



Plenary sitting

B9-0121/2021

8.2.2021

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 132(2) of the Rules of Procedure

on the humanitarian and political situation in Yemen
(2021/2539(RSP))

Hannah Neumann, Mounir Satouri, Ernest Urtasun, Erik Marquardt, Francisco Guerreiro, Rosa D'Amato, Monika Vana, Bronis Ropé, Jordi Solé, Tineke Strik, Alviina Alametsä, Katrin Langensiepen
on behalf of the Verts/ALE Group

European Parliament resolution on the humanitarian and political situation in Yemen (2021/2539(RSP))

The European Parliament,

- having regard to its previous resolutions on Yemen, in particular those of 4 October 2018¹, 30 November 2017², 25 February 2016³ and 9 July 2015⁴ on the situation in Yemen, its resolution of 8 October 2020 on the situation of Ethiopian migrants in detention centres in Saudi Arabia⁵, and its resolution of 28 April 2016 on attacks on hospitals and schools as violations of international humanitarian law⁶,
- having regard to the statement by the spokesperson of the European External Action Service (EEAS) of 12 January 2021 on the US designation of Ansar Allah as a terrorist organisation,
- having regard to the EEAS press release of 7 February 2021 entitled ‘EU ambassadors to Yemen visit Aden’,
- having regard to the relevant Council and European Council conclusions on Yemen, in particular the Council conclusions of 25 June 2018,
- having regard to the final report of the UN Panel of Experts on Yemen of 22 January 2021,
- having regard to the relevant statements by UN experts on Yemen, in particular those of 3 December 2020 entitled ‘UN Group of Eminent International and Regional Experts Briefs the UN Security Council Urging an end to impunity, an expansion of sanctions, and the referral by the UN Security Council of the situation in Yemen to the International Criminal Court’, of 12 November 2020 entitled ‘UN experts: technical team must be allowed to avert oil spill disaster threatening Yemen’, of 15 October 2020 entitled ‘UAE: UN experts say forced return of ex-Guantanamo detainees to Yemen is illegal, risks lives’, and of 23 April 2020 entitled ‘UN experts appeal for immediate and unconditional release of the Baha’is in Yemen’,
- having regard to the report of the UN High Commissioner for Human Rights of 2 September 2020 on the implementation of technical assistance provided to the National Commission of Inquiry to investigate allegations of violations and abuses committed by all parties to the conflict in Yemen (A/HRC/45/57),
- having regard to the report of the Special Representative of the UN Secretary-General

¹ OJ C 11, 13.1.2020, p. 44.

² OJ C 356, 4.10.2018, p. 104.

³ OJ C 35, 31.1.2018, p. 142.

⁴ OJ C 265, 11.8.2017, p. 93.

⁵ Texts adopted, P9_TA(2020)0260.

⁶ OJ C 66, 21.2.2018, p. 17.

for Children and Armed Conflict of 23 December 2020 on children and armed conflict,

- having regard to the third report of the UN Group of Eminent International and Regional Experts on Yemen of 28 September 2020 on the situation of human rights in Yemen, including violations and abuses since September 2014,
 - having regard to the interactive dialogue of the UN Human Rights Council with the UN Group of Eminent International and Regional Experts on Yemen of 29 September 2020,
 - having regard to the press briefing note on Yemen by the spokesperson for the UN High Commissioner for Human Rights of 12 June 2020,
 - having regard to the relevant UN Security Council resolutions, in particular resolution 2534 of 14 July 2020 renewing the mandate of the UN Mission to support the Hodeidah Agreement until 15 July 2021 and resolution 2511 of 25 February 2020 renewing the Yemen sanctions regime for one year,
 - having regard to the report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions of 15 August 2020 on the use of armed drones for targeted killings,
 - having regard to the remarks by the Executive Director of UNICEF, Henrietta Fore, at the event of 10 December 2020 entitled ‘Averting famine in Yemen: what can we do now and in 2021?’,
 - having regard to the letter dated 18 August 2020 from the UN Secretary-General addressed to the President of the Security Council,
 - having regard to the EU Guidelines on promoting compliance with international humanitarian law⁷,
 - having regard to Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment⁸ and to the Arms Trade Treaty,
 - having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
 - having regard to the Rome Statute of the International Criminal Court,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the Universal Declaration of Human Rights,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the humanitarian and political situation in Yemen has continued to deteriorate over the past few years, with devastating consequences for the civilian population; whereas this humanitarian catastrophe is exacerbated by the continuous escalations in

⁷ OJ C 303, 15.12.2009, p. 12.

