yemen since 2015

| Ser | Respondent banks in Yemen | Correspondent banks | |
|-----------------|---|--------------------------------------|------------------|
| | | Banks | Country |
| 1 | Cooperative and Agricultural Credit Bank | Alubaf Arab International Bank | Bahrain |
| 2 | International Bank of Yemen | Bank of Beirut | Lebanon |
| 3 | Kurimi Islamic Bank | Bank of Beirut | UK |
| 4 | National Bank of Yemen (Ahli) | Bank of China | Branch not known |
| 5 | Shamil Bank of Yemen and Bahrain | Bank Marocaine du Commerce Extérieur | Spain |
| 6 | Tadhamon International Islamic Bank | British Arab Commercial Bank | UK |
| 7 | Yemen Bank for Reconstruction and Development | Commerzbank AG bank | Germany |
| 8 | Yemen Commercial Bank | JP Morgan Chase | Branch not known |
| Total: 8 | | 8 | |

Note: Correspondent bank may not be related to the respondent bank on the same row.

Annex 26. Delays incurred to vessels importing basic commodities into Yemen

1. Vessels with destinations to enter Red Sea ports may be delayed by the coalition during the inspection or while waiting in the Coalition Holding Area(CHA) in the Red Sea. They may also be delayed by the Houthis before berthing in the port while waiting in the anchorage area. The holding in the anchorage area could be for technical reason due to the capacity in the ports. Figures 26.1 shows an example of delays where a vessel going to al Hudaydah had to proceed first to Djibouti for inspection by UNVIM then go back to CHA and wait for another clearance from the Coalition. Table 26.1 shows the delays for each trader. The Panel is using this data in order to identify potential patterns of delays for particular traders as a result of a preference system in issuing clearances by the Coalition or the Houthis.

Figure 26.1
Example of delays

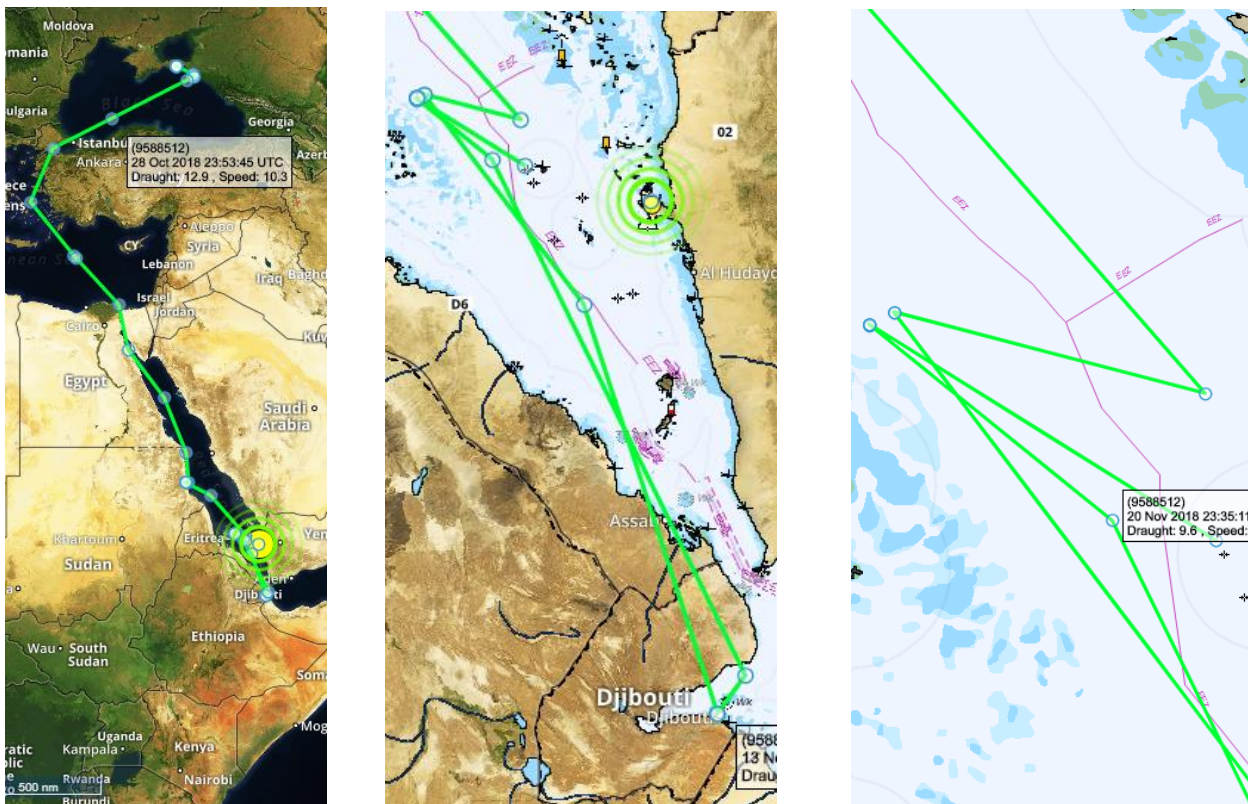


Table 26.1
Delays of vessels carrying essential commodities to Red Sea ports by trader

| Trader* | Number of vessels | Delay by coalition (days) | Delay by Houthi (days) | Delay by coalition per vessel (days) | Delay by Houthi per vessel (days) |
|--------------|-------------------|---------------------------|------------------------|--------------------------------------|-----------------------------------|
| 1 | 9 | 54 | 24 | 6 | 2.7 |
| 2 | 2 | 14 | 1 | 7 | 0.5 |
| 3 | 18 | 161 | 28 | 8.9 | 1.6 |
| 4 | 12 | 115 | 52 | 9.6 | 4.3 |
| 5 | 4 | 88 | 18 | 22 | 4.5 |
| 6 | 38 | 254 | 69 | 6.7 | 1.8 |
| 7 | 1 | 8 | 1 | 8 | 1 |
| 8 | 2 | 10 | 1 | 5 | 0.5 |
| 9 | 3 | 19 | 15 | 6.3 | 5 |
| 10 | 3 | 20 | 5 | 6.7 | 1.7 |
| 11 | 8 | 69 | 45 | 8.6 | 5.6 |
| 12 | 3 | 19 | 4 | 6.3 | 1.3 |
| 13 | 8 | 38 | 29 | 4.8 | 3.6 |
| 14 | 1 | 8 | 1 | 8 | 1 |
| Total | 112 | 877 | 293 | 7.8 | 2.6 |

*Names of traders available in the Panel's archives

Annex 27. Issuance of Letters of Credit for imports of basic commodities

1. The Central bank of Yemen announced on 21 June 2018 the establishment of a new mechanism for pre-reimbursement for issuance of documentary credit for raising Letter of Credit (L/C) in US\$ for the import of basic commodities (wheat, rice, sugar, milk and cooking oil) see circular to the banks (240/CBY/2018 at figure 27.1). The mechanism envisages the provision, within a week, of hard currency to correspondent banks to cover the L/C for the import of basic commodities against a deposit at the CBY of the equivalent sum of Yemeni Riyal (YER) at a preferential exchange rate. On 3 September 2018, the Council of Ministers of Yemen issued decree 75 (2018) confirming that the CBY will cover, in hard currencies, all issued L/C for import of the above commodities (figure 27.2). The mechanism was also designed to deny clearance for entry into Yemen, those importers who failed to comply with the process.

2. On Saturday 22 September 2018, the Economic Committee organized a workshop in Cairo with fuel importers, Yemeni bankers, and representatives of relevant international agencies, to discuss and receive feedback on the mechanism to regulate import of fuel products to Yemen, under the mechanism established by Cabinet Decree no. 75 for the year 2018. The Panel attended the meeting which was chaired by Prime Minister Ahmed Bin Dagher with the participation of the Governor of CBY, and the Economic Committee of Yemen. Government officials informed the participants that the new import mechanism was aimed at countering actions by speculators and money exchangers which contributed to the significant devaluation of the YER; which went from YER 500 to almost YER 800 in few weeks during the summer of 2018.

3. The Panel received information from some Yemeni importers that the introduction of Decree No 75 by the Government mainly aimed at eliminating from the market some fuel importers not associated with a small business circle close to senior officials of the Government. The Panel also received information that the mechanism gave an opportunity to CBY Aden to give preference in issuing documentary credits for traders with business associations within the South and East of Yemen.

4. The Panel noted in a communiqué issued by CBY's media center on 27 September 2018 that CBY covered the issuance of L/C to Shamil Bank of Yemen and Bahrain (US\$ 5,140,000), Al-Ahli Bank of Yemen (US\$ 4,525,000), Tadhamon International Islamic Bank of Yemen (US\$ 14,665,560), but only US\$ 500,000 to Yemen and Kuwait Bank 'YKB' (of the total US\$ 52,531,754) and none to International Bank of Yemen. IBY, YKB and IBY are all associated with Yemeni businessmen operating mainly in northern areas.

5. Another illustration of the preference created was the fact that on 27 and 31 July 2018 one major importer of basic commodities to northern areas applied, using the new mechanism, and requesting the CBY to issue documentary credit for L/C(s) with a value of US\$ 52,031,754.87 and made arrangements on 8 August 2018 for lodging in Yemeni currency YER 24,454,924,788.23 through YKB and IBY at the then exchange rate: YER 470 for 1 US\$ (table 27.1).

Table 27.1
Pending request for issuance of documentary credit for L/C for one trader A

| Date of application | Amount in US\$ | commodity |
|----------------------------|-----------------------|------------------|
| 27 July 2018 | 12,542,040 | Russian rice |
| 27 July 2018 | 9,501,200 | Thai rice |
| 31 July 2018 | 14,698,514.87 | American wheat |
| 31 July 2018 | 15,290,000 | Australian wheat |
| Total | 52 031 754.87 | |

6. The Panel sent a letter to the Government of Yemen informing the Government that it was investigating whether the delay in issuing the L/C and denial of entry to Yemen envisaged by the new mechanism could constitute a contributing factor to the obstruction of humanitarian assistance Yemen. In the letter, the Panel shared its observations that several requests were pending or under review. Only 22 out of 89 requests have been cleared by the relevant services of Yemen and the Kingdom of Saudi Arabia, as follows (US\$ 31,596,090 of 230,058,205) (table 27.2). The Panel also requested information on the reasons behind delays of issuing documentary credit to importers in Northern areas.

Table 27.2
Status of issuance of documentary credit by the end of September 2018

| Trader* | Governorate | Requests cleared per companies | Amount in US\$ |
|--------------|-----------------|--------------------------------|-------------------|
| 1 | Aden / Hudaydah | 4: for 3 companies of xxxxxx 1 | 20,282,750 |
| 2 | Aden | 10: xxxxxx 2 | 4,715,365 |
| 3 | Mukallah | 2: xxxxxx 3 | 4,526,200 |
| 4 | Hudaydah | 2: xxxxxx 4 | 878,815 |
| 5 | Aden | 1: xxxxxx 5 | 500,000 |
| 6 | Aden | 1: xxxxxx 6 | 290,310 |
| 7 | Aden | 1: xxxxxx 7 | 186,200 |
| 8 | Aden | 1: xxxxxx 8 | 216,449 |
| Total | | 22 | 31,596,090 |

*Names of traders available in the Panel's archives

7. In its reply to the Panel, the Government of Yemen updated the status of issuance of documentary credit explaining the mechanism used by CBY. The letter informed that CBY started to face challenge to issue documentary credits for traders using banks in Houthi controlled areas. The Houthis issued a circular on 4 November 2018 requiring all banks and their branches in Yemen not to cover issuance of L/C in cash but with checks only threatening to sanction those who fail to comply. As a result, the trader A mentioned above was not able to receive documentary credit for the request mentioned in table 27.1.

Figure 27.1
 CBY Notice dated 21 June 2018 to Yemeni banks on the new mechanism for raising L/Cs in
 USS (240/CBY/2018)

بنك اليمن المركزي

CENTRAL BANK OF YEMEN

Head Office - Aden

المركز الرئيسي - عدن

Ref: 240/CBY/2018
 Date: 21/6/2018

المرجع:
 التاريخ:

تعميم للبنوك التجارية العاملة في الجمهورية اليمنية

بخصوص التغطية المسبقة للاعتمادات المستندية الخاصة باستيراد السلع الاساسية

يسر البنك المركزي اليمني ان يعلن للبنوك التجارية العاملة في الجمهورية اليمنية عن بدء قبول طلبات التغطية المسبقة للاعتمادات المستندية والتي سيتم فتحها لاستيراد السلع الاساسية (قمح، أرز، سكر، حليب، زيوت الطعام) والمتفق عليها بين المصدرين والمستوردين ابتداء من تاريخ 01 يونيو 2018م وذلك بعد استيفاء الشروط التالية:

- ان يكون الاعتماد المستندي sight payment.
- ان يكون الغرض من الاعتماد المستندي استيراد السلع الاساسية (قمح، أرز، سكر، حليب، زيوت الطعام).
- الشحن الجزئي غير مسموح.
- ان لا يتم استخدام وسائل نقل و/أو المرور بموانئ تخص دول محظورة (تضاف كشرط بالاعتماد).
- لن يتم قبول اي مستندات او طلبات تغطية لاعتمادات السلع الاساسية مؤرخة قبل تاريخ 01 يونيو 2018م.
- لن يتم قبول اي مستندات تخص الاعتماد المستندي صادرة بتاريخ قبل تاريخ اصدار الاعتماد المستندي.
- عدم قبول مستندات اعتماد مستندي تم تحويلها إلى رسم تحصيل.
- يتم فتح الاعتماد المستندي طرف أحد البنوك التجارية في عدن.
- يقدم البنك التجاري الاولي الخاصة بالاعتماد المستندي وفقا لاستمارة طلب التغطية المسبقة والغعدة من قبل البنك المركزي اليمني والمرفق بهذا التعميم.
- عند قبول طلب التغطية والموافقة عليه يتم اشعار البنك التجاري لتوريد قيمة الاعتماد المستندي بالريال اليمني إلى خزينة البنك المركزي اليمني - عدن.
- يتم موافاة البنك المركزي اليمني بصورة من سويقت اصدار الاعتماد المستندي (MT700) خلال فترة 3 أيام عمل من تاريخ تغطية حساب البنك التجاري طرف بنكه المراسل في الخارج.
- موافاة البنك المركزي اليمني بصورة من أي تعديلات للاعتماد المستندي خلال فترة لا تتجاوز يومين عمل.
- يحق للبنك المركزي اليمني مراجعة البنك التجاري بخصوص أي تعديلات في الاعتماد المستندي.
- في حالة إلغاء الاعتماد المستندي يتم ابلاغ البنك المركزي اليمني واعادة مبلغ الاعتماد المستندي خلال فترة لا تتجاوز 3 أيام عمل من تاريخ الالغاء.
- يتم موافاة البنك المركزي اليمني بنسخ من مستندات الاعتماد المستندي وفقا لاستمارة طلب التغطية المسبقة والمعدة من قبل البنك المركزي اليمني خلال فترة 7 أيام عمل من تاريخ وصولها.
- لن يتم قبول أي طلبات تغطية مسبقة لا تستوفي الشروط المذكورة أعلاه.

أملين من جميع البنوك التجارية الالتزام بما جاء في هذا التعميم.

