

War and COVID-19 in Yemen

by Afrah Nasser

After Yemen's 2011 uprising broke out, the country went through a series of political upheavals and cycles of violence that tore the country apart, including the start of a full-scale civil war in 2014 and the Saudi- and UAE-led intervention in 2015.

In a context where civilians have been deliberately attacked by all sides, COVID-19 has added a new layer to the unspeakable suffering for millions of civilians in Yemen, whilst Europe has reacted with development aid but has thus far failed to support need for accountability in the conflict.

The war

The Houthi armed group, in alliance with forces of former president Ali Abdullah Saleh, militarily seized Yemen's capital in September 2014,

ousting President Abdu Rabbu Mansour Hadi. Saudi Arabia and the UAE, leading a coalition of nine Arab states with military support from the United States, began an aerial bombardment campaign against the Houthi-Saleh forces to support Hadi's government.

Along with the US, the UK, France and other Western states have continued to sell weapons to the Saudis and other coalition members. Hadi fled to Saudi Arabia in 2015. Saudi Arabia said it was acting in defence of Yemen's legitimate government. Six years on, the coalition has not achieved its goal of restoring Hadi to power.

Meanwhile, the Houthi armed group has consolidated its hold on Sanaa and much of the northern highlands, particularly after Houthi forces assassinated their previous ally, former

Afrah Nasser is a Yemen researcher at Human Rights Watch. She is the founding editor of the Sana'a Review and the recipient of numerous prizes and awards. This paper is published in the framework of an ongoing project run by IAI's Middle East and Mediterranean Programme in cooperation with the Department of Historical Studies and the Department of Cultures, Politics and Society of the University of Turin with the support of the Compagnia di San Paolo Foundation, which includes a series of six commentaries exploring the impact of COVID-19 on conflicts in the Middle East and North Africa. Views contained in the article are of the author only and do not necessarily reflect those of other project partners and sponsors.

president Saleh, in December 2017.

Today, there are more than 30 fronts across Yemen involving fighting by various domestic armed groups, in addition to the coalition's airstrikes. Both sides to the conflict have been responsible for unlawful attacks that harmed civilians, many of them carried out with disregard for civilian life, and that may amount to war crimes.¹

Saudi Arabia claimed in 2015 that its military operation would be "limited in nature, and designed to protect the people of Yemen".² But the Yemeni group Mwatana has reported that almost a third of all airstrikes carried out by the coalition hit civilian sites such as homes, hospitals, schools, weddings, farms, food stores and water wells, killing and wounding more than 18,400 civilians.³ The actual numbers of civilian casualties is most likely higher because data collection has been extremely difficult.

The Saudi-led coalition is not the only party responsible for civilian deaths and injuries. Houthi forces have used banned antipersonnel landmines in

many parts of Yemen,⁴ fired artillery indiscriminately into cities such as Taiz and Al-Bayda,⁵ killing and wounding civilians, assassinated dissidents and launched indiscriminate ballistic missiles at civilian infrastructure in Saudi Arabia.⁶

There are no clear estimates of the number of civilian casualties from Houthi attacks because, again, data collection has been extremely difficult. Killings and other abuses committed by Houthi forces may also constitute war crimes.

The pandemic

As the Yemeni civilian population is already suffering in an enormous man-made humanitarian crisis, the COVID-19 crisis has added a new stress to a health system which has already been shattered by war. Under-resourced and buffeted by years of conflict, it is inadequately prepared to care for COVID-19 patients and contain the spread of the virus. Nonetheless, the pandemic has been only one of Yemenis' many health concerns.

Prior to COVID-19, several other notable disease outbreaks including cholera, diphtheria, measles and dengue fever were reported in Yemen. Cholera alone

¹ UN Group of Eminent Experts, *Situation of Human Rights in Yemen, Including Violations and Abuses since September 2014* (A/HRC/45/6), 28 September 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26218>.