⁸ OJ L 335, 13.12.2008, p. 99.

fighting, the ongoing and widespread violations of human rights and international humanitarian law, committed with total impunity, and extensive economic profiteering;

- B. whereas after six years of continued armed conflict between the Saudi-led coalition supporting the internationally recognised government, and the Houthi rebels, all of the parties involved continue to show no regard for the lives, dignity and rights of people in Yemen or for international law; whereas according to the Yemen Data Project, as of March 2019, namely four years after the Saudi-led coalition initiated the ongoing air campaign, more than 17 500 civilians had been killed or injured in air raids; whereas a quarter of all those civilians killed in air raids were women or children;
- C. whereas the UN Panel of Experts has pointed out that human rights violations have been committed by all parties involved, namely the Government of Yemen, the Houthis, the UAE-backed Southern Transitional Council, and members of the Saudi-led coalition, which received logistical and intelligence support from the US, the UK and France;
- D. whereas the UN Group of Eminent International and Regional Experts on Yemen (UN GEE) concluded that attacks that may amount to war crimes have been committed by the Government of Yemen, the Houthi rebels and the Saudi-led coalition;
- E. whereas the verified human rights violations include the arbitrary deprivation of life, enforced disappearances, arbitrary detention, gender-based violence, including sexual violence, torture and other forms of cruel, inhuman or degrading treatment, the recruitment and use in hostilities of children, the denial of the right to a fair trial, and violations of fundamental freedoms and economic, social and cultural rights; whereas the widespread use of landmines by Houthis poses a constant threat to civilians and contributes to displacement; whereas Houthi forces, government-affiliated forces, and the UAE and UAE-backed Yemeni forces have been directly responsible for arbitrary detentions and enforced disappearances; expresses particular concern at the US drone strikes in central Yemen and the assassinations of political figures carried out by UAE-backed private mercenaries in the south;
- F. whereas six years of war have been catastrophic for Yemen, killing more than 230 000 people as a result of continued airstrikes and a lack of food and health services, creating the world's worst humanitarian crisis, bringing the country back into famine and wrecking infrastructure;
- G. whereas 80 % of people in Yemen – more than 24 million – are in need of urgent humanitarian assistance and protection, including 12 million children; whereas pockets of famine-like conditions have been identified in the country for the first time in two years; whereas according to the most recent Integrated Food Security Phase Classification (IPC) analysis for Yemen, over half of the population, namely 16.2 million of 30 million, will be facing crisis levels of food insecurity and the number of people experiencing famine-like conditions could nearly triple from 16 500 to 47 000 people between January and June 2021; whereas only 56 % of the USD 3.38 billion needed for the humanitarian response in 2020 has been received to date;
- H. whereas during the course of 2020, fighting intensified, in particular on the fronts of Jawf, Ma'rib, Nihm, Ta'izz, Hodeidah, Bayda and Abyan, with the direct support and backing of third states, including by the Saudi-led coalition of the Yemeni Government

and conflicting backing of the Southern Transitional Council by the UAE, while the Iran-backed Houthi forces still control the majority of northern and central Yemen; whereas blatant human rights violations continue to be committed on a wide scale with no accountability for the perpetrators;

- I. whereas children continue to be recruited and used by security forces in conflict; whereas the UN Panel of Experts has reported the recruitment of children by Houthi forces and by the special security forces in Shabwah; whereas 75 children aged between 12 and 17 were killed on the battlefield in 2020 in Amran, Bayda, Dhamar, Hajjah, Jawf, Mahwit, Ma'rib and Sa'dah; whereas despite these developments, the UN Secretary-General has removed the Saudi-led coalition from the annual list of those responsible for grave violations against children in armed conflict;
- J. whereas the transferral, updating and maintenance of arms and the provision of training and military support to the Saudi-led coalition by third states, including EU Member States, are enabling the perpetuation of the armed conflict, including the naval blockade and ongoing air campaign, and directly contribute to numerous war crimes, the humanitarian crisis, and the continued failure to find a political resolution to the conflict; whereas the US administration under President Biden has taken the decision to suspend and re-examine US arms transfers to Saudi Arabia and the UAE in the light of the humanitarian impact of Saudi Arabia's military intervention in Yemen;
- K. whereas lethal extraterritorial and extrajudicial US operations carried out in Yemen with armed drones in the context of Washington's fight against international jihadist groups have resulted in numerous civilian casualties; whereas there is evidence that certain EU Member States, notably Germany, as well as the UK, provide direct or indirect support to such lethal operations through intelligence and other means, including satellite and fibre optic communications enabling pilots to operate drones remotely;
- L. whereas Yemen's economy, which was fragile even before the conflict, has been gravely affected, with hundreds of thousands of families no longer having a steady source of income; whereas Yemen imports 90 % of its food through commercial imports which aid agencies cannot replace, as humanitarian agencies provide food vouchers or cash to persons in need so they can shop at markets; whereas 70 % of Yemen's aid and commercial imports enter through the Houthi-controlled port of Hodeidah and the nearby port of Saleef, providing food, fuel and medicine that the population needs for survival;
- M. whereas the Houthis have been designated by the United States as a foreign terrorist organisation and was specially designated as a global terrorist entity on 10 January 2021; whereas this designation entered into effect on 19 January; whereas since then, the Office of Foreign Assets Control of the US Department of the Treasury has issued several general licenses aimed at mitigating the anticipated repercussions for humanitarian operations in and commercial traffic to Yemen; whereas humanitarian actors in Yemen have repeatedly warned that these licenses are not enough to forestall the catastrophic humanitarian impact of the designations, including greatly reducing Yemen's supply of food and other essential goods at a time when the risk of famine is intensifying; whereas the US administration under President Biden has announced plans to reverse the designation;

