



# General Assembly

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## Human Rights Council

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Agenda items 2 and 3

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

Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development

## **Joint written statement\* submitted by Alsalam Foundation, Americans for Democracy & Human Rights in Bahrain Inc, non-governmental organizations 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.

[01 February 2021]

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



## **The Saudi Coalition Backed Hadi Government in De Facto Exile Is Responsible For Environmental Damage Occurring in the Southern Governorate of Shabwa Which is Under Its Sole Authority Resulting in Dangerous Impacts to the Right to Enjoy a Safe, Clean, Healthy and Sustainable Environment**

Alsalam Foundation, with Americans for Democracy & Human Rights in Bahrain (ADHRB) and Arabian Rights Watch Association (ARWA), take this opportunity at the 46th Session of the United Nations (U.N.) Human Rights Council to express our deep concern about the Saudi-led Coalition backed Hadi government in de facto exile (Coalition) mismanagement of oil resources in that region resulting in extensive environmental damage and violation to the rights obligations relating to a safe, clean, healthy and sustainable environment. Similarly, we are concerned with any delays to the maintenance of the Safer tanker that may lead to the seepage of over 1 million barrels into off the coast of Hodeida.

### **Al-Nushaima Pipeline in Shabwa and Its Impact on the Surrounding Environment**

The local environment in the areas of Yemen where the oil industry operates suffers from many environmental problems as a result of pollution from its operations, whether it be from substandard practices of extraction and the disposal of oil waste, or as a result of oil leaks along improperly maintained pipelines that transport the crude to ports for export. The lives of many local residents in the neighboring areas and regions are threatened as agricultural lands and sources of water, as well as the air that is breathed in, are compromised.

Oil pollution is large and frequent of all kinds (pollution of soil, air and water), and in various districts of the Shabwa governorate. According to the samples and tests available in the places of pollution, the water and agricultural soil are no longer usable, giving rise to the need to conduct a quantitative analysis assessing the magnitude of the environmental impact in an integrated manner.

Several areas were studied and samples were taken from oil leaks occurring along the oil pipeline, Ayyad al-Nushaima, and it was found that damage to the surrounding environment is severe, impacting flora and fauna, as well as a very negative societal impact. The al-Nushaima pipeline was began operations in 1992 and has been in operation on and off to this date with varying quantities of oil not exceeding 500 barrels a day, until maintenance was conducted in November 2017. By 2018, about 600 thousand barrels per month were transported from several sectors by truck to the pipeline to al-Nushaima port. Given the studies conducted that show severe environmental impacts one would think the authority in charge would take swift action to remedy the situation and at the very minimum bring the pipeline up to par with international standards. Instead, we find that the authority in charge has not included in its plans any remedial efforts to ensure the pipeline is in proper working order. On the contrary, and to compound the issue, we have seen plans to pump three times as much oil from the S2 well.

We hold the main operator and supervisor of the pipeline, Yemen Company for Investment in Oil and Minerals (YICOM) and the Petroleum Exploration and Production Authority in Shabwa responsible for negligence in maintaining the pipeline and the resulting environmental damage. We also hold the local authorities responsible, particularly the Office of the Environment in Shabwa which monitors the obligations of companies operating in the sector and is supposed to ensure standards of both health and environment are met.

The oil leaks in the past two years have resulted in severe damage to the agricultural soil, subterranean and surface water sources in Wadi Gharir, let alone the seepage of oil waste into nearby streams, which resulted in the halting of some drinking water projects in the

area. Due to the pipeline being in close proximity to residential areas, farms and agricultural lands, the environmental damage imminently affects the nearby population. From December 2017 to December 2020, there have been 15 incidents of oil leaks recorded at 11 different sites in 6 districts of Shabwa, which supports our finding of systematic and at best recurring negligence.

### **Safer Tanker, A Ticking Environmental Time Bomb**

At a briefing on 24 November 2020, the spokesman of the Office of the Special Envoy for Yemen confirmed receiving an official letter from the de facto authorities in Sana'a on 21 November 2020 indicating their approval for the United Nations proposal for the planned expert mission to the tanker. We urge the United Nations to work expeditiously to ensure the maintenance occurs at the soonest within the estimated time frame of early February 2021 so the Safer tanker is assessed and maintained in order to avert a pending disaster with catastrophic effects on the environment off the coast of the Red Sea. And we assert our support to that effort. Similarly, we call on the de facto authorities in Sana'a to make sure it continues to make all necessary arrangements to facilitate the mission free from the imposition of any alleged unreasonable demands.

### **Recommendations**

Protecting the environment is an objective that all parties should strive for given that its damage will affect civilians in all governorates impacting their rights to a safe, clean, healthy and sustainable environment. In this regard we call on the local authorities to:

- Stop the use of the al-Nushaima pipeline until it is fully maintained and in proper working order so that oil leaks cease to exist;
- Contract with companies specializing in services and consulting for emergency oil spill response clean-up operations, the remediation of contaminated lands and of oiled waste, and the prevention of future incidents on-land sites, rivers and streams, ports, shorelines and off-shore;
- Inclusion of the Yemeni laws relating to the regulations and monitoring of the environment in the contractual agreements with companies operating in the sector and enforcing all international technical standards necessary to protect the environment;
- Establishing alternative water sources, remediating agricultural land with organic products;
- Establishing health programs that provide greater access to the population and treatment for existing health issues among them;
- Supporting civil society by encouraging the reporting of any violations and holding accountable those responsible the reported violations.

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Arabian Rights Watch Association (ARWA), an NGO without consultative status, also shares the views expressed in this statement.