

# Yemen Safe Passage Group

## YSPG Briefing. Notes on selected recent developments

### Update marking the fourth anniversary of the war

25 March 2019

*For those who want further up-to-date details, the most unbiased sources are:*

- *Crisis Group Updates. Latest is #7 issued on 8 March 2019*
- *Sana'a Centre for Strategic Studies (SCSS) Yemen Review (previously 'Yemen at the UN' and now wider in scope). Latest is Feb 2019*
- *UN-OCHA Humanitarian Updates (bi-weekly, latest covers 2 weeks to 21 March 2019)*
- *Yemen Peace Project (in Washington) weekly updates (latest 22 March 2019)*

#### **A. War in Yemen**

This month, the war in Yemen enters its fifth year.

Hodeidah, following the Stockholm Agreement (see below) remains relatively quiet, although both sides, in the continuing war of narratives, claim multiple ceasefire violations and the continuation of armed skirmishes. Control of the 'Kilo 8 Triangle', immediately to the west of the Red Sea Mills WFP store, remains a major sticking point.

Hajja province has become another flashpoint in the country's civil war. The district of Kushar is only 31 miles from the Saudi border, strategically important as it lies on the Houthi supply line to the very north. The ongoing fighting has trapped civilians between the warring parties and the number of displaced people has more than doubled in the past six months, from 203,000 to some 420,000. Attacks against civilians are being carried out by both sides, with 'scores of civilians' reported killed.

An upturn in fighting in Taiz is also reported in spite of the attempts in the Stockholm Agreement (see below) to find a resolution.

#### **B. The Humanitarian Crisis and safe passage**

UNOCHA estimate (mid Feb) that 24.1 million are in need, representing 80% of Yemen's population. 14.3 million are designated as in 'acute need' requiring immediate assistance to sustain life. This latter figure has risen by 27% over the last year. Access, due to the shifting frontlines of the conflict, remains a major issue; an estimated 6.5 million live in 83 hard-to-reach districts.

3.3 million are now displaced by the fighting and loss of livelihoods - up from 2.2 million in a year. Much of this increase is made up of the near 700,000 who fled the Hodeidah conflict in 2018.

The UN has now launched the largest ever single country funding appeal at \$4.2 billion for 2019. UK has pledged a contribution of \$260m and is now the third largest donor after KSA and UAE. It is widely recognised though that, without a wider peace agreement, even this level of international funding is unlikely to result in major improvements in the field.

UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock, has blamed the deterioration on lack of respect for international law, and on economic collapse.

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Agencies have been increasingly vocal about operational obstacles – visa delays, movement restrictions and commandeering of aid – by both sides. In recent weeks, the Houthis have come under severe criticism - with increasingly worrying reports of aid going astray and of unacceptable pressure on humanitarian actors. The economic squeezing of Houthi-controlled areas is leading to increased repression and commandeering of resources.

The Stockholm Agreement has ensured that key Red Sea ports (Hodeidah and Salif) are open and fully operational (UNVIM Update).

Food prices continue to escalate (see earlier YSPG briefings) driven by a decline in the value of the riyal (in recent months the riyal has fluctuated wildly between 450 and 800 YR/\$). Severe trading difficulties have been caused by banking obstacles with a still divided Central Bank of Yemen, although the appointment of a well-respected Governor for CBY-Aden provides for some optimism. More serious attempts are now being made to constrain independent private money exchanges, the main beneficiaries of exchange rate uncertainty. On the other hand these exchanges have largely made it possible for imports to continue. Non-payment of civil servant salaries remains a fundamental issue, although civil servants in government areas of Hodeidah governorate have begun to be paid from late February.

The health sector has been devastated by the war – only half of health facilities are fully functional. Cholera remains a threat, with over 400,000 suspected cases, a third are children under 5. Over 500 deaths from Jan 2018 to early Feb 2019 have been reported. Suspected cases are again on the rise, linked to the early rains, to poor maintenance of sewage systems, the use of contaminated irrigation water and movements of displaced populations. With 1.3 million cases since 2017, this is the world's worst ever cholera outbreak.

Dengue fever remains far above 2017 levels, and diphtheria has re-emerged for the first time since 1982 with over 3,000 suspected cases and 186 deaths. Measles infections likewise remain far above 2017 levels but are now more under control following a WHO emergency vaccination programme that has so far reached 11 million children. In addition, latest reports indicate some 130 people died of swine flu over this last year. The sheer scale of these cases indicates a population severely weakened by malnutrition, food insecurity and cramped / unsanitary living conditions, especially for IDPs.

Education remains in a dire state of near collapse, with 2 of 7 million school aged children not in school and 20% of schools closed. Many schools are occupied by IDPs. Teacher salaries have remained largely unpaid for over two years. Some promising news at last, with UNICEF recent announcement that they will pay salaries of 136,000 teachers (of a total of some 230,000) who are not receiving salaries but reporting for work. This will benefit an estimated 3.7 million children. By 9 March the scheme had already reached 98,000 teachers.

The sharp rise in poverty, household financial insecurity and lack of schooling is reflected in the rocketing rate of under-age marriage as families look for early dowry payments. This was already a major issue before the outbreak of war - Yemen already had the highest incidence of girl-child marriage. But over the period 2017-18 alone, child marriage rates have tripled (using the UN-set international standard of girls under 18).