والله ولي التوفيق


د. محمد منصور زمام
 محافظ البنك المركزي اليمني



Tel: 00967 2 252 445 Fax: 00967 2 255 727
 P.O.Box 452, Crater-Aden, Republic of Yemen

هاتف 00967 2 252 445 فاكس 00967 2 255 727
 ص.ب. 452 كراثر. عدن الجمهورية اليمنية

Figure 27.2
Attachment to 240/CBY/2018

| | | |
|--|---|---|
| <p>CENTRAL BANK OF YEMEN Head Office - Aden</p> <p>Ref. : Date:</p> |  قطاع العمليات المصرفية الخارجية Foreign Banking Operations Sector | <p>البنك المركزي اليمني المركز الرئيسي - عدن</p> <p>المرجع : التاريخ :</p> |
|--|---|---|

**APPLICATION FOR THE PRE-REIMBURSEMENT
OF IMPORT L/C OF BASIC COMMODITIES**

By order of our client:.....

Address: to issue a letter of credit

Favor of: in the amount of:

For the purpose of import:

We..... hereby dispatch to you the following documents related to the above letter of credit :

| Documents enclosed: | | Remarks |
|---------------------|--|--------------------------|
| 1 | Covering Letter from the applicant's bank | <input type="checkbox"/> |
| 2 | Yemeni Merchant's Application for the L/C | <input type="checkbox"/> |
| 3 | Profile of the Applicant (KYC) | <input type="checkbox"/> |
| 4 | Account Statement of the Applicant showing account activity for at least 6 month | <input type="checkbox"/> |
| 5 | Notice of the Yemeni Merchant depositing the amount for the transaction with equivalent value in FX and Yemeni Merchant signature. | <input type="checkbox"/> |
| 6 | Proforma Invoice/Purchasing Order/Sale Contract | <input type="checkbox"/> |

- We undertake to dispatch a copy of the MT 700 to you within 3 banking days from the issuing date of L/C and all the amendments related (MT 707) thereafter.
- The following L/C documents will be dispatched within 7 banking days from receiving date at our counter:

| | |
|---|--|
| 1 | Bill of Lading (B/L) |
| 2 | Commercial Invoice |
| 3 | Health Certificate for Human Consumption |
| 4 | Certificate of Origin |
| 5 | Insurance policy |
| 5 | Inspection Certificate |
| 6 | Customs Declaration |
| 7 | Customs Payment Advice |
| 8 | Debit Bank statement, Swift (MT940 or MT950) |

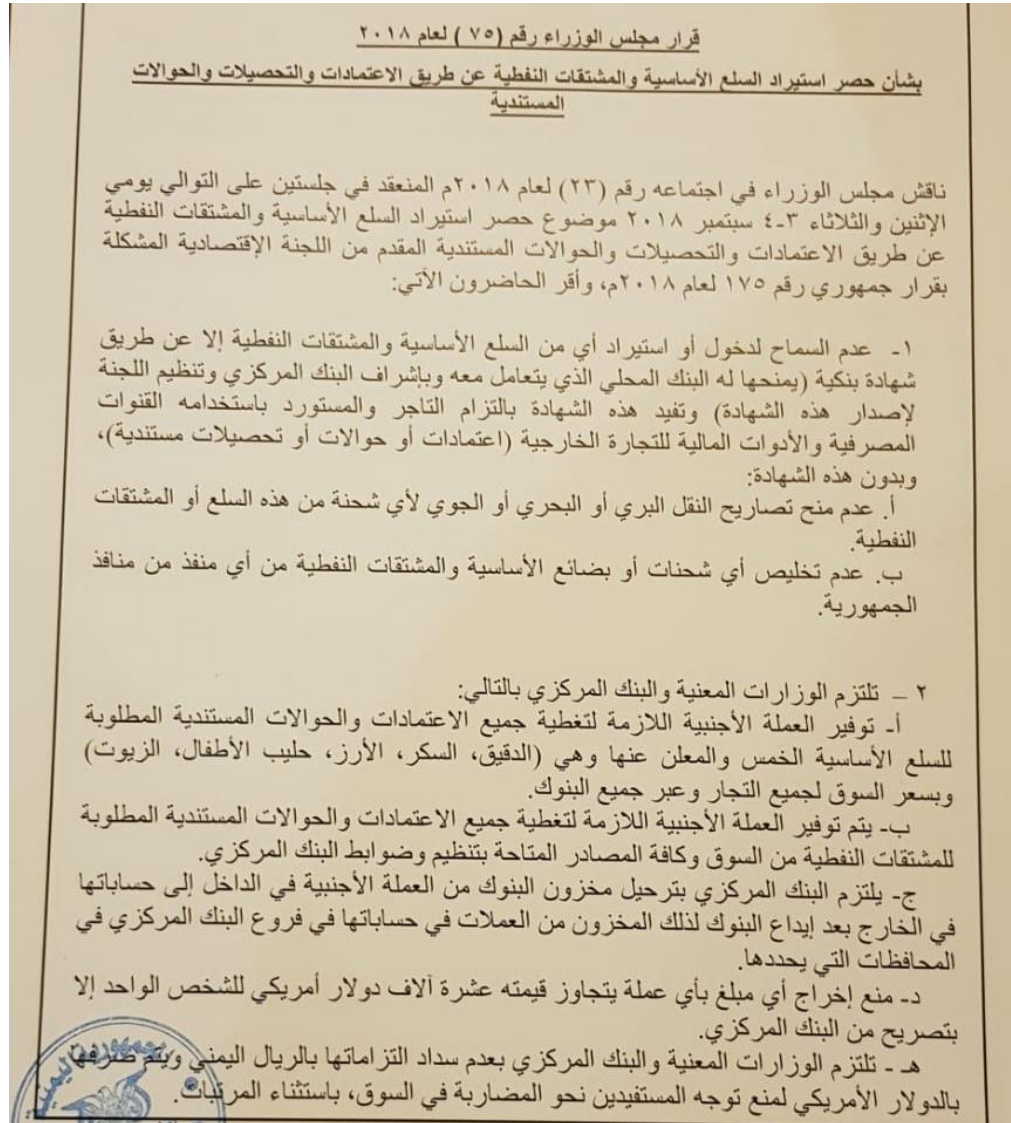
- We confirm and certify that all the documents above are true and processed by our bank under the above mentioned L/C.
- We authorize you to debit our account number held with you with the value.....
- Credit our account no..... with(SWIFT code) of the invoice value.

Authorized signatures and stamp

Important Remarks:

- L/C should be received at sight, partial shipment not allowed.
- CBY to be advised to refund the L/C amount if L/C expired without shipment of the goods.

Figure 27.3
Cabinet of Ministers' Decree 75 (3 September 2018) related to import of essential commodities and fuel



Extracts (unofficial translation)

1. Import of fuel and essential commodities is not authorised unless the importer presents a bank certificate issued by local banks indicating that that the importer is using financial instruments for international trade (Letter of Credit L/C and other transfer instrument). **Importers who fail to present this certificate shall be denied the entry to Yemen of essential commodities and fuel.**
2. The relevant ministries shall:
 - a) Ensure availability of hard currencies to cover L/Cs and other instruments of payment for import of essential commodities (flour, sugar, rice, milk and cooking oil) at the market exchange rate;
 - b) Ensure availability of hard currencies to cover L/Cs and other instruments of payment for import of fuel products...

Figure 27.4

Circular from Houthi controlled CBY branch in Sana'a to banks not to transfer funds in cash to CBY Aden to cover L/C

REPUBLIC OF YEMEN
CENTRAL BANK OF YEMEN

جمهورية اليمن
 البنك المركزي اليمني

قطاع الرقابة على البنوك
 مكتب الوكيل

Date :
 No: ٤٢١٣

التاريخ: 2018/11/04م
 الرقم:

تعميم موجه الى كافة البنوك العاملة في الجمهورية

الأخوة / بنك
 المدير العام / القطيبي /

بم الشكر...

الموضوع / طلب التزام البنوك بعدم التوريد النقدي لتغطية استيراد السلع الأساسية وتغطية طلبات الاستعاضة 100% بشيكات

تعبيرا على التعميم الموجه لكم برقم (4090) بتاريخ 28 /10/ 2018 وبالإشارة الى الموضوع اعلاه وبالإشارة الى محضر اجتماع مجلس ادارة جمعية البنوك اليمنية رقم (14) لسنة 2018 بتاريخ 15/7/ 2018م والذي يتضمن اتفاقكم على آلية تغطية الاستيراد للمواد الاساسية فانه يتوجب عليكم الالتزام الكامل بالتالي :-

1- على جميع البنوك وجميع فروعها العاملة في الجمهورية الالتزام بعدم التوريد النقدي للقيمة المعادلة لتلك الاعتمادات بالريال اليمني . ويتم التعامل وتغطيتها كامل 100% بشيكات فقط .

2- نرجو من كل بنك تزويدنا بالبيانات الموضحة في الكشف المرفق غدا الاثنين الموافق 5 نوفمبر 2018.

ونرجو من جميع البنوك الالتزام الكامل بهذا التعميم وسيقوم البنك باتخاذ إجراءات وعقوبات صارمة ضد اي بنك يخالف او يقصر في الالتزام بهذا التعميم.

وتقبلوا تحياتنا،

وكيل المحافظ للرقابة على البنوك
 يوسف علي زيارة

Source: GoY confirmed authentic with sources in Sana'a

Extract (Unofficial translation)

Circular, dated 4 November 2018, to banks to cover request for L/C in checks only

Further to the circular dated 28 October 2018 (4090) and following the meeting of Yemeni banks on 15 July 2018 on the mechanism to cover import of essential commodities:

1. All banks and their branches in Yemen are required not to cover issuance of L/C in cash but with checks only;
 2. All banks to submit the status on transfers to cover L/Cs;
- All banks are required to comply with this circular as banks who fails to comply shall face severe sanctions.


Annex 28. Suspicious demurrage costs paid by CBY in Aden

Figure 28.1

Invoice for hire and demurrage from 4 September 2016 to 6 October 2016 3.1

(Beneficiary: ASA Shipping Company FZCO (subsidiary of Overseas Shipping & Stevedoring Company OSSCO) of Alessi-group)

| AMENDMENT | | | | |
|--|-------------------------------------|--|-----------------------------|-------------------|
| INVOICE | | DEBIT: ADEN REFINERY COMPANY P.O.Box : 3003 LITTLE ADEN - ADEN. REPUBLIC OF YEMEN Tel. : +967 2 376 294 Fax : +967 2 376 600/1. | | |
| Invoice No. : 010001 | | | | |
| Invoice Date : 29/09/2016 | | | | |
| Item No. | Description | Number of Days | Per Day Pro-Rata US.Dollars | Amount US.Dollars |
| 1 | Hire of m.t. : "M SPIRIT" | | | |
| | Hire of m.t. : "M SPIRIT" | USD | \$ | 2,000,000.00 |
| 2 | Demurrage :- | | | |
| From : | 04/09/2016 23:50 | 24.79861 | 30,000.00 | 743,958.33 |
| To : | 29/09/2016 19:00 | | | |
| 3 | Additional Demurrage :- | | | |
| From : | 21/09/2016 21:30 | 15 | 30,000.00 | 450,000.00 |
| To : | 06/10/2016 21:30 | | | |
| Total : | | | USD \$ | 3,193,958.33 |
| Sale Tax : | | 5% | USD \$ | 159,697.92 |
| G.Total Amount : | | | USD \$ | 3,353,656.25 |
| Recived amount on 15/11/2016 by Yemeri reyal | | | YR | 249,491,036.10 |
| Exchange rate from Yemeri reyal to U.S.Dollars | | | : | 338.00 |
| Total Amount Received by U.S.Dollars | | | USD \$ | 738,139.16 |
| Balance Total Amount Due from ARC for us | | | USD \$ | 2,615,517.09 |
| Payable to: | | | | |
| BANK NAME | : DUBAI ISLAMIC BANK | | | |
| | : DUBAI - UAE. | | | |
| SWIFT CODE | : DUIBAEAD | | | |
| BENEFICIARY NAME | : ASA SHIPPING COMPANY FZCO | | | |
| ACCOUNT NUMBER | : USD : 0895 2108 1383 401 | | | |
| IBAN | : AE 47 - 0240 - 0895 2108 1383 401 | | | |



Source: Confidential

Figure 28.2 Information on *M Spirit* (IMO 9077331)


1 of 1 result

Watch Print

Registration
 Ownership
 Commercial History
 Class
 Surveys
 CONSTRUCTION
 CARGO & GEAR
 MACHINERY
 CLASSIFIED
 Event Timeline
 Photographs
 Equasis
 Inmarsat
 MOVEMENTS
 Fixtures
 Ship Performance
 News Stories
 My Notes

Ship Detail

Ship Name **SPIRIT** Shiptype **Crude Oil Tanker**
 IMO/LR No. **9077331** Gross **52,875**
 Call Sign **D6A2220** Deadweight **95,371**
 MMSI No. Year of Build **1995**
 Flag **Comoros** Status **Broken Up**
 Operator **Commercial Shipholding Ltd** Shipbuilder **Hyundai Heavy Inds - Ul...**



Commercial History

Show extended history

| Date | Name | Flag | Group Owner | Operator | Manager | Registered Owner | DOC | Price |
|---------|----------|---------|-------------|---------------------------------|-----------------------------------|-----------------------------------|---------------------------------|-------------|
| 2017-09 | SPIRIT | Comoros | | Commercial Shipholding Ltd | Commercial Shipholding Ltd | Commercial Shipholding Ltd | Unknown | \$6,363,665 |
| 2013-09 | M Spirit | Panama | | Umde Ship Management Ltd Sti | Umde Ship Management Ltd Sti | Ather Navigation SA | Umde Ship Management Ltd Sti | |
| 2012-10 | | | | | Teekay Marine Singapore | | | |
| 2008-02 | | | | | | | Teekay Shipping Ltd | |
| 2006-10 | | | Unknown | | | Teekay Navion Offshore Loading | | |
| 2005-05 | | | | Teekay Shipping Singapore | Teekay Navion Offshore Loading | Gotland Spirit LLC | | |
| 2004-03 | | | | Teekay Corp | | | | |
| 2000-01 | Gotland | Rahamac | | Teekay Shipping Canada Ltd | Teekay Shipping Canada Ltd | | | |

Figure 28.3 Movement details of *M Spirit* (IMO 9077331)

| Ships in Port | Port of Call | Country | Arrival Draught | Arrival Date | Sailing Date | Sail Draught | Hours in Port |
|----------------------|--|-----------------------------|-----------------|--------------|--------------|--------------|---------------|
| | Transit Straits of Hormuz E | Transit Straits of Hormuz E | 8.0 | 2017-08-17 | 2017-08-17 | 8.0 | |
| View | Sharjah Anchorage | United Arab Emirates | 0.0 | 2017-03-03 | 2017-07-20 | 0.0 | 3336 |
| View | Cochin Anchorage For Vessels Up To 12m Draft | India | 13.5 | 2017-01-12 | 2017-01-23 | 8.0 | 272 |
| View | Cochin ALP & Cargo Transhipment Area | India | 13.5 | 2017-01-12 | 2017-01-12 | 13.5 | 3 |
| View | Cochin Anchorage For Vessels Over 12m Draft | India | 13.5 | 2017-01-07 | 2017-01-12 | 13.5 | 121 |
| View | Khor Fakkan Anchorage C | United Arab Emirates | 13.1 | 2016-12-31 | 2016-12-31 | 13.1 | |
| | Transit Straits of Hormuz E | Transit Straits of Hormuz E | 13.1 | 2016-12-30 | 2016-12-30 | 13.1 | |
| View | Ash Shihir SPM1 | Yemen | 7.8 | 2016-11-26 | 2016-11-27 | 7.8 | 24 |
| View | Khor Fakkan Anchorage B | United Arab Emirates | 8.4 | 2016-11-19 | 2016-11-19 | 7.8 | |
| View | Khor Fakkan Anchorage C | United Arab Emirates | 8.4 | 2016-11-19 | 2016-11-19 | 8.4 | 3 |
| View | Fujairah Anchorage A | United Arab Emirates | 8.4 | 2016-10-05 | 2016-10-12 | 8.4 | 184 |
| View | Aden Deep Water Anchorage | Yemen | 8.0 | 2016-08-30 | 2016-08-30 | 8.4 | |
| View | Fujairah Anchorage B | United Arab Emirates | 8.2 | 2016-08-18 | 2016-08-22 | 8.2 | 109 |
| View | Fujairah Anchorage D | United Arab Emirates | 8.2 | 2016-08-18 | 2016-08-18 | 8.2 | <2 |
| View | Sharjah Anchorage | United Arab Emirates | 8.0 | 2016-08-16 | 2016-08-17 | 8.0 | 20 |
| View | Sharjah Anchorage | United Arab Emirates | 8.2 | 2016-07-18 | 2016-07-27 | 8.0 | 215 |
| View | Fujairah | United Arab Emirates | 8.5 | 2016-06-18 | 2016-06-18 | 8.2 | |
| View | Fujairah Anchorage W | United Arab Emirates | 8.5 | 2016-06-17 | 2016-06-18 | 8.5 | 11 |
| View | Fujairah Anchorage S | United Arab Emirates | 8.5 | 2016-06-17 | 2016-06-17 | 8.5 | <2 |
| View | Fujairah Anchorage A | United Arab Emirates | 8.3 | 2016-06-15 | 2016-06-17 | 8.5 | 55 |

