



**Human Rights Watch Documentation of
Coalition Attacks in Yemen**
2015 – present



AUGUST 2019

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2019

2018

September 2, 2018: Coalition Bus Bombing Apparent War Crime

States Supplying Arms Risk Complicity

(Beirut) – A Saudi-led coalition airstrike that killed at least 26 children and wounded at least 19 more in or near a school bus in the busy market of Dhahyan, in northern [Yemen](#), on August 9, 2018, is an apparent war crime, Human Rights Watch said today. Countries should immediately halt weapons sales to Saudi Arabia and support strengthening a United Nations independent inquiry into violations by all parties to Yemen’s armed conflict.

Since the Yemen conflict escalated in March 2015, numerous coalition airstrikes have been carried out in violation of the laws of war without adequate follow-up investigations, placing arms suppliers at risk of complicity in war crimes. Human Rights Watch has identified United States-origin munitions at the sites of at least 24 other unlawful coalition attacks in Yemen. The [US is reportedly working to advance a sale of \\$7 billion](#) in precision-guided [munitions to Saudi Arabia and the United Arab Emirates](#).

“The Saudi-led coalition’s attack on a bus full of young boys adds to its already gruesome track record of killing civilians at weddings, funerals, hospitals, and schools in Yemen,” said [Bill Van Esveld](#), senior children’s rights researcher at Human Rights Watch. “Countries with knowledge of this record that are supplying more bombs to the Saudis will be complicit in future deadly attacks on civilians.”

Human Rights Watch spoke by phone to 14 witnesses, including 9 children, who said that shortly before 8:30 a.m. on August 9, an aerial bomb hit the market in Dhahyan, a town 20 kilometers north of Saada in Houthi-controlled northwestern Yemen, 60 kilometers from the Saudi border. The bomb landed within a few meters of [a bus filled with boys](#) on an excursion organized by a local mosque to visit the graves of men who had been killed in fighting. The bus was parked outside a grocery store where the driver had gone to buy water for the children.

The witnesses identified 34 people, including 26 children and 4 teachers, all of whom they identified as civilians, who were killed in the attack, and said there was no evident military

target in the market at the time. The attack killed 25 boys and wounded 13 boys on the bus, according to the witnesses, and also killed a boy and wounded six others who were near the bus. Some grieving parents said that the force of the explosion meant they [were unable to recover any body parts](#) of their children.

A 16-year-old boy working in a barbershop across the street from the bus told Human Rights Watch by phone from his hospital bed that the explosion was “like the flickering of a lamp, followed by dust and darkness.” He was wounded in the attack by metal fragments in his lower back and said he cannot move unassisted or walk to the bathroom.

A 13-year-old boy who was on the bus, who was also hospitalized, said he had a painful leg wound and hoped his leg would not be amputated. Many of his friends were killed. “Even if I am able to run and play in the future,” he said, “I will not find anyone to play with.”

Human Rights Watch received photographs and videos of munition remnants that a lawyer based in Sanaa, about 235 kilometers south of Saada, said were at the site. He had traveled to the site of the attack on August 11. He also took videos at the site showing the collected remnants near the destroyed bus in the market. The photos and videos of markings visible on a guidance fin for a GBU-12 Paveway II bomb show it was produced at a General Dynamics Corporation facility in Garland, Texas, as well as other markings identifying Lockheed Martin.

Human Rights Watch could not confirm the remnants were found near the site of the attack. However, the relative homogeneity of the fragments in thickness as well as condition, with no weathering or discoloration apparent, and the images of damage from the attack, are consistent with the detonation of a large impact-fuzed aerial bomb. Human Rights Watch has previously determined [GBU-12 Paveway II munitions](#) were used in coalition airstrikes that killed 31 civilians on September 10, 2016, and killed [more than 100 civilians](#) at a funeral ceremony on October 8, 2016.

The Saudi-led coalition, as it has in past attacks that killed civilians, has made various claims about the intended target of the attack. Coalition spokesperson, Col. Turki al-Malki, stated on August 9 that “the targeting today in Saada Governorate” was a [“lawful” attack](#) on “the militants responsible” for a ballistic missile attack on Jazan, a city in southern

Saudi Arabia, on the night of August 8. The ballistic missile was [launched from Amran](#), a different Yemeni governorate, not Saada, according to the coalition. Al-Malki told Al-Arabiya television the attack targeted “insurgents on the bus.” He told CNN, “[No, this is not children in the bus](#)....We do have high standard measures for targeting.”

On August 11, the Saudi Arabia Permanent Mission to the UN stated the attack “[targeted Houthi leaders](#) who were responsible for recruiting and training young children....The military action also targeted one of the most prominent trainers of weapons.” No evidence was put forward to support these claims.

Under the laws of war, parties must do everything feasible to verify that targets are valid military objectives. Witnesses said there were no armed men in the market or on the bus, and videos taken on the bus before the attack do not show any fighters or weapons. Human Rights Watch could not confirm the absence of a Houthi military target in the vicinity of the attack, but even if it were present, the use of a weapon with wide area effects in a crowded market would have been unlawfully indiscriminate or expected to cause disproportionate civilian loss.

Individuals who commit serious violations of the laws of war with criminal intent – that is, intentionally or recklessly – may be prosecuted for war crimes. Individuals may also be held criminally liable for assisting in, facilitating, aiding, or abetting a war crime. All governments that are parties to an armed conflict are obligated to investigate alleged war crimes by members of their armed forces.

Despite initially discounting the possibility of an unlawful attack, the coalition later said it would [investigate the strike](#). Coalition investigations seldom find wrongdoing. Human Rights Watch found that the coalition’s [Joint Incidents Assessment Team \(JIAT\) has failed to carry out credible investigations](#) since its establishment in 2016. Victims of strikes in which JIAT recommended the coalition provide some form of assistance also said they had yet to receive any form of redress.

In a [news conference](#) on September 1, Lt. Gen. Mansour Ahmed al-Mansour, a JIAT legal advisor, [said](#) the airstrike was not needed to prevent an imminent attack and should have been carried out when the bus was “in an open area to avoid such collateral damage,” but was not due to “a clear delay.” The coalition stated that it agreed with the JIAT assessment,

“[expressed regret](#)” for the attack, and [said](#) it [would](#) “undertake legal proceedings to hold those who committed mistakes accountable,” and “provide redress or assistance to the victims.” Al-Mansour did not mention that scores of children were also on the bus, who would have been killed or wounded regardless of the location of the bus when the attack was carried out. Al-Mansour said the coalition had received intelligence information that a Houthi leader responsible for military training, identified as Mohammad Abd el-Hafeez Setteen, was on the bus, and that three other adults killed were responsible for recruiting and training fighters and producing IEDs, without providing further information to support these allegations. Children who were on the bus and their family members told Human Rights Watch that the four men were teachers, including Mohammad Abd el-Hafeez, whom the Houthi-led Education Ministry also listed as a 28-year-old teacher.

Shortly after the August 9 attack, the US State Department spokesperson said that the Saudi-led coalition should “conduct a thorough and transparent investigation into the incident.”

The Defense Department spokesperson said the US military was not involved in the Dhahyan airstrike, but endorsed US military efforts to reduce civilian casualties: “US military support to our partners mitigates noncombatant casualties, by improving coalition processes and procedures, especially regarding compliance with the law of armed conflict and best practices for reducing the risk of civilian casualties.”

A spokesperson for [Lockheed Martin referred questions](#) about the Dhahyan attack to the Defense Department. The Defense Department [declined journalists’ requests to identify the source](#) of the weapon used in the attack. The military later stated a lieutenant general’s already-scheduled visit to Saudi Arabia discussed “the need for a timely and transparent investigation” of the attack with Saudi authorities.

In November 2015, the US State Department approved the sale of 4,020 GBU-12 Paveway II bombs as part of [a \\$1.3 billion arms sale to Saudi Arabia](#), but the US [halted parts of the sale](#) involving [precision-guided munitions](#) in December 2016. The Trump administration reversed that decision in March 2017. In June 2017, the US approved another arms agreement based on Saudi [pledges to reduce civilian casualties](#).

The United Kingdom and France also remain major arms sellers to Saudi Arabia. [Germany has suspended arms sales to the warring parties in Yemen](#), and the [Netherlands and Sweden](#) have adopted more restrictive approaches to arms sales. A [Belgian court suspended four arms licenses](#) to Saudi Arabia over concerns about violations in Yemen. [Norway has also suspended its arms sales](#) to Saudi Arabia, and to the United Arab Emirates, which plays a significant role in military operations in Yemen.

“Any US official who thinks the way to prevent Saudi Arabia from killing more Yemeni children is to sell it more bombs should watch the videos of the bus attack in Dhahyan,” Van Esveld said. “The US and others should immediately stop weapons sales to Saudi Arabia and support strengthening the independent UN inquiry into violations in Yemen or risk being complicit in future atrocities.”

Death Toll and Witness Accounts

Human Rights Watch documented the full names, ages, and status of 34 people killed in the attack, including 3 teachers and 25 children who were on the bus, and a child, a teacher, and 2 other men in the market. In addition, witnesses identified 4 other adults in the market who were wounded, and 13 children on the bus and 6 children in the market who were wounded. The bus driver, who was in a store in the market, was not harmed.

The Houthi-run Education Ministry [published a list of the names](#), ages, and other identifying information of the children and teachers killed, and of 51 people wounded in the strike (not counting repeated names), including 49 children. According to the Houthi Health Ministry, in total, 51 people were killed and 79 wounded.

The International Committee of the Red Cross (ICRC) stated that 50 people were killed and 77 wounded, and that on August 9, Saada’s al-Talh [hospital, which the ICRC supports](#), received the bodies of 29 children under age 15, and 48 people who were wounded, including 30 children.

