



Plenary sitting

B9-0124/2021

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))

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on behalf of the S&D 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, and its resolution of 28 April 2016 on attacks on hospitals and schools as violations of international humanitarian law⁵,
- 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 statements by the spokesperson of the EEAS of 30 December 2020 on the attack in Aden, of 19 December 2020 on the formation of the new government, of 17 October 2020 on the release of detainees, of 28 September 2020 on the prisoners' exchange, of 31 July 2020 on the release of members of the Baha'i community, of 25 June 2020 on attacks against Saudi Arabia, of 30 March 2020 on the continued hostilities, of 27 March 2020 on the calls for a ceasefire, of 4 February 2020 on the resumption of medical flights out of Sana'a, of 31 January 2020 on the latest fighting, of 19 January 2020 on the deadly attack on government forces in Marib, of 19 November 2019 on the return of the Prime Minister of Yemen to Aden, and of 5 November 2019 on the latest developments regarding Yemen,
- having regard to the Joint Communiqué of 17 September 2020 by Germany, Kuwait, Sweden, the United Kingdom, the United States, China, France, Russia and the European Union on the conflict in Yemen,
- having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Josep Borrell of 9 April 2020 on the ceasefire announcement in Yemen,
- having regard to the joint statements by the EU Commissioner for Crisis Management Janez Lenarčič and the former Swedish Minister for International Development Cooperation Peter Eriksson of 14 February 2020 and of 24 September 2020 entitled 'UNGA: EU and Sweden join forces to avoid famine in Yemen',
- having regard to the relevant Council and European Council conclusions on Yemen, in particular the Council conclusions of 25 June 2018,

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 OJ C 66, 21.2.2018, p. 17.

- 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 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 (UNMHA) until 15 July 2021 and resolution 2511 of 25 February 2020 renewing the Yemen sanctions regime for one year,
- having regard to the statement by the UN Secretary-General on the second anniversary of the Stockholm Agreement of 14 December 2020,
- 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 law⁶,

- having regard to the Stockholm Agreement of 13 December 2018,
 - having regard to the Riyadh Agreement of 5 November 2019,
 - 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 war in Yemen, which was precipitated by the Houthis' refusal to support the outcome of the National Dialogue Conference that would have extended the mandate of President Abd-Rabbu Mansour Hadi and by their subsequent takeover of Sana'a, escalated in March 2015 when a Saudi-led coalition intervened against the Houthi rebels on behalf of the internationally recognised government; whereas the war has led to the world's worst humanitarian catastrophe, including the risk of mass famine; whereas allegations of war crimes and large-scale violations of human rights and international humanitarian law are being leveraged against all parties to the conflict; whereas international efforts to achieve a lasting peaceful resolution to the conflict continue to be hampered by sustained armed hostilities;
- B. whereas on 26 December 2020, a new 24-member Yemeni Government was sworn in by President Abd-Rabbu Mansour Hadi on the basis of the Saudi-brokered Riyadh Agreement; whereas Yemen's new power-sharing government features equal representation from both the country's northern and southern regions, including five members of the Southern Transitional Council; whereas the EEAS spokesperson has acknowledged its establishment as a positive step towards a comprehensive political solution for the country;
- C. whereas more than 133 000 people have died since March 2015 as a direct result of the conflict; whereas the Stockholm Agreement signed in December 2018 was intended to bring about a cessation of hostilities in the Red Sea area, including the cities of Taiz and Hodeidah, and safe corridors for the movement of people and supplies;
- D. whereas several brief ceasefires were in place during 2020, including the unilateral ceasefire of 9 April 2020 by Saudi Arabia on behalf of the coalition in response to the call of the UN Secretary-General for a global ceasefire; whereas parties to the conflict regularly act in breach of successive ceasefire agreements; whereas over 5 000 civilians have been killed or maimed in the conflict since the signing of the Stockholm Agreement;

⁶ OJ C 303, 15.12.2009, p. 12.