### **C. The Stockholm Agreement and UK moves in support**

In mid-Dec 2018, an agreement of potentially far-reaching significance was brokered in Stockholm by the UN Special Envoy (see earlier YSPG briefings). Its significance lies in that it secured for the first

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time a signed agreement between the Hadi government and the Houthi leadership, and a potential first step towards wider peace. But each of the three elements of the Stockholm Agreement is facing major implementation challenges:

- a) For the moment, there is relative peace (compared to previously) in Hodeidah city, but it appears that progress on the mutual redeployment of forces from Hodeidah (port and city) has largely stalled. Redeployment from the ports of Ras Isa and Salif is reported to be progressing. In Hodeidah there is serious disagreement over which “local forces” would take over security - both parties wanting to secure continuing control. There is deep distrust and fear that the other side will take military advantage of any move. On the positive side, access has been gained to the stranded Red Sea Mills, a major depot for WFP grain, but a solution has yet to be found for the major truck operation to get this grain out.
- b) Prisoner exchange, under supervision of Special Envoy and ICRC, remains stalled for the moment with lack of agreement over the lists of prisoners to be released.
- c) Taiz. No progress here either at this point. Taiz is among the areas worst affected by the conflict, with many militias with different allegiances involved. The Houthis have been responsible for aid delays and siege tactics. The situation is further worsened by Taiz Governorate receiving over 400,000 IDPs from Hodeidah (some 60%) following the recent fighting there. There have been returnees from earlier displacement out of the city (estimated at over 100,000), but they often find their homes destroyed and face little chance of employment.

The UK has been highly supportive of the efforts of Martin Griffiths, the UN Special Envoy for Yemen, making major contributions to the funding of his operation. Foreign Secretary, Jeremy Hunt, has been energetic in his support for the Stockholm Agreement, travelling to Oman where he met with Houthi spokesman Mohammed Abdulsalam (but not with the Houthi leadership who are unable to move given the constraints imposed by UNSCR 2216). Hunt travelled on to Aden to meet the Foreign Minister of the Yemeni internationally-recognised government, Khaled Al-Yamani.

Given the extreme fragility of the implementation of the Stockholm Agreement, which is seen as a necessary first step in wider peace negotiations, Hunt warned that this was *'last chance saloon'* and that the tentative ceasefire could collapse within weeks unless both sides shift position and agree to practical implementation measures. There is no evidence yet of any 'Plan B' should the withdrawal agreement fail.

### **D. UK arms sales and fuelling the war**

Mid-Feb 2019, the House of Lords Select Committee on International Relations published their report, assessing UK arms sales to Saudi Arabia / UAE (£4.7bn since the war began) as *'narrowly on the wrong side'* of international humanitarian law, and that Saudi misuse of its weaponry was causing civilian deaths. The Committee called on the UK government to assess the implications of individual arms export licences and be prepared to suspend key export licences.

The debate over the legality of UK arms sales to Saudi Arabia will resume in April at the Court of Appeal. Court hearings will be on 9-11 April 2019, but with the findings probably not announced till June, or even later. Back in July 2017, the High Court had ruled in favour of the government and against CAAT (Campaign against the Arms Trade), following evidence held in closed session. The UK has continued to claim in its official position that it has *'one of the most robust export control regimes*

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*in the world'* in approving arms exports licences, and that they '*assess where there is a clear risk that it might be used in the commission of a serious violation of International Humanitarian Law (IHL)*' (quotes from Foreign Secretary letter to YSPG, Dec 2019).

But UK arms sales continue to fly in the face of all the evidence (now increasingly well documented) of continuing air attacks against civilians. Significantly, the Group of Eminent Experts for the UN Human Rights Council in the most senior and 'official' documentation to date, recommended '*that the international community...refrain from providing arms that could be used in the conflict in Yemen*' (Report to UNHRC, Aug 2018).

Most recently a 128-page investigation by the University Network for Human Rights and the Yemeni monitoring group Mwatana looked in detail at 27 apparently unlawful Coalition airstrikes in Yemen (those for which sufficient evidence was available), with US or UK made weapons 'probably used', leading to 203 civilian deaths with 750 injured, including over 20 children and at least 56 women killed or wounded. '*In no case did it appear that Coalition forces took adequate precautions to minimise harm to civilians as required under IHL*'.

The issue of arms sales to Saudi Arabia has recently set off a dispute between the UK and Germany. In a leaked memo, Foreign Secretary Jeremy Hunt, had criticized the cessation of German arms exports to Saudi Arabia, complaining that delays in the provision of German components for Eurofighter jets, an important part of the supply chain, were endangering NATO's defence capabilities. Foreign Minister Heiko Maas responded that Germany would not resume arms sales to Saudi Arabia, and that future decisions on the issue would depend on developments in the Yemen war and the implementation of the Stockholm Agreement. The German moratorium on arms sales expires this week. At time of writing it is unclear how this will be resolved.

Senior UK defence sources recently dismissed reports (in the Mail on Sunday) that five British special forces commandos, members of the Special Boat Services SBS, were wounded in gun battles while on secret missions in Yemen. They are now back in the UK.

In a joint letter to the Foreign Secretary on March 25, the five leaders of UK opposition parties (Labour, SNP, Lib Dems, Plaid Cymru and the Greens) criticised the UK government for '*not using all means at its disposal to put pressure on Saudi Arabia to abide by basic human rights laws*', and supporting the suspension of arms sales called for by Germany, Spain, Denmark, Canada, US Congress, the UN Human Rights Council and the European Parliament.

In the US, the Republican-controlled Senate passed a war powers measure (S.J.Res.7) on March 13 to end US military participation in the war in Yemen (by a 54-46 majority). The measure will now go to the House, where a similar piece of legislation passed last month. President Trump has promised to veto S.J.Res.7 if it passes the House as expected – Congress needs a two-thirds majority for this to be avoided. Nevertheless the pressure is building. The US Administration has already taken measures to stop aircraft refuelling.

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