Children who were on the bus said they were part of a summer program, which began in June, to study at the Grand Mosque from 7:30 a.m. to 10 a.m. daily, except Thursdays and Fridays. On August 9, they had gathered at the mosque at 7 a.m. for a special excursion to the Houthi “martyrs’ cemetery” and the Imam al-Hadi mosque. Nearly all the children on

the trip were under age 14. The mosque had organized the same excursion for older students two weeks earlier. “The market was busy and the bus was full of boys,” said Ahmed Muhammad Ali Swayed, 16, who was in the market near the bus at the time of the attack.

Ahmad Abdul Rahman Mohsen Adlan, 13, told Human Rights Watch by phone that the attack had badly wounded his legs. Beginning in June, Adlan had taught summer classes on literacy and memorizing the Quran to 60 children ages 10 and under at the mosque. Five of his students were killed in the attack, he said:

We went to visit one of the cemeteries first, then we stopped at the grocery store near the post office to buy water because we were thirsty. I didn't hear anything, no explosion, and suddenly I was standing near a hole next to the bus. It was like a dream, as if the whole trip was a dream, or what is going on now is a dream. I didn't know what happened, but I was about to fall into the hole, and I turned and saw that beside me there were a lot of pieces of people, chopped-up people.

Three brothers who were on the bus – Ahmad, 14, Hassan, 13, and Yahia Hanash, 11 – said that the bus stopped so the bus driver could buy water, and that they did not see any armed men in the market. Ahmad, who can no longer hear in one ear, said:

Boys my age went on the first trip [two weeks previously], but my family was late in preparing breakfast that day and they heard airplanes, so I missed the bus. The teachers told me to go on the next trip along with my younger brothers. I saw bodies torn into pieces, pieces of my friends. Yahia was burned. I also got burned, wounded in my chest and hands, and my right ear was injured, I can't hear with it, I use the left now. Many of my friends died... [There are] too many for me to mention all of them. They are all from the same neighborhood, the Grand Mosque neighborhood.

The boys' father, Mohammed Ali Ahmed Hanash, 50, said he was grateful they were alive. “I saw Yahia, my youngest, in the ICU [Intensive Care Unit], vomiting blood, fighting death,” before his condition improved. The family had been displaced by fighting two

years earlier from the Qatabir border district of the Saada governorate, where another boy was killed by a previous airstrike and a girl was wounded by a sniper, their father said.

Children who were on the bus named four teachers from the mosque summer program who were killed in the airstrike: Yahya al-Bishri, Mohammed Abdulhafeez, and Ali al-Hijri, who were on the bus, and Ali Fa'ie, who was killed in the market. All four were [listed by the Houthi-run Education Ministry](#) as killed in the strike, with three identified as volunteers and one as a regular teacher.

The children said three boys came up to the bus while it was parked and were talking to their friends through the windows, including Muhammad Saeed Ali Salman, 13; Hamid Muhammad A'edah, 10; and Zakaria Abdul Wahab Ali Fay'a, 11, a student at the mosque school who had gone on the first day trip two weeks earlier. "Zakaria rode up to the bus on his little bicycle and was chatting with friends, waiting for the driver to return to ask for permission to come along on the trip again," one boy said. "He was torn to pieces."

The attack killed and maimed workers and customers at small businesses in the market, including children. Tarash Ahmad Salam al-Sam'ae, 40, said the bomb landed about 4.5 meters from his barbershop and wounded his sons Ibrahim, 14, and Abdulrahman, 16, who had opened the shop at 8 a.m.: "I was at home having breakfast when I heard the whizz of the [bomb] and the blast, so I ran [toward the barbershop]. The whole market was dusty, people were running, children were thrown on the ground, some were dead, and some were fighting death."

Human Rights Watch also spoke to Ibrahim, who was evacuated to al-Talh Hospital, and to Abdulrahman, in al-Jamhuri Hospital in Saada. Abdulrahman, a secondary-school student, said he saw the bus park across the street from the barbershop at about 8:20 a.m., where the driver got out and entered a grocery store:

A customer I had finished shaving was sitting inside, and another customer was near the door about to enter. [...] I didn't hear a sound. I didn't lose consciousness. I left the salon and walked in the direction of my house, east. I saw Ibrahim walking near me. I was covered with blood, the whole area was bloody, everything was blood. I felt pain in my lower back. I did not look at anyone, I did not know what happened to the customers, I

walked straight ahead. I could only hear one voice, the voice of someone calling out “Hamd,” from far away, like an imaginary voice. I think it was our neighbor, Jaafar, who died later, calling on his little son. My brother and I lay down, I couldn't finish the walk home. A piece of shrapnel entered my lower back and there is another in my legs. They told me that my spine is intact, but I can't walk now.

Jaafar Thabet Naji, 46, and his son Hamd, 15, were wounded and taken to a nearby clinic, but the father later died of internal bleeding, said his nephew Hamdi Ali Thabet al-Sam’ae, 28, who also works as a barber in the market.

The attack also killed two customers at a nearby cafeteria, and wounded six people, including five workers: Faysal Muhammad Abdullah al-A’zi, 38, a cook; his son Mo’atasam Faysal, 16; his brothers Ali, 25, and Mansour, 20; his nephew Ezz el-Din Saleh, 10; and another relative, Abdo Ali Yusef al-Haouri, 19. The attack severely damaged the cafeteria.

“Three customers came in after 8 o’clock, so I was cooking *fuul* [a bean dish] with eggs for them, and suddenly I lost consciousness,” Faysal Abdullah al-A’zi said. The bomb blast had blown off the kitchen door, which hit him in the head. “Two of the three customers died immediately, the other was wounded in the leg.” He said he knew of no military targets in the market. Abdo Ali Al-Haouri, an assistant baker, said the attack also killed the owner of the grocery store next door, Mohammad Abdullah al-Marani, in his 20s. Al-Haouri said he saw the summer school bus arrive and park across the street, and described a busy marketplace:

The market was crowded, all the shops were open. The bus driver got out to get something from a grocery store. On that side of the street, there are two grocery stores and a vegetable shop, and on our side, there was a grocery store, the cafeteria, and a barbershop. In Dhahyan, many areas were hit, but at the beginning of the war [in 2015]. The last airstrike was half a month ago, far away from the market. There is no military presence here, the only checkpoints are outside the market. There is a police patrol that comes and goes regularly but it is just one car.

A [video](#) taken [about an hour](#) before the attack, which was recovered from the mobile phone of Osama Zeid al-Homran, one of the boys killed on the bus, shows at least 30 of the children who were part of the excursion at a cemetery for Houthi martyrs. At least one of the same children can be identified in graphic videos showing children and adults killed and wounded in the attack.

The Munition

Photographs and videos of munition fragments show a 500-pound Mk-82 general purpose bomb fitted with a laser-guidance system that can strike within meters of its target. Markings visible on one of the remnants, a guidance fin, include “3LCX2,” a unique identification for US arms suppliers, known as a CAGE code, for General Dynamics Corporation, Ordnance and Tactical Systems Division, in Garland, Texas, which produces Mk-82 bombs. The CAGE code for Lockheed Martin was also marked on a different side of the guidance fin remnant. Human Rights Watch could not confirm that the remnants were found at the site. However, images of damage from the scene are consistent with the detonation of a large, impact-fuzed aerial bomb.

2017

December 7, 2017: Coalition Blockade Imperils Civilians

UN Should Sanction Senior Saudi Leaders

(Beirut) – The [Saudi](#)-led coalition’s broad restrictions on aid and essential goods to [Yemen’s](#) civilian population are worsening the country’s humanitarian catastrophe, Human Rights Watch said today. Unless the coalition immediately stops blocking aid and commercial goods from reaching civilians in Houthi-controlled territory, the United Nations Security Council should impose travel bans and asset freezes on senior coalition leaders, including the Saudi crown prince and defense minister, Mohammed bin Salman.

The coalition has imposed a naval and air blockade on Yemen since the current conflict began in March 2015 that has severely restricted the flow of food, fuel, and medicine to civilians, in violation of international humanitarian law. The coalition closed all of Yemen’s entry points in response to [a missile strike on Saudi’s Riyadh airport on November 4, 2017](#), by opposing Houthi-Saleh forces. While the coalition eased some restrictions in late November, it continues to prevent much aid and nearly all commercial imports from reaching Houthi-controlled ports, which has an unlawfully disproportionate impact on civilians’ access to essential goods.

“The Saudi-led coalition’s military strategy in Yemen has been increasingly built around preventing desperately needed aid and essential goods from reaching civilians, risking millions of lives,” said [James Ross](#), legal and policy director at Human Rights Watch. “The Security Council should urgently sanction Saudi and other coalition leaders responsible for blocking food, fuel, and medicine, causing hunger, sickness, and death.”

Yemen, the poorest country in the Middle East, depends heavily on imported food, medicine, and fuel for 80 to 90 percent of the population’s needs. As of November, [seven million people were dependent on food aid to survive, and nearly a million may have cholera](#). Diphtheria, [a disease that should be preventable](#), was spreading, and had already killed more than 20 people and infected nearly 200. An estimated 2 million children are acutely [malnourished](#). [Half the country’s hospitals have been closed](#) and [nearly 16 million people lack access to clean water](#).

Reopening all of Yemen's land, air, and sea ports to commercial shipments, which before November made up 80 percent of all imports, is crucial to any effort to address what the UN has [described](#) as the world's "worst humanitarian crisis," Human Rights Watch said.

[Claiming a need to strengthen vetting procedures](#), the coalition halted all humanitarian flights and shipments to Yemen for several days following the November 4 attack and halted all humanitarian flights and shipments to ports in Houthi-controlled territory for about three weeks. On November 22, the coalition [announced](#) that it would allow humanitarian flights to resume to the capital, Sanaa, and "urgent humanitarian and relief materials" to begin moving to the Houthi-controlled port of Hodeida.