- E. whereas during the course of 2020, fighting intensified, in particular in and around 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 by the UAE of the Southern Transitional Council, while the Iran-backed Houthi forces still control the majority of northern and central Yemen, accounting for 70 % of the Yemeni population; whereas severe violations of human rights and international humanitarian law continue to be committed on a wide scale with no accountability for the perpetrators;
- F. whereas the mandate of the UN Group of International and Regional Eminent Experts on Yemen (UN GEE) was renewed in September 2020 by the Human Rights Council; whereas the UN GEE's most recent report from September 2020 shows that all parties to the conflict, including the Government of Yemen, the Houthis and the Southern Transitional Council, as well as members of the coalition, in particular Saudi Arabia and the United Arab Emirates (UAE), continue to commit a range of violations of international human rights law and international humanitarian law, including attacks that may amount to war crimes;
- G. 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;
- H. whereas 80 % of people in Yemen – more than 24 million – are in need of urgent humanitarian assistance and protection, including 12 million children; whereas over 13.5 million people are acutely food insecure and at risk of starvation, many of whom depend on aid for their survival and are highly vulnerable to variations in the cost of basic commodities such as food and fuel; whereas at least 16 500 people live in famine conditions and this number is expected to triple by June 2021; whereas COVID-19 and its socioeconomic impact further hampers access to healthcare and increases the risk of malnutrition; whereas 3.65 million people – more than 10 % of the population – have been internally displaced;
- I. whereas 2.1 million children are acutely malnourished and almost 358 000 children under the age of five are severely malnourished; whereas as a result of funding shortages, reductions in food assistance have been in place since April 2020, and a further 1.37 million will be affected unless additional funding is secured; whereas 530 000 children under the age of two may not receive nutrition services if programmes are suspended;
- J. whereas the European Parliament has repeatedly called 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, in view of the serious breaches of international humanitarian and human rights law committed in Yemen;

whereas some EU Member States have imposed bans on arms exports to members of the Saudi-led coalition, including Germany's ban on arms exports to Saudi Arabia and Italy's ban on arms exports to Saudi Arabia and the UAE, and whereas others are considering doing so; whereas some Member States continue to export arms to Saudi Arabia and the UAE, in violation of the legally binding Council Common Position 2008/944/CFSP on arms exports⁷;

- K. whereas the United States halted arms sales to Saudi Arabia and suspended a transfer of F-35 jets to the UAE pending a review; whereas on 4 February 2021, US President Biden announced the imminent end to all US support for offensive operations in the war in Yemen, including arms sales; whereas since its decision to halt aerial refuelling of Saudi aircraft involved in the conflict in Yemen in 2018, the US' provision of intelligence and logistical support to the coalition has been limited;
- L. whereas in its final report of 22 January 2021, the UN Panel of Experts on Yemen noted that an increasing body of evidence suggests that individuals or entities in Iran supply significant volumes of weapons and components to the Houthi rebels; whereas Iranian-backed Houthi rebels continue to attack civilian targets in Saudi Arabia with missiles and unmanned aerial vehicles (UAVs) carrying explosives, most recently on 15 January 2021; whereas on 23 June 2020, the Saudi-led coalition intercepted eight Houthi UAVs and three ballistic missiles over Riyadh; whereas the US committed to continue providing defensive support to Saudi Arabia against Iranian-backed attacks from Yemeni soil;
- M. 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;
- N. whereas the EU provides substantial humanitarian support to the Yemeni population, including mobilising EUR 115 million in the past year alone to combat acute malnutrition and food insecurity; whereas between mid-July and early August 2020, the EU Humanitarian Air Bridge delivered emergency supplies to Yemeni civilians and ensured the continuity of the indispensable work of UN agencies, international NGOs and the International Committee of the Red Cross (ICRC) in mitigating the dire humanitarian consequences of the conflict and the economic impact of the COVID-19 pandemic;
- O. whereas since the beginning of armed hostilities in 2015, EU support to the Yemeni population has amounted to EUR 896 million, including EUR 554 million in humanitarian aid and EUR 318 million in development assistance; whereas the EU, in partnership with the UN Development Programme, established the three-year Strengthening Institutional and Economic Resilience in Yemen (SIERY) initiative in