- N. whereas economic profiteering has been widely documented, with the country's economic and financial resources being diverted by both the Government of Yemen and the Houthis, with a devastating impact on the Yemeni people; whereas the final report of the UN Panel of Experts states that Houthi forces diverted at least USD 1.8 billion in 2019 earmarked for the government to pay salaries and provide basic services to citizens; whereas the report also highlights that the government is engaging in money laundering and corruption practices that adversely affect access to adequate food supplies for Yemenis, in violation of the right to food, including the illegal diversion to traders of USD 423 million of Saudi funds originally destined for the acquisition of rice and other commodities for the Yemeni people;
- O. whereas in the midst of the humanitarian and political crises, a rusting single-hull oil tanker launched in 1976 – the FSO *Safer* – has been lying off the key Yemeni port of Hodeidah for five years and is rapidly decaying; whereas the tanker had been used as a storage vessel since the late 1980s and now holds around 1.1 million barrels of oil – four times the spill from the Exxon Valdez; whereas the rapid deterioration of the tanker poses the severe threat of a major oil spill, which would have a disastrous environmental impact, destroy biodiversity and decimate the livelihoods of local coastal communities in the Red Sea; whereas despite the imminent risk of ecological disaster, the long-awaited inspection of the 45-year old oil tanker has been postponed until March 2021;
- P. whereas migrants in Yemen and at the border with Saudi Arabia continue to endure violence, including shootings, beatings, sexual violence, illegal detention and extortion; whereas in April 2020 approximately 350 migrants were killed in a crossfire between Saudi and Houthi forces while trying to cross the border into Saudi Arabia near Ghar in Munabbih district, Sa'dah and whereas approximately 3 000 migrants remained stranded in the area after the incident on the Yemeni side of the border, without access to basic needs;
- Q. whereas the UN GEE found that the UAE-backed Security Belt Forces perpetrate rape and other forms of sexual violence against detainees in several detention facilities, including the Bureiqa coalition facility and the Bir Ahmed prison, and against migrants and marginalised black African communities, as well as threats and harassment against LGBTI persons;
- R. whereas gender-based and sexual violence have increased exponentially since the start of the conflict; whereas the already limited capacity to address sexual and gender-based violence in the criminal justice system has collapsed and no investigations have been conducted in relation to practices such as abducting and raping women, or threatening to, as a way of extorting money from victims' families and communities; whereas girls are facing a rise in child marriages and a 63 % increase in violence;
- S. whereas human rights defenders have faced relentless harassment, threats and smear campaigns from all parties to the conflict; whereas women human rights defenders, journalists and activists have faced specific repression on the basis of their gender;
- T. whereas Yemen and the UAE have signed the Rome Statute of the International Criminal Court but have yet to ratify it; whereas Saudi Arabia and the United States

have neither signed nor ratified the Rome Statute; whereas several provisions of the Rome Statute, including those related to war crimes, reflect customary international law;

