



Plenary sitting

B8-0449/2018

1.10.2018

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
(2018/2853(RSP))

Marietje Schaake, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Gérard Deprez, Martina Dlabajová, María Teresa Giménez Barbat, Ivan Jakovčić, Petr Ježek, Ilhan Kyuchyuk, Patricia Lalonde, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Jozo Radoš, Frédérique Ries, Jasenko Selimovic, Pavel Telička, Ramon Tremosa i Balcells, Ivo Vajgl, Cecilia Wikström

on behalf of the ALDE Group

**European Parliament resolution on the situation in Yemen
(2018/2853(RSP))**

The European Parliament,

- having regard to its previous resolutions on Yemen, including its resolutions of 30 November 2017 on the situation in Yemen¹, of 15 June 2017 on the humanitarian situation in Yemen², of 25 February 2016 on the humanitarian situation in Yemen³ and of 9 July 2015 on the situation in Yemen⁴,
- having regard to the Council conclusions of 25 June 2018, 3 April 2017, 16 November 2015 and 20 April 2015 on Yemen,
- having regard to the joint statement by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini and Commissioner Christos Stylianides of 4 August 2018 on the airstrikes in Hodeidah,
- having regard to the statement by the Spokesperson of the European External Action Service of 10 August 2018 on the situation in Yemen,
- having regard to the statement by the President of the UN Security Council of 15 March 2018,
- having regard to the statement by the Special Envoy of the UN Secretary-General for Yemen of 6 September 2018,
- having regard to the report of 28 August 2018 by the Chairman of the UN Group of Eminent Regional and International Experts on Yemen (GEE), Kamel Jendoubi, to the UN Human Rights Council on the situation of human rights in Yemen,
- having regard to the ongoing negotiations in the UN Human Rights Council on the renewal of the mandate of the GEE,
- having regard to the statement by the World Food Programme Executive Director of 19 September 2018,
- having regard to the High-Level Pledging Event organised by the UN, Sweden and Switzerland on 3 April 2018, which raised USD 2 billion but left a funding gap of almost USD 1 billion,
- having regard to the UN Security Council resolutions on Yemen,
- having regard to Rule 123(2) of its Rules of Procedure,

¹ Texts adopted, P8_TA(2017)0473.

² OJ C 331, 18.9.2018, p. 146.

³ OJ C 35, 31.1.2018, p. 142.

⁴ OJ C 265, 11.8.2017, p. 93.

- A. whereas the ongoing conflict in Yemen has entered its fourth year and the country is facing the worst humanitarian, political and security crisis in its modern history; whereas the armed conflict has entered a phase of deeper fragmentation, which risks plunging the country into an interminable war; whereas the current fragmentation of the conflict is a clear sign of the erosion of state unity; whereas the situation in Yemen also carries grave risks for the stability of the region;
- B. whereas limited access to the affected areas and restrictions on the collection of data make it difficult to track the increase in humanitarian needs in real time; whereas humanitarian space continues to shrink, the number of violations of international humanitarian law is tragically increasing and the impact of the conflict on civilians intensifying, the restrictions on commercial imports and the impact of the economic crisis have worsened, and public services still remain largely in a state of collapse;
- C. whereas on 9 August 2018 an air strike perpetrated by the Saudi-led coalition hit a school bus in a market in the northern province of Saada, killing scores of people, including at least 40 children, most of whom were under the age of 10; whereas this attack was followed two weeks later, on 24 August, by a new Saudi-led coalition strike killing 27 civilians, mostly children, who were fleeing the violence in the besieged southern city of Hodeidah; whereas, according to the UN, nearly 470 000 people have fled Hodeidah Governorate since early June 2018;
- D. whereas the Saudi-led campaign and the intensive aerial bombardments, including indiscriminate attacks on densely populated areas, exacerbates the humanitarian impact of the war through a blockade;
- E. whereas the laws of war prohibit deliberate and indiscriminate attacks on civilians and civilian targets such as schools and hospitals; whereas, in light of the findings of the GEE, such attacks may amount to war crimes, and the individuals who commit them may be prosecuted for these crimes; whereas the Saudi-led coalition's investigations into alleged war crimes in Yemen have lacked credibility and failed to provide redress to civilian victims;
- F. whereas more than 22 million people are in need of humanitarian assistance and 8.4 million are on the brink of starvation, of whom half are children; whereas diseases such as diphtheria are spreading, and a major cholera outbreak is a serious risk; whereas over two million people have been internally displaced; whereas women and children are particularly affected by the ongoing hostilities; whereas according to UNICEF, nearly two million children are out of school, which compromises the future of an entire generation of children in Yemen as a result of limited or no access to education, making them vulnerable to military recruitment and sexual and gender-based violence;
- G. whereas human rights organisations have documented dozens of cases of Ansarul Allah, also known as the Houthis, and forces loyal to the late President Ali Abdullah Saleh carrying out arbitrary and abusive detentions, as well as forced disappearances and torture; whereas the United Arab Emirates (UAE), UAE proxies and Yemeni government forces have also arbitrarily detained, tortured and forcibly disappeared scores of people in the course of the Yemeni conflict;
- H. whereas in 2017 the Netherlands and Canada tried to set up an independent commission

of inquiry at the UN Human Rights Council to investigate ongoing atrocities; whereas the resolution that was subsequently adopted was severely watered down following pressure from Saudi Arabia, the United Kingdom and France, but did establish the GEE; whereas in its resolution of 24 September 2018 on the human rights situation in Yemen, the Human Rights Council decided to extend its mandate for a further period of one year, renewable as authorised by the Human Rights Council;