⁷ OJ L 335, 13.12.2008, p. 99.

order to promote good governance and strengthen the humanitarian-development nexus;

- P. whereas the previous US administration adopted the designation of Iran-backed Houthi organisation Ansar Allah as a terrorist organisation on 19 January 2021; whereas despite the general licenses granted by the US Government, the impact of the designation on the ability to import food, fuel and medicines into the country remains extremely concerning; whereas on 5 February 2021, the new US administration announced the removal of Ansar Allah from the Foreign Terrorist Organisation (FTO) and Specially Designated Global Terrorist (SDGT) lists;
- Q. 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;
- R. 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;
- S. 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; whereas credible allegations of the use of rape and torture as a weapon of war, in particular against politically engaged women and women activists, have been levelled against Iran-backed Houthi rebels;
- T. 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;
- U. whereas Yemen and the UAE have signed the Rome Statute of the International Criminal Court but have yet to ratify it; whereas Saudi Arabia has 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. Recalls that there can be no military solution to the conflict in Yemen and that the crisis

can only be resolved sustainably through an inclusive Yemeni-led and Yemeni-owned negotiation process involving all quarters of Yemeni society and all parties to the conflict; emphasises that in order to halt the war and alleviate the current humanitarian crisis, all sides should engage in negotiations in good faith with a view to agreeing on viable political and security arrangements; underlines the continued validity of UN Security Council resolution 2216 (2015) as the legal framework for conflict resolution in Yemen, as well as the continued relevance of the Gulf Cooperation Council initiative and its implementation mechanism and of the outcome of the National Dialogue Conference;

2. Supports the efforts of the Special Envoy of the UN Secretary-General for Yemen, Martin Griffiths, to advance the political process and achieve an immediate nationwide ceasefire; calls for the Special Envoy to be given full and unhindered access to all parts of the territory of Yemen; 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; calls, to this end, on the Foreign Affairs Council to review and update its most recent conclusions on Yemen of 18 February 2019 to reflect the current situation in the country; urges the EU and all its Member States to continue engaging with all parties to the conflict and to assert the implementation of the Stockholm Agreement and the UN draft political declaration as necessary steps towards de-escalation and political agreement;
3. Expresses support for any steps made towards the establishment of a viable peace, including the ICRC-facilitated exchange of 1 056 detainees on 15 and 16 October 2020 between the coalition and the Houthi movement on the basis of the Stockholm Agreement; strongly condemns the ongoing military escalation in Yemen as well as the Houthi attacks on Saudi Arabian targets from Yemeni territory; calls on all parties to urgently commit to the joint implementation mechanisms of the UN Mission to Support the Hodeidah Agreement (UNMHA) and to implement the global ceasefire, as called for by UN Security Council resolution 2532 (2020);
4. Calls on all parties 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;
5. Welcomes the establishment of the new power-sharing Government of Yemen under Prime Minister Maeen Abdulmalik Saeed; urges all parties within the government to work together constructively in the interests of all Yemeni citizens; calls on the Government of Yemen to prioritise the alleviation of the present humanitarian crisis, the restoration of basic services, and the achievement of a sustainable peaceful resolution to the conflict, in line with the Riyadh Agreement, the Stockholm Agreement and UN Security Council resolution 2216 (2015);
6. Underlines that EU-based arms exporters that fuel the conflict in Yemen are non-

compliant with several criteria of the legally binding Council Common Position 2008/944/CFSP on arms exports; reiterates its call, in this respect, for an EU-wide ban on the export, sale, update and maintenance of any form of security equipment to members of the coalition, including Saudi Arabia and the UAE, given the serious breaches of international humanitarian and human rights law committed in Yemen;