Major restrictions on the delivery of essential goods to the civilian population remain, Human Rights Watch said. While a [limited number of food shipments](#) have reached Houthi ports on an ad hoc basis since November 22, the coalition has not indicated whether it will allow seaports under Houthi control to reopen to commercial shipments, including fuel and medicine.

The World Food Programme [estimated](#) that even with a partial lifting of the blockade, an additional 3.2 million people would be pushed into hunger and 150,000 malnourished children could die in the coming months.

On December 2, the heads of seven humanitarian agencies [issued a joint statement calling on the coalition to lift restrictions](#): "Without the urgent resumption of commercial imports, especially food, fuel and medicines, millions of children, women and men risk mass hunger, disease and death," they said.

Fighting broke out in Sanaa on December 1 between the Houthis and formerly allied forces loyal to former longtime president, Ali Abdullah Saleh. [Dozens of people, including civilians, were killed and wounded in the fighting](#). On December 4, Houthi forces killed Saleh under circumstances that [remain unclear](#). During the fighting, civilians already facing shortages of essential goods were [reportedly](#) rapidly running out of food, fuel, and medicine. Humanitarian organizations were unable to reach their warehouses to deliver aid to those in need.

Coalition military actions have violated laws-of-war prohibitions on restricting humanitarian assistance and on destroying objects essential to the survival of the civilian population. These violations, as well as the coalition's disregard for the reported suffering of the civilian population, suggest that the coalition may also be violating the prohibition against using starvation as a method of warfare, which is a war crime.

The UN Security Council should impose a travel ban and asset freeze on senior leaders of the coalition, including Mohamed bin Salman, for their role in violations of international humanitarian law in Yemen, Human Rights Watch said. Under Security Council Resolution 2216, the Yemen Sanctions Committee can designate "individuals or entities" for targeted sanctions if they are "engaging in or providing support for" acts that "[obstruct] the delivery of humanitarian assistance to Yemen or access to, or distribution of, humanitarian assistance in Yemen."

The Sanctions Committee has already imposed sanctions – including asset freezes and travel bans – on [five leaders of formerly allied Houthi-Saleh forces](#), including Saleh. No one from the coalition has been designated for sanctions, despite information on repeated coalition violations, including the obstruction of aid, gathered by the UN Panel of Experts, which provides information on implementing the resolution.

"UN Security Council members, particularly the United States, United Kingdom, France, and other coalition allies, have shielded Saudi Arabia from serious international scrutiny even though the Saudi-led coalition has committed numerous atrocities in Yemen," Ross said. "The Security Council urgently needs to act against coalition leaders who have added to Yemen's humanitarian catastrophe or share in the blame."

Yemen's Deepening Humanitarian Crisis

Since March 2015, Human Rights Watch has conducted dozens of interviews with health professionals and humanitarian workers in Yemen regarding restrictions on access to aid and essential goods and their impact on the civilian population. Human Rights Watch also has reviewed coalition statements and UN and humanitarian community assessments on Yemen. Human Rights Watch previously documented actions by both the [Saudi-led coalition](#) and formerly allied [Houthi-Saleh forces](#) that impeded aid delivery to civilians, in violation of international humanitarian law.

Impact of Fuel Shortages

On November 6, the Saudi-led coalition imposed a full blockade on Yemen, which was partially lifted over the ensuing days and weeks. A humanitarian agency official said the “most immediate impact” of the November blockade was on fuel supply. Fuel was already often not available throughout Yemen – including in areas under Yemeni government control, such as Aden, which has repeatedly experienced fuel shortages. On November 23, the World Food Programme [estimated](#) that supplies of fuel and diesel in the country could run out in the coming weeks. The [lack of fuel](#) also makes it more difficult to pump clean water, run hospital equipment, and safely store vaccines.

Houthi and Saleh forces also contributed to the fuel shortages. The UN Panel of Experts reported in June that Houthi-Saleh forces had earned up to US\$1.14 billion from fuel and oil distribution on the black market. They also use imported fuel for military purposes.

Officials at five hospitals in the Yemeni governorates of Hodeida, Taizz, and Sanaa told Human Rights Watch that after November 6 the lack of fuel was having a “catastrophic” impact on their operations. Four of the five hospitals – including the two largest in Yemen – were entirely dependent on generators, powered by fuel, to operate. The hospitals serve thousands of people.

Dr. Nasr al-Qadsi, the general director of Yemen’s second-largest hospital, in Sanaa, said the hospital needed 60,000 liters of fuel a month to power its generators, generate oxygen, and run its ambulances and buses for staff. After November 6, the hospital’s water supplier stopped providing water, telling the hospital it would have to supply the fuel to get more water. “Water and electricity and oxygen are very essential,” al-Qadsi said. “And we have problems getting all of them.”

Dr. Abdul Latif Abu Taleb, the head of Yemen’s largest hospital, also in Sanaa, which can admit about 1,000 patients, said that the November 6 decision “caused us great panic... direct[ing] all our concerns to the pursuit of the necessary diesel material to keep the hospital working.” He added: “I have 105 patients in the intensive care unit on monitors and respirator devices. If the hospital power supply stopped, a disaster will happen.”

Fuel is also crucial to provide access to clean water in the country. Less than a week after the November blockade was put in place, the UN [reported](#) fuel prices had increased by 60 percent in Sanaa and trucked-water by 133 percent. Three weeks after the blockade began, hospital officials in two governorates reported huge price increases – up to 300 percent – if fuel was available at all. “The prices jumped to the sky, so we couldn’t afford buying it,” one doctor said. Other doctors said they had diverted all hospital revenue, much of which they would normally have spent on medicine and medical supplies, to buy diesel.

Rising fuel prices, [according to the UN](#), have caused trucked water prices to spike – up to 600 percent in some places. Nearly 17 million people in Yemen depend on public water networks – some of which are shutting down due to a lack of fuel – or commercial water. In late November, the International Committee of the Red Cross [reported that nine cities lacked the fuel](#) needed to run water treatment plants. Clean water is needed to avoid water-borne diseases, like cholera.

The lack of fuel also increases food scarcity. Civilians have had to spend their limited money on water, giving them less income to purchase food and “further increasing the risk of widespread food insecurity and ultimately famine,” [according to the UN](#). Fuel is needed to transport “what little food remains in Yemen, or food will be stuck in warehouses while innocent people starve nearby,” [said Oxfam](#).

Closing Sea Ports in Houthi-Controlled Territory

Between November 6 and November 26, the Saudi-led coalition refused to allow any ships to travel to Houthi-controlled ports. On November 6, the UN Verification and Inspection Mechanism for Yemen (UNVIM) sent an email, viewed by Human Rights Watch, to vessels asking them to immediately leave the Red Sea ports of Hodeida and Saleef. Hodeida is a key port that receives food, fuel, and other goods, while Saleef is primarily for food imports. Documents shared by port officials said that vessels forced to leave were carrying wheat, fuel, and other cargo. The email said UNVIM was suspending clearance operations “until further notice.”

A few days after the complete blockade was announced, the coalition allowed vessels to travel to ports under Yemeni government control, including Aden and Mukalla. On November 26, the coalition allowed a ship carrying food to sail to a Houthi -controlled port

for the first time in three weeks. During the following week, the coalition allowed several more ships carrying food to enter Hodeida and Saleef. However, four aid officials said in early December that the coalition was still severely restricting the flow of essential goods into both ports, including food, fuel, and medicine.

Since November, the coalition has refused to allow nearly all commercial ships to travel to ports under Houthi control. The coalition had not allowed any commercial fuel tankers to proceed to Houthi-controlled ports or any commercial vessels to proceed to a port primarily for bulk food imports as of December 5, according to an UNVIM spokesperson. The coalition had “refused to grant four fuel tankers access... two of these tankers have now left for other ports of Yemen due to the costs [of] the delay,” the spokesperson said.

In June, the coalition [shut down the fuel port of Ras Isa](#), significantly curtailing fuel deliveries to the country. UNVIM has not [cleared a vessel to enter Ras Isa since May](#). Deliveries were diverted to Hodeida until November. Ras Isa was designed for diesel imports and has a greater capacity than Hodeida, which was incapable of making up the lost capacity even before being closed to imports in November.

Closing all three ports to all shipments for three weeks and continuing to severely curtail the shipment of commercial goods to the ports deprives the civilian population of essential goods. Yemen’s population depends on commercial imports of food, fuel, and medicine for survival.

Before November 6, about 75,000 metric tons of the 350,000 metric tons of food imports Yemen requires – or about 20 percent – were humanitarian supplies, leaving 80 percent to come through commercial imports, [according to the UN](#). The UN estimates Yemen’s fuel needs at 544,000 metric tons per month – almost all commercial imports reached Yemen via one of its six ports, making the fuel supply particularly vulnerable to naval or commercial disruptions.

The coalition has repeatedly contended that ships can be diverted to ports under the control of the Yemeni government, which it backs, but these two ports are not sufficient to meet the civilian population’s needs.

Aden port, the most used after Hodeida and Saleef, does not have the capacity to receive the hundreds of thousands of metric tons of food, fuel, medicine, and other imported goods Yemen depends on for survival. Aden [currently](#) has the capacity to take in about 50,000 metric tons of fuel and 80,000 metric tons of food a month, according to the UN – well under the country’s needs.

Allowing ports in Houthi-controlled territory to continue functioning is crucial to addressing the humanitarian crisis, Human Rights Watch said. Eighty percent of all imports – humanitarian and commercial – came through Hodeida and Saleef ports before November 6. Combined, the two ports had the capacity to take in about [150,000 metric tons of fuel, 295,000 metric tons of food, and 90,000 metric tons of non-food items](#) each month.

When asked in early 2017 why the coalition had refused to allow imports of materials to repair or replace damaged infrastructure at Hodeida, including [four US-donated cranes](#), then-spokesperson Brig. Gen. Ahmed Asseri [said the coalition sent back those cranes](#) “because we don’t want to continue to enhance the capabilities of the Houthis to generate money and to smuggle weapons.”