1. Strongly condemns the ongoing military escalation in Yemen and calls on all parties to urgently commit to the joint implementation mechanisms of the UN Mission to Support the Hodeidah Agreement and to implement the global ceasefire, as called for by UN Security Council resolution 2532 (2020);
2. Calls on all parties, notably Saudi Arabia and its allies, to immediately cease their attacks against civilians in violation of international human rights and international humanitarian law; stresses that the actions of the Saudi-led coalition, in particular the indiscriminate and disproportionate airstrikes, have caused thousands of civilian casualties and exacerbated the country's instability; denounces the violent attacks carried out by the Houthi forces, including the attack on Aden airport on 30 December 2020, which caused multiple civilian casualties as the new government arrived in Yemen; recalls that disproportionate and indiscriminate attacks constitute war crimes under customary international law;
3. Denounces the role of weapons transfers from third states in perpetuating the conflict and directly contributing to human rights violations; calls for an EU-wide ban on the export, sale, update and maintenance of any form of security equipment to members of the Saudi-led coalition, including Saudi Arabia and the UAE, given the serious breaches of international humanitarian and human rights law committed in Yemen; reiterates, in this respect, that Parliament has repeatedly called for such an EU-wide ban since February 2016; welcomes, to this end, the decisions of individual EU Member States to impose bans on arms exports to members of the Saudi-led coalition, including Germany's ban on arms exports to Saudi Arabia, even though it does not cover the export of German components of arms co-produced with other Member States, Italy's ban on arms exports to Saudi Arabia and the UAE, and similar decisions adopted by the governments of Belgium, Denmark, Finland, Greece and the Netherlands; denounces the Member States' continued readiness to export arms to members of the Saudi-led coalition, including Germany's arms exports to the UAE and France's arms exports to the UAE and Saudi Arabia;
4. Urges the Member States to halt all security assistance and cooperation with the countries of the Saudi-led coalition, in particular the transfer of data and satellite imagery; calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to report on the current state of Member States' military and security cooperation with the members of the Saudi-led coalition; welcomes, to this end, and as a first step towards a full embargo, the United States' temporary cessation of arms sales, including of munitions to Saudi Arabia and a USD 23 billion package of cutting-edge F-35 jets to the UAE; strongly welcomes the US administration's recent announcement on the imminent end to its support for offensive operations in the war in Yemen, including arms sales, and calls on the EU and the Member States to follow suit;
5. Underlines that arms exporters that fuel the conflict in Yemen risk complicity in war crimes and are non-compliant with several criteria of the legally binding Council

6. Deplores the United States' lethal counter-terror operations in Yemen; urges the Council, the VP/HR and the Member States to 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, the Member States and third countries to commit to conducting investigations, in line with their obligations under international law, into credible allegations of potentially unlawful deaths; repeats its call for the adoption of a legally binding Council decision on the use of armed drones and compliance with international human rights law and international humanitarian law;
7. Is appalled by the devastating humanitarian crisis unfolding in the country; calls on all parties to fulfil their obligations to facilitate the rapid and unimpeded passage of humanitarian relief and other goods indispensable to the population and unhindered access to medical facilities both in Yemen and abroad;
8. Expresses particular alarm at the most recent IPC assessment, which shows that 16 500 people in Yemen are living in famine-like conditions, a number expected to triple by June 2021 even if current assistance levels remain constant; remains particularly concerned by continued funding shortfalls for humanitarian programmes and calls on all states, in line with UN Security Council resolution 2511 (2020), to urgently step up their contributions in order to prevent enormous loss of life;
9. Is particularly concerned by the numerous reports of hospitals turning away sick people, some of whom are struggling for breath and have a high fever, owing to a lack of beds and a paucity of equipment, staff and medicine; highlights that health centres lack the basic equipment to treat COVID-19 and that health workers have no protective gear, with most receiving no salary, resulting in their not reporting for duty; reiterates its urgent call on all international donors to provide immediate relief to sustain the local healthcare system and help it to contain the spread of the current deadly outbreaks in Yemen, including COVID-19, malaria, cholera and dengue;
10. Condemns the ongoing interference with humanitarian assistance operations and the risk this poses to the lives of vulnerable people in need of assistance; calls on all parties to urgently facilitate full, safe and unhindered humanitarian access; stresses that the designation of the Houthis as a foreign terrorist organisation by the United States risks causing a catastrophic humanitarian impact, including a major reduction in the supply of food and other essential goods to Yemen at a time when the risk of famine is intensifying; calls on the United States to reverse this decision as a matter of urgency;
11. Calls on the Council to fully implement UN Security Council resolution 2216 (2015) by identifying the individuals obstructing the delivery of humanitarian assistance and those planning, directing or committing acts that violate international human rights law or international humanitarian law, or acts that constitute human rights abuses in Yemen, and by imposing targeted measures against them; recalls that no individuals in the coalition have been designated for sanctions by the Sanctions Committee, despite information on repeated coalition violations gathered by the UN GEE on Yemen, which provides information to assist with the full implementation of the UN Security Council resolution;

