

Thursday 4 October 2018

P8_TA(2018)0383

Situation in Yemen

European Parliament resolution of 4 October 2018 on the situation in Yemen (2018/2853(RSP))

(2020/C 11/09)

The European Parliament,

- having regard to its previous resolutions on Yemen, in particular those of 25 February 2016 ⁽¹⁾ and 15 June 2017 ⁽²⁾ on the humanitarian situation in Yemen, and of 9 July 2015 ⁽³⁾ and 30 November 2017 ⁽⁴⁾ on the situation in Yemen,
 - having regard to the report published by the UN Human Rights Council Group of Regional and International Eminent Experts on Yemen on 28 August 2018 on the situation of human rights in Yemen, including violations and abuses since September 2014,
 - having regard to the joint statements by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Federica Mogherini and Commissioner Christos Stylianides of 13 June 2018 on the latest developments around Hodeidah, Yemen, and of 4 August 2018 on the airstrikes in Hodeidah,
 - having regard to the annual report of the UN High Commissioner for Human Rights of 24 September 2018 on the situation in Yemen,
 - having regard to the Council conclusions of 25 June 2018 on Yemen,
 - having regard to the statement by the President of the UN Security Council of 15 March 2018,
 - having regard to the statement of 6 September 2018 by the Special Envoy of the UN Secretary-General for Yemen,
 - having regard to the statement by the World Food Programme Executive Director of 19 September 2018,
 - having regard to the Rome Statute of the International Criminal Court,
 - having regard to the UN Security Council resolutions on Yemen, in particular resolutions 2216 (2015), 2201 (2015) and 2140 (2014),
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas the ongoing conflict in Yemen has entered its fourth year and more than 22 million people need humanitarian support; whereas over 17 million people are food insecure, among whom more than 8 million people are severely food insecure and at risk of starvation; 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;

⁽¹⁾ OJ C 35, 31.1.2018, p. 142.

⁽²⁾ OJ C 331, 18.9.2018, p. 146.

⁽³⁾ OJ C 265, 11.8.2017, p. 93.

⁽⁴⁾ Texts adopted, P8_TA(2017)0473.

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- B. whereas the conflict started in 2015 when Iranian-backed Houthi rebels ousted the country's internationally recognised president, who subsequently brought in a multinational coalition led by Saudi Arabia to fight the rebels and those troops allied to them;
- C. whereas since November 2017, the Saudi-led coalition has established a blockade on all imports to the Houthi-controlled territory, with the exception of urgent humanitarian and relief materials; whereas according to the OCHA, Yemen has received only 21 % of its fuel requirements and 68 % of its food import needs since the blockade began; whereas, in certain cases, Houthi rebels have blocked the delivery of essential medical supplies, food and humanitarian aid to government-controlled cities;
- D. whereas in June 2018 the coalition led by Saudi Arabia and the United Arab Emirates (UAE) started an offensive to take the city of Hodeidah; whereas Save the Children has reported hundreds of civilian casualties in this operation; whereas Hodeidah is Yemen's most important port and is the transit point for as much as 70 % of the country's critical food and humanitarian aid; whereas, according to the UN, nearly 4 70 000 people have fled Hodeidah Governorate since early June 2018; whereas a further attack on Hodeidah would have devastating consequences for civilians; whereas parties to the conflict are obliged to allow and facilitate the rapid and unimpeded passage of humanitarian relief, including medicine, food and other items necessary for survival;
- E. whereas the ceasefire negotiations led by the UN Special Envoy for Yemen, Martin Griffiths, resulted in a temporary cessation of the offensive; whereas the collapse of the latest attempt to hold peace talks in Geneva led to a resumption of hostilities on 7 September 2018; whereas since the offensive started, civilian deaths have increased by 164 %; 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;
- F. 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;
- G. whereas the Saudi-led campaign and the intense aerial bombardments, including indiscriminate attacks in densely populated areas, exacerbate the humanitarian impact of the war; whereas the laws of war prohibit deliberate and indiscriminate attacks on civilians and civilian targets such as schools and hospitals; whereas, having regard to the findings of the Group of Independent Eminent International and Regional Experts (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;
- H. whereas since March 2015, more than 2 500 children have been killed, more than 3 500 children have been maimed or injured and a growing number of children have been recruited by armed forces on the ground; 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;
- I. whereas in August 2018 a report compiled by the UN High Commissioner for Human Rights concluded that there are 'reasonable grounds to believe' all parties to the conflict in Yemen may have committed war crimes; whereas forces on both sides of the conflict have been accused of firing heavy weapons into built-up areas and highly populated areas, including strikes on hospitals and other non-military structures;
- J. whereas the war has led to the destruction of infrastructure and the collapse of Yemen's economy, and caused widespread disruption to basic commodities and the supply of utilities, sanitation and clean drinking water; whereas the regular payment of salaries of up to 1,4 million non-military Yemeni public workers effectively ceased at the end of 2016;