Annex 29. Discrepancies in fuel imports for electricity in Aden

Figure 29.1

List of calls to bid for fuel intended to the production of electricity (30 Mt for March and April and 56.6 Mt from May to September 2017)

| م | المنافسة | التاريخ | الكمية |
|---|-----------|-----------|---------------------|
| 1 | 2 | 2017/3/12 | 30 ألف طن |
| 2 | 4 | 2017/4/7 | 30 ألف طن |
| 3 | مايو | 2017/4/30 | 56 ألف طن |
| 4 | يونيو | 2017/6/5 | 56.6 ألف طن |
| 5 | 10 | 2017/7/5 | 56.6 ألف طن |
| 6 | 12 أغسطس | 2017/8/14 | 56.6 ألف طن |
| 7 | 12 سبتمبر | 2017/9/18 | 56.6 ألف طن |
| | | | 340.000 طن |
| | | | 56.000 + |
| | | | 396.000 |
| | | | الفارق (109) ألف طن |
| | | | الفارق (165) ألف طن |

Source: Confidential

Figure 29.2
Distribution of fuel to Aden, Lahij and Abyan between 21,076,185 and 46,184,285 liters ie (18,652 to 40,873) per month

كميات الديزل المستلم من بداية سداد الحكومة لقيمة الوقود
المستلم لمحطات التوليد محافظة عدن . لحج . ابين في المؤسسة العامة للكهرباء - عدن

| الرقم | الأشهر | عدن | لحج | ابين | الإجمالي |
|-------|--------------|-------------|------------|------------|-------------|
| .1 | مارس 2017م | 15,559,130 | 2,311,045 | 3,206,010 | 21,076,185 |
| .2 | أبريل 2017م | 16,615,860 | 2,599,800 | 3,954,285 | 23,169,945 |
| .3 | مايو 2017م | 21,845,960 | 2,567,565 | 2,990,870 | 27,404,395 |
| .4 | يونيو 2017م | 27,510,415 | 2,449,870 | 3,551,895 | 33,512,180 |
| .5 | يوليو 2017م | 39,484,860 | 2,475,485 | 3,902,685 | 45,863,030 |
| .6 | أغسطس 2017م | 32,799,740 | 1,865,930 | 2,741,680 | 37,407,350 |
| .7 | سبتمبر 2017م | 39,454,675 | 3,140,475 | 3,589,135 | 46,184,285 |
| .8 | أكتوبر 2017 | 35,889,734 | 2,830,450 | 2,826,965 | 41,547,149 |
| | الإجمالي | 229,160,374 | 20,240,620 | 26,763,525 | 276,164,519 |

م / محسن سعيد ثابت
مدير عام التوليد - عدن



Source: Confidential

Annex 30. Manipulation of contractual arrangements for food rations for the military

Figure 30.1

Contract between Yemeni armed forces and Ahmed Assoufi for Trade company

المرجع
الموافق: ٢٤ / ٥ / ٢٠١٧ م
الرقم:

الجمهورية اليمنية
وزارة الدفاع
رئاسة هيئة الأركان العامة
هيئة الإسناد اللوجستي
دائرة الإمداد والتموين

عقد اتفاق

انه في يوم الاربعاء الموافق: ٢٤ / ٥ / ٢٠١٧ م تم الاتفاق بين كل من:

- المشتري: وزارة الدفاع اليمنية - الجمهورية اليمنية - يمثلها مدير دائرة الإمداد والتموين العسكري / العميد - عبد الله علي المسقدي ولغرض هذا العقد يسمى بالطرف الأول.

- البائع: مؤسسة احمد منصور الصوفي للتجارة والمقاولات - الجمهورية اليمنية - مارب - يمثلها المدير العام / احمد منصور الصوفي - ولغرض هذا العقد يسمى بالطرف الثاني.

وحيث ان الطرف الثاني يشهد ويقر ويضمن بكامل صلاحيته ان بمقدوره الوفاء بمتطلبات هذا العقد بتوريد الأصناف المشار إليها في هذا العقد وبموجب الشروط المتفق عليها ادناه.

حيث وان الطرف الأول بموجب هذا العقد يلتزم بشراء الأصناف المتعاقد عليها وحسب الاحتياج في الميدان من الأصناف في هذا العقد وبموجب الأسعار الموضحة بالكشوفات المرفقة عدد (٤) كشوفات والتي تعد جزء لا يتجزأ من هذا العقد والكميات المحددة من الطرف الأول في هذا العقد، حيث سيتم العمل بهذه الأسعار ابتداء من سريان هذا العقد حتى انتهائه.

لذا اتفق الطرفان على الالتزام بهذا العقد بموجب البنود والشروط أدناه:

مادة أولى: التزم الطرف الثاني بتوريد الأصناف المطلوبة بحسب خطة التوزيع من ضمن الاصناف المتفق عليها الموضحة بالكشف المرفق لعدد (٧٦) صنف تبدأ من البقوليات وتنتهي ب وجبة غذائية مطبوخة من حيث النوعية والمواصفات وعدم تجاوز الاستحقاقات.

- يقوم الطرف الأول بتزويد الطرف الثاني بخطة شهرية للمواد المطلوبة وبحسب التفريده المعتمدة من دائرة الإمداد والتموين والمكونة من مواد جافة وطازجة لكل شهر وذلك بوقت كافي ويلتزم الطرف الثاني بالتوريد بموجبه وعدم التجاوز.

- يقوم الطرف الثاني بتوصيل الغذاء الى الوحدات التي تقع تحت سيطرة قوات الشرعية.

- يتحمل الطرف الأول مسؤولية حماية وسائل النقل بمحتوياتها الخاصة بالطرف الثاني من النقطع والنهب والاحتجاز أو اي خسائر تترتب على ذلك.

- التزم الطرف الثاني بالتوريد حسب التفريده والمخصص المحدد له من قبل الطرف الأول وعدم تجاوز الكميات المحددة لكل صنف.

- أي أصناف معيوبة أو تالفة تعاد للطرف الثاني ليقوم باستبدالها بكمية سليمة ومساوية لها من حيث الكمية والصنف بنفس المواصفات بالكشف المرفق ويتحمل أي مسؤولية ناتجة عن العيوب.

مادة ثانية: التزم الطرف الأول بمحاسبة وسداد مستحقات الطرف الثاني (٥٠%) كدفعة مقدمة مرفقة بالتفريده الشهرية للمواد المطلوب توريدها و(٥٠%) كدفعة أخيرة بموجب أصل محضر الاستلام وشهادة الانجاز الصادرة من دائرة الإمداد والتموين العسكري والمعتمدة من رئاسة هيئة الأركان العامة مع موافاة جهة صرف المستحقات المالية داخلية أو خارجية بصورة من محضر الاستلام وشهادة الانجاز من وزارة الدفاع اليمنية.

الطرف الثاني
مؤسسة احمد الصوفي للتجارة والمقاولات/
المدير العام/
احمد منصور الصوفي

الطرف الأول
دائرة الإمداد والتموين
مدير الدائرة/
عميد/عبد الله علي المسقدي

تصديق / رئيس هيئة الإسناد اللوجستي
اللواء الركن/احمد محمد عبد الله الولي
٢٤ / ٥ / ٢٠١٧
ص (٢/١)

Source: Confidential

Figure 30.2
Pending payment to Ahmed Assoufi for Trade company

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجمهورية العربية السورية
وزارة الدفاع
مكتب رئيس الأركان العامة
هيئة الاسناد اللوجستي

الرقم:
التاريخ: ١ / ١ / ٢٠١٧ م.

المرفق: هيئة الاسناد اللوجستي
مكتب رئيس الهيئة
الرقم: ٧٢٥
التاريخ: ١٣ / ١١ / ٢٠١٧ م.

١٤. رسالة رئيس الأركان العامة الى رئيس الجمهورية بشأن صرف مستحقات المتعهد (الخاصة بالفارق) رقم ود/٢٧/٤/٢٧ بتاريخ ٢٧/٤/٢٠١٧ م.

ثانياً: نتائج المراجعة التي تم التوصل اليها:

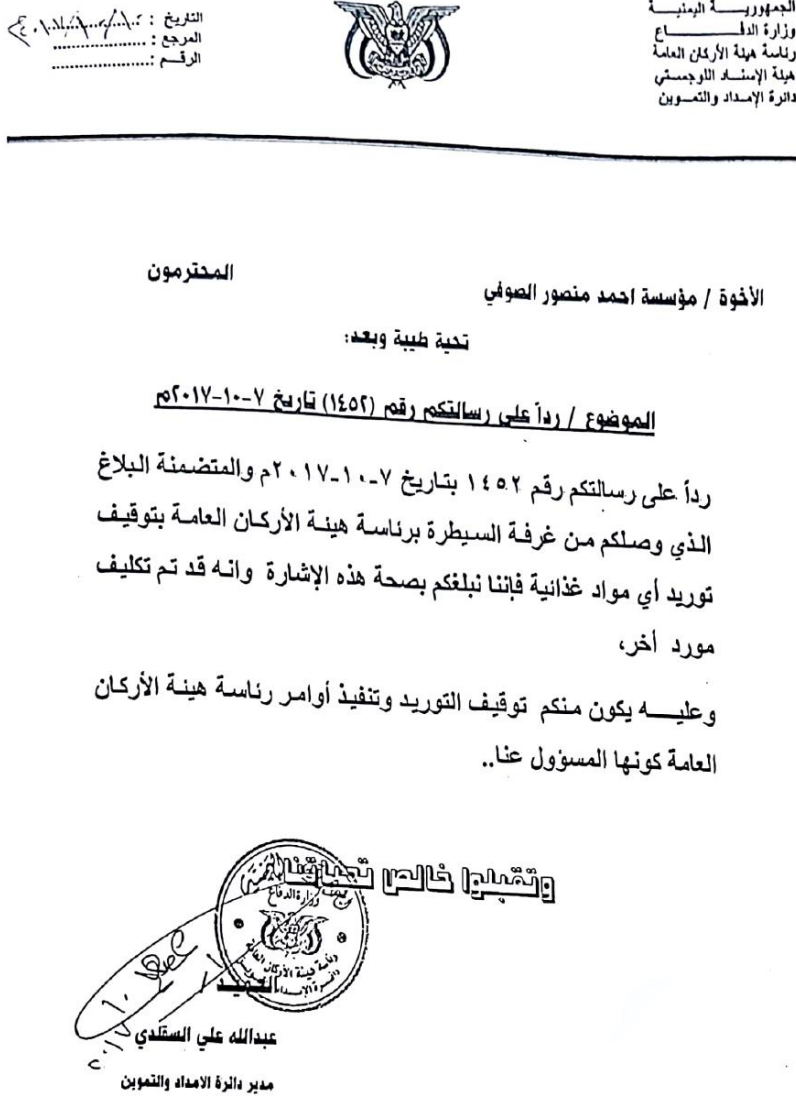
خلاصة حساب المتعهد: بحسب ما توفر لنا من بيانات ومستندات فان خلاصة حساب المتعهد يوضحه الكشف أدناه:

المبالغ بالريال السعودي

| التاريخ | البيان | عليكم (مدين) | لكم (دائن) |
|------------------|---|--------------|-------------|
| | لكم ما تبقى من قيمة الاعانة لشهري رمضان + شوال ١٤٣٦ هـ | 0 | 13,190,465 |
| | لكم فارق الأشهر من رمضان ١٤٣٧ هـ وحتى صفر ١٤٣٨ هـ لقوة (٥٤٩٣٠ فرد × ٦ أشهر) | 0 | 98,874,000 |
| 31/12/2016 | لكم قيمة مواد التغذية لشهر ديسمبر ٢٠١٦ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 31/01/2017 | لكم قيمة مواد التغذية لشهر يناير ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 28/02/2017 | لكم قيمة مواد التغذية لشهر فبراير ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 31/03/2017 | لكم قيمة مواد التغذية لشهر مارس ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 30/04/2017 | لكم قيمة مواد التغذية لشهر ابريل ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 31/05/2017 | لكم قيمة مواد التغذية لشهر مايو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 30/06/2017 | لكم قيمة مواد التغذية لشهر يونيو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 31/07/2017 | لكم قيمة مواد التغذية لشهر يوليو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 31/08/2017 | لكم قيمة مواد التغذية لشهر اغسطس ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد | 0 | 41,100,000 |
| 2016/12 + 2017/3 | عليكم تسديد قيمة مواد التغذية لشهر ديسمبر ٢٠١٦ م | 41,100,000 | 0 |
| 2017/3 + 2017/5 | عليكم تسديد قيمة مواد التغذية لشهر يناير ٢٠١٧ م | 41,100,000 | 0 |
| 08/05/2017 | عليكم تسديد جزء من قيمة مواد التغذية لشهر فبراير ٢٠١٧ م | 2,800,000 | 0 |
| 06/10/2017 | عليكم قيمة مخزون الوحدات المتبقي لديكم لقوة ٢٠٧٤٩٨ فرد | 62,249,400 | 0 |
| 06/10/2017 | عليكم قيمة مخزون دائرة الامداد والتأمين المتبقي لديكم لقوة ٦٩٤٩٣ فرد | 20,847,900 | 0 |
| | اجمالي حركة الحساب (بالريال السعودي) | 168,097,300 | 481,964,465 |
| | الرصيد المتبقي للمتعهد (بالريال السعودي) | 0 | 313,867,165 |

Source: Confidential

Figure 30.3
Official letter from military logistic support division, dated 10 October 2017, to Ahmed Assoufi for Trade company to cease the supply of military units



Source: Confidential

Figure 30.4
Document showing that Anhar Al Khaleej for Trade Co replaced Ahmed Assoufi for Trade company

التاريخ: ١٨ / ٠٦ / ١٨
الموافق: ١٠ / ١٠ / ١٩
العرفات: ()

وزارة الزراعة
هيئة الاسناد والتوسيع
مكتب المدير

تصديق /
اللواء الركن د /
نصاهر علي العقبلي
رئيس هيئة الارتان العامة

المحترم
الاخ / قائد قوات التحالف العربي بصحن الوطن
السلام عليكم ورحمة الله وبركاته ١١١

الموضوع / مستوى الامانة المقدمة للقوات المصنفة

١. اثار الى الموضوع اعلاه ، فالة قد حدث نقص شديد جدا في الاعاشة في الاشهر الماضية وقد تم متابعه معهد الغذاء وتم اتخاذ الكثير من الاجراءات وقد كانت النتائج كما يلي :-
أ - تحسن مستوى الاعاشة على مستوى الكميات الواصلة خاصة في شهري شعبان ورمضان المبارك ١٤٣٩ هـ .
ب - هناك ملاحظات كثيرة في الجودة على بعض المواد تم تلافى بعضها مثل الحبيب المجفف والتمور وبعضها قيد المتابعة مثل مادة الارز والسكر والقشطة في الوجبات القنثية .
ج - نقص في بعض الكميات لبعض الاصناف مثل الدجاج واللحوم والثونة والبيض .
٢. تم اتخاذ اجراءات متعددة واستدعاء المعهد في خواتم شهر رمضان المبارك وعمل محضر مشترك لتلافي ذلك ومزال قيد التنفيذ لغرض تحسين الاصناف والالتزام بكميات معدده ووقت وصول منضبط وتساوي السوارد لكل الاصناف وفي حاله عدم التزام المعهد باي من ذلك سيتم الرفع اليكم مباشرة .
٣. عمل شهادة انجاز لشهر شعبان وتم توقيعها وارسلها لقياده التحالف في مارب وشهادة الانجاز لشهر رمضان المبارك تحت الاعداد ليتم توقيعها وارسلها وهناك عند من المتطلبات التي رفعت منها مطلوب من المعهد توفيرها لم توفر الى الان .
٤. مرفق لكم صورة من شهادة الانجاز لشهر شعبان مع الملاحظات المطلوبة تنفيذها من قبل المعهد وموضح فيها بعض المتطلبات الاساسية وصورة من تقرير انجاز السوارد من شركة نهار الخليج للنجارة من شهر محرم الى شهر شعبان ١٤٣٩ هـ .
٥. مرفق لكم صورة من مسوده المحضر مع المعهد .
٦. للتفضل بالاطلاع والتوجيه .