7. Welcomes, to this end, the decisions of a number of EU Member States to impose arms export bans to Saudi Arabia and the UAE; calls on all EU Member States to halt the export of arms to all members of the Saudi-led coalition; calls on the VP/HR to report on the current state of Member States' military and security cooperation with the members of the Saudi-led coalition; condemns the supply of significant volumes of weapons and components to the Houthi rebels by Iranian individuals and entities, which are fuelling the ongoing humanitarian catastrophe even further and hindering the achievement of a comprehensive negotiated resolution;
8. Welcomes the United States' temporary halting of arms sales to Saudi Arabia and of a USD 23 billion package of F-35 jets to the UAE, as well as the US administration's recent announcement on the imminent end to all support for offensive operations in the war in Yemen, including the delivery of precision guided missiles and intelligence sharing; stresses that these steps should lead to a permanent halt on arms sales to Saudi Arabia and the UAE; welcomes, in this regard, the US' renewed commitment to a diplomatic resolution to the conflict, as signified by the recent appointment of a US Special Envoy for Yemen;
9. Calls on all parties to the conflict in Yemen to put in place a targeting policy for missile and drone strikes, which should comply with international human rights law and international humanitarian law; urges the Council, the VP/HR and the Member States to reaffirm the EU's position under international law and ensure that Member States put safeguards in place to ensure that intelligence, communications infrastructure and military bases are not used to facilitate extrajudicial killings;
10. 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; expresses particular alarm at the most recent Integrated Food Security Phase Classification (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;
11. Welcomes the EU's substantial humanitarian support to the people of Yemen, including the EU Humanitarian Air Bridge in response to the impact of the COVID-19 pandemic; calls on the Commission and the Member States, in collaboration with UN agencies, international NGOs and democratic partners, to continue to do everything within their power to ensure sufficient and equitable access to basic necessities, including food, water, fuel and housing, for all Yemeni citizens in line with UN Security Council resolution 2511 (2020), and to urgently address any funding shortfalls;
12. Supports, in this regard, the US Government's reversal of the designation of Ansar Allah as an FTO and SDGT, which came into effect on 19 January; notes that the

continued designation of Ansar Allah as an FTO and SDGT could have catastrophic humanitarian consequences, as highlighted by the UN Under-Secretary-General for Humanitarian Affairs on 14 January 2021; calls on all parties, in particular Ansar Allah, to urgently return to the negotiating table and to secure a just and lasting peace for the Yemeni people;

13. Highlights the fact that the spread of COVID-19 poses additional severe challenges to the collapsing health infrastructure, with health centres lacking the basic equipment to treat COVID-19 and health workers having no protective gear and for the most part receiving no salary, resulting in their not reporting for duty; calls on all international donors to enhance the provision of 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;
14. 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;
15. 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; notes the UN Secretary-General's decision to delist the Saudi-led coalition for the killing and maiming of children on 15 June 2020 following a sustained decrease in violations, subject to one year of monitoring; further notes that the Houthi rebels and the Government of Yemen remain on the UN blacklist on children and armed conflict;
16. 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;
17. Deplores the damage done to Yemeni cultural heritage by the Saudi-led coalition's airstrikes, including the Old City of Sana'a and the historic city of Zabid, as well as the shelling of Taiz National Museum and the looting of manuscripts and relics from the historic library of Zabid by Iran-backed Houthi forces; stresses that all perpetrators of such acts must be held to account in accordance with the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;
18. Urges the Member States to take all the necessary measures to hold all perpetrators of

severe human rights violations to account; notes the possibility of applying the principle of universal jurisdiction to investigate and prosecute the perpetrators of severe human rights violations in Yemen; calls for the EU Global Human Rights Sanctions Regime to be deployed in order to impose targeted sanctions, such as travel bans and assets freezes, on officials of all parties to the conflict involved in grave human rights violations in Yemen, including Saudi Arabia and the UAE;

19. 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;
20. Calls on the UN Security Council to refer the situation in Yemen to the International Criminal Court and to expand the list of persons subject to UN Security Council sanctions;
21. 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 EU Special Representative for Human Rights, 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, the Government of the United Arab Emirates, and the Government of the Islamic Republic of Iran.