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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Technical assistance and capacity-building

Written statement* submitted by Americans for Democracy & Human Rights in Bahrain Inc, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2020]

* Issued as received, in the language(s) of submission only.

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The humanitarian crisis in Yemen after 5 years of Saudi-led war

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On the occasion of the 45th session of the United Nations (UN) Human Rights Council (HRC), Americans for Democracy & Human Rights in Bahrain (ADHRB) would like to take the opportunity to raise concerns over humanitarian crisis in Yemen after five years of war. ADHRB submits the following analysis briefly drawing attention to the humanitarian crisis exacerbated by the Saudi-led coalition in Yemen.

Introduction

In 2011, a popular uprising against President Saleh saw power transferred from the president of 33 years to the vice president Abdrabbuh Mansur Hadi.¹ The war in Yemen began in 2015 when a Houthi-led² armed mobilization took over the capital Sana'a, ousting the Yemini government led by Hadi, and forcing Hadi to flee the country.³ Following the ousting of the Yemini government from Sana'a, a Saudi led military coalition codenamed Operation Decisive Storm, consisting of forces from Egypt, Morocco, Saudi Arabia, Bahrain, Jordan, the Sudan, the United Arab Emirates, Kuwait, Pakistan, the Sudan and Qatar, began an air campaign targeting Houthi positions and instituted a naval blockade of the county.⁴ Coalition ground forces landed in Aden, in the south of the country, and ousted the Houthi insurgency from much of the south of the country in August 2015.⁵

Current situation

Hostilities continue in arts of the country, though there has been a military stalemate, with continued fighting failing to significantly advantage either side of the conflict.⁶ In the five years since, fighting has continued and has had a substantial negative effect on the civilian population of the country, with widespread allegations of human rights abuses and breaches of international humanitarian law. Intense fighting in the country has exacerbated social issues in the country including food insecurity, lack of access to healthcare and financial insecurity.

Allegations of human rights violations pertain to all parties of the conflict.⁷ Houthi forces have been documented as having shelled residential areas of Yemen, and indiscriminately launching missiles over the Saudi-Yemeni border, whereas the Saudi-led coalition continues to carryout indiscriminate air-raids targeting civilian infrastructure.⁸ Freedom of expression

¹ The Group of Regional and International Eminent Experts on Yemen 'Situation of human rights in Yemen, including violations and abuses since September 2014' (17 August 2018) A/HRC/39/43.

² Sana'a Centre for Strategic Studies 'The Houthis: From the Sa'ada Wars to the Saudi-led Intervention' (16 June 2020) <<https://sanaacenter.org/publications/analysis/10205>> last accessed 12 August 2020.

³ BBC 'Yemen crisis: Why is there a war?' (19 June 2020) <<https://www.bbc.com/news/world-middle-east-29319423>> last accessed 12 August 2020.

⁴ Dr. Ghassan Shabaneh 'Operation Decisive Storm: Objectives and Hurdles' (The Aljazeera Centre for Studies 04 December 2020) <<https://studies.aljazeera.net/en/reports/2015/04/2015412115549719521.html>> last accessed 12 August 2020.

⁵ International Crisis Group 'Briefing Paper No 54 – Yemen at War' (28 March 2015) <<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/yemen-war>> last accessed 12 August 2020).

⁶ Bruce Reidel 'Order from Chaos: Amid a Brutal Stalemate in Yemen, the United Nations Must Act' (The Brookings Institute 25 June 2020) <<https://www.brookings.edu/blog/order-from-chaos/2018/06/25/amid-a-brutal-stalemate-in-yemen-the-united-nations-must-act/>> last accessed 12 August 2020.

⁷ Amnesty International 'Yemen 2019' (2019) <<https://www.amnesty.org/en/countries/middle-east-and-north-africa/yemen/report-yemen/>> last accessed 12 August 2020.

⁸ Idem.

and assembly have been severely curtailed throughout the country.⁹ Furthermore, there have been documented instances of arbitrary detentions, enforced disappearances, torture and inhuman ill-treatment targeting civilians, human rights defenders and religious minorities.¹⁰ Furthermore, The United Nations estimates that 80 percent of the population – 24.1 million people – are at risk of starvation and disease, whilst 14.3 million are in dire need of assistance. Furthermore, an approximate 17.8 million individuals are living without access to safe water and sanitation, and 19.7 million without appropriate healthcare, which directly infringes on fundamental human rights.¹¹

Houthi and government forces continue to violate international humanitarian law with impunity.¹² In May 2019, a cross-border military campaign was initiated by the Houthi forces, targeting both military and civilian infrastructure in Saudi Arabia, leading to civilian casualties.¹³ As documented by Amnesty International: ‘a Houthi attack on the car park of Abha airport in south-western Saudi Arabia on 23 June resulted in 22 civilian casualties, including one death.’¹⁴

Combat between Southern separatists and Yemini forces loyal to Hadi in August 2019 further saw indiscriminate attacks by both forces in the battle for Aden, killing several civilians.¹⁵ As noted by the Group of Regional and International Eminent Experts on Yemen, from March 2015 to June 2018 there were at least 16 706 civilian casualties in the conflict, and at least 6 457 civilians had been killed.¹⁶