اللواء الركن /
احمد محمد عبدالله الواسي
رئيس هيئة الاسناد والتوسيع

عميد /
عبد الله علي مقبل السقدي
مدير دائرة الاسناد والتوسيع

١١١

Source: Confidential

Annex 31. A network involved in the forgery of immigration documents

1. The Panel, within its mandate of investigating cases of threats to peace and security to Yemen, gathered information on a suspicious activity of a potential fraudulent financial network involved in facilitating immigration of Yemeni individuals residing outside of their country to Canada as refugees. This network, operating from KSA and Turkey, is claiming to facilitate the issuance of refugee status to Yemeni against a service fee of about US\$ 5,000 per person and US\$ 10,000 per family. Some Yemeni individuals have obtained immigrant visas to Canada in Turkey through the network (see figure 31.1).

Figure 31.1

Visa issued by the network confirmed not valid according to Canadian authorities



2. The network involved in facilitating issuance of visas for Canada seems to comprise the following individuals, entities and locations:

- (a) Regional Immigration & Development Immigrants Organization, Gozal Yord, Cyprus and its general commissioner, Dr. Saifuddin Jan Damerji (see figure 31.2);
- (b) Ratina C (allegedly incorporated in the United Kingdom (UK), yet not identified by the Panel within the UK registry) and its representing officer Imad Abdul Rauuf Mohamed al Hassan (see figure 31.3);
- (c) Individual and address in Turkey where visa application documents are sent: Haseki Sultan Mah, Millet cad, No 11, inan IS hani, Ofis: 312 Aksray 34096, Istanbul (see figure 31.4).

Figure 31.2
Alleged certificate for refugee status



Source: Confidential

Figure 31. 3

Contract between a family seeking refugee status and Retina C with a payment of 30,000 Saudi Riyal once visas are issued

عقد اتفاق

من شركة IRATINA C البريطانية تعمل بالاتفاق مع مفوضية الأمم المتحدة لتسيير أوراق العملاء في كافة أنحاء العالم.

رقب الأول شركة راتينا سي وممثلها : عماد عبدالرؤوف محمد الحسن صاحب اقامة نظامية رقم : 2015883818
رقب الثاني [REDACTED]

في الطرفان على مايلي :

1. يقوم الطرف الاول بمعاملة تقديم اللجوء إلى دولة كندا لكافة افراد الاسرة للطرف الثاني عند الجوازات : 9 جوازات يمنية لعدد 13 قر

| الاسم | عدد المرافقين | ورقم الجواز |
|------------|---------------|-------------|
| [REDACTED] | [REDACTED] | [REDACTED] |

2. يقوم الطرف الأول بإنهاء كافة إجراءات السفر واصدار الفيز والتذاكر وجميع الوثائق الضرورية للسفر .

3. يقوم الطرف الأول بالتعار الطرف الثاني بمراجعة التفصيلة على الجوال 0500606034 و البريد الالكتروني : goodman-1111@hotmail.com

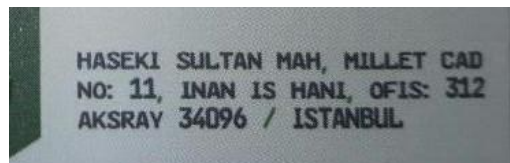
4. يلتزم الطرف الثاني بدفع اتعاب الشركة مبلغ وقدره 30.000 ريال – فقط ثلاثون ألف ريال لا غير. بعد الاستلام والتحقق من صحة التفصيلة

5. يلتزم الطرف الأول بإنهاء المعاملة في مدة اقصاها 40 يوماً ، وفي حالة عدم اتمام الاجراء اعلاه يلتزم الطرف الاول بتسليم جميع الوثائق سليمة وكاملة

Source: Confidential

Figure 31. 4

Address in Turkey where visa application documents are sent to



Source: Confidential

Annex 32. Smuggling of cash and cultural artifacts

Figure 32.1

Seizure in Al Mualla port Aden on 16 August 2018 of 12 artifacts smuggled in a merchant vessel bound to Djibouti



Source: <https://al-ain.com/article/yemen-houthi-smuggling-traces>

Figure 32.2

Media article describing the context of the seizure

الخميس 2018.8.16 بالصورة.. الشرطة اليمنية تحبط تهريب قطع أثرية نادرة من مناطق الحوثيين
تمكنت شرطة عدن جنوبي اليمن، من إحباط محاولة تهريب قطع أثرية على أحد المراكب المتجهة إلى دولة جيبوتي عبر ميناء المعلا
بعدن.
وقال المكتب الإعلامي لشرطة عدن إن قوات الأمن في ميناء المعلا ضبطت 12 قطعة أثرية نادرة كانت مخبأة وسط بضاعة على أحد
المراكب التجارية المغادرة إلى دولة جيبوتي.
وبحسب بيان الشرطة، فإن أفراد أمن ميناء المعلا قاموا بفحص المضبوطات عبر خبير متخصص في الآثار، أكد أنها قطع أثرية
نادرة يعد إخراجها من البلد مخالفا للقانون.
وبيّنت التحقيقات الأولية مع صاحب الشحنة أن المضبوطات والتحف الأثرية تعود ملكيتها لتاجر من صنعاء مقيم في جيبوتي، وكانت
مخبأة وسط بضائع قادمة من صنعاء مرسله إليه على متن مركب متجه إليه.
Source: <https://al-ain.com/article/yemen-houthi-smuggling-traces>

Figure 32.3
Seizure in Ma'rib on 6 November 2018 of artifacts smuggled on a vehicle coming from Dhamar



Source: <https://www.sabanew.net/upload/thumbs/154151797155397617.jpg>

Figure 32.4
Yemen News Agency article describing the context of the seizure (6 November 2018)

الاجهزة الامنية بمأرب تحبط تهريب تماثيل اثرية قديمة باعتها المليشيا الانقلابية لسماصرة
مأرب- سبانت
احبطت الاجهزة الامنية عملية تهريب قطع اثرية نادرة والقبض على عصابة سمسرة تقوم بشرائها من مليشيا الحوثي الانقلابية،
وتهريبها وبيعها
حيث ضبطت الاجهزة الامنية في احدى نقاطها خارج عاصمة المحافظة تماثيل ذهبية ومن الاحجاز الكريمة مكتوب عليها بالخط
السبني القديم(المسند) وخمسة اشخاص متهمين كانوا يستقلون سيارة (كيا) وما يزال البحث جار عن اثنين اخرين ضمن العصابة
واحد منهما من جنسية عربية
واوضح مدير عام شرطة المحافظة العميد عبدالملك المداني لوكالة الانباء اليمنية(سبأ)بان هذا العملية تمت بعد تحري ومتابعة
لهذه العصابة مدة تزيد عن شهر من الزمن وتم ضبطها في احدى النقاط وهي تحاول تهريب هذه التماثيل من محافظة ذمار الى
المنافذ اليمنية لبيعها لتاجر من دولة شقيقة.مشيراً الى ان المتهمين اعترفوا خلال التحقيقات بانهم يقومون ببيع الاثار النادرة
والسبائك الذهبية الاثرية للمليشيا الحوثية في محافظة ذمار الى اشخاص من دول عربية واجنبية عبر وسطاء محليين وعرب
ولفت المداني الى ان المتهمين المضبوطين جزء من عصابة كبيرة، واعترفوا خلال التحقيقات بقيامهم بيع العديد من القطع
الاثرية والسبائك الذهبية والتي وجدت صورها في تلفوناتهم الشخصية،حيث كشفوا ان بعض السبائك الذهبية والتماثيل الاثرية
القديمة المصنوعة من الذهب اغلبها يتم اذابتها وتهريبها وبيعها كقطع ذهبية بعد طمس قوالبها ومعالمها الاثرية
واكد مدير عام شرطة المحافظة الى ان المليشيا الحوثية تعمل بكل ما اوتيت من قوة الى تدمير كل المقدرات الوطنية ومنها
الموروث الثقافي والانساني من اثار ومعالم ثرية، والتكسب والثراء من الاثار والقطع الاثرية الكثيرة التي استولت عليها في
المتاحف اليمنية والمخازن الرسمية للدولة سواء في براقش او امانة العاصمة او ذمار..مثمنا اليقظة العالية للاجهزة الامنية
بالمحافظة.

Source: <https://www.sabanew.net/viewstory/40941#>

Figure 32.5
Seizure in Ma'rib on 7 November 2018 of US\$ 2.610.000 and SAR 9.000.000 smuggled in two vehicles bound to Sana'a

Yemen News Agency article describing the context of the seizure (7 November 2018)

عاجل

احباط تهريب 2 مليون و610 الف دولار ونحو 9 ملايين ريال سعودي من مأرب

[05:17 07/11/2018]



مأرب - سيانت

أحيطت أجهزة الأمن بمحافظة مأرب تهريب مليونين و610 الف دولار أمريكي و9 ملايين ريال سعودي في عمليتين مختلفتين.

وذكر مدير عام شرطة المحافظة العميد عبدالملك المداني لوكالة الأنباء اليمنية (سبأ) ان أفراداً من منتسبي الأمن في مديرية الجوبة ضبطوا مبلغ اثنين مليون و610 الف دولار في سيارة (هيلوكس) وتم ضبط المتهمين.

وفي العملية الثانية تمكنت احدى نقاط الحزام الأمني لعاصمة المحافظة وعلى طريق مارب صنعاء من ضبط تسعة ملايين ريال سعودي غير مصرحة كانت في شنطة ملابس على متن سيارة ونبت غمارتين ايضاً(هيلوكس) وضبط سائق السيارة.

وأشار المداني الى ان مليشيا الحوثي الانقلابية دأبت على المضاربة بالعملية الصعبة في المحافظات المحررة وتهريبها الى صنعاء بهدف الاضرار بالاقتصاد الوطني زانهيار الريال اليمني وارتفاع أسعار المواد الغذائية والأساسية وزيادة معاناة الناس والمواطنين في اطار مشروع المليشيات الذي يوزع الموت على الشعب اليمني اما بالالة العسكرية الجارة أو التجويع.

Source: <https://www.sabanew.net/viewstory/41008>

Annex 33. Case studies of Airstrikes in Yemen (2018)

1. In this annex, the Panel presents detailed case studies of five airstrikes investigated in 2018.
2. The Panel also includes the case study of an airstrike investigated in 2017.

Table 33.1
Case studies of airstrikes in 2018 and 2017

| Appx (Case) | Date | Location | Impact point | Type of ordnance | Victims |
|-------------|---------|------------------------------|--|------------------|--|
| A | 2/4/18 | 14°49'01.6"N 42°59'39.0"E | Civilian buildings in Al Hali district, Al Hudaydah | Aircraft bomb | 14 dead including 7 children and 4 women |
| B | 22/4/18 | 15°41'24"N 43°21'07"E | Wedding party in Ar-Raqa village of Bani Qis in Hajjah | Aircraft bomb | 21 killed, including 11 children, and approximately 90 wounded, including several children |
| D | 23/7/18 | 17°2'25.09"N 43°55'6.58"E | Water supply system, Noshour, in Sa'dah | Aircraft bomb | Damage to borehole, pipe, and solar panels |
| F | 9/8/18 | 17°03'51.2"N 43°36'05.8"E | Bus in Dayhan, Sa'dah | Aircraft bomb | Approx. 43 killed and 63 wounded, in majority children |
| G | 9/6/17 | 15°16'25.9"N 44°14'18.3"E | Residential building, Al Quobari, Sana'a | Aircraft Bomb | |

Appendix 33.A. Use of explosive ordnance in Al Hudaydah on 2 April 2018

I Background

1. The Panel investigated an alleged airstrike by the Coalition on Al Hudaydah on 2 April 2018.
2. The Panel received information from its sources on the ground that approximately two items of explosive ordnance (EO) targeted the northeastern periphery of Al Hudaydah in the vicinity of coordinates (14°49'01.6"N 42°59'39.0"E) at approximately 1000hrs (figure 33.A.1).
3. The Panel has received from its sources, including medical services, the list of victims which comprises 14 dead (seven children, four women and one man).

II Technical analysis

4. The Panel received footage and videos of the scene,⁶⁴ the victims, as well as fragments of the alleged weapons used (figure 33.A.2). The Panel concludes, based on a technical assessment of the imagery and videos, that the attack was probably conducted using a precision-guided weapons and that the only military entity operating such precision-guided weapons in the area is the Coalition.

III Response from the Coalition

5. In a letter to the Panel⁶⁵, the Coalition stated that it did not carry out an attack targeting this location on that day, but that it targeted a point located 3,288 m away from the site.

IV Responsibility for the attack

6. Based on the technical analysis, the Panel finds that the Coalition is likely to be responsible.

V Analysis of IHL violations

7. The Panel received information that members of Houthi forces were living in those buildings but was unable to confirm that information beyond reasonable doubt. The Panel was not able to obtain information about the military advantage that the death of those people would confer to the Coalition. However, the Panel found that, considering the number of victims, especially the number of children and women, even if there were members of the Houthi forces present (i.e. civilians having lost their protection against direct attack under IHL), this attack is unlikely to conform with the IHL principles of proportionality and precaution. Indeed, IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects.⁶⁶
8. The Panel continues to welcome any information on this incident.

⁶⁴ See also online: <https://twitter.com/hadramoot1967/status/980811766295908352>.

⁶⁵ Letter of 27 July 2018.

⁶⁶ See CIHL rules 14 and 15.

Figure 33.A.1
Location of the airstrike 14°49'01.6"N 42°59'39.0"E



Figure 33.A.2
Pictures of the building and some victims



Source: Confidential

Figure 33.A.3
Fragment of the explosive ordnance gathered on the site



Source: Confidential

Appendix 33.B. Airstrike of 22 April 2018, Bani Qis, Hajjah (wedding)

I. Background

1. On 22 April at approximately 10:00 hrs an explosive ordnance dropped from a military aircraft hit the men's section of a wedding party in a civilian area in Ar-Raqa village of Bani Qis, in Hajjah⁶⁷ (see figure 33.B.1) and resulted in the death of approximately 21 persons, including many children and the injury of approximately 90 people, including many children⁶⁸.