- I. whereas Kamel Jendoubi, Chairman of the GEE, which issued a report to the Human Rights Council on the situation of human rights in Yemen on 28 August 2018, is the victim of a smear campaign aimed at intimidating the GEE and casting doubts on its findings; whereas in 2018 the GEE concluded that the Ansarul Allah, also known as the Houthis, had ‘committed acts that may amount to war crimes, including cruel treatment and torture [and] outrages upon personal dignity’; whereas the experts documented the Ansarul Allah, also known as Houthis, detaining students, human rights defenders, journalists, perceived political opponents and members of the Baha’i community, and mistreating and torturing detainees, including at the National Security Bureau and Political Security Office; whereas the experts also found that Yemeni, Saudi Arabian and UAE forces are credibly implicated in the abuse of detainees that might amount to war crimes;
- J. whereas the Kingdom of Saudi Arabia has on several occasions pressurised EU Member States, other countries and international organisations, including the UN, over their critical position regarding Saudi Arabia’s actions in the conflict in Yemen;
- K. whereas nationals of the countries belonging to the Saudi-led coalition are being imprisoned in Yemen;
- L. whereas the near collapse of Yemen’s economy is a cause for concern; whereas the regular payment of salaries of up to 1.4 million non-military Yemeni public workers effectively ceased at the end of 2016; whereas the legitimate government selectively pays the pensions of people located in southern governorates to the detriment of all pensioners in the northern governorates; whereas there are tens of thousands of elderly people with no source of basic income, and more than 33 % of them depend on increasingly expensive medicines;
- M. whereas an international arms embargo is in place against the Iranian-backed Ansarul Allah, also known as the Houthis; whereas, according to the 18th EU Annual Report on Arms Exports, 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 these transfers are in violation of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment¹, which explicitly rules out the authorising of arms licences if there is a clear risk that the exported military technology or equipment will be used for breaches of international humanitarian law and to undermine regional peace, security and stability; whereas Parliament has repeatedly called on the VP/HR to launch an initiative to impose an EU arms embargo on Saudi Arabia, in line with Common Position 2008/944/CFSP;

¹ OJ L 335, 13.12.2008, p. 99.

- N. whereas there has been a dramatic increase in the number of extraterritorial lethal operations in Yemen conducted by the US since January 2017; whereas civilians, including women, children and the elderly, have been killed, seriously injured or traumatised by such lethal counter-terror operations, and 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 for such lethal operations by providing intelligence and other operational support;
- O. whereas the majority of strikes carried out by US forces in Yemen are lethal drone strikes; whereas the decision to add certain persons to the target lists of drone operations is often made without court warrants or orders; whereas the targeting and subsequent killing of certain individuals is carried out without due process and can thus in certain circumstances be seen as extrajudicial killings;
- P. whereas, in spite of the international pressure to achieve a stable and inclusive political solution to the crisis, the parties to the conflict and their regional and international backers, including Saudi Arabia and Iran, have failed to reach a ceasefire 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;
- Q. whereas the EU is committed to a comprehensive and strategic approach encompassing all relevant regional actors; whereas the EU remains committed to continuing to deliver life-saving aid to all people in need in Yemen;
1. Condemns in the strongest terms the ongoing violence in Yemen and all attacks against civilians and civilian infrastructure; stresses its concern at the conflict, which is continuing to degenerate into one of the gravest 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, water systems, ports, airports and markets amounts to a grave violation of international law;
 2. Calls on all parties to respect the principles of international humanitarian law, and, in particular, the principles of proportionality and of distinction between civilians and civilian objects and combatants and military targets, as well as international human rights law, international criminal law and international refugee law, in order to undertake serious action to protect civilians;
 3. Reiterates that the only solution to the conflict in Yemen is a political one; deplores the failure of the first round of consultations in Geneva (6-9 September 2018), and urges all parties involved to put a stop to the current escalation and to resume constructive peace talks and confidence-building measures under the auspices of the UN Special Envoy, Martin Griffiths; calls on the VP/HR and all EU Member States to provide Mr Griffiths with political backing with a view to reaching a negotiated and inclusive settlement;