² Saudi Arabia Embassy to the United States, *Statement by Saudi Ambassador Al-Jubeir on Military Operations in Yemen*, 25 March 2015, <https://www.saudiembassy.net/press-release/statement-saudi-ambassador-al-jubeir-military-operations-yemen>.

³ Yemen Data Project, *Five Years of Data on Saudi-led Air War*, 25 March 2020, <https://us16.campaign-archive.com/?u=1912a1b11cab332fa977d3a6a&id=e0562bce18>.

⁴ Human Rights Watch (HRW), "Yemen. Events of 2019", in *World Report 2020*, January 2020, p. 643, <https://www.hrw.org/node/336718>.

⁵ Mwatana for Human Rights, *Concealed Killer*, 10 May 2017, <https://mwatana.org/en/?p=12255>; and *Yemen: International Community Must Hold War Criminals on All Sides Accountable*, 26 March 2019, <https://mwatana.org/en/?p=16914>.

⁶ HRW, *Yemen: Houthi Strike on Saudi Airport Likely War Crime*, 7 November 2017, <https://www.hrw.org/node/311074>.

has affected nearly every Yemeni family in some way, with almost two million suspected cases since 2016.⁷

Yet, more than half of Yemen's health facilities are closed or partially functioning.⁸ Since 2015, parties to the conflict have targeted not only medical facilities but also medical personnel, as health workers have been threatened, injured, abducted, detained and killed.⁹

Consequently, many medical professionals have fled Yemen, further damaging the healthcare response. The Houthis have severely hampered and diverted international aid in areas under their control.¹⁰ Parties to the conflict have also possibly used starvation as a weapon of war,¹¹ further weakening

Yemenis' health. In 2017, the UN humanitarian chief Stephen O'Brien called Yemen the largest humanitarian crisis since the end of World War II.¹²

In light of these serial abuses, the pandemic adds a new layer of misery for Yemenis whose mental and physical health and access to healthcare infrastructure has already been severely depleted. The country's first confirmed cases were recorded on 10 April 2020.

Despite that the country's limited testing capacity, as of 26 September the number of confirmed cases in Yemen had reached 2,034, with 588 associated deaths.¹³ It is impossible to know the actual numbers.

The Houthi authorities in Yemen's north were accused of hiding the real impact of COVID-19 in areas under their control.¹⁴ UN officials have raised concerns that the coronavirus could

⁷ See the briefing by Mark Lowcock to the Security Council on the humanitarian situation in Yemen, in UN Security Council, *74th Year: 8512th Meeting (S/PV.8512)*, 15 April 2019, p. 4-5, <https://undocs.org/S/PV.8512>.

⁸ WHO Regional Office for the Eastern Mediterranean, *Survey Reveals Extent of Damage to Yemen's Health System*, 6 November 2016, <http://www.emro.who.int/media/news/survey-reveals-extent-of-damage-to-yemens-health-system.html>.

⁹ Mwatana for Human Rights and Physicians for Human Rights, *"I Ripped the IV Out and Started Running". Attacks on Health Care in Yemen*, March 2020, <https://mwatana.org/en/?p=18215>.

¹⁰ HRW, *Deadly Consequences. Obstruction of Aid in Yemen During Covid-19*, 14 September 2020, <https://www.hrw.org/node/376298>.

¹¹ The UN panel of experts on Yemen report in 2016 concluded that "civilians are disproportionately affected" by the fighting and deplored tactics that "constitute the prohibited use of starvation as a method of warfare". See UN Panel of Experts on Yemen, *Final Report of the Panel of Experts on Yemen ... (S/2018/192)*, 26 January 2016, p. 3, <https://www.undocs.org/S/2018/192>. That panel's report in 2018 stated that "The [Saudi-led coalition] blockade is essentially using the threat of starvation as a bargaining tool and an instrument of war". See UN Panel of Experts

on Yemen, *Final Report of the Panel of Experts on Yemen (S/2018/594)*, 26 January 2018, p. 53, <https://undocs.org/S/2018/594>. A 2019 report stated that the parties to the conflict "may have used starvation as a method of warfare", as these acts contributed to "depriving the population of objects indispensable to its survival". See UN Human Rights Council, *Situation of Human Rights in Yemen, Including Violations and Abuses since September 2014 (A/HRC/42/17)*, 9 August 2019, <https://undocs.org/en/A/HRC/42/17>.