The UN has [concluded](#): “Even at reduced capacity there is no viable substitute for [Hodeida] port.” If commercial traffic continues to be blocked, “there continues to be a grave risk of further death, disease and starvation.”

Coalition Restrictions on Essential Goods to Houthi Ports

The November restrictions are only the latest move by the coalition to unlawfully impede access for goods essential to the civilian population’s survival to reach Houthi-controlled territory, Human Rights Watch said.

In 2015, Human Rights Watch [documented](#) that the coalition had withheld permission to fuel tankers to travel to Yemen. In 2016, in recognition of the need to ensure that commercial imports could enter Yemen, the UN [established](#) the UN Verification and Inspection Mechanism to inspect and issue clearances for all commercial shipping vessels traveling to ports under Houthi control.

The coalition has repeatedly undermined the work of UNVIM. Since 2016, after ships were cleared by UNVIM, they would proceed to a demarcated “coalition holding area” in the Red Sea and wait for the coalition to inspect or give them permission to go to port. Over a four-month period in 2017, Human Rights Watch [documented](#) seven cases in which the coalition arbitrarily diverted or delayed fuel tankers headed for ports under Houthi control after the UN cleared and granted permission to each ship to proceed. The coalition has also repeatedly diverted and delayed commercial ships carrying humanitarian cargo.

A doctor in Hodeida told Human Rights Watch the hospital had been given expired or near-expired medication: “When we started to ask why, we’ve been told that the goods are taking too long at sea for inspection and the procedures for permission.” He said some medicines had “vanished from the market.” While a few goods came up from Aden, another doctor in Sanaa said, it was with extreme difficulty, in very small amounts and with increased prices, in a situation where we “don’t have the ability to buy even at regular prices.”

A Sanaa-based businessman said that friends could not obtain medicine for chronic illnesses, including kidney failure:

Medicine is a disaster, people are dying left and right. You’ll find medicine, but most of it is smuggled. Medicines need storage specifications. When these guys try and smuggle it through land, use bad warehousing, the medicine is either useless or it kills you.

Humanitarian agencies have repeatedly raised concerns about the coalition diverting all imports through government-controlled Aden. Transporting goods north from Aden requires crossing front lines and increases the risk of diversion and travel time by up to three weeks while raising costs by up to US\$30 to US\$70 per ton, making goods much more expensive for average Yemenis, [according to the UN](#). In addition, armed forces affiliated with the Yemeni government and the United Arab Emirates, a coalition member, compete for control of the city, including its seaport and airport.

A source in Sanaa collected food prices from a grocery store in the city considered to have relatively low prices before the November 6 announcement and about two weeks after the full blockade was imposed. Most staple food prices – including cooking oil, flour, and rice

– spiked by about 25 percent. A can of beans nearly doubled in price. A businessman in Sanaa said that his family has seen food brands disappear over past months. UN documents tracking prices, which Human Rights Watch examined, also noted severe price hikes across goods and governorates after the coalition’s November closures.

Even before the conflict, nearly 40 percent of Yemen’s population lived on [less than US\\$2 a day](#). The collapse of the Yemeni riyal and the failure to pay civil servants’ salaries, including in some governorates under government control, exacerbates the impact of any price increase on average Yemenis’ ability to purchase food, fuel, and medicine.

Coalition Restrictions on Humanitarian Access

The Saudi-led coalition has increasingly restricted humanitarian access to Sanaa, Yemen’s largest city, which is under Houthi control.

The coalition suspended all commercial flights to Sanaa in August 2016. Twelve aid agencies [called](#) on the coalition to reopen the country’s main airport, noting that commercial flights “often bring in vital supplies and allow the free movement of civilians.” Mwatana, a leading Yemeni human rights organization, [documented](#) cases of people with chronic illnesses unable to travel abroad for treatment, including one woman needing heart surgery who died.

In May, the coalition tried to restrict passage on UN flights to Sanaa to UN passport holders. But non-UN passport holders include crucial staff of aid organizations, human rights groups including Human Rights Watch, and journalists. The UN was able to negotiate for staff of humanitarian organizations to continue taking the flights, but not others.

The coalition has frequently interfered with aid groups’ ability to work in Houthi-controlled territory. In August, the coalition informed the UN that international staff needed two visas – one from the Houthis and one from the Yemeni government – to travel on UN flights. The coalition had previously imposed a similar requirement on journalists, before blocking them from the flights. The Yemeni government then required all humanitarian organizations to conclude new agreements with ministries in Aden, even if they had an existing agreement with the Yemeni government. In October, the coalition again informed the UN that only UN passport holders could take UN flights. When the UN refused to ask

aid groups to cease using the flights, the coalition responded by grounding flights for two days, humanitarian workers in Sanaa told Human Rights Watch.

As part of the November 6 closures, the coalition refused to allow humanitarian flights – carrying personnel or cargo – to land in Sanaa. On November 22, after eight days of negotiation, one flight was permitted to carry out a lifesaving medical evacuation of a critically ill foreign aid worker. Humanitarian flights to Sanaa resumed on November 25.

The coalition has repeatedly called for humanitarian agencies to move their operations to government-controlled Aden. In its November 6 [announcement](#), the coalition called upon “civilian and humanitarian crews” to avoid “areas and ports exploited by [the Houthis] to smuggle weapons.” The announcement also said that humanitarian workers should avoid “areas populated by” the Houthis.

The Coalition Blockade and International Humanitarian Law

International humanitarian law, or the laws of war, prohibits deliberate and indiscriminate attacks on civilians and attacks that cause disproportionate harm to civilians compared to the expected military benefit. Blockades are permitted during armed conflict that do not cause disproportionate civilian harm. However, parties to the conflict must allow and facilitate the rapid passage of humanitarian aid for civilians in need and not arbitrarily interfere with it. Parties must also ensure the [freedom of movement](#) of humanitarian workers, which can only be restricted temporarily for reasons of imperative military necessity.

Warring parties are also prohibited from carrying out attacks on [objects that are indispensable to the civilian population](#). These can include food stores, drinking water installations, and port facilities.

The laws of war prohibit using [starvation](#) as a method of warfare, and require parties to a conflict not to “[provoke \[starvation\]](#) deliberately” or deliberately cause “the population to suffer hunger, particularly by depriving it of its sources of food or of supplies.”

Since the start of the conflict, the Saudi-led coalition has unnecessarily hindered the delivery of humanitarian aid and the free movement of aid workers. Opposing Houthi and

Saleh forces were also responsible for blocking and confiscating aid, denying access to populations in need, and restricting the movement of ill civilians and aid workers, with an acute impact on Yemen's third largest city, Taizz.

During the three weeks in November that humanitarian flights to Sanaa were refused, the UN was forced to [cancel more than 30 flights](#), stranding 220 humanitarian staff from nearly 50 agencies outside Yemen and 310 in Yemen. One humanitarian official said that 80 percent of their operations were in areas affected by the Sanaa airport closure. Another said their organization had used the airport to import vaccines and other essential medical items that require cold chain storage.

The coalition has damaged or destroyed objects that were indispensable to the survival of the civilian population in Houthi-controlled areas. In August 2015, coalition airstrikes struck Hodeida port, damaging essential port infrastructure. The coalition has refused to allow the port to replace destroyed infrastructure or import spare parts for repairs, a port official said. In January 2016, coalition airstrikes damaged Ras Isa port's Floating Storage and Offloading terminal, closing part of the facility, [Reuters reported](#).

The full blockade announced on November 6 immediately and predictably exacerbated existing food shortages in Yemen. For instance, a doctor in Hodeida said that prices of fuel, food, and medicine went up "wildly." His hospital saw more severe acute malnutrition cases, which is "not a good indication...It means people reach a critical condition very quickly. Most people do not have food, not even water...Hospitals are about to close. Why all this, why? People were already at the bottom, and this last decision has ended everyone."

The coalition sought to justify the full blockade on grounds that it needed to tighten access to prevent foreign-made arms, particularly from Iran, from reaching Houthi forces. Security Council Resolution 2216 permits the coalition to inspect cargo bound for Yemen if there are "reasonable grounds" to suspect that the cargo contains weapons and other prohibited items – but not to block all cargo.

The November blockade was unlawfully disproportionate in that the expected harm to the civilian population exceeded any apparent military benefit. Taken together with the limits on humanitarian aid and the destruction of objects indispensable to the civilian

population, the action suggests the coalition may have used starvation of civilians as a weapon of war. The partial lifting of the blockade could have lessened but has not ended the risk of widespread starvation and other civilian harm.

Individuals who willfully commit serious violations of international humanitarian law may be prosecuted for war crimes. This would include [deliberately using starvation of civilians as a method of warfare](#) by depriving them of objects indispensable to their survival and by impeding humanitarian aid. Military commanders and civilian leaders may be prosecuted for war crimes as a matter of command responsibility if they knew or should have known about the commission of such crimes and took insufficient measures to prevent them or punish those responsible.

September 27, 2017: Coalition’s Blocking Aid, Fuel Endangers Civilians

Houthi-Saleh Obstruction Heightens Crisis

(Beirut) – The [Saudi](#)-led coalition’s restrictions on imports to [Yemen](#) have worsened the dire humanitarian situation of Yemeni civilians, Human Rights Watch said today. The restrictions, in violation of international humanitarian law, have delayed and diverted fuel tankers, closed a critical port, and stopped life-saving goods for the population from entering seaports controlled by opposing Houthi-Saleh forces.

Houthi-Saleh forces, who control the capital, Sanaa, and much of the country, have also [violated international legal obligations](#) to facilitate humanitarian aid to civilians and significantly harmed the civilian population. They have blocked and confiscated aid, denied access to populations in need, and restricted the movement of ill civilians and aid workers.

