



Plenary sitting

B8-0650/2017

22.11.2017

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the situation in Yemen
(2017/2849(RSP))

Marietje Schaake, Izaskun Bilbao Barandica, Ilhan Kyuchyuk, Valentinas Mazuronis, Javier Nart, Norica Nicolai, Urmas Paet, Maite Pagazaurtundúa Ruiz, Ivo Vajgl, Hilde Vautmans
on behalf of the ALDE Group

**European Parliament resolution on the situation in Yemen
(2017/2849(RSP))**

The European Parliament,

- having regard to its previous resolutions on Yemen, including those of 25 February 2016¹ and 15 June 2017² on the humanitarian situation in Yemen, and of 9 July 2015³ on the situation in Yemen,
- having regard to its resolution of 13 September 2017 on arms export: implementation of Common Position 2008/944/CFSP⁴,
- having regard to the Council conclusions of 20 April 2015, 16 November 2015 and 3 April 2017,
- having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) of 8 October 2016 on the attack in Yemen, of 19 October 2016 on the ceasefire in Yemen and of 21 November 2017 on the situation in Yemen,
- having regard to the UN High Level Pledging Event for the Humanitarian Crisis in Yemen, of 25 April 2017, during which USD 1.1 billion was pledged to bridge a USD 2.1 billion funding gap for 2017,
- having regard to the statement of 24 May 2017 by the Commissioner for Humanitarian Aid and Crisis Management, Christos Stylianides, on the cholera outbreak in Yemen, this being the second outbreak in less than a year to hit the war-ravaged country,
- having regard to the opening statement by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, at the 36th session of the Human Rights Council on 11 September 2017; having regard to the statements of 19 September and 7 November 2017 by Rupert Colville, the spokesperson for the UN High Commissioner for Human Rights,
- having regard to the report of the UN High Commissioner for Human Rights of 5 September 2017 on the situation of human rights in Yemen, including violations and abuses since September 2014,
- having regard to the presidential statements issued by the UN Security Council on 15 June 2017 calling on parties in Yemen to engage constructively in a good-faith effort for conflict resolution, and on 9 August 2017 on the threat of famine in Yemen,
- having regard to resolution A/HRC/36/L.8, adopted on 29 September 2017 at the 36th

¹ Texts adopted, P8_TA(2016)0066.

² Texts adopted, P8_TA(2017)0273.

³ Texts adopted, P8_TA(2015)0270.

⁴ Texts adopted, P8_TA(2017)0344.

session of the UN Human Rights Council, calling on the High Commissioner to establish a Group of Eminent International and Regional Experts with the mandate to monitor and report on the situation of human rights and carry out a comprehensive examination of all alleged violations and abuses of international human rights and other appropriate and applicable fields of international law committed by all parties to the conflict since September 2014,

- having regard to the statement of 18 August 2017 by the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Stephen O’Brien, to the Security Council on Yemen,
 - having regard to the joint NGO letter to the Permanent Representatives of Member and Observer States of the UN Human Rights Council,
 - having regard to the UN Security Council resolutions on Yemen, in particular Resolutions 2342 (2017), 2266 (2016) 2216 (2015), 2201 (2015) and 2140 (2014),
 - having regard to the statements by the UN Special Envoy for Yemen, Ismail Ould Cheikh Ahmed, of 30 January, 12 July, 19 August and 26 October 2017 on the situation in Yemen,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas, in spite of international pressure to achieve a stable and inclusive political solution to the crisis, the conflicting parties and their regional and international backers, including Saudi Arabia and Iran, have failed to reach a ceasefire agreement or any type of settlement and the fighting and indiscriminate bombings continue unabated; whereas neither side has achieved a military victory and is unlikely to do so in the future; whereas finding a political solution to the conflict under the auspices of the UN peace initiative in Yemen should be a priority for the EU and the international community as a whole;
- B. whereas Saudi Arabia has previously prevented aid deliveries from reaching Yemen by blocking its sea ports and airports; whereas since 6 November 2017 Saudi Arabia has continued to block all entry ports into Yemen, thereby depriving millions of people of much needed food and aid deliveries; whereas more than 20 million Yemenis, representing over 70 % of the total population, are in need of aid deliveries to stay alive; whereas aid agencies have warned that, if the blockade is not lifted, Yemen will face the largest famine the world has seen for decades, with millions of victims;
- C. whereas a UN Human Rights Council draft resolution sponsored by the Netherlands and Canada calling for an independent commission of inquiry to investigate ongoing atrocities was watered down following pressure from Saudi Arabia, the United Kingdom, France and the US;
- D. whereas, according to the UN, more than 8 000 people, 60 % of whom civilians, have been killed and more than 50 000 injured, including a high number of children, in airstrikes and fighting on the ground since the Saudi-led coalition intervened in Yemen’s civil war in March 2015; whereas the fighting, both on the ground and in the air, made it impossible for UN Human Rights Office field monitors to access the area to

verify the number of civilian casualties; whereas these figures therefore only reflect the deaths and injuries that the OHCHR has managed to corroborate and confirm;