II. Response of the Coalition

2. On 12 September 2018, on the Saudi Press Agency website, the Coalition acknowledged that a single guided bomb was launched on 22 April 2018 at 2010 hrs⁶⁹ and hit a location beside a building. According to the information published on this website, the Coalition had received information on the arrival of ballistic missile experts to Yemen through the port of Hudaydah. A reconnaissance mission to the coordinates provided by their sources was carried out. Three persons, two vehicles and a thermal source were identified. The JIAT first concluded, based on videos of the mission, that there was no tent or other sign of civilians gathering in the area. After revision, the JIAT found a number of errors indicating non-compliance with the Rules of Engagement procedures to minimise civilian collateral damages. The Joint Panel recommended that legal measures be taken to hold perpetrators accountable and that assistance to the victims for the damage and losses resulting from this operation be provided.⁷⁰

3. The Panel did not receive any verifiable evidence from the Coalition.

III. Technical analysis

4. Based on imagery of fragmentation recovered from the explosion site, the Panel was unable to identify the specific aircraft guided bomb used during that attack (see figure 33.B.2).

IV. Analysis of IHL violations

5. The Coalition admitted responsibility for the airstrike and non-respect of the procedures to minimise civilian collateral damages.⁷¹

6. Even if, as claimed by the Coalition, the three persons, two cars and one thermal source identified at the site were military objective and/or civilians having lost their protection under IHL, the Panel finds that it is unlikely that the IHL principle of proportionality was respected due to the significant number of victims. As for the principle of precaution, the Coalition recognised that the operation failed to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects.⁷²

7. The Panel continues to welcome any information from the Coalition.

⁶⁷ Coordinates: 15°41'24"N 43°21'07"E.

⁶⁸ See for instance, <https://twitter.com/search?f=tweets&q=wedding%20yemen%20bani%20qais&src=typd>, https://www.washingtonpost.com/world/middle_east/us-allies-have-killed-thousands-of-yemenis-from-the-air-after-22-died-at-a-wedding-one-village-asks-why-us/2018/07/25/3c3e4801-164e-42ae-ac08-bec09044e52a_story.html?utm_term=.99f70635ace3

⁶⁹ The Panel also received information that the attack occurred at 2200 hrs.

⁷⁰ See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

⁷¹ See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

⁷² See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

Figure 33.B.1
Pictures showing damage to the house and tent⁷³



Figure 33.B.2⁷⁴
Debris of the EO found on the site after the incident⁷⁵



⁷³ Confidential source.
⁷⁴ Confidential source
⁷⁵ Confidential source

Appendix 33.D. Airstrike of 23 July 2018, Noshour, Sa'adah (water borehole)

I. Background

1. On 23 July at approximately 2300 hrs,⁷⁶ an explosive ordnance dropped from a military aircraft hit a water borehole facility in the area of Noshour, in Sa'adah governorate.⁷⁷
2. The borehole was part of a UNICEF-funded sanitation project composed of two boreholes and one water tank. The coordinates of the three components had been communicated to the Coalition's « no strike list ».⁷⁸
3. According to UNICEF, more than half of the project was damaged and approximately 10,500 people were deprived of access to safe drinking water.⁷⁹

Figures 33.D.1 Post-blast damage⁸⁰



Figure 33.D.2
Site before the attack

Figure 33.D.3
Site after the attack⁸¹

⁷⁶ Report from an NGO that independently investigated the case, on file with the Panel.

⁷⁷ The coordinates are: 17° 2'25.09"N 43°55'6.58"E.

⁷⁸ Confidential source.

⁷⁹ See statement of Geert Cappelaere, the Regional Director for UNICEF Middle East and North Africa Office, 24 July 2018, online : <https://www.unicef.org/press-releases/access-water-continues-be-jeopardized-millions-children-war-torn-yemen>.

⁸⁰ Confidential source and pictures available on internet.

⁸¹ Confidential source.



Figure 33.D.4
Imagery of the site on 27/05/2018



Source: Panel using Google Earth

Figure 33.D.5
Imagery of the site on 26/07/2018



Source: Panel using Google Earth

II. Analysis of violations of international humanitarian law (IHL)

4. In the absence of a response from the Coalition, the Panel analysed the applicable law in relation to this incident based on the facts obtained during its own independent investigation.⁸²

5. The Panel finds that:

- (a) The water borehole and the solar panels are civilian objects protected against direct attack by IHL.⁸³ Furthermore, a water supply system providing drinking water to the civilian population is an object indispensable to the survival of the civilian population. It is therefore prohibited to attack, destroy or remove it or to render it useless;⁸⁴
- (b) The Panel received information that the coordinate of the three components of the project were communicated to the Coalition to be put on the «no strike list»;
- (c) The Panel could not find any explanation during its investigation as to why the Coalition would consider a water borehole as a military objective.

6. The Panel continues to welcome any information from the Coalition.

82 The information includes a report by issued by an NGO having independently investigated the case (on file with the Panel), interview with one confidential source, open source imagery and publicly available information.

83 Common article 3 to the Geneva Conventions, CIHL rule 7.

84 Art. 14, APII, CIHL rule 54.

Appendix 33.F: Airstrike in Dahyan market, Sa'dah (2018)

I. Introduction

1. This case study aims at presenting the findings of the Panel in respect to the airstrike that occurred on 9 August 2018 in the vicinity of the Dayhan market, in Sa'dah.⁸⁵
2. The Panel was unable to travel to Dayhan to investigate the case despite sending a request to the Houthi authorities in that respect.
3. The Panel sent a letter to KSA requesting information about this incident, including video recording of the attack.⁸⁶ The Panel has yet to receive a reply.
4. The Panel also sent a letter to the Chair of the Sanctions Committee asking for assistance in accessing aerial video of the attack or any other information.⁸⁷ The Panel is yet to have access to the video or to receive information.

II. Background

5. In the morning of 9 August 2018, the Coalition launched an air-delivered explosive ordnance in the vicinity of a market in Dayhan, Sa'dah⁸⁸ at 0825 hrs.⁸⁹
6. This incident resulted in several civilian casualties. Media and humanitarian organizations have reported approximately 43 persons dead and 63 injured, the majority of which were children.⁹⁰
7. According to Saudi official media, Colonel Turki Al Maliki, spokesperson of the Coalition, stated, on 9 August 2018, that this attack was "a legitimate military action, conducted in conformity with the International Humanitarian Law and its Customary Rules, to target the militants responsible for planning and targeting civilians,

⁸⁵ Coordinates: 17°03'51.2"N 43°36'05.8"E

⁸⁶ Letter of 8 November 2018.

⁸⁷ Letter of 21 November 2018.

⁸⁸ See, for instance: <https://www.bbc.com/news/world-middle-east-45128367>, <https://www.nouvelobs.com/monde/20180809.OBS0720/yemen-au-moins-29-enfants-morts-dans-une-attaque-contre-un-bus.html>, <https://www.reuters.com/article/us-yemen-security/dozens-killed-including-children-on-a-bus-in-yemen-air-strikes-idUSKBN1KU12U>.

⁸⁹ The JIAT confirmed to the Panel during a meeting in Riyadh in December 2018 that a vehicle was targeted at 0825 hrs. The Panel asked for the exact coordinates but is yet to receive it. Three confidential sources informed the Panel of having heard an explosion at approximately 0830 hrs. One source told the Panel of having heard a second explosion ten minutes after the first one.

⁹⁰ See <https://www.theguardian.com/world/2018/aug/09/dozens-dead-in-yemen-as-bus-carrying-children-hit-by-airstrike-icrc>, <https://www.theguardian.com/world/2018/aug/16/the-sound-of-children-screaming-keeps-replaying-a-red-cross-nurse-in-yemen>, <https://www.reuters.com/article/us-yemen-security/dozens-killed-including-children-on-a-bus-in-yemen-air-strikes-idUSKBN1KU12U>, https://twitter.com/icrc_ye/status/1027459027540893696. The Panel was unable to independently verify those numbers. The report of the Houthi authority ministry of human rights contains a list of 51 dead and 79 wounded, but again the Panel has not been able to verify these numbers. The Panel also had a phone interview with four sources who went to the site of the incident between 30 minutes and two hours after the attack, including one who was in the market at the time of the attack and one who was in the bus; they all reported seeing many victims and dead bodies, among which were several children. The Panel also communicated with one confidential source who visited the al Talh morgue and hospital a few days after the incident and confirmed that there were many children at the morgue and some in the hospital. Two other confidential sources visited the al Talh hospital also a few days after the incident and told the Panel they were able to visit one room with about 10 children with minor wounds but did not visit the morgue. Note: the Panel has refrained from giving the specific dates to protect the identity of its sources.

which resulted in killing and injuring them, last night in Jizan.”⁹¹ The Panel did not receive any verifiable evidence to that respect.

8. On 1 September 2018, the Joint Forces Commander of the Coalition announced that the conclusions of JIAT indicated mistakes in compliance to the Rules of Engagement in respect to the operation carried out on 9 August 2018 and «*expresse[d] regret over the mistakes, extende[d] its sympathies, condolences and solidarity to the families of the victims and announce[d] its acceptance of the results and findings of JIAT* »⁹². He added that he will «*as soon as the official findings are received, undertake legal proceedings to hold the ones who committed mistakes accountable according to the rules and regulations related to such cases*». ⁹³ According to Ahmed al-Mansour, JIAT's legal adviser, those mistakes included a delay in handing down the execution order, and the fact that the execution order should have been waiting for the target to approach a clearer area free of civilians to avoid unjustified collateral damage⁹⁴.

9. The Panel met with the JIAT in December and was informed that legal procedures could be initiated in respect to that incident under article 130 of the Saudi Military Code of Justice.⁹⁵

10. The Panel conducted phone interviews with six persons who were in Dayhan the day of the incident and three who visited Dayhan in the following days. The Panel also received two reports: one prepared by the Sana'a-based ministry of human rights and another by an NGO.⁹⁶ The Panel also analysed publicly available videos and pictures from the scene (see below) and requested the assistance of an independent expert to analyse post-blast crater and damage to the bus.

11. The information and testimonies gathered by the Panel confirmed the incident and the important number of victims, including children. However, the Panel noted some inconsistencies in parts of the narrative surrounding this incident.

12. The Panel has asked for information from both the Coalition and the Houthi authorities concerning this incident but has yet to receive a reply from either party.

III. Technical analysis

a) Technical analysis of videos

13. The Panel analysed three alleged videos of the incident.

- i. Video allegedly showing sequences of students visiting martyr tombs in al Ja'milah village before airstrike;⁹⁷
- ii. Video from two CCTV surveillance cameras in Dahyan taken around 08:25 hrs corresponding to the time of the airstrike in Dahyan;⁹⁸
- iii. Video allegedly taken moments after the airstrikes;⁹⁹

⁹¹ <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>

⁹² <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423>.

⁹³ <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423>.

⁹⁴ See video of extracts of the press conference on lone: https://www.youtube.com/watch?v=lvd_wfkoR0c. See also, <https://www.cbsnews.com/news/yemen-school-bus-attack-saudi-led-coalition-regrets-errors-2018-09-01/>.

⁹⁵ See online: <http://www.ksa-employers.com/showthread.php?t=134450&fbclid=IwAR06kjSZfo86OCeqcqWfp62DqiGxBjm44yu-jLyeR1YcKdv9LjTjexnjaZY>.

⁹⁶ Both reports are on file with the Panel.

⁹⁷ https://www.youtube.com/watch?v=4HA2_Wz6v2U&feature=youtu.be.

⁹⁸ <https://twitter.com/AnsarAllahMC/status/1029098793717915654>.

⁹⁹ <https://www.youtube.com/watch?v=S1fvrKtFIEI&feature=youtu.be>.

14. The Panel concluded that the above videos and documents described the incident to have happened on 9 August 2018 between approximately 08:00 and 09:00 hrs in Dahyan at coordinates 17°03'51.2"N 43°36'05.8"E. However, the Panel found the following discrepancies:

15. The wrecked bus is facing the direction opposite to the one it should be facing based on the sequence of the itinerary described during the alleged visit. The bus was said to have left Dahyan in the morning¹⁰⁰ toward al Ja'milah (coordinates 17°06'35.8"N 43°33'39.9"E),¹⁰¹ 7 km North West of Dahyan. On its way back to Sa'dah, it stopped in Dahyan and thus should be expected to park facing South East. The Panel had not received information on the reasons for this change of direction. It is not impossible that the explosion made the bus turn 180 degrees¹⁰² (see figures on the narrative of the incident as reported by the Houthi authority ministry of human rights report).

Figure 33.F.1
Page 7 of the Houthi authorities' ministry of human rights report



The paragraph states that: the children of the summer camp had a road trip from Dahyan to Al Ja'milah (coordinates 17°06'35.8"N 43°33'39.9"E) where they stopped to visit martyrs' tombs after which they took the bus in the direction of Sa'dah.

¹⁰⁰ Two confidential sources informed the Panel that the bus left between 07:30hrs and 08:00hrs.

¹⁰¹ Two confidential sources informed the Panel that the bus visited the Ja'milah cemetery before stopping at the Dahyan market.

¹⁰² Three confidential sources informed the Panel they saw the bus in the position shown in figure 33.F.5 after the attack and did not see anyone moving it.

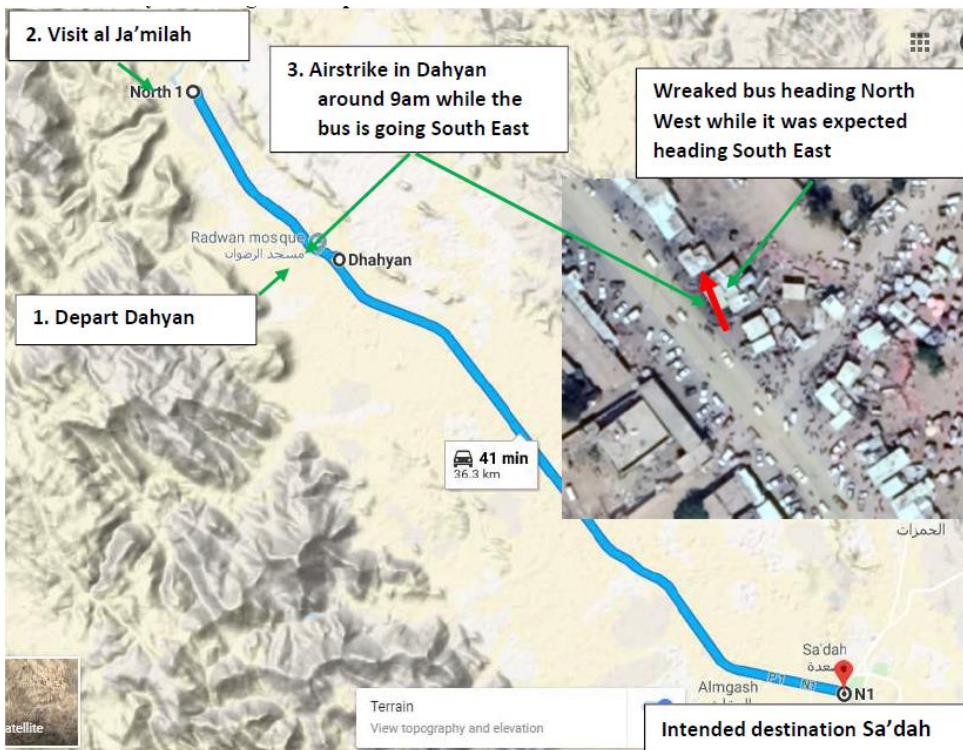
Figure 33.F.2
Top Page 9 of the report



Top page 9:

The paragraph states that around 0900 hrs the bus arrived to Dahyan market, parked along the road in order to buy water and food (biscuits and juice) for the children and that a moment later the bus was targeted by a coalition airstrike.