“The Saudi-led coalition should end its unlawful restrictions on imports to Yemen, and Houthi-Saleh forces should stop interfering with aid,” said [Bill Van Esveld](#), senior children’s rights researcher at Human Rights Watch. “Before even more children suffer and die of preventable causes, the warring parties need to allow fuel, food, and medicine to reach the families that need it.”

Yemen, the poorest country in the Middle East, is enduring the world’s largest humanitarian crisis. Malnutrition and disease, to which [children](#) are particularly

susceptible, are widespread. An estimated 1.8 million children are acutely [malnourished](#). [Half the country's hospitals are closed](#), 15.7 million people lack access to clean water, and the country has over [700,000 suspected cholera infections](#), increasing by about 5,000 cases daily. From late April 2017 to mid-August, [nearly 500 children died](#) and 200,000 fell ill from cholera, a disease spread by contaminated water.

Human Rights Watch documented seven cases since May in which the coalition arbitrarily diverted or delayed fuel tankers headed for ports under Houthi-Saleh control. In one case, the coalition held a ship carrying fuel in a Saudi port for more than five months and had not responded to the shipping company's requests for an explanation. The oil cargo had to be unloaded in a Saudi port without compensation and crew members needing medical treatment could not leave the ship.

Under international humanitarian law, parties to an armed conflict may impose naval blockades to prevent arms and materiel from reaching enemy forces. Goods such as food, fuel, and medicines destined for civilians can be inspected but not excessively delayed. The blockading force must publish a list of contraband items, but the coalition has not done so.

“[We] can only speculate what these prohibited items might be,” said a shipping company official. “We certainly don't carry any weapons on our ships.” Three of his company's fuel tankers sailed to Yemen regularly and always received United Nations clearance, but the coalition subjected them to lengthy inspections on every trip, he said, with the delays costing the company up to US\$10,000 per day per ship – costs passed on to ordinary Yemenis.

Human Rights Watch is not aware of any cases in which the UN monitoring body has issued clearances to ships on which the coalition later found weapons. The coalition and other naval forces have intercepted weapons shipments at sea intended for Yemen, but according to media reports, these were on smaller dhows, not container ships or fuel tankers.

Fuel – now often unavailable in areas under control of both sides – is needed to run the generators that most of Yemen depends on for electricity. The [lack of fuel](#) makes it more difficult to pump clean water, run hospital equipment, and safely store vaccines, aid

officials said. The coalition closure of the fuel port of [Ras Isa](#) in June has significantly curtailed fuel deliveries.

An aid official said:

I have seen hospitals that can't turn on their generator. The labs can't function, hospitals have to close at night, the cold chain [continuous refrigeration during transport and storage] for vaccines can't function, and there are no air conditioners or even fans when the heat is unbearable for seriously ill patients.

A UN Panel of Experts reported in June that the Houthis had earned up to US\$1.14 billion from fuel and oil distribution on the black market, and that fuel was “one of the main sources of revenue for the Houthis.” Houthi-Saleh forces apparently also use imported fuel for military purposes. However, preventing or excessively delaying fuel imports from reaching civilians is contributing to the collapse of the health system, a lack of access to uncontaminated water, and increased costs that make food and basic goods unaffordable for impoverished Yemenis. The substantial harm to civilians is disproportionate to any concrete and direct military advantage to the coalition, in violation of international humanitarian law, Human Rights Watch said.

The Houthi armed group and forces loyal to former Yemeni president Ali Abdullah Saleh have also [blocked or confiscated aid](#) intended for civilians and imposed onerous and unnecessary restrictions on aid workers and interfered with aid delivery. Aid groups have pulled out staff or ceased working in some areas due to these restrictions.

In Taizz, Yemen's third largest city, a hospital official said that on April 17, Houthi-Saleh forces confiscated medical equipment from two trucks, including dialysis materials, that would have benefited at least 160 patients at his hospital. In February, the UN humanitarian chief's relief convoy was [denied entry into the city at a Houthi-Saleh checkpoint](#). On September 17, the UN Office of the High Commissioner for Human Rights (OHCHR) reported that Houthi-Saleh forces had enforced a “brutal” siege on the city of Taizz. Houthi-Saleh forces have repeatedly [laid landmines](#) that have impeded aid workers from reaching certain areas.

All states should support efforts at the UN Human Rights Council to create an independent international inquiry into abuses by all sides in Yemen, including unlawful restrictions on imports and denial of aid access, Human Rights Watch said. Houthi-Saleh authorities should immediately cease denying aid access to populations in need, including in Taizz, and threatening, intimidating, or harassing humanitarian staff whom the authorities should ensure can carry out their work unimpeded and impartially.

“The Saudi-led coalition’s cruel restrictions on fuel to Yemen, effectively shutting water taps and hospitals, have turned an impoverished country into a humanitarian disaster,” Van Esveld said. “Meanwhile, Houthi-Saleh forces have repeatedly blocked groups bringing vaccines into Yemen and kept aid from reaching people who desperately need it.”

Humanitarian Crisis in Yemen

The humanitarian situation in Yemen has significantly worsened in the past year. Even before the [cholera crisis](#), the UN children’s fund (UNICEF) reported in December 2016 that one Yemeni child was [dying from malnutrition](#) or other preventable causes every 10 minutes. In July 2017, three UN humanitarian agencies found that “nearly [80 percent of children](#) in Yemen need immediate humanitarian assistance.”

The Saudi-led coalition’s restrictions on fuel have greatly contributed to the humanitarian crisis. Because fuel is needed for agriculture and transportation, the shortages also increase food scarcity. The UN estimates [Yemen’s fuel needs](#) at 533,000 metric tons per month based on pre-conflict levels. So far in 2017 the monthly average of fuel imports is 163,000 metric tons, but this fell in June to only 88,000 metric tons. [Fuel prices have increased](#) by more than 50 percent since the conflict began, and up to tenfold in some areas, and cash-strapped hospitals often cannot afford fuel to run generators, a humanitarian official said.

The militarily contested city of Taizz, where Houthi-Saleh forces have repeatedly blocked aid, including medical supplies, from entering, has been particularly affected by a lack of humanitarian access and a shortfall in fuel and supplies. In 2017, Médecins Sans Frontières (Doctors Without Borders, or MSF) reported that:

Damaged hospitals and shortages of staff and essential supplies have resulted in the virtual collapse of Taizz's health service, severely compromising people's access to life-saving medical care. A crippled health system, combined with increasingly harsh living conditions, has prompted a decline in people's health, with particularly acute consequences for vulnerable groups...such as pregnant women, newborn babies, and young children. Most families now live with little or no electricity and insufficient food and water.

Coalition Interference with Fuel Tankers

In response to the coalition's blockade of Yemen, which began in March 2015, the United Nations established a Verification and Inspection Mechanism ([UNVIM](#)) in 2016 to inspect and issue clearances to ships bound for Houthi-Saleh-controlled ports. If cleared – a process the UN says should take only a few days, though some shipping company officials told Human Rights Watch it was often longer – ships proceed to a demarcated “coalition holding area” in the Red Sea, to wait for the coalition to inspect or give them permission to go to port. According to reports by the World Food Programme (WFP), the average [waiting time for fuel tankers](#) at Red Sea ports was eight days as of July 15, but had increased to 14 days by August 20.

In August, a shipping company representative told Human Rights Watch that Saudi authorities had been holding one of the company's fuel tankers for more than five months after diverting it from Ras Isa. The ship received a cargo of oil in Djibouti, where UNVIM granted the ship permission to proceed to the “coalition holding area” in early April. The coalition boarded the ship to search for weapons. The ship was diverted to Jeddah, then to a second Saudi port, Yanbu, where it remained as of August 25.

Information obtained through a ship-tracking service corroborated this account, as did accounts from port officials interviewed separately by phone in Ras Isa and Hodeida. All the accounts said the ship received a clearance from UNVIM before the coalition diverted it.

The shipping company representative said neither the UN nor the Saudis had informed the company of the reason for the diversion or prolonged delay. He said that in the months

that the ship has been forced to wait at the Saudi port, the coalition had prevented the crew from leaving the ship, even though some of them needed medical attention. “The cargo is all lost now because the coalition forced it to discharge the oil [at a Saudi port] and that cost about \$20 million” without compensation, the representative said.

An official at another shipping company said three of his company’s tankers had regularly carried fuel to Yemen before the conflict and had continued to do so. The company’s ships are regularly cleared by UNVIM, but then subjected to coalition inspection and excessive delays when they try to deliver fuel to Hodeida, “costing us huge sums of money in lost time.”

Ultimately, rising shipping costs are passed on to consumers in Yemen, where nearly 40 percent of the population lived on [less than US\\$2 per day](#) even before the conflict. He said the coalition held one of the company’s ships in the holding area for 19 days in July:

We didn’t know what the problem was. The coalition navies have a number for commercial ships to contact them, but whenever we tried to call them and give them the permission number that we already obtained from UNVIM, they would reply that “The permission number is not clear. Wait for further instructions.

In four additional cases, shipping industry officials, UN agency logistics updates, and ship-tracking information indicate that fuel tankers appeared to have been delayed by the coalition for excessive periods. For example, the UN reported that a tanker with 11,485 metric tons of fuel oil was “expected” to arrive in Hodeida on June 10, but it was in the coalition holding area for 49 days, from June 11 until July 29. Because of the costs of the delay, an official at Hodeida port said:

The ship’s owners wanted the importer... to pay these expenses or else they won’t deliver the cargo. The importer bowed to the inevitable and paid all additional expenses. The ship arrived at the port, but then the importer filed for a court order to hold the ship at anchorage until its owners pay back his money.