¹² See "Briefing by the Under-Secretary-General for Humanitarian Affairs", in UN Security Council, *72nd Year: 7897th Meeting (S/PV.7897)*, 10 March 2017, p. 4, <https://undocs.org/S/PV.7897>.

¹³ UN Office for the Coordination of Humanitarian Affairs (OCHA), *Yemen COVID-19 Preparedness and Response Snapshot, as of 26 September 2020*, <https://reliefweb.int/node/3673680>.

¹⁴ Maggie Michael, "Yemen's Rebels Crack Down as COVID-19 and Rumors Spread", in *AP News*, 8 June 2020, <https://apnews.com/677a1fc12d864cd37eea57e5f71614a2>.

infect nearly 16 million people in Yemen, 55 per cent of the population, based on epidemiological projections.¹⁵

Saudi Arabia announced in April that the coalition would begin a unilateral ceasefire following the call by UN Secretary-General António Guterres in March for a global ceasefire to advance peace and combat the pandemic. Many humanitarian and human rights groups welcomed the move and thought there was a window to begin a process to end the suffering of millions of civilians in Yemen. Hostilities nonetheless continued.

The urgent need for accountability

While the European Union continues its humanitarian aid to Yemen, 554 million euro since 2015,¹⁶ it has made limited efforts to suspend arms sales to the coalition, despite a legally binding EU Common Position stating that arms exports to countries that “use the military technology or equipment [...] aggressively against another country” should not be granted an export license.¹⁷

Following the Saudi government’s killing of Jamal Khashoggi in 2018,

the European Parliament passed resolutions calling for an EU arms embargo against Saudi Arabia. It also urged EU member states not to sell arms to Saudi Arabia, the UAE “and any member of the international coalition”, or to the government of Yemen and other parties.¹⁸

While some EU states have halted or restricted exports of military equipment to the coalition – due to international humanitarian law and human rights concerns – others have continued with supplies, namely France, Germany, Italy, Spain and the United Kingdom. US State Department officials have warned that US officials could risk war crimes for continuing to approve arms sales, given the Saudi-led coalition’s pattern of unlawful attacks in Yemen over the course of years.¹⁹

In December 2019, the European Centre for Constitutional and Human Rights, supported by five nongovernmental groups, urged the International Criminal Court prosecutor to investigate the role of executives of European arms companies and licensing officials in violations of international humanitarian law that

¹⁵ Center for Strategic and International Studies, *Online Event: Crisis and Survival Amidst COVID-19 in Yemen*, 29 April 2020, <https://www.csis.org/node/56416>.

¹⁶ European Commission, *Yemen Factsheet*, last updated 24 September 2020, <https://europa.eu/pY33cd>.

¹⁷ Council Common Position 2008/944/CFSP of 8 December 2008 defining Common Rules Governing Control of Exports of Military Technology and Equipment, <http://data.europa.eu/eli/compos/2008/944/2019-09-17>.

¹⁸ European Parliament, *Resolution of 25 October 2018 on the Killing of Journalist Jamal Khashoggi in the Saudi Consulate in Istanbul* (P8_TA(2018)0434), https://www.europarl.europa.eu/doceo/document/TA-8-2018-0434_EN.html; *Resolution of 4 October 2018 on the Situation in Yemen* (P8_TA(2018)0383), https://www.europarl.europa.eu/doceo/document/TA-8-2018-0383_EN.html.