- E. whereas, given the current acute food-security crisis and cholera epidemic, any delays in restoring and expanding humanitarian access will cost thousands of lives and worsen the humanitarian disaster unfolding across the whole of Yemen;
- F. whereas the number of civilian casualties continues to increase; whereas both sides in this conflict have contributed to the continuation of violence; whereas airstrikes continue to cause devastating impact primarily on civilian life and infrastructure in the conflict; whereas numerous civilian casualties in Yemen have been caused by the Houthi armed groups and affiliated forces, including pro-Saleh forces, including through the use of anti-aircraft munitions which detonate after landing in populated areas, killing and maiming civilians; whereas, on many occasions, indiscriminate airstrikes and bombings by the Saudi-led military coalition have killed civilians, including children, in grave violations of international humanitarian law;
- G. whereas the chaos and continued violence have led to the rapid growth of Al-Qaeda in the Arabian Peninsula (AQAP) as well as ISIS/Daesh and allowed them to grow stronger and carry out more frequent and increasingly deadly attacks; whereas both terrorist groups control territory in southern and eastern Yemen and have carried out devastating attacks throughout the country;
- H. whereas the targeting and destruction of infrastructure including schools, hospitals, water facilities and power plants by the Saudi-led coalition has compounded the humanitarian problems facing Yemeni civilians; whereas fewer than 45 % of medical facilities in Yemen are able to operate; whereas these attacks on civilian infrastructure amount to war crimes under international law; whereas Houthi and allied groups, including pro-Saleh forces, have been accused of carrying out violations of international humanitarian law, including indiscriminate and disproportionate attacks, as well as carrying out attacks from areas near schools and hospitals, thereby endangering nearby civilians;
- I. whereas there has been a dramatic increase in extraterritorial lethal operations in Yemen conducted by the USA since January 2017, with at least 115 confirmed strikes; whereas people, including women, children and the elderly, have been killed, seriously injured or traumatised by such lethal counter-terror operations, and whereas concerns have been raised that such operations violate established principles of international human rights law; whereas there is an urgent need for independent and impartial investigations into such lethal operations conducted by coalition forces resulting in potentially unlawful deaths on the basis of the Minnesota Protocol; whereas there is evidence that EU Member States are providing both direct and indirect support to such lethal operations by providing intelligence and other operational support;
- J. whereas the majority of strikes conducted by US forces in Yemen are drone strikes; whereas the decision to add certain individuals to the target lists of drone operations is often made without court warrants or orders; whereas the targeting and subsequent killing of certain individuals are carried out without due process and thus can, under these circumstances, be seen as extrajudicial killings;