Figure 33.F.4
Stated itinerary according to the report



Source: Panel using Google Map

Figure 33.F.5
Picture showing the direction of the wrecked bus



صورة تظهر حطام الحافلة التي كانت تحمل الطلاب والتي تعرضت للإستهداف المباشر في الغارة الجوية. وثقها الفريق صباح اليوم التالي للغارة الجمعة 10 أغسطس 2018م.

15

16. The Panel has analysed the first video describing the visit to the tombs and found that it had probably been filmed after the time of the incident based on the comparison of the length of the shadows in the two videos. Indeed, the shadows around the tombs are slightly shorter than the objects while those seen in the surveillance video at 0825 hrs are longer than the objects. The sun on 9 August 2018, at 0825 hrs at that location, is at an elevation of 21.8 degrees which produces a shadow 2.5 times the height of an object.¹⁰³ The sun is at 45 degrees at 1000 hrs and 1620 hrs producing a shadow with length equal to the height. The shadows shown on the video during the visits of the tombs are shorter than the objects meaning the video was taken between 1000 hrs and 1620 hrs. The digital file references for the video of the visits to the tombs also indicates that it was created on 13 August 1522 hrs, which is consistent with the above observations but inconsistent with the offered narrative that that the video shows the children during their summer school excursion and before the attack on the morning of 9 August¹⁰⁴ (see figures 33.F.6 to 33.F.9).

¹⁰³ https://www.sunearthtools.com/dp/tools/pos_sun.php?lang=fr

¹⁰⁴ Two confidential sources informed the Panel that the children were on a summer excursion that day. One specified that the school had closed and that this trip was organized after the end of the class.

Figure 33.F.6
File property indicating a creation on 13 Aug 18 at 3.22pm and a shadow length smaller than the height of the student¹⁰⁵

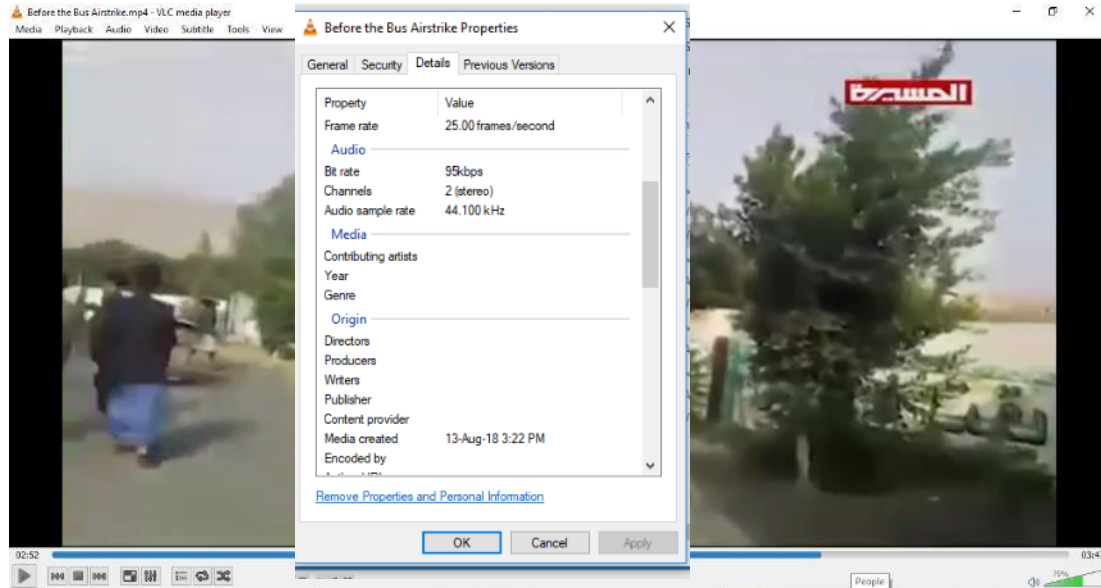


Figure 33.F.7
Video surveillance camera showing vehicles and motorcycles rushing out of the area at 0824 hrs with a passantur knowing what has happened. His shadow is longer than its height¹⁰⁶



¹⁰⁵ https://www.youtube.com/watch?v=4HA2_Wz6v2U&feature=youtu.be

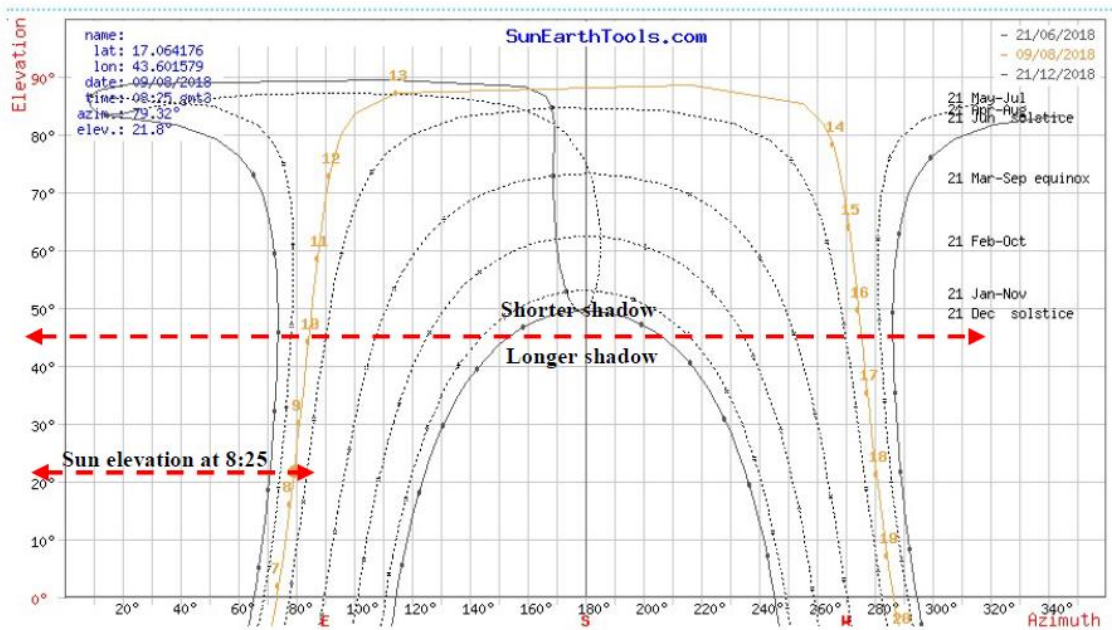
¹⁰⁶ <https://twitter.com/AnsarAllahMC/status/1029098793717915654>

Figure 33.F.8
Comparison of the shadows during the visit of the tomb and the time of the incident



Left shadow assessed by the Panel as of around 1000 hrs and right as around 0900 hrs

Figures 33.F.9
Position of the sun in Dahyan on 9 August 2018 (number in maroon indicating local time)¹⁰⁷



¹⁰⁷ https://www.sunearthtools.com/dp/tools/pos_sun.php?lang=fr

17. The Panel asked a forensic pathologist expert to independently analyse the videos. He provided analysis on some sequences of two videos.¹⁰⁸ He concluded that the sequences analysed showed clear and straightforward evidence of injuries from an explosion involving both living and dead children.¹⁰⁹

18. The Panel noted that in a video allegedly taken moments after the airstrikes wounded children around, beneath and inside the bus can be seen¹¹⁰. The Panel wonders why, in the video, no adult is intervening to assist the wounded - well after the smoke has dissipated.¹¹¹ The Panel also noted two children are moving their feet, one child is apparently playing with a hanging cable.¹¹²

a) Technical analysis of the crater and the scene of the explosion¹¹³

19. Based on photogrammetry from figure 33.F.10, the crater is estimated to be of 3.8m diameter with an apparent depth of 0.8m. EETB¹¹⁴ analysis software predicts crater diameters for the Mk82 and Mk84 aircraft bombs in the Coalition inventory as being approximately 2.6m and 4.4m respectively, for surface impact on sandy ground. The profile of the crater is thus consistent with what could be expected from the detonation of this aircraft bomb on or near the surface.

Figure 33.F.10
Crater of the alleged airstrike



20. The damage to the bus¹¹⁵ is consistent with being in the vicinity of an explosion, but the level of damage is not consistent with the bus being subjected to a direct hit and subsequent detonation of the 87kg to 450kg (TNT equivalent) explosive content of a Mk82 or Mk84 aircraft bomb (see figure 33.F.10). The exact bomb type could only be assessed by knowing the distance of the vehicle from the centre of the explosion. As mentioned above, the Panel has asked for access to aerial video of the attack but has not yet received a reply to that request.

21. However, the damage failure modes are 180° from the centre of the explosion (see figures 33.F.11 and 33.F.12). There are a range of possible explanations for this:

- a) The bus was rotated laterally through 180° by the force of the explosion;
- b) The initial blast over-pressure would have removed the glazing from the bus, thus weakening the integrity of the metal struts. The weakened metal struts then being possibly deformed by the reflected blast over-pressure from the impact of the blast wave on the building/s behind;

¹⁰⁸ <https://edition.cnn.com/videos/world/2018/08/13/yemen-school-bus-strike-elbagir-vpx.cnn> and <https://twitter.com/MintPressNews/status/1027712461879877636>.

¹⁰⁹ Report on file with the Panel.

¹¹⁰ <https://www.youtube.com/watch?v=S1fvrKtFIEI&feature=youtu.be>.

¹¹¹ See at 2:47 to 2:59.

¹¹² See at 3:10 to 3:12.

¹¹³ For this section, the Panel consulted with an expert of another Panel within the framework of inter Panel cooperation.

¹¹⁴ Explosive Engineers Tool Box. OnePoint4 Limited (UK).

¹¹⁵ Distortion to support beams. Lack of glazing. shearing and rupturing of metal components etc.

- c) The bus was moved subsequent to the explosion;¹¹⁶ or
- d) The bus was not involved in the explosion and was subsequently moved to the site.¹¹⁷

Figure 33.F.11
Damage mechanism



22. The final position of the bus requires further investigation and explanation. It is possible that it could have been thrown towards the shop front (marked B in figure 33.F.12) dependent on its position relative to the centre of the explosion. If the vehicle had been travelling in the normal position on the road, then it is more likely that the explosion would have projected it to position marked A in figure 30.F.12.

¹¹⁶ The Panel noted that in neither the two reports received nor during the phone interviews it conducted, was there a mention of the bus having been moved. Three witnesses who were on the scene just after the explosion said that the bus was in the position shown in figure 33.F.11 and that nobody moved it.

¹¹⁷ The six sources who were present in Dayhan on the day of the incident and interviewed by the Panel said that the bus was hit during the incident that occurred around 0830 hrs in the Dayhan market.

Figure 33.F.12
Final position of bus



IV. Analysis of the violations of international humanitarian law

23. The Coalition admitted responsibility for the airstrike and non-respect of the procedures to minimise civilian collateral damages.¹¹⁸

24. Even if, as claimed by the Coalition, this attack targeted civilians who had lost their protection under IHL,¹¹⁹ the Panel finds that it is unlikely that the IHL principles of proportionality and precaution were respected due to the high number of victims.

25. The Panel continues to welcome any information from the Coalition and other parties in respect to this incident.

¹¹⁸ See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>; <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=180>; https://www.youtube.com/watch?v=lvd_wfkoR0c. See also, <https://www.cbsnews.com/news/yemen-school-bus-attack-saudi-led-coalition-regrets-errors-2018-09-01/>.

¹¹⁹ The Coalition spokesperson declared that the attack targeted militants responsible for planning and targeting civilians the night before in Jizan. See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>.

Appendix 33.G. Airstrike in residential area, Sana'a (9 June 2017)

I. Background

1. At approximately 0300 hrs on 9 June 2017, an explosive ordnance dropped from a military aircraft detonated on two civilian buildings in Sana'a, in Al Quobari area, nearby 30th Street, Alsabaeen district.¹²⁰ The explosion killed three children and an elderly woman from the same extended family.¹²¹

II. Technical analysis

2. Analysis of imagery of fragmentation recovered from the explosion (figures 33.G.1 to 33.G.3) indicates that the explosive device was fitted with a Paveway¹²² laser guidance unit.¹²³ Such units are designed to be paired with Mark 82 or Mark 84 high explosive aircraft bombs.

3. Post blast analysis of the image at figure 33.G.4 shows damage that is typically characteristic of the detonation of a significant quantity of high explosive. The civilian house was almost certainly damaged by a Mark 82 or Mark 84 high explosive aircraft bomb fitted with a Paveway laser guidance system.

Figure 33.G.1
Rear wing of Paveway guidance unit



Figure 33.G.2
Remnants of rear wing of Paveway guidance unit



¹²⁰ Coordinates: 15°16'25.9"N 44°14'18.3"E

¹²¹ Other open source documentation includes “3 children, grandmother killed in Saudi coalition strike on Yemeni capital (video)” at <https://www.rt.com/news/391770-yemen-children-saudi-strike/>. “Yemen: Coalition Airstrikes Deadly for Children” at <https://www.hrw.org/news/2017/09/12/yemen-coalition-airstrikes-deadly-children> reports a further 8 injuries in the neighborhood on the same morning and damages to at least 5 houses.

¹²² It was not possible to determine from just the rear wing whether it was a GBU-12 Paveway II (US manufactured) or Paveway IV (UK manufactured) laser guidance unit.

¹²³ The Enhanced GBU-12 (EGBU-12) has a dual mode laser guided and GPS inertial navigation system. The Panel cannot determine if this was fitted to this bomb from the available evidence.

Figure 33.G.3
Fragmentation from Paveway guidance unit



Figure 33.G.4
Scene of explosion



III. Responsibility for Airstrike

4. The only military entity operating the type of aircraft in the area that has the capability to deliver high explosive ordnance of this type is the Coalition.

Annex 34. Mortar attacks in al Hudaydah on 2 August 2018

I. Background

1. On 2 August 2018, two mortar attacks occurred in the city of Al Hudaydah and hit the Athawra Hospital (coordinates 14°46'46.08"N 42°57'03.92"E), and a building of the Statistics Department in the fish market (coordinates 14°46'53.01"N 42°56'51.74"E) (see figure 34.1). These attacks reportedly led to the death of approximately 55 persons and wounded 170.¹²⁴

II. Response of the Coalition

2. The Coalition spokesman, Col. Turki al-Malki, declared to the media that the coalition did not carry out any operations in Al Hudaydah on that day and that the Houthi militia were behind the attack.¹²⁵

III. Technical analysis

3. Based on a number of pictures and a video from sources and social media showing the “stub” (fin assembly) found on the site after the incident, the Panel noted that it has characteristics consistent with the fin assembly of 120 mm mortar bombs produced either by Rheinmetall in Germany, or by its South African subsidiary Rheinmetall Denel Munitions (RDM) (see figure 34.2). This ammunition is also reportedly produced in a factory in the Kingdom of Saudi Arabia.¹²⁶ The operational range of this explosive ordnance is 8,000 meters.

IV. Analysis of violations of international humanitarian law

a) Athawra Hospital

4. Hospitals exclusively assigned to medical purposes must be respected and protected in all circumstances under IHL. They lose their protection only if they are being used, outside their humanitarian function, to commit acts harmful to the enemy. Furthermore, protection of hospital and medical units may cease only after a warning setting a reasonable time-limit has been given.¹²⁷ The Panel has not received any evidence, nor seen any allegations, that the Athawra Hospital was being used to commit acts harmful to the enemy on 2 August 2018.

b) Statistics Department building

5. The Panel did not receive information that there were members of an armed group or military present at the fish market at the moment of the attack, nor that the Statistics Department building, which is *prima facie* a civilian object, had become a military objective.