Other recent instances include:

- A tanker carrying 4,105 metric tons of fuel oil was expected to arrive at Hodeida port on June 20, but instead was diverted to anchorage off Somalia, where it remained for 74 days, from June 10 until August 22. As of August 25, the tanker was off the coast of al-Mukalla, a government-controlled area of southeastern Yemen;
- A tanker carrying 12,035 metric tons of gasoline was expected in Hodeida on June 29, but was held in the coalition holding area for 28 days and did not arrive until July 26; and
- A tanker with 13,977 metric tons of gasoil was expected at Hodeida on July 9, but remained in the coalition holding area for 13 days, until July 21, before heading to the port.

The lack of clarity about whether a given ship might be inspected, denied, or seized by the coalition caused shipping companies to be “reluctant” to accept bookings for Hodeida port, the World Food Programme (WFP) [reported](#). A shipping company manager told Human Rights Watch by phone that the coalition delayed a fuel tanker in the holding area for 28 days, from January 9 to February 5, and ultimately refused to allow it to proceed to port, “and provided absolutely no reason.” The ship had to discharge its fuel cargo in the United Arab Emirates (UAE), which did not cost the company but did cost the charterer about US\$500,000. The same ship discharged cargo at Hodeida in mid-2016 with no problems, but because of the risk of being blocked again, the company no longer shipped there, he said.

The coalition has refused to provide ships any justification for refusing to allow some to berth, including ships that had received UN clearance. Saudi and other coalition members have also not reported on inspections they have carried out, according to a UN Panel report, which Human Rights Watch has observed, in violation of Security Council Resolution 2216, paragraph 17.

Coalition Closure of Ras Isa Marine Terminal

On May 30, 2017, the coalition notified the UN it had ordered the closure of Ras Isa the previous week, due to concerns Houthi-Saleh forces were using the revenues from imports at the terminal. The coalition-backed Yemeni government subsequently sent the port authorities a letter, dated June 5, which Human Rights Watch reviewed, that ordered the

closure of Ras Isa purportedly to protect the “marine environment” from “pollution and oil leaks.” The WFP, which coordinates humanitarian logistics in Yemen, [reported](#) that “as of 14 June, vessels will no longer be granted clearance” for Ras Isa port, and would be diverted to Hodeida. The agency noted UNVIM had stopped issuing clearances for Ras Isa.

Nabil al-Mutahar, the general manager at Ras Isa, told Human Rights Watch the coalition had imposed “almost a full blockade” on the terminal since July. Already in early 2017, monthly diesel imports at Ras Isa had fallen from between 80,000 and 90,000 metric tons per month in 2015 to between 20,000 and 24,000 tons per month. He said, “In January 2016, we had six fuel tankers berthing at the terminal, but in January 2017, that number decreased to one. As far as I know, the coalition didn’t give a specific reason, and the fuel tankers didn’t violate any rules.”

Hodeida port is incapable of making up the lost diesel capacity from the closure of Ras Isa. Ras Isa was designed for diesel imports and had specialized diesel storage tanks with a greater capacity than the Hodeida port, al-Mutahar said. Yahia Sharaf Addin, the deputy chairman of Yemen Red Sea Ports Corporation, said that Hodeida cannot accommodate large fuel tankers with more than around 18,000 metric tons of fuel. He said that the fuel imports to Hodeida were limited – mostly around 40,000 to 50,000 tons of petroleum per month – and “can only cover the needs of Hodeida city and the local area.”

Coalition Delays of Ships Carrying Humanitarian Assistance

Humanitarian agencies often contract with shipping companies to bring in aid in standardized containers, which are transported on container ships and require special cranes for unloading. The coalition has repeatedly delayed container ships carrying humanitarian cargo.

On March 4, [the coalition diverted a ship carrying 129 containers of vegetable oil](#) and blankets for two UN humanitarian agencies, from Hodeida to the Saudi port of Jazan, and held it there for nearly three weeks after completing an inspection on March 13. UNVIM had already cleared the ship.

Save the Children, an international relief agency, said in March that coalition warships had [blocked three of its medical supply shipments](#) from reaching Hodeida in January and

February, and rerouted the shipments to the southern port of Aden, which is controlled by the Yemeni government, delaying their delivery to beneficiaries by up to three months.

Overall, only two container vessels entered Hodeida in May, one in June, three in July, and two in August, according to information published on the Yemen Red Sea Ports Corporation website, which matched commercial ship-tracking information that Human Rights Watch reviewed.

In a statement to the UN in January, [Saudi Arabia asserted that the coalition](#) “has not refused to grant a permit to any shipment destined for a Yemeni port.” The Saudi statement alleged that Houthi-Saleh forces had “deliberately obstructed the entry of commercial vessels into ports under their control.” Human Rights Watch is not aware of such cases, although in November 2016, [Houthi-Saleh authorities refused for weeks to clear deliveries](#) of PlumpyNut, a high-calorie treatment for malnutrition, as well as other humanitarian goods at the Hodeida port. In the cases Human Rights Watch examined in 2017, shipping delays occurred in the coalition holding area, which is the coalition’s responsibility. However, from May 31 to June 4, the merchant vessel *Mukaranas* was blocked at Hodeida port from sailing back to Djibouti after it had discharged humanitarian cargo, the WFP [reported](#).

In addition to restricting ships, the coalition has reduced the capacity for goods other than fuel at Hodeida port, through which [70 percent of all food imports](#) enter Yemen, by refusing to allow imports of materials to repair or replace damaged infrastructure. Ras Isa terminal had been partly closed since coalition airstrikes damaged its Floating Storage and Offloading terminal in January 2016, Reuters [reported](#).

The coalition has refused to allow the port to replace destroyed cranes or import spare parts needed to repair cranes that are “worn-out and in need of maintenance,” an official at the port said. In 2016, the [US donated \\$3.9 million](#) to the WFP to purchase [four mobile cranes](#) to unload dry bulk cargo – although not containers – from ships at Hodeida, but in January 2017 the coalition [refused to allow](#) a ship carrying [the cranes](#) to berth, humanitarian officials told Human Rights Watch.

The UN agency re-routed the cranes to a storage facility in the UAE, where they remain. Ships that berth at the port since then have needed to carry their own cranes, which take

longer to unload cargo, increasing costs, a port official said. He told Human Rights Watch in late July that the coalition had also blocked a ship carrying six container chassis intended to move containers from the berth to the port's containers-yard area from entering Hodeida port.

Two humanitarian officials said the coalition's restrictions had made the Red Sea ports untenable and forced them to import aid via Aden, or to resort to cargo flights, which were up to five times more expensive. Importing aid through Aden can make it difficult for humanitarian agencies to transport assistance to some of Yemen's major population centers, or areas in need of aid, as it requires crossing front lines and likely involves double taxation.

In September, *Foreign Policy* magazine reported that the US ambassador to the UN, Nikki Haley, had [again approached Saudi Arabia about the cranes](#), but Saudi Arabia still refused to allow them to proceed to Hodeida.

Houthi-Saleh Obstruction of Aid

Houthi-Saleh forces have diverted humanitarian aid and imposed excessive requirements on humanitarian agencies before allowing aid distributions, the UN Panel said in its report. Some humanitarian organizations have been forced to close operations in areas under Houthi-Saleh control. In March 2017, MSF announced it was [withdrawing from a hospital in Ibb governorate](#), which is controlled by Houthi-Saleh forces, due to its "inability to run activities according to MSF's principles of independence and impartiality." MSF said it had provided life-saving care to more than 41,000 patients in al-Thawra hospital's emergency room since 2016.

Houthi-Saleh forces have repeatedly frustrated humanitarian efforts to provide vaccines, including those intended for children. In October 2016, Houthi-Saleh authorities repeatedly refused permission for a plane carrying vaccines to land in Sanaa, forcing it to return to its point of origin, despite prior negotiations with aid agencies and the Yemeni Health Ministry. "[The Houthi-Saleh authorities] want trauma kits, not vaccines, because those can be used for the war wounded," an aid worker told Human Rights Watch at the time.

In November 2016, 11 armed Houthi-Saleh fighters raided Health Ministry buildings in Sanaa, attacked a guard, and took five vehicles, including two refrigerated trucks that humanitarian agencies had provided for vaccines requiring cold storage, which they wanted to use to transport dead bodies, a Health Ministry official told Human Rights Watch.

Houthi-Saleh forces have also denied or confiscated food aid. A humanitarian official described incidents in 2016 when Houthi-Saleh authorities delayed one truck delivery of food for several days “until the supplier gave them more than 20 bags of wheat for [their] war efforts,” and detained a staff member for two days when he refused to hand over soybeans from a second delivery for distribution to Houthi-Saleh fighters.

In August 2017, another official in Sanaa said that the Houthis had repeatedly harassed, threatened, and detained staff involved in health and food projects. The official said that, “Whenever an organization receives funding and would like to start implementing an activity, the Houthis start bothering and blackmailing them, preventing them from working until they either give them the money or they give the money away to a local organization that belongs to them so the Houthis can take it easily.”

Yemeni staff at an aid agency with a food distribution project said that Houthi-Saleh authorities had repeatedly detained staff members for short periods, accused them of spying, and confiscated their belongings. “The main reason for stopping them was because they are working for an NGO,” he said. In February 2016, Houthi-Saleh authorities in Hodeida detained six Norwegian Refugee Council staff as well as a contracted driver for one week on suspicion that they were distributing supplies from the coalition. A Taizz-based activist said Houthi-Saleh forces had arrested two humanitarian volunteers at a checkpoint on the outskirts of the city in February and March, detaining the first one for a month and the second for more than one year.

Houthi-Saleh forces have also imposed onerous restrictions on internal movements of both international and national staff of humanitarian organizations in areas of Yemen they control, including, at times, refusing permission to travel to certain areas entirely or asking staff to seek official permission to travel to individual directorates.

The cumulative impact of Houthi-Saleh obstruction and interference with humanitarian assistance has significantly harmed the civilian population, Human Rights Watch said.