- K. whereas the humanitarian situation in Yemen is at an unprecedented level; whereas there were 2.9 million internally displaced persons as of September 2017; whereas, according to the Office for the Coordination of Humanitarian Affairs, as of September 2017 there were 20.7 million people in need of food assistance, with ‘9.8 million people [...] in acute need and [requiring] immediate assistance to save or sustain their lives’; whereas more than 7 million people are on the brink of famine;
- L. whereas the UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that as of 10 September 2017 the cumulative total of suspected cholera cases had reached 652 542, with 2 066 associated deaths; whereas it is difficult to accurately ascertain the true number of cholera cases as there is limited access to many regions and many suspected patients are treated before being completely diagnosed;
- M. whereas the World Health Organisation reports that ‘more than half of all health facilities closed due to damage, destruction or lack of funds’ and medical supplies are in severe shortages; whereas 30 000 critical health workers have not been paid in over a year;
- N. whereas fuel scarcity is resulting in increasingly scarce clean water; whereas without electricity and power, hospitals are ill-equipped to fight the cholera epidemic that is spreading rapidly due to the lack of safe drinking water and sanitation; whereas the malnutrition crisis is of immense proportions;
- O. whereas the education of 2 million children has completely stopped according to the United Nation’s Children’s Fund (UNICEF); whereas ‘more than 1 700 schools are currently unfit for use due to conflict-related damage, hosting of IDPs, or occupation by armed groups’ according to the OCHA; whereas cases of recruitment and use of children to fight or perform military duties have been documented; whereas thousands of teachers, after not getting paid for over a year, were forced to quit their jobs to find an alternative income; whereas, due to the destruction of crucial infrastructure, the small percentage of schools that are still functioning are hard to reach;
- P. whereas the ongoing conflict threatens the stability of the entire region, including the Horn of Africa, an already unstable region; whereas a stable, secure Yemen with a properly functioning government is critical to international efforts to combat extremism and violence in the region and beyond, as well as to peace and stability within Yemen itself;
- Q. whereas journalists are repeatedly blocked from entering Yemen, namely by the Saudi-led coalition, including by banning them from UN aid flights to the Houthi rebel-controlled capital, Sana’a;
- R. whereas some EU Member States, most notably the United Kingdom, France and Germany, have continued to authorise transfers of arms to Saudi Arabia since the escalation of the conflict; whereas their weapons have been reportedly used to indiscriminately bomb civilians and civilian targets in Yemen; whereas, in such instances, weapon sales are a violation of Common Position 2008/944/CFSP on arms export control, which explicitly rules out the authorising of arms licences by Member States if there is a clear risk of the exported military technology or equipment being used to breach international humanitarian law and undermine regional peace, security and

stability; whereas these exports to Saudi Arabia are non-compliant with at least criterion 2 regarding the country's involvement in grave breaches of humanitarian law as established by the competent UN authorities; whereas on 26 February 2016 Parliament stressed the urgent need to impose an arms embargo on Saudi Arabia; whereas targeted sanctions against Houthi leaders have been in effect since 2014;

- S. whereas, since the start of the conflict in 2015, the EU has provided EUR 171 million in humanitarian assistance and life-saving assistance; whereas an additional EUR 121.7 million has been allocated to Yemen; whereas the Yemen Humanitarian Response Plan (YHRP) amounts to USD 2.3 billion and targets 12 million people; whereas this plan was only 55.8 % funded as of 20 October 2017;
1. Condemns in the strongest terms the ongoing violence in Yemen and all attacks against civilian and civilian infrastructure; emphasises its concern over the conflict that continues to devolve into one of the most grave current humanitarian, political and economic crises; reminds all parties involved, including their regional and international backers, that the deliberate targeting of civilians and civilian infrastructure, including hospitals and medical personnel, amount to grave violations of international law;
 2. Reiterates that a solution to the conflict has been, and remains, a political one and that only real actors on the ground, with the exclusion of terrorist groups, can be called on to peacefully solve the differences and root causes of the conflict; is appalled by the alarming deterioration of the humanitarian situation, which will continue to deteriorate in the absence of a political solution; urges the international community to make provisions for the international criminal prosecution of those responsible for violations of international law committed in Yemen;
 3. Demands that Saudi Arabia immediately and fully lift the blockade and open all entry ports into Yemen and allow unhindered and continuous humanitarian access to the millions of people in need; urges all parties to seek an immediate ceasefire and to return to the negotiating table; calls on all involved states, in particular Saudi-Arabia and Iran, to apply maximum pressure on all parties in the conflict to work towards a de-escalation of the conflict and a political solution to the conflict; calls on Iran to immediately cease providing political and financial support to Houthi forces in Yemen, either directly or through proxies;
 4. Offers its full support to the efforts of UN Special Envoy Ismail Ould Cheikh Ahmed to find a political solution; supports all efforts to cease hostilities and stands ready to support new initiatives aimed at easing tensions and ultimately leading to a negotiated settlement that respects the independence and sovereignty of Yemen while fully and immediately implementing all provisions of the relevant UNSC resolutions; calls for the dialogue to be extended to regional level and for civil society actors to be included in order to ensure an inclusive peace process; reminds the parties that the future reconstruction of Yemen will be the responsibility of all actors; recognises the importance of including women in meaningful ways throughout this process;
 5. Reminds all parties involved that the continued chaos and instability created by the non-international armed conflict and the collapse of the army strengthens extremist groups such as AQAP and ISIS/Daesh; affirms the EU's commitment to opposing extremist groups and their ideologies and stresses the need for parties in the region to do the

same;