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- K. whereas preventing the use of UN flights for international media and human rights organisations impedes independent coverage of the situation in Yemen and contributes to the global neglect of the conflict;
- L. whereas gender-based sexual violence has 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 their families and communities;
- M. 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;
- N. whereas Houthi de-facto authorities have conducted a systemic campaign of harassment, arbitrary and abusive detentions, and forced disappearances and torture against human rights defenders, journalists and religious minorities; whereas 24 Yemenis from the Baha' i minority, including one child, are facing charges that could result in the death penalty, for nothing other than their beliefs and peaceful actions;
- O. whereas Houthi rebels have been accused of causing mass civilian casualties during their siege of Taiz, Yemen's third largest city; whereas they have waged a war of attrition against civilian populations in government-controlled areas; whereas they have also deployed banned anti-personnel landmines and recruited children;
- P. whereas Kamel Jendoubi, Chairman of the GEE that 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;
- Q. whereas Yemen has signed the Rome Statute of the International Criminal Court but has yet to ratify it; whereas several provisions of the Rome Statute, including those related to war crimes, reflect customary international law;
- R. whereas in February 2018 Russia vetoed a UN Security Council resolution highlighting Iranian involvement in the conflict;
- S. whereas there is an international arms embargo in place against the Iranian-backed Houthi rebels and, according to the 18th EU Annual Report on Arms Exports, EU Member States have continued to authorise transfers of arms to Saudi Arabia since the escalation of the conflict, in violation of Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment ⁽⁹⁾; whereas in the past year, some EU Member States have partly or totally suspended arms transfers to Saudi Arabia and the UAE; 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;
- T. 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 can under certain circumstances be seen as extrajudicial killing;
- U. whereas the war in Yemen has opened up space for extremist groups, including al-Qaeda in the Arabian Peninsula (AQAP), to extend their reach, thereby threatening the wider region; whereas a stable, secure Yemen with a properly functioning government is critical to international efforts to combat extremism and violence in the wider region and beyond, as well as to peace and stability within Yemen itself;

⁽⁹⁾ OJ L 335, 13.12.2008, p. 99.

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- V. whereas stability in the wider region is of critical importance for the EU; whereas the EU is committed to a comprehensive and strategic approach encompassing all relevant regional actors; 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;
- W. whereas the EU remains committed to continuing to deliver life-saving aid to all people in need in Yemen; whereas at the same time, the EU shares the concerns of the UN and other donors about the continuing shrinking of humanitarian space; whereas from 2015 until now, the EU has contributed more than EUR 233 million in humanitarian funding to Yemen;
1. Condemns in the strongest terms the ongoing violence in Yemen and all attacks against civilians and civilian infrastructure; emphasises its concern over the conflict that 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. Deeply regrets the loss of life caused by the conflict and the suffering of those caught up in the fighting, and expresses its condolences to the families of the victims; reaffirms its commitment to continuing to support Yemen and the Yemeni people;
 3. Calls on all parties to the conflict to cease hostilities immediately; urges Saudi Arabia and other actors involved to further lift the ongoing blockade of Yemen; calls on all directly or indirectly involved states and relevant actors, including Iran, 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;
 4. Stresses that only a political, inclusive and negotiated solution to the conflict can restore peace and preserve the unity, sovereignty, independence and territorial integrity of Yemen; calls on all international and regional actors to engage constructively with the parties in Yemen to enable a de-escalation of the conflict and a negotiated settlement;
 5. Supports the efforts of the Special Envoy of the UN Secretary-General for Yemen, Martin Griffiths, to restart the political process; takes note of his statement to the UN Security Council of 11 September 2018 'that despite the absence of one of the sides to the Consultations in Geneva last week, and even if it certainly did not go as planned, we still managed to relaunch the political process with solid support clearly from the Yemeni people and the international community'; welcomes Mr Griffiths' visit to Sana'a on 16 September 2018; 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;
 6. Condemns all terror attacks in the strongest terms; is deeply concerned about the increased presence in Yemen of criminal and terrorist groups, including AQAP and ISIS/Daesh; calls on all parties to the conflict to take resolute action against such groups; condemns the presence of foreign fighters and calls for the removal of all such fighters from Yemen;
 7. Calls on all the parties to the conflict 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 (2015), to identify the individuals obstructing the delivery of humanitarian assistance in Yemen and to impose targeted sanctions on them;
 8. Stresses that the UN Security Council has underlined its support for the UN Verification and Inspection Mechanism (UNVIM), and that the EU fully supports the continuation of UNVIM and the full and unhindered implementation of its mandate;
 9. Calls on all parties to immediately cease all attacks against freedom of expression, and to release all journalists and human rights defenders detained solely for having exercised their human rights; calls on all parties to cease obstructing the work of international media and humanitarian personnel in relation to the conflict;