Houthi-Saleh Forces' Obstruction of Aid into Taizz

Houthi-Saleh forces besieged Taizz from August 2015 until the coalition opened a road into the city from the south in March 2016. However, the route along secondary roads is “arduous,” and “access to Taizz remains extremely limited and residents continue to suffer,” the UN human rights office reported in September 2017.

The human rights office [report](#) said:

The prices of basic commodities in Taizz have skyrocketed, leaving civilians unable to afford basic essential items even if they are accessible or available. To access basic services such as health care, residents report that they have to traverse routes mined with explosives and are exposed to the constant risk of shelling, airstrikes and snipers. Residents also report that if they manage to reach locations where health care may be available, they often find that the facilities have been destroyed or damaged in the fighting, or that they lack even the most basic supplies. No public health care facilities in the city, and few private facilities, are fully functional.

Yemeni human rights activists said by phone in late August that Houthi-Saleh forces continued to restrict access to humanitarian aid and civilian goods into Taizz. They restricted aid at the al-Ghurab and al-Waze'aia entry points, which connect Taizz to the ports of Mokha and Hodeida, and also from four entry points to the north: Sabir al-Moadem, al-Aqroudh, al-Dimnah, and al-Houban.

In August, at least [18 people were killed during heavy floods](#) while trying to take the only major route currently open to Taizz. It is under Yemeni government control, and requires lengthy, arduous travel, including on roads that Houthi-Saleh forces [mined](#) before they withdrew from the area.

Houthi-Saleh forces outside the city have demanded “large sums of money at security check points” from people wishing to enter the city or bring in goods, one activist said. The

activist also said government-aligned forces had confiscated aid and civilian goods that entered the city and re-sold it for inflated prices.

High fuel costs in addition to other problems have forced many health facilities in the city to close, causing severe harm to patients with kidney failure who regularly need dialysis. One researcher said, “They have to travel outside of the city for treatment, and the journey to Aden is not easy at all” due to bad roads, and is expensive and lengthy:

It is very difficult for the sick and injured to travel to get medical assistance, but there is no alternative in Taizz because most hospitals are closed and the rest lack medicines and staff. The last humanitarian aid that was delivered to Taizz was almost four months ago.

International Humanitarian Law

All parties to the armed conflict in Yemen are bound by international humanitarian law, or the laws of war. Applicable law includes Common Article 3 to the Geneva Conventions of 1949, Protocol II to the Geneva Conventions, and customary international humanitarian law for a non-international armed conflict. The laws of war prohibit attacks against civilians that are deliberate, indiscriminate, or can be expected to cause harm disproportionate to the anticipated military gain at the time.

Under international humanitarian law, warring parties are obligated to grant humanitarian relief personnel freedom of movement, and protect them from attack and arbitrary detention. Confiscating goods necessary for the survival of the civilian population and blocking humanitarian aid are serious violations.

While a party may impose a blockade during an armed conflict, a blockade is unlawful if it has the sole purpose of starving the civilian population or denies the population goods indispensable for its survival. A blockade also violates the laws of war if it has a disproportionate impact on the civilian population, when the harm to civilians is, or may be expected to be, greater than the concrete and direct military advantage anticipated from the blockade.

A blockading party can only confiscate goods on board a neutral merchant vessel (or aircraft) if they are “contraband.” Contraband is defined as goods that “are ultimately destined for territory under the control of the enemy and which may be susceptible for use in armed conflict.” A blockading party must have published contraband lists, which may vary according to the particular circumstances of the armed conflict, but must be reasonably specific.

September 12, 2017: Coalition Airstrikes Deadly for Children

UN Should Create International Inquiry, Return Coalition to ‘List of Shame’

(Beirut) – The [Saudi](#)-led coalition carried out five apparently unlawful airstrikes in [Yemen](#) since June 2017 that killed 26 children among 39 civilian deaths, Human Rights Watch said today. The attacks, which struck four family homes and a grocery, in one case killing 14 members of the same family, caused indiscriminate loss of civilian life in violation of the laws of war. Such attacks, when carried out deliberately or recklessly, are war crimes.

These attacks show that coalition promises to improve compliance with the laws of war have not resulted in significantly better protection for children. This underscores the need for the United Nations to immediately return the coalition to its annual “list of shame” for violations against children in armed conflict. The UN Human Rights Council should respond to continuing violations by the Saudi-led coalition, Houthi-Saleh forces, and other parties to the armed conflict by creating an independent, international investigation into abuses at its September session.

“The Saudi-led coalition’s repeated promises to conduct its airstrikes lawfully are not sparing Yemeni children from unlawful attacks,” said [Sarah Leah Whitson](#), Middle East director at Human Rights Watch. “These latest airstrikes and their horrible toll on children should galvanize the Human Rights Council to denounce and act to investigate war crimes, and ensure that those responsible are held to account.”

Since March 2015, the Saudi-led coalition has carried out military operations against Houthi-Saleh forces including unlawful airstrikes against homes, markets, hospitals, schools, and mosques. The UN secretary-general’s 2016 annual report on violations against children in armed conflict found that at least 785 children were killed and 1,168 wounded in Yemen in 2015, with 60 percent of the casualties attributed to the

coalition. Houthi-Saleh forces have also committed numerous laws-of-war violations, including using banned antipersonnel landmines, indiscriminately shelling populated areas, and forcibly disappearing and torturing people.

Human Rights Watch interviewed nine family members and witnesses to five airstrikes that occurred between June 9 and August 4, 2017, interviewed staff at a hospital, and reviewed photo and video footage taken soon after the attacks by local residents or media outlets. The blast and fragmentation wounds of the victims and the damage patterns observed at the airstrike sites are consistent with the impact of large air-dropped bombs. Human Rights Watch did not identify military objectives in the immediate vicinity of any of the areas attacked, except for one low-ranking Houthi-Saleh fighter in his home.

On August 4, coalition aircraft struck a home in Saada, killing nine members of the al-Dhurafi family, including six children, ages 3 through 12. The coalition [denied](#) targeting the house, but said it was looking into the “unfortunate incident.” An airstrike on July 18 in a contested area of Taizz killed 14 family members, including nine children, and the Yemeni government called for an investigation. On July 3, coalition aircraft struck another home in Taizz, killing eight of Mohammed Hulbi’s relatives, including his wife and 8-year-old daughter.

The laws of war applicable to the armed conflict in Yemen prohibit deliberate or indiscriminate attacks on civilians. Attacks that are not directed at a specific military objective or cannot distinguish between civilians and military objectives are considered indiscriminate. An attack is unlawfully disproportionate if the anticipated loss of civilian life and property is greater than the expected military gain from the attack. Warring parties must do everything feasible to verify that targets are military objectives.

Individuals who commit serious violations of the laws of war with criminal intent – that is, intentionally or recklessly – may be prosecuted for war crimes. Individuals may also be held criminally liable for assisting in, facilitating, aiding, or abetting a war crime. All governments that are parties to an armed conflict are obligated to investigate alleged war crimes by members of their armed forces.

In response to international outrage over the large numbers of civilian casualties in the Yemen conflict, Saudi Arabia has [claimed](#) that the coalition has changed its targeting

procedures and tightened its rules of engagement to minimize civilian casualties. However, the coalition has presented no evidence to substantiate such claims, Human Rights Watch said.

The Saudi-led coalition's Joint Investigation Assessment Team (JIAT) has not announced investigations into any of the five airstrikes Human Rights Watch documented.

The coalition has repeatedly failed to impartially investigate alleged laws-of-war violations in Yemen. It blocks access to parts of Yemen under Houthi-control for international media and human rights organizations, continues to undercut and undermine UN and other fact-finding efforts, and routinely issues blanket denials of any responsibility for well-documented violations. These actions highlight the [need](#) for concerned governments to support a resolution at the UN Human Rights Council in September for an international inquiry into abuses by all sides, Human Rights Watch said.

“Saudi Arabia pledged to minimize civilian harm, yet coalition airstrikes are still wiping out entire families,” Whitson said. “Yemeni civilians should not be asked to wait any longer for Human Rights Council members, including Saudi allies the US and UK, to support a credible international inquiry.”

Pledges to Reduce Civilian Casualties

In response to growing global criticism of its air campaign in Yemen, the Saudi government announced it had changed its targeting procedures and tightened its rules of engagement. In June, after US President Donald Trump announced US\$110 billion in arms sales to Saudi Arabia, the *New York Times* [reported](#) that, ahead of the deal, Saudi Arabia provided the United States assurances, including:

- 1) Adhering to stricter rules of engagement;
- 2) Considering estimates of potential harm to civilians in targeting – a practice US officials told the *Times* the coalition had not fully integrated into its operations;
- 3) Allowing US military advisers to sit in the air operations control room in Riyadh instead of in a nearby office;
- 4) Bringing the total number of locations identified as presumptively non-targetable on the “no strike list” to 33,000; and

- 5) Starting a \$750 million, multiyear training program with the US for the Royal Saudi Air Force and other Saudi forces on topics including human rights and avoiding civilian casualties.

In the three months since the *New York Times* reported the changes, there has been no discernable reduction in unlawful coalition airstrikes. In addition to the five attacks reviewed, [Human Rights Watch documented an additional apparently unlawful strike in August](#) in which coalition aircraft destroyed three apartment buildings in Sanaa, killing 16 people, including seven children, and wounding 17, including eight children. After an [international outcry](#), the coalition admitted carrying out the attack, but asserted that the civilian casualties were the result of a technical error. The [Yemen Data Project](#), which uses a range of open-source data to document the number of Saudi-led coalition airstrikes in Yemen and the targets struck, said it had recorded 427 attacks on military targets in June, July, and August, and 186 coalition airstrikes that hit civilian objects.