12. Reiterates the urgent need to undertake a UN assessment and repair mission on the FSO *Safer*, which lies abandoned off the port of Hodeidah and poses an immediate risk of a major environmental catastrophe for biodiversity and for the livelihoods of local coastal communities in the Red Sea; calls on the EU to provide all the necessary political, technical and financial support to enable a UN technical team to be permitted to board the FSO *Safer* as a matter of urgency in order to prevent an oil spill that could be four times worse than the historic Exxon Valdez spill in Alaska in 1989;
13. Recalls that there can be no military solution to the conflict in Yemen and that the crisis can only be resolved through a negotiation process involving all parties concerned; reiterates its support for an inclusive Yemeni-led and Yemeni-owned political process as set out in the relevant UN resolutions, including Security Council resolution 2216 (2015); strongly supports the efforts of UN Special Envoy Martin Griffiths to bridge differences on the Joint Declaration and calls for the implementation of the Riyadh Agreement; urges all parties to give the UN Special Envoy full and unhindered access to all parts of the territory;
14. Reiterates that it is imperative to protect children and to ensure the full enjoyment of their human rights; is appalled, in this regard, by the continuing recruitment and use of children in the conflict in Yemen and calls on the international community and the UN Secretary-General to urgently intensify their efforts to put an end to the recruitment and use of children; deplores the UN Secretary-General's decision to delist the Saudi-led Coalition for the violation of killing and maiming and expects this to be rectified in future reporting;
15. Calls on all parties to immediately cease all attacks against freedom of expression, including by means of detention, enforced disappearance and intimidation, and to release all journalists and human rights defenders detained solely for having exercised their human rights; calls for the immediate and unconditional release of the followers of the Baha'i faith who are currently detained for peacefully practising their religion and face charges punishable by death;
16. Denounces the destruction of Yemeni cultural heritage by the Saudi-led coalition's airstrikes, including the Old City of Sana'a and the historic city of Zabid; regrets and recalls the responsibility of the coalition for this destruction and stresses that it must be held accountable for such acts; calls for the suspension of the voting rights of Saudi Arabia and the UAE in UNESCO governing bodies pending an independent and impartial investigation into the responsibilities of both countries in the destruction of cultural heritage; calls on the UN Secretary-General to refer the issue of the protection of all cultural sites under threat from the conflict in Yemen to the Security Council, with a view to the adoption of a resolution on the matter;
17. Deplores the lack of women in the new Yemeni Government – the first without women members in 20 years – and calls on the Government of Yemen to take all the necessary steps to ensure women's equal representation, presence and participation in the country's political sphere;
18. Stresses that justice, the rule of law and the fight against impunity constitute essential elements for long-lasting peace and conflict resolution efforts and urges the parties to

take immediate steps to cease the ongoing violations and prevent new ones; calls on all parties and the international community to ensure accountability for the perpetrators of the violations committed in Yemen and the realisation of victims' rights to reparations; calls on the international community to establish a similar mechanism to the International, Impartial and Independent Mechanism (IIIM) created by the UN General Assembly in 2016 to investigate abuses in the Syrian conflict in order to conduct further investigations and prepare case files to be shared with the relevant prosecutorial authorities;

19. Urges the Member States to take all the necessary measures to hold the alleged perpetrators to account, notably by applying the principle of universal jurisdiction and by investigating and prosecuting the alleged perpetrators of crimes of atrocity in Yemen;
20. Praises the work of local and international civil society organisations in documenting evidence of crimes of atrocity, including the destruction of cultural heritage; calls on the EU and its Member States to provide further assistance to these actors;
21. Praises the work undertaken by the UN GEE on Yemen; welcomes the renewal of its mandate by the Human Rights Council in order to ensure that a thorough examination is conducted of all violations and abuses of international human rights law and that those responsible for grave human rights violations can be held to account; is dismayed by the active opposition to this renewal by the Governments of Bahrain, Yemen, the UAE and Saudi Arabia;
22. Calls on the Human Rights Council to ensure that the situation of human rights in Yemen remains on its agenda by continuing to renew the mandate of the UN GEE and ensuring it be given sufficient resources to carry out its mandate effectively, including collecting, keeping and analysing information related to violations and crimes;
23. Calls on the EU and the Member States to take resolute action towards a referral by the UN Security Council of the situation in Yemen to the International Criminal Court, and an expansion of the list of persons subject to Security Council sanctions;
24. 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 UN Secretary-General, the UN High Commissioner for Human Rights, the Secretary-General of the Gulf Cooperation Council, the Secretary-General of the League of Arab States, the Government of Yemen, the Government of the Kingdom of Saudi Arabia and the Government of the United Arab Emirates.