6. Condemns the intensification of airstrikes by the Saudi-led coalition on said targets and the resulting number of civilian casualties, including children; condemns the similar indiscriminate attacks by Houthi and allied forces that have resulted in the deaths of civilians and the use of hospitals and schools by these groups as bases from which to stage attacks;
7. Calls on all sides to comply with international humanitarian law and international human rights law, to ensure that civilians are protected and to refrain from directly targeting civilian infrastructure, in particular medical facilities and water systems;
8. Fully supports efforts by Member States and third countries to establish international mechanisms to gather evidence and hold those responsible for grave human rights violations and breaches of international humanitarian law to account, including those relating to sexual and other violence against women, men, girls and boys; calls for the establishment of an international commission of inquiry with a UN mandate to document and investigate such violations; deplores the fact that efforts to set up an independent inquiry were blocked;
9. Deplores the dramatic increase in lethal counter-terror operations in Yemen; urges the Council, the VP/HR and the Member States to oppose extrajudicial killings, reaffirm the EU's position under international law and ensure that Member States do not perpetrate, facilitate or otherwise take part in unlawful lethal operations; urges the VP/HR, Member States and third countries to commit to conducting investigations, in line with their international law obligations, into credible allegations of potentially unlawful deaths and to adopting the Common Position on the Use of Armed Drones Outside of Armed Conflict;
10. Calls on all parties conducting military operations in Yemen to increase their safeguards to ensure the protection of civilian life; calls on the US and its partners to place its drone programme under judicial oversight and to ensure that no executions by means of drone strike are carried out without due process;
11. Welcomes the setting up of the Group of Eminent International and Regional Experts with the mandate to monitor and report on the situation of human rights and carry out a comprehensive examination of all alleged violations and abuses of international human rights and other appropriate and applicable fields of international law committed by all parties to the conflict since March 2015;
12. Supports the EU's call on all parties to the conflict to take all necessary steps to prevent and respond to all forms of violence, including sexual and gender-based violence, in situations of armed conflict; strongly condemns the violations of the rights of the child and is concerned by children's limited access to even basic health care and education; condemns the recruitment and use of child soldiers in hostilities, be it by government forces or by armed opposition groups;
13. Stresses the need for coordinated humanitarian action and welcomes the EU reaction of providing humanitarian assistance, including mobilising development assistance to fund projects in crucial sectors; urges all Member States to continue supporting and increase

funding to the UN Yemen Humanitarian Response Plan (YHRP) in order to meet the established goals; deplores the fact that a funding gap for humanitarian support to Yemen still exists;

14. Urges all parties to grant journalists access into the country, including within all territories and across front lines within the country; notes that Yemen's block on journalists from entering the country is responsible for the lack of coverage of the crisis, which hinders humanitarian workers' efforts to draw the attention of the international community and donors to the catastrophic situation;
15. Calls on all parties, as a matter of urgency, to support the immediate payment of civil servant salaries for workers in critical basic services such as health, water, sanitation and education;
16. Stresses that the UN Security Council should urgently address the humanitarian emergency and work towards building confidence between the sides in a way which will be conducive to political negotiations; encourages rapid agreement on deployment of additional UN Verification and Inspection Mechanism monitors, increasing the capacity of all of Yemeni ports and increased access to Sana'a airport;
17. Calls on donor countries to increase diplomatic pressure and urge access for humanitarian aid, including food and medical supplies, as well as access for all journalists and humanitarian aid workers;
18. Calls on the VP/HR to urgently propose an integrated EU strategy for Yemen and to make a renewed push for a Yemeni peace initiative under the auspices of the UN; calls in this regard for the appointment of an EU special representative for Yemen;
19. Calls on the VP/HR and the Member States to adhere to and effectively promote compliance with international humanitarian law, as provided for in the relevant EU guidelines; reiterates, in particular, the need for strict application by all Member States of the rules laid down in Council Common Position 2008/944/CFSP on arms exports; recalls, in this regard, its resolution of 25 February 2016 in which the VP/HR was urged to impose an arms embargo on Saudi Arabia; calls on the VP/HR once again to launch an initiative aimed at imposing an arms embargo against Saudi Arabia; recalls its resolution of 13 September 2017 reiterating that exports to Saudi Arabia are non-compliant with at least criterion 2 regarding the country's involvement in grave breaches of humanitarian law as established by competent UN authorities; calls on all Member States in this regard to refrain from selling arms and any military equipment to Saudi Arabia;
20. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the Secretary-General of the Gulf Cooperation Council, the Secretary-General of the League of Arab States, and all parties to the conflict, while ensuring that this text is translated into Arabic.