Indeed, as noted by the Group of Regional and International Eminent Experts on Yemen, the majority of civilian deaths in the conflict have resulted from indiscriminate air attacks by coalition forces, destroying residential areas, markets, funerals, weddings, and detention facilities.¹⁷ The Group of Experts found that of 60 reviewed incidents of airstrikes in residential areas, 29 airstrikes hitting densely populated areas and 11 incidents of airstrikes hitting markets in the country.¹⁸

As a result of these considerations, the UN Security Council has repeatedly called on Houthi forces to end the use of violence in Security Council resolutions 2140 and 2216.¹⁹ Additionally, the Special Rapporteur on the right to food; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Independent Expert on the promotion of a democratic and equitable international order and the Special Rapporteur on the human rights to safe drinking water and sanitation have addressed and Allegation Letter to Saudi Arabia, calling on it to mitigate the adverse effects international military intervention on human rights in Yemen.²⁰

The Group of Regional and International Eminent Experts on Yemen and non-governmental organizations including ADHRB, Human Rights Watch and Amnesty International have documented several instances of arbitrary detention in Yemen perpetrated by the Yemeni

⁹ The Sana’a Center for Strategic Studies ‘The Drowning of Dissent – Sana’a Centre Editorial’ (05 May 2020) < <https://sanaacenter.org/publications/the-yemen-review/9890> > last accessed 12 August 2020.

¹⁰ Supra note 6.

¹¹ Americans for Democracy & Human Rights in Bahrain ‘UN Special Procedures Publish Allegation Letter to Saudi Arabia on Negative Impact of International Military Intervention on the Enjoyment of Human Rights in Yemen’ (13 December 2019) < <https://www.adhrb.org/2019/12/un-special-procedures-publish-allegation-letter-to-saudi-arabia-on-negative-impact-of-international-military-intervention-on-the-enjoyment-of-human-rights-in-yemen/> > accessed 12 August 2020.

¹² Supra note 6.

¹³ Idem.

¹⁴ Idem.

¹⁵ Idem.

¹⁶ Supra note 1 p 5.

¹⁷ Supra note 1 p 6.

¹⁸ Idem.

¹⁹ United Nations Security Council Resolution 2140 S/RES/2140; United Nations Security Council Resolution 2216 S/Res/ 2216.

²⁰ United Nations Special Procedures Letter to Saudi Arabia (04 October 2019) AL SAU 11/2019.

Government, the Saudi-led coalition and the Houthi forces.²¹ The Group of experts found instances of arbitrary detention, with detainees not being informed of the reasons for their arrests, not being charged, were not given access to lawyers or allowed to appear before competent courts, and were held *incommunicado* for long periods of time.²² Indeed, the Group of experts held that detainees were ‘beaten, electrocuted, suspended upside down, drowned, threatened with violence against their families and held in solitary confinement for prolonged periods in violation of the absolute prohibition on torture, cruel or inhuman treatment,’²³ and that ‘detainees have been subjected to torture and other cruel treatment in facilities such as the Al Rayyan and Bureiqa facilities (controlled by the United Arab Emirates); the 7 October facility in Abyan, Lahij Central Prison and Al Mansoura Prison (controlled by Security Belt Forces); and Ma’rib Political Security (controlled by the Government)’.²⁴ Finally, the Group of Experts held that there are ‘reasonable grounds to believe that the Governments of Yemen, the United Arab Emirates and Saudi Arabia are responsible for human rights violations, including enforced disappearance. As most of these violations appear to be conflict related, they may amount to the following war crimes: rape, degrading and cruel treatment, torture and outrages upon personal dignity.’²⁵

Conclusion

In light of the abovementioned abuses, ADHRB renews calls for Saudi Arabia to extend its ceasefire in Yemen indefinitely²⁶ and to engage all avenues for securing peace in the country in a timely manner, with a view to ending pervasive human rights violations that have characterized the conflict.

²¹ The Group of Regional and International Eminent Experts on Yemen Supra note 1; ADHRB ‘ADHRB and IDO at HRC41 Called Attention to the Ongoing Crisis in Yemen and to the Reality faced by Internally Displaced Persons’ (1 July 2019) < <https://www.adhrb.org/2019/07/adhrb-and-ido-at-hrc41-called-the-attention-to-the-ongoing-crisis-in-yemen-and-to-the-reality-faced-by-internally-displaced-persons/>> last accessed 12 August 2020; Amnesty International ‘Yemen: Illegal detention remains rife after five years of war’ (24 March 2020) < <https://www.amnesty.org/en/latest/news/2020/03/yemen-illegal-detention-remains-rife-after-five-years-of-war/>> last accessed 12 August 2020; Human Rights Watch ‘Yemen: Wartime Abuses Face Global Spotlight - Still No Protections, Justice, for Civilians at Risk’ (14 January 2020) < <https://www.hrw.org/news/2020/01/14/yemen-wartime-abuses-face-global-spotlight>> accessed 12 August 2020.

²² Supra note 1 p 10.

²³ Idem., Article 1 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²⁴ Idem.

²⁵ Idem.

²⁶ Aljazeera ‘Saudi-led coalition extends unilateral Yemen ceasefire by a month’ (24 April 2020) < <https://www.aljazeera.com/news/2020/04/saudi-led-coalition-extends-unilateral-yemen-ceasefire-month-200424145705200.html>> last accessed 12 August 2020.