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10. Calls on all parties to the conflict to take the necessary measures to ensure effective, impartial and independent investigations into all alleged violations and abuses of human rights and alleged violations of international humanitarian law, in accordance with international standards; is deeply concerned about reports of denial of freedom of religion or belief, which include discrimination, unlawful detention, the use of violence, and abuses of human rights, including sexual and other violence against women, men, girls and boys, in violation of international standards;

11. Calls on all parties to the conflict to end the recruitment or use of children as soldiers and to put a stop to other grave violations committed against them in violation of applicable international law and standards; calls on all parties to release any children who have already been recruited and to cooperate with the UN with a view to their rehabilitation and reintegration into their communities; supports the vital work of UNICEF in Yemen;

12. Calls on the Specialised Criminal Court in Houthi-controlled territory in Sana'a to acquit and release Asmaa al-Omeissy, Saeed al-Ruwaished and Ahmed Bawazeer, who were forcibly disappeared, tortured and sentenced to death after a grossly unfair trial for allegedly aiding an enemy country;

13. Calls on the Specialised Criminal Court in Sana'a to immediately release the 25 followers of the Baha'i faith who are currently detained for peacefully practising their religion and face charges punishable by death;

14. Reminds all parties to the conflict that they are accountable under international law for any crimes committed; urges the Member States to take all necessary measures to hold alleged perpetrators to account, notably through national or international prosecution of individuals, groups and organisations suspected of such violations or the application of the principle of universal jurisdiction, and by investigating and prosecuting the alleged perpetrators of atrocity crimes in Yemen;

15. Praises the work undertaken by the UN GEE on Yemen and expresses its full solidarity with its Chairman, Kamel Jendoubi; welcomes the annual report of the UN High Commissioner for Human Rights of 24 September 2018 on the situation in Yemen, in which the UN Human Rights Council decided to extend the mandate of the GEE for a further period of one year, renewable as authorised by the Human Rights Council, 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 a referral of the situation in Yemen 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;

16. Calls for the European Union and all Member States to provide cohesive, prompt and effective support to the GEE across all relevant UN bodies, and in the Human Rights Council in particular;

17. 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; urges the Council to adopt a Common Position on the use of armed drones;

18. Calls on the EU to take the initiative at the next Human Rights Council meeting to raise the issue of membership by states with deeply questionable human rights records;

19. Urges the VP/HR, the EEAS and the Member States to continue to conduct a dialogue with the countries of the region on human rights and fundamental freedoms; expresses its readiness to hold a constructive and open dialogue with authorities of the countries of the region on the fulfilment of their international human rights commitments; calls for an exchange of expertise on judicial and legal matters in order to strengthen the protection of individual rights in the countries of the region;

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20. Calls on the Council to effectively promote compliance with international humanitarian law, as provided for in the relevant EU guidelines; reiterates, in particular, the need for the strict application by all EU Member States of the rules laid down in Common Position 2008/944/CFSP; recalls, in this regard, Parliament's resolutions on the situation in Yemen of 25 February 2016 and 30 November 2017; urges 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 to the Yemeni Government and other parties to the conflict;
21. Denounces the destruction of Yemeni cultural heritage by the airstrikes of the Saudi-led coalition, 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 will be held accountable also for such acts; 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;
22. 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; welcomes the fact that the EU will continue to provide development assistance to Yemen, giving priority to interventions directed at stabilising the country, and 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;
23. Reserves the right to reconsider the matter until a negotiated solution is reached; recommends that its Subcommittee on Human Rights monitor human rights developments in Yemen and produce a report on the violations of human and civil rights perpetrated in the country;
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 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.
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