6. Although those possibilities cannot be discarded, the Panel finds that this attack was an indiscriminate use of explosive ordnance¹²⁸ in a civilian area. Mortar bombs and artillery devices have some inherent inaccuracies, especially when launched at long range at targets in proximity of civilians and civilian objects. The likelihood of

¹²⁴ See statement by the ICRC, <https://www.icrc.org/en/document/yemen-icrc-deplores-civilian-cost-hodeida-attacks>.

¹²⁵ See, for instance, <https://uk.reuters.com/article/uk-yemen-security-hodeidah/saudi-led-coalition-says-houthis-behind-thursdays-attack-in-hodeidah-idUKKBN1KN2D6> and <http://wam.ae/en/details/1395302702201>.

¹²⁶ See new article, http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=42950:saudi-arabia-opens-munitions-factory-built-by-rheinmetall-denel-munition&catid=7:Industry&Itemid=116

¹²⁷ Art. 3 common to the Geneva Convention, Art. 11 AP II and CIHL rule 28.

¹²⁸ Indiscriminate use of explosive ordnance is a violation of IHL. See Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

indiscriminate effects from such weapons is high.¹²⁹ In addition, considering the significant number of victims, it is unlikely that the IHL principles of proportionality and precaution were respected.¹³⁰

7. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects. This assessment has to be made on the basis of information from all sources which is available to them at the relevant time. Commanders must also obtain the best possible intelligence.¹³¹

8. The area targeted on 2 August includes the fish market and the Athawra hospital; these are both busy civilian areas and this information was available to the parties. Therefore, military commanders should have been particularly vigilant when undertaking a proportionality assessment and making use of all feasible precautionary measures to minimise the incidental loss of civilian life and damage to civilian property.

9. The Panel continues to welcome information by all the parties in respect to this incident.

V. Attribution of responsibility

The Panel found that the Coalition forces and its associated forces and the Houthi forces were within operational range of this munition (i.e. 8,000 meters) on 2 August 2018 (see figure 34.3). Although the explosive ordnance reportedly used in that incident is known to be used only by the Coalition, the Panel has not been able to certify that this was indeed the explosive ordnance used during this attack. In addition, the possibility of Houthi forces having access to this type of explosive ordnance through illegal means or by recovering it from the battlefield cannot be discarded.¹³² Therefore, the Panel is not in a position to attribute responsibility for this attack. The Panel welcomes information from any parties, States, or entities in this respect.

Figure 34.1
Imagery of impact points



Source: Panel based on coordinates from confidential sources

¹²⁹ See ICRC, Expert meeting, *Explosive weapons in populated areas : Humanitarian, legal, technical and military aspects*, 24-25 February 2015, online https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?__store=default.

¹³⁰ CIHL rule 14 and 15.

¹³¹ See Commentary to CIHL rule 15, on line : https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule15.

¹³² See for instance: <https://www.youtube.com/watch?v=tkUv2R97I-Y> and <https://www.theguardian.com/global-development/2018/nov/28/arms-yemen-militia-were-supplied-by-west-find-analysts>.

Figures 34.2

Pictures of the fin assembly and of a 120mm mortar bomb produced by Rheinmetall or RDM



Figure 34.3

Range of the munition and position of the Coalition forces on 2 August



Source: Panel based on coordinates from confidential sources

Annex 35. Case study on the use of explosive ordnance against civilian areas (2018)

1. The Panel presents three cases of the indiscriminate use of explosive ordnance (EO) against civilian populated areas in Tai'zz and Mar'ib that are attributable to the Houthi forces. The case study of three incidents are included in table 35.1. These incidents demonstrate the indiscriminate use of EO in civilian populated areas in contravention to applicable rules of IHL.

2. The Panel's findings and conclusions are based on independent investigation and information available in the public domain. In none of the cases presented in this annex, was the Panel able to identify a military objective. However, if the Houthi political or military leadership can provide verifiable information on the military objectives targeted, or intended to be targeted, that may counter the Panel's findings and conclusions, and the Panel is ready to review such information.

3. At the time of writing of the report, the Houthi political or military leadership had not responded to Panel's request for information.

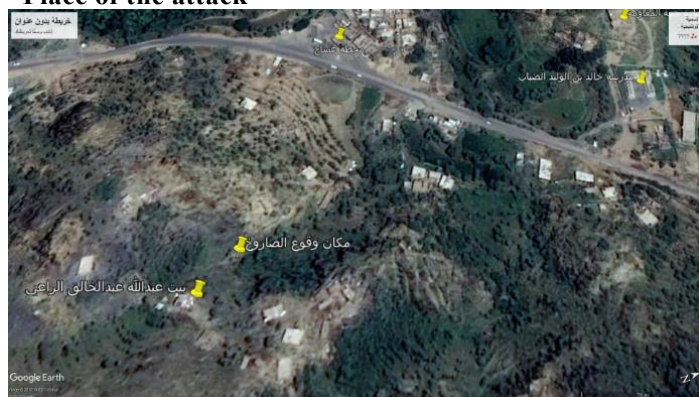
Table 35.1
Case studies of indiscriminate use of explosive ordnance by the Houthis in 2018

| <i>Appx</i> | <i>Date</i> | <i>Location</i> | <i>Impact point</i> | <i>Type of explosive ordnance</i> | <i>Victims/damage</i> |
|-------------|-------------|---------------------------------|--|-----------------------------------|--|
| A | 11 Jan | 13°31'51.35"N 43°57'11.07"E | Road in Sabr el Mohafin district, Shahid village, Tai'zz | 2 mortar bombs | 4 killed (2 women and 2 children), one child injured |
| C | 22 May | 15°27'41.22"N; 45°19'16.33"E | Market place near Adhban Mosque in Ma'rib | Katyusha rocket type | 5 killed and 22 wounded |
| D | 17 July | 13°34'9.51"N, 44° 0'0.01"E | Residential building, Sinah area, Tai'zz | 82mm Mortar bomb | 3 killed, 16 wounded |

Appendix 35.A. Mortar bomb strike in Shahid, Tai'zz (11 January 2018)

1. On 11 January 2018 at approximately 17:30 LT, two mortars hit a pastoral area and killed two women and 2 children¹³³ while they were on their way from the barn to their house (see figure 35.A.1) in Sabir Al Mawadim District, in the village of Shahid.
2. According to testimony received by the Panel, the mortars would have been launched from the 60th street area which was under Houthi forces' control. The Panel is unable to confirm this allegation. However, based on the map of areas under the control of Houthi forces, the Panel finds that the Houthi forces are most likely to be responsible for the attack (see figure 35.A.2).
3. Analyses of images of fragmentation recovered on the site after the explosion and the damage observed, indicate that the explosive ordnance used was a mortar, but the Panel was unable to identify the specific type of mortar used.
4. The Panel was unable to identify any military objective in the area.
5. The Panel concludes that the four victims, two women and two children, were civilians and that they had not lost their protection under IHL against direct attack.
6. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrates that the Houthi forces engaged in the indiscriminate use of explosive ordnance in a populated area in violation of applicable rules of IHL.¹³⁴

Figure 35.A.1
Place of the attack



Source: Panel using Google Earth based on information received from local sources

¹³³ Death certificates on file with the Panel.

¹³⁴ Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

Figures 35.A.2
Areas under the control of Houthi forces



Figure 35.A.3 ¹³⁵
Explosive ordnance debris



Figure 35.A.4
Impact point of one mortar



Source: Confidential

¹³⁵ Confidential source.

Appendix 35.C. Rocket attack near Adhban Mosque in Ma'rib (22 May 2018)

1. On 22 May 2018, at approximately 0123 hrs, a *Katyusha* type rocket hit a commercial road in Mar'ib (see figure 1) killing 6 civilians and injuring 22 (including 3 children).
2. According to documentation made accessible to the Panel, the rocket was launched from the Houthis' position in the Gabal Hilan area approximately 21 km away.¹³⁶ According to a report from the general director of the technical police of Ma'rib, this was not the first time a rocket was launched from Wadi Al Majda in Hilan.¹³⁷
3. The point hit by the mortar is in a densely populated area and the Panel was unable to identify any military objective in the area.
4. The Panel did not receive any information on the possibility that some of the civilians present in the area had lost their protection against direct attack under IHL and concludes that the 28 victims were civilians protected by IHL.
5. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrates that the Houthi forces engaged in indiscriminate use of explosive ordnance in a populated area in violation of the applicable rules of IHL.¹³⁸

Figure 35.C.1
Location of the impact



Source: Panel using Google Earth based on information received from confidential sources

¹³⁶ Report from a local NGO that investigated the case independently and Marib Police report of 27 June 2018, on file with the Panel.

¹³⁷ Marib Police report of 27 June 2018.

¹³⁸ Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

Figure 35.C.2¹³⁹
Fragmentation and impact point



¹³⁹ Confidential source.

Appendix 35.D. Mortar bomb strike in Sunah, Ta'izz (17 July 2018)

1. On 17 July 2018 in Sunah, Tai'zz, a missile hit a residential building (see figure 35.D.1) resulting in the death of three persons and the injury of at least 16¹⁴⁰.
2. Two of the victims killed were on the 4th floor of a residential building (see figure 35.D.1).¹⁴¹
3. Based on the debris found on the site after the incident, the Panel concluded that the explosive ordnance used was a 82mm mortar bomb (see figure 35.D.3).
4. Based on the range of this type of bomb (between 5,000 and 6,000 meters) and on the potential direction of the attack, the Panel has identified the potential location from where the mortar was launched. Based on the known areas under control of the Houthi forces in the region surrounding the impact point, the Panel has reason to believe that the mortar bomb was launched from an area under the control of Houthi forces¹⁴² (see figure 35.D.2).
5. The Panel found that the 82 mm mortar bomb is not a very accurate weapon, especially at a long distance and therefore cannot easily comply with the principles of distinction when used on targets in populated areas.
6. Furthermore, the area hit by the mortar bomb included residential buildings and a market and the Panel could not find any military objective in this area.
7. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrate that the Houthi forces engaged in indiscriminate use of explosive ordnance in a populated area in violation of applicable rules of IHL.¹⁴³

Figure 35.D.1
Location of building targeted at (13°34'9.51"N, 44° 0'0.01"E) with potential direction of attack



¹⁴⁰ Death certificates on file with the Panel.

¹⁴¹ Interview with a relative of the victims.

¹⁴² One source, told the Panel, the attack was launched from an area near 60th Street in Ta'izz city.

¹⁴³ Common article 3 to the Geneva Conventions and CIHL rule 1: *“The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*

Figure 35.D.2
Potential area from where the mortar bomb has been fired



Source: Panel using Google Earth based on information received from local sources in Ta'izz

Red line representing lines of Houthi positions

Blue line representing positions of forces associated with the GoY

Yellow circle representing operational range of identified mortar bomb

Yellow line and yellow dashed lines representing the cone from where the mortar bomb has been fired

Green trapeze representing likely Houthi area from where the mortar was fired

Figure 35.D.3
Tail mortar bomb used in the attack



Left: tail of mortar bomb gathered from the targeted building, Source: Fahd al Makhlafi through an NGO;

Right: 82mm mortar bomb; Source: <http://www.armaco.bg/userfiles/images/ARMMBS120VOF8>

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 36. Targeting of civilians by Houthi forces in Tai'zz

Annex 37. Attack against the 22 May Hospital (Hudaydah) 1–7 November 2018

I. Background

1. On 1 November, four persons associated with the Houthi forces entered the premises of the 22 May Hospital in Hudaydah. One of them entered the hospital and took pictures. He was unarmed and claimed to be a nurse. He was with a wounded person and the medical staff gave him a room to stay.
2. On 4 November, at approximately 1530 hrs, three armed members of the Houthi forces entered the hospital and required the medical personnel to evacuate the patients as the hospital which was to be used for military operations. Patients were evacuated to other hospitals which put the life and security of some of the patients at risk.
3. On 5 November, a few members of the medical personnel were still working at the hospital on emergency cases. Members of the Houthi forces arrived and started shooting inside the hospital.
4. On 6 November, members of Houthi forces gave order to all remaining medical staff to leave the hospital and the premises and threatened the staff with their weapons. By approximately 2230 hrs, everyone had left.
5. On 7 November at approximately 0500 hrs, members of Houthi forces lit a fire in the emergency room (see figure 37.1). A scanner room and three operation¹⁴⁴ theatres were affected by the fire as well as the medical records office. Medical material in these rooms was destroyed, some of it by gunfire.¹⁴⁵ Material in the intensive care unit and coronary care unit was also damaged by bullets and medication was stolen (see figure 37.2).
6. Members of the Houthi forces stayed in and around the hospital from 1 to 7 November. According to Panel sources, between three to five armed Houthis members were placed on the rooftop of the hospital and a group of them was surrounding the premises of the hospital.¹⁴⁶
7. On 11 November, Guards of the Republic (a Coalition proxy force) announced having taken control of the 22 May hospital from the Houthis forces (see figure 37.3).

II. Analysis of violations of IHL

8. The entry of members of an armed group into a hospital and its premises without any medical reasons, and the forced evacuation of patients and medical personnel without reason is a violation of the applicable rules of IHL.¹⁴⁷ Also, placing fighters within the premises and on the rooftop of the hospital endangered the hospital as it could make it lose its protection under IHL.¹⁴⁸

¹⁴⁴ One source told the Panel that diesel was found in the rooms where there was fire.

¹⁴⁵ See online pictures and videos: <http://wam.ac/en/details/1395302720237>

¹⁴⁶ The Panel had phone interviews with three different sources.

¹⁴⁷ See article 3 common to the Geneva Conventions, articles 7, 9 and 11 Additional Protocol II.

¹⁴⁸ Under IHL: 'Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy', CIHL rule 28.

Figure 37.1
Damage to the hospital¹⁴⁹



Figure 37.2
Capture of camera recordings of persons associated with Houthi forces in the 22 May Hospital on 7 November 2018.¹⁵⁰



Camera capture from the second floor of the hospital showing a man leaving with medical supplies and with a barrel of fuel.



Camera capture of men on the second floor of the hospital stealing medical supplies.

¹⁴⁹ Confidential source.

¹⁵⁰ Confidential source.



Camera capture of X- ray corridor showing men using fire and entering medical rooms.