¹⁹ Michael LaForgia and Edward Wong, “War Crime Risk Grows for U.S. Over Saudi Strikes in Yemen”, in *The New York Times*, 14 September 2020, <https://www.nytimes.com/2020/09/14/us/politics/us-war-crimes-yemen-saudi-arabia.html>.



could amount to war crimes in Yemen.²⁰

In June 2020, in the midst of the COVID-19 crisis, the Secretary-General removed the Saudi-led coalition from his “list of shame” (a list made for countries responsible for grave violations against children in armed conflict) despite continued grave violations against children in Yemen.

The following month, the UK announced that it would resume arms sales to Saudi Arabia despite documented evidence of continuing laws-of-war violations by the coalition. The same goes for other states, including the US, France, Canada and Spain. Saudi Arabia and the UAE are the two largest customers of the European arms industry.²¹

The atrocities committed cannot be swept under the rug, but the unwillingness of states involved in the conflict to acknowledge the gross human rights abuses and international humanitarian violations committed in Yemen makes it difficult to believe that the victims will one day find justice and redress.

As most of the world is preoccupied with the pandemic in their own countries, the disastrous humanitarian situation in Yemen has received even less attention. However, the work of local and international human rights groups remains robust and vital – sending a message to not give up – providing lifesaving support to Yemen’s suffering population while documenting abuses and violations that will prove vital for any form of accountability and reconciliation in the war-torn country.

16 October 2020

²⁰ Amnesty International, *ICC Must Investigate Arms Company Executives Linked to Yemen War Crimes Allegations*, 12 December 2019, <https://www.amnesty.org/en/latest/news/2019/12/icc-investigate-arms-companies-yemen-war-crimes-allegations>.

²¹ European Centre for Constitutional and Human Rights (ECCHR), *Made in Europe, Bombed in Yemen: How the ICC Could Tackle the Responsibility of Arms Exporters and Government Officials*, last updated February 2020, <https://www.ecchr.eu/en/case/made-in-europe-bombed-in-yemen>.

Istituto Affari Internazionali (IAI)

The Istituto Affari Internazionali (IAI) is a private, independent non-profit think tank, founded in 1965 on the initiative of Altiero Spinelli. IAI seeks to promote awareness of international politics and to contribute to the advancement of European integration and multilateral cooperation. Its focus embraces topics of strategic relevance such as European integration, security and defence, international economics and global governance, energy, climate and Italian foreign policy; as well as the dynamics of cooperation and conflict in key geographical regions such as the Mediterranean and Middle East, Asia, Eurasia, Africa and the Americas. IAI publishes an English-language quarterly (*The International Spectator*), an online webzine (*Affarinternazionali*), three book series (*Global Politics and Security*, *Quaderni IAI* and *IAI Research Studies*) and some papers' series related to IAI research projects (*Documenti IAI*, *IAI Papers*, etc.).

Via dei Montecatini, 17 - I-00186 Rome, Italy

T +39 06 3224360

iai@iai.it

www.iai.it

Latest IAI COMMENTARIES

Director: Andrea Dessì (a.dessi@iai.it)

- 20 | 74 Afrah Nasser, *War and COVID-19 in Yemen*
- 20 | 73 Sajad Jiyad, *Struggling Iraq Faces Another Crisis in COVID-19*
- 20 | 72 Benedetta Brossa, *The Lebanese Crisis and the Mirage of Natural Gas*
- 20 | 71 Rosita Di Peri, *A Sectarianised Pandemic: COVID-19 in Lebanon*
- 20 | 70 Nathalie Tocci, *Unpacking the Conflict in the Eastern Mediterranean*
- 20 | 69 Cesare Merlini, *Religion vs. Secularism in Contemporary World Politics*
- 20 | 68 Maria Elena Sandalli, *The World is Our Oyster: Strengthening Transatlantic Action on Climate Change*
- 20 | 67 Francesca Ghiretti, *Europe's Manoeuvring on 5G Technology: The Case of Italy*
- 20 | 66 Mattia Albanese, *Global Eco-Cities: Pursuing the Utopia of Sustainable Urbanisation*
- 20 | 65 Joël Christoph, *The Planet, Europe and I: What All of Us Can Do to Save Our Planet*