4. Reminds all parties to the conflict that they are accountable under international law for any crimes committed; urges the international community to make provisions for national or international prosecutions of any individuals, groups and organisations suspected of such violations;
5. Calls on all parties conducting military operations in Yemen to implement further safeguards and 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;
6. Calls on all parties to the conflict to cease hostilities immediately; strongly condemns the resumption of fighting and attacks, and reaffirms its commitment to continue to closely monitor developments in Yemen, in particular the reports indicating a further intensification of military operations in the city of Hodeidah; warns of the consequences of the renewed military offensive on Hodeidah; stresses that Hodeidah is the only remaining open port of entry for food, medical supplies and humanitarian assistance for large parts of the country; calls on all parties to the conflict to ensure the full and effective functioning of airports and ports, and to facilitate safe, rapid and unhindered access for humanitarian aid, food, commercial and medical supplies; expresses its concerns that further disruption would lead to intolerable human suffering, starvation and the displacement of a great number of civilians, including children;
7. Urges Saudi Arabia and other actors involved to further lift the ongoing blockade on Yemen: calls on all directly or indirectly involved states and relevant actors to apply maximum pressure on all parties to work towards de-escalation and to immediately cease providing political, military and financial support to military actors on the ground, either directly or by proxy;
8. Welcomes the recent visit of the UN Special Envoy to Sana'a on 16 September 2018, with the aim of resuming peace talks and confidence-building measures such as the complete reopening of Sana'a airport to passenger and commercial flights, and of encouraging the government to pay the salaries of civil servants in all areas of Yemen; takes note of the recent reports of the proposed opening of humanitarian corridors between Hodeidah and Sana'a;
9. Calls on all the parties involved to allow for immediate and full humanitarian access to the conflict-affected areas in order to assist the population in need; calls on the Council and the UN Security Council, in implementing UN Security Council Resolution 2216, to identify the individuals obstructing the delivery of humanitarian assistance in Yemen and to impose targeted sanctions on them;
10. Calls for the prompt release of those held arbitrarily, for an end to forced disappearances, and for the effective and credible investigation and prosecution of those responsible for all violations and abuses of human rights, including sexual and other violence against women, men, girls, and boys, in accordance with international standards; supports the work of the GEE, and asks for the mandate of the International Commission of Inquiry to be renewed and strengthened to include gathering evidence of war crimes and crimes against humanity committed in Yemen, in order to prosecute and punish those guilty of such violations; calls for the situation in Yemen to be referred to the International Criminal Court (ICC); urges Yemen to join the ICC, which would

allow for the prosecution of all those responsible for the crimes committed during the conflict, in the absence of a UN Security Council referral;

11. Calls on all parties to the conflict to end the recruitment and/or use of children as soldiers and other grave violations committed against minors in breach of applicable international law and standards; calls on all parties to release the children who have already been recruited, and to cooperate with the UN in order for them to be rehabilitated and reintegrated into their communities;
12. Is deeply concerned about the increased presence in Yemen of criminal and terrorist groups, including al-Qaeda in the Arabian Peninsula (AQAP) and ISIS/Daesh; condemns the presence of foreign fighters and calls for the removal of all such fighters from Yemen;
13. Deplores the dramatic increase in the number of lethal counter-terror operations in Yemen; urges the Council, the VP/HR and the Member States to oppose extrajudicial killings, including the use of drones, to reaffirm the EU's position under international law and to ensure that Member States do not perpetrate, facilitate or otherwise take part in unlawful lethal operations;
14. Calls once again on the VP/HR to launch an initiative aimed at imposing an arms embargo on Saudi Arabia; recalls its resolution of 15 June 2017 reiterating that exports to Saudi Arabia are non-compliant with at least two criteria in relation to the country's involvement in grave breaches of humanitarian law, as established by the competent UN authorities; calls on all EU Member States in this context to refrain from selling arms and any military equipment to Saudi Arabia, the UAE and any member of the international coalition, as well as the Yemeni Government, thereby upholding the current arms embargo on all the parties to the conflict; calls on the VP/HR to devise a comprehensive EU strategy for Yemen in order to play a meaningful role in ending the conflict in Yemen, and to provide clear guidance on the current fragmentation that exists between the positions and actions taken by different EU Member States, including voting against each other's resolutions in international forums;
15. Welcomes the fact that the EU will continue to provide development assistance to Yemen, giving priority to interventions directed at stabilising the country and that it will work in stable areas with local authorities to promote resilience, to help to maintain the provision of basic services and to foster sustainable livelihoods for communities; recalls that the EU has allocated EUR 233.7 million in humanitarian aid through its partner organisations;
16. Welcomes the UN 2018 Yemen Humanitarian Response Plan and the 2018 High-Level Pledging Event for the Humanitarian Crisis in Yemen, in which international donors pledged more than USD two billion; deplores, however, the fact that a funding gap still exists for Yemen; welcomes the fact that the EU is committed to assisting those affected by the conflict in Yemen and has pledged EUR 107.5 million; calls on all donors to swiftly disburse their pledges; decides to remain apprised of the matter until a negotiated solution is reached; instructs the Subcommittee on Human Rights to monitor human rights developments in Yemen;
17. Calls for the EU to disburse funds quickly to deal with internally displaced persons

(IDPs) in Yemen, whose numbers are likely to increase significantly if the situation in Hodeidah gets worse;

18. 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 the Government of Yemen.