Camera capture from outside the hospital showing men pushing a drum

Figure 37.2
Social media account of the Guards of the Republic of 11 November 2018



CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 38. Violations of IHL and IHRL by organs of the Houthis

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 39. Arbitral arrest and detention of journalists

Annex 40. Arbitral arrest and detention of Baha'i community

I. Background

1. Since 2016,¹⁵¹ but especially since the beginning of 2018, discrimination, arbitrary arrest and detention against members of the Baha'i community has increased in Sana'a.¹⁵²
2. The Panel has documented cases relating to persons of the Baha'i faith who were deprived of their liberty, arrested or saw their property seized in a manner that did not respect due process. The deprivation of liberty or seizure of property of a group of individuals on account of their faith-based activities violates several human rights norms.¹⁵³ The Panel also finds that the discourse of Abdulmalik al-Houthi (YEi.004) of 23 March 2018 constitutes advocacy of religious hatred and an incitement to discrimination and violence against persons of the Baha'i faith.¹⁵⁴

II. Cases

3. On 2 January 2018, Ahmed Kamali bin Haydara, a person of the Baha'i faith, was sentenced to death by a tribunal in Sana'a.¹⁵⁵ The tribunal also ordered the Sana'a based authorities to effect the closure of the Baha'i center and the confiscation of all property and assets of both the center and of Mr. Haydara.¹⁵⁶ His case is under appeal. Mr. Haydara has been detained at the National Security Prison in Sana'a since 3 December 2013. Mr. Haydara's sentencing and trial did not respect due process and fundamental judicial guarantees.¹⁵⁷ On 13 January 2018, Alya Faisal 'Abdu'l-Lateef, the Sana'a-based human rights minister, wrote a letter to Saleh al-Sammad, Head of the Political Supreme Council, to ask for the pardon of Mr. Haydara and the annulment of the death sentence.¹⁵⁸
4. On 23 March 2018, Abdulmalik al-Houthi (YEi.004), in a video recorded speech, qualified the Baha'i group as « satanic » and called those responsible for leading people to any faith other than Islam “no less evil and dangerous than those who kill people with their artillery”.¹⁵⁹
5. In September 2018, six other persons of the Baha'i faith were arrested and accused of membership of an armed group formed to carry out criminal acts. The six were detained at the Sana'a national security bureau.¹⁶⁰ They are yet to be judged by the Specialized Criminal Court in Sana'a, along with 19 other persons of the Baha'i faith.¹⁶¹

¹⁵¹ See S/2018/193, at para. 149.

¹⁵² See for instance: <https://www.amnesty.org/en/latest/news/2018/09/yemen-24-bahai-people-including-a-child-facing-possible-death-penalty/>

¹⁵³ See ICCPR articles 4 and 26 and Universal Declaration of Human Rights, arts. 2, 7, 17, 18, 19 and 20.

¹⁵⁴ ICCPR article 20

¹⁵⁵ Copy of the Court judgement of 2 January 2018 on file with the Panel.

¹⁵⁶ Copy of the Court judgement of 2 January 2018 on file with the Panel.

¹⁵⁷ Minutes of 2 January court hearing on file with the Panel. See also the declaration of five UN Human rights Special rapporteurs calling for the annulment of the sentence on 25 January 2018 : <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22611&LangID=E>

¹⁵⁸ A copy of the letter is on file with the Panel.

¹⁵⁹ https://www.youtube.com/watch?v=Ioy_G-rIMX4, see at 1:09:30 and 1:31:05.

¹⁶⁰ The summons by the Specialized Criminal Court Prosecutor, Abdulla Ali Al-Kamim, is on file with the Panel.

¹⁶¹ They are accused, among other things, of promoting the Baha'i faith. The trial of 5 of them started on 15 September 2018. The minutes of the indictment and court hearing of 15 September 2018 are on file with the Panel.

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 41. IHRL violations in relation to detention by security forces

Annex 42. Case study on destruction of cultural property

I. Background on the case

1. On 24 June 2018, parts of the historical Mosque and Mausoleum of Ahmed Al-Faz (see figure 42.1), in Al Fazah area, Hudaydah governorate (see figure 42.2) were destroyed by an armed group. On 22 October 2018, the same group destroyed the old mosque entirely using explosives (see figure 423).¹⁶² The Panel received different information on the identity of the group responsible. The Panel continues to investigate.

II. Cultural and religious importance of the site

2. The original structure of the historic Mosque and Mausoleum of Ahmed Al-Faz dates from the second century A.H. (7th century A.D.) and was still being used by local communities and sufi pilgrims. The site was an historical and architectural record of Islamic spirituality and worship for more than 1,000 years and was dedicated to the scholar Ahmed Al-Faz.¹⁶³

III. Analysis of IHL violations

3. Under the applicable rules of IHL, cultural property enjoys the general protection conferred to civilian objects: it is protected from direct attack.¹⁶⁴ It is also given specific protection under IHL. IHL states that: « it is prohibited to commit any acts of hostility directed against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples, and to use them in support of the military effort ». ¹⁶⁵

4. The Panel received confirmation that the historical Ahmed Al-Faz Mosque was used for religious purposes. Its destruction constitutes a violation of the applicable rules of IHL.

¹⁶² Report from the General Organization of Antiquities and Museums, Sana'a – Republic of Yemen, 23 October 2018, and phone interview.

¹⁶³ The destruction of the site was condemned by UNESCO, see online : <http://whc.unesco.org/en/news/1895>

¹⁶⁴ CIHL rule 7.

¹⁶⁵ Article 16, Additional Protocol II to the Geneva Convention. See also, CIHL rule 38, and articles 4 and 19, Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 1954.

Figure 42.1
Localisation of the Mosque

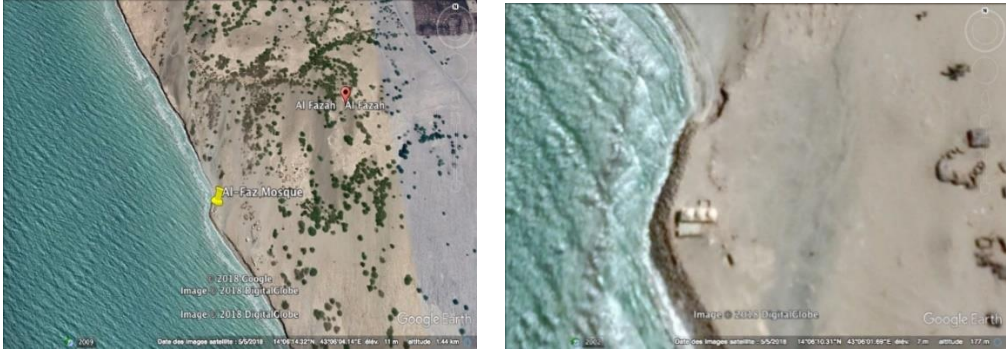


Figure 42.2
Picture showing the destruction of the Mosque¹⁶⁶



¹⁶⁶ Confidential source.

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 43. Obstruction of humanitarian assistance

Annex 44. Full list of abbreviations¹⁶⁷

| | |
|-------|--|
| a/c | Aircraft |
| AED | Arab Emirati Dinar |
| AES | Arms and Ammunition Search |
| a.k.a | Also Known As |
| AGM | Air-to-Ground Missile |
| AIO | Iran Aircraft Industries Organization |
| AIS | Automatic Identification System (maritime) |
| AK | Avtomatik Kalishnikov (assault rifle) |
| AP | Amended Protocol |
| APKWS | Advanced Precision Kill Weapon System |
| AQ | Al-Qaida |
| AQAP | Al-Qaida in the Arabian Peninsula |
| ASL | Above Sea Level |
| ATGM | Anti-Tank Guided Missile |
| ATGW | Anti-Tank Guided Weapon |
| ATO | Air Tasking Order |
| AUAV | Armed Unmanned Aerial Vehicle |
| AXO | Abandoned Explosive Ordnance |
| BCP | Border Crossing/Control Point |
| BMP | Best Maritime Practices |
| CA | Common Article (to Geneva Conventions of 1949) |
| CAGE | Commercial and Government Entity (Code) |
| CBD | Commercial Bank of Dubai |
| CBY | Central Bank of Yemen |
| CEP | Circular Error Probability |
| CFD | Computational Fluid Dynamics |
| CHA | Coalition Holding Area |
| CIFOR | Civil Forum for Asset Recovery |
| CIHL | Customary International Humanitarian Law |
| CIHLR | Customary IHL Study Rules (ICRC) |
| CMF | Combined Maritime Force |
| CP | Checkpoint |
| CRC | Convention on the Rights of Children |
| DADP | Di-Acetone Di-Peroxide |
| DC | Direct Current |
| DIO | Defence Industries Organization (Iran) |
| DoB | Date of Birth |
| DPRK | Democratic People's Republic of North Korea |
| DRC | Danish Refugee Council |
| DWT | Dead Weight Tonnage (Tonnes) |
| E | East |
| EGBU | Enhanced Guidance Bomb Unit |
| EO | Explosive Ordnance |
| ER | Extended Range |

¹⁶⁷ Including footnotes and annexes.

| | |
|---------|---|
| ER-SRBM | Extended Range Short Range Ballistic Missile |
| ESH | Explosive Storehouses |
| EUC | End Use Certificates |
| F | Foreign Investor Stake / Fuel |
| FAE | Fuel Air Explosion |
| FFR | Free Flight Rocket |
| FFV | Fuel Filling Valve (SCUD) |
| FFDV | Fuel Filling and Drainage Valve |
| FOB | Free On Board |
| F of I | Figure of Insensitiveness |
| FR | France |
| FS | French Ship |
| FV | Fishing Vessel |
| FZC | Free Zone Company |
| g | Gravity (9.81m/s) |
| GBP | Great Britain Pounds (sterling) |
| GBU | Guidance Bomb Unit |
| GC | Geneva Conventions |
| GCC | Gulf Cooperation Council |
| GDP | Gross Domestic Product |
| GE | Germany |
| GEE | Group of Eminent Experts (on Yemen) |
| GIS | Geographical Information System |
| GLC | Global Logistics Cluster |
| GPC | General People's Congress |
| GPS | Global Positioning System |
| GT | Gross Tonnage |
| GWT | Gross Weight Tonnage |
| H | Height |
| HE | High Explosive |
| HEAT | High Explosive Anti-Tank |
| HESA | Iran Aircraft Manufacturing Industries |
| HMTD | Hexa-Methylene Triperoxide Diamine |
| HRW | Human Rights Watch |
| HSV | High Speed Vessel |
| IAIO | Iranian Aircraft Industries Organization (HESA) |
| ICC | International Criminal Court |
| ICJ | International Court of Justice |
| ICRC | International Committee of the Red Cross |
| ICU | Intensive Care Unit |
| IDP | Internally Displaced Person(s) |
| IED | Improvised Explosive Device |
| IHL | International Humanitarian Law |
| IHRL | International Human Rights Law |
| IMC | International Medical Corps |
| IMO | International Maritime Organization |
| IMS | Inertial Measurement System |
| INS | Inertial Navigation System |

| | |
|----------------|--|
| IPO | Initial Public Offering |
| IR | Iran |
| IRFNA | Inhibited Red Fuming Nitric Acid |
| IRGC | Iranian Revolutionary Guards Corps |
| ISIL | Islamic State in Iraq and the Levant (Daesh) |
| ISTAR | Intelligence, Surveillance, Targeting and Reconnaissance |
| IT | Italy |
| JIAT | Joint Investigation and Assessment Team (Saudi Arabia-led coalition) |
| KE | Kinetic Energy |
| KIIC | Kamran Industry and Investment Company |
| KKIA | King Khaled International Airport |
| km | Kilometre(s) |
| KR | Republic of Korea |
| L | Litres Length |
| LAWS | Lethal Autonomous Weapons System |
| LC | Letters of Credit |
| Li-Ion | Lithium Ion |
| LLC | Limited Liability Company |
| LLI | Lloyds List Intelligence |
| LNG | Liquefied Nitrogen Gas |
| LTTE | Liberation Tigers of Tamil Eelam |
| m | Metres |
| m ³ | Cubic Metres |
| MARAD | Maritime Administration (US Department of Transport) |
| MCCB | Moulded Case Circuit Breaker |
| MEKP | Methyl Ethyl Ketone Peroxide |
| MG | Machine Gun |
| mm | Millimetre(s) |
| 'MoPIC' | ministry of planning and international cooperation |
| MOU | Memorandum of Understanding |
| MRBM | Medium Range Ballistic Missile |
| MSA | Mine Safety Appliances Limited (USA) |
| MSN | Manufacturer's Serial Number |
| MSR | Main Supply Route |
| MT | Mega-Tonne(s) / Merchant Tanker |
| MV | Merchant Vessel |
| MWMS | Moveable Weapon Mount System |
| N | North / Newton(s) |
| NATO | North Atlantic Treaty Organization |
| NBD | National Bank of Dubai |
| NEQ(C) | Net Explosive Quantity (Content) |
| NFP | National Focal Point |
| NGO | Non-Governmental organization |
| NK | Not Known |
| NL | Netherlands |
| nm | Nautical Mile |
| NO | Norway |
| NRC | Norwegian Refugee Council |

| | |
|-------|--|
| NSB | National Security Bureau |
| 'NSB' | Sana'a based national security bureau |
| NSN | NATO Stock Number |
| O | Oxidiser |
| OCHA | Office for Coordination of Humanitarian Affairs (UN) |
| OFAC | Office of Foreign Assets Control (US Treasury) |
| OFV | Oxidiser Filling Valve (SCUD) |
| OFDV | Oxidiser Filling and Drainage Valve |
| P | Private Investor Stake |
| PDRY | People's Democratic Republic of Yemen |
| PBIED | Person-Borne IED ('suicide bomber') |
| PCB | Printed Circuit Board |
| PIL | Pacific International Lines Limited |
| POE | Panel of Experts |
| PRV | Pressure Relief Valve |
| PSO | Political Security Organization |
| 'PSO' | Sana'a based political security organization |
| PWA | Port Waiting Anchorage |
| QAR | Qatari Riyal |
| QNB | Qatar National Bank |
| RCIED | Radio Controlled Improvised Explosive Device |
| RCL | Recoilless Rifle |
| RDX | Hexogen or Cyclotrimethylenetrinitramine |
| RPG | Rocket Propelled Grenade |
| RSADF | Royal Saudi Air Defence Forces |
| RSAF | Royal Saudi Air Force |
| RSN | Royal Saudi Navy |
| SAA | Small Arms Ammunition |
| SAM | Surface-to-Air Missile |
| SAR | Saudi Riyal |
| SEMG | Somalia and Eritrea Monitoring Group |
| SBI | Shahid Bagheri (Bakeri) Industries (Iran) |
| SBIG | Shahid Bagheri (Bakeri) Industrial Group (Iran) |
| SGBV | Sexual and Gender-Based Violence |
| SHIG | Shahid Hemat Industrial Group (Iran) |
| SLOC | Sea Lines of Communication |
| SMC | Security and military committee (Houthi) |
| SOLAS | International Convention for the Safety of Life at Sea |
| SPC | supreme political council |
| SPM | Ships Protection Measures |
| SRBM | Short Range Ballistic Missile |
| SRC | supreme revolutionary council |
| STC | Southern Transitional Council |
| STCO | Shaher Trading Company Limited |
| SVIED | Suicide Vehicle IED |
| TAN | Tangent |
| TATP | Tri-Acetone Tri-Peroxide |
| TBC | To Be Confirmed |

| | |
|--------|--|
| TCBM | Transparency and Confidence Building Measures |
| TCC | Trilateral Coordination Committee |
| TFTC | Terrorist Financing Target Centre |
| TNT | Tri-Nitro Toluene |
| TR | Turkey |
| UAE | United Arab Emirates |
| UAV | Unmanned Aerial Vehicle |
| UK | United Kingdom |
| UN | United Nations |
| UNCT | UN Country Team |
| UNESCO | UN Educational, Scientific and Cultural Organization |
| UNHAS | UN Humanitarian Air Service |
| UNHCR | UN High Commission for Refugees |
| UNICEF | United Nations Children's Fund |
| UNVIM | UN Verification and Inspection Mechanism |
| USA | United States of America |
| USAF | United States Air Force |
| USDA | United States Department of Agriculture |
| USN | United States Navy |
| USS | United States Ship |
| US\$ | United States Dollar(s) |
| VHF | Very High Frequency |
| VLCC | Very Large Crude Carrier |
| UXO | Unexploded Ordnance |
| W | Width |
| WBIED | Water-Borne Improvised Explosive Device |
| WFP | World Food Programme |
| WSS | Weapon Storage Sites |
| YAF | Yemen Armed Forces |
| 'YCA' | Sana'a based Yemen customs authority |
| YEITI | Yemen Extractive Industries Transparency Initiatives |
| YER | Yemeni Riyal |
| YPC | Yemen Petroleum Company |