Members of the US Congress have proposed Yemen-related amendments to the annual National Defense Authorization Act, including new US government reporting requirements on the Saudi-led coalition's [adherence](#) to the “no strike list and restricted target list” and restrictions on US arms transfers to Saudi Arabia, including prohibiting the transfer of cluster munitions. A final decision on these amendments is expected in September, and US lawmakers should support them, Human Rights Watch said.

Five Unlawful Airstrikes Harming Children

Mahda area, al-Safra district, Saada, August 4, 2017

Casualties: At least 9 civilians killed, including 7 children, and 3 wounded

At about 5 a.m. on August 4, coalition aircraft struck a house in al-Safra district, Saada, killing nine members of the same family, including six children, and wounding three, according to two witnesses, the director of a local hospital, and the [International Committee of the Red Cross](#), whose staff members visited the village soon after the attack.

Abdulrahman al-Dhurafi, the 40-year-old general director of the Education Ministry's office in Saada, told Human Rights Watch he had just finished his morning prayers when he

heard “a loud blast that shook the house.” A few minutes later, a friend called to tell him his nephew’s home had been attacked.

Abdulla A’dayah, 33, who sells *qat* and lived near the home, said he was the first person to arrive after the attack: “Immediately...I heard the voice of Taha [al-Dhurafi’s nephew] calling for help from under the rubble.” A’dayah took the wounded man to the hospital after he and two other men had extricated him from the ruins of the house. “When I returned, I saw the [other men] took out others, but all of them were dead.”

Al-Dhurafi, who arrived soon afterward, said the house was “completely flattened:”

The first thing I saw when I arrived was a neighbor running out from...what remained from the destroyed house....He was carrying a baby girl in his arms. I didn’t recognize who she was with the dust and the blood covering her face but she looked 2-years-old maybe....Later I knew that this baby girl was Batool, who is two-and-a-half years old, Taha’s youngest child.

The two witnesses said that Taha al-Dhurafi, a 35-year-old farmer, lived in the house with his 27-year-old wife and their six children, ages 2 to 12, as well as his wife’s parents and their 17-year-old daughter. The attack killed his wife, all six of his children, his mother-in-law, and her daughter. Rescuers, after recovering the bodies of five children, searched “desperately” for hours for Fatima, his 3-year-old daughter, al-Dhurafi said. She was dead when they found her. He and his brother Ahmed, 28, were both burned and had fractured limbs.

Dr. Muhmmad Hajjar, the general director of Saada’s Jumhuri Hospital, said hospital ambulances went to the house immediately after the attack and that rescuers found six or seven bodies, “mostly very young children.” The hospital treated three men wounded in the attack, he said.

The witnesses said they did not know of any military targets in the area, which included primarily family homes and agricultural land. A military camp for special forces was about a kilometer east, and a passport administration building – a civilian object – was about a kilometer south.

In a Saudi Press Agency [statement](#), Col. Turki al-Malki, who [replaced](#) Brig. Gen. Ahmed Assiri as the coalition spokesman on July 27, denied reports the coalition targeted the house, saying the coalition had completed an after-action review for operations conducted that day in Saada. He said the coalition was continuing to investigate in coordination with the government of Yemen and other international partners “on this unfortunate incident,” noting Houthi-Saleh forces store “weapons and explosives inside houses and civilian objects.”

Al-Ua’shira village, Mokha district, Taizz, July 18, 2017

Casualties: At least 14 civilians killed, including 9 children

At about 7:30 a.m. on July 18, coalition aircraft struck a cluster of homes in Mokha district, Taizz, said Hashem al-Burairq, 32, who lived in the area with his wife and their five children. The attacks killed at least 14 civilians, including 9 children.

Al-Burairq and his family had been living near the Khalid bin Waleed military camp in Taizz governorate. In April, Houthi-Saleh forces declared areas around the camp a military zone. So al-Burairq and his family moved to a small area near al-Ua’shira village, about seven kilometers from the military camp, where about a dozen families had built homes. The UN Office of the High Commissioner for Human Rights (OHCHR) [had](#) recorded the three families as displaced, and the UN refugee agency [released](#) a statement noting that a number of the civilians killed in the July 18 attack were internally displaced people.

Al-Burairq’s parents and two siblings lived next to him, as did his cousin’s widow, her eight children, and her father. The family chose the village “because we were sure that this area is safe...until they struck us,” al-Burairq said.

Al-Burairq’s daughter Manal, 3, and son Jawad, 9, had gone to their cousin’s house to get some yogurt for breakfast: “The airstrike hit the part of the house where my cousin’s family lives directly,” he said. “The strike killed a whole family while they were eating breakfast.”

Everyone in the house, including his daughter and son, were killed, as were three people in the neighboring house. In total, the attack killed 14 of al-Burairq’s relatives, including al-

Buraiq's sister Aziza, 18, his brother Ahmad, 14, and his mother, his cousin's wife, six of her children, and her brother and father.

Al-Buraiq said he had understood why his cousin had been killed four months earlier while on a motorbike: the airstrike hit a military truck and he happened to be in the way. But, he did not understand this attack:

All people here are civilians, and if we thought that this place would be targeted we wouldn't have come here in the first place, but it was safe... completely safe....Where is the target? There is no target....Just us, no Houthis, no trucks, nothing.

OHCHR, which also [investigated](#) the attack, said that, "There do not appear to have been any military objectives anywhere in the immediate vicinity of the destroyed house." OHCHR called on the relevant authorities to investigate the incident. The Yemeni human rights minister, Mohammed Asker, called for a government investigation and described the attack as an "unfortunate incident," Reuters [reported](#). The coalition has not announced if it will investigate the attack.

Al-Hamli village, Mawza district, Taizz, July 18, 2017

Casualties: At least 4 civilians killed, including 2 children, and 3 wounded

At about 8:30 a.m. on July 18, Saudi-led coalition aircraft struck a local grocery store in al-Hamli village, Mawza district, Taizz governorate, killing four civilians, including two children, and wounding three, two men who were at the shop said in separate phone interviews.

Ahmed Farid, 47, who owned the store, was outside the building with about six other people, including his 14-year-old son, Saleh, waiting for a late employee to come with a key.

Farid and Rashad Moqbel, a 25-year-old farmer, said the attack killed four people, including Saleh, a 16-year-old boy, and two other men, and wounded two others, including Moqbel. Two weeks after the attack, Moqbel remained in the hospital, suffering from

fractured limbs and bomb fragments that had entered his body, his brother said. The shop was completely destroyed.

Both men left al-Hamli after the strike. They said they do not intend to return. “I don’t think it is safe for anyone to go there,” Farid said. “They may strike any moving thing.”

Coalition aircraft had carried out other attacks in the area during the weeks before the attack, but the nearest military camp was about 15 kilometers away, the two men said. Another airstrike hit a gasoline station about 2.5 kilometers from the grocery store about an hour earlier. A witness said he saw a couple of Houthi fighters hiding in the area after the attack on the station.

The coalition has not announced if it will investigate the attack.

Nobat ‘Amer village, Mokha district, Taizz, July 3, 2017

Casualties: At least 8 civilians killed, including 5 children

At about 10 a.m. on July 3, the ninth day of the Eid holiday, coalition aircraft struck a home in Mokha district, Taizz, killing eight of Mohammed Hulbi’s relatives, including five children under age 10.

That morning, Hulbi, 45, a farmer, walked to a well about 100 meters from his house. His uncle was sleeping next to the well when he heard planes overhead, followed by the powerful explosion from the attack: “My uncle fell from the chair where he was sleeping. I ran to the house, but nothing was left, everything was destroyed. My uncle and I carried the remains of our family [out of the house].”

The attack killed Hulbi’s wife, Saeeda, 35, and his daughter, Amani, 8. His uncle’s two wives and four children, two girls and two boys, all under 10, were also killed. One of his uncle’s wives was eight months pregnant. After the attack, a few men affiliated with Houthi-Saleh forces drove to the house on motorbikes, ordering people not to approach the house because coalition aircraft might attack again.

A witness photographed remnants of the weapon used in the attack. Human Rights Watch identified the remnants as being from a large air-dropped bomb that was equipped with a Paveway-series guidance kit.

Hulbi said he and his uncle “didn’t leave [the area] yet, because we don’t have a place to go, but we live alone now, just me and him.” The coalition has not announced if it will investigate the attack.

Al-Qoubari neighborhood, 50th Street, Sanaa, June 9, 2017

Casualties: At least 4 civilians killed, including 3 children, and 8 wounded, including 3 children

At about 12:30 a.m. on June 9, coalition aircraft struck the home of Tawfeeq al-Sa’adi in Sanaa’s al-Qoubari neighborhood, killing four civilians, including three children and wounding eight, including three children.

Al-Sa’adi, 36, who was not home at the time, said a neighbor called him to tell him the coalition had hit his house:

I replied to him, ‘Why would they bomb my house? What do we have to bomb?...I was shocked and in denial...I walked slowly to the house saying ‘Ya Allah Ya Allah.’ I arrived and saw the gathering of ambulances and police. At that moment, I lost my mind completely.

The attack destroyed al-Sa’adi’s home. His wife, Ghaniya, 32, and 18-month-old daughter, Khadija, were pulled from under the rubble.

Al-Sa’adi took his wife and daughter to five different hospitals, all of which said they could not treat them, either because the hospitals were full and did not have the capacity or because they only provided care to wounded fighters. One hospital finally admitted them. The attack had fractured Khadija’s skull. Ghaniya, who was eight months pregnant, had a fractured leg, a burned back, and a bruised skull. She said: “I lost the baby, he was a boy. We wanted to name him Hassan.” Her husband said they were trying to save money for an operation for Khadija, but “we don’t have enough money to feed ourselves.”

The attack destroyed five other homes, and damaged five more, al-Sa'adi said. Al-Sa'adi's neighbor lost four of his relatives, including three of his children, ages 8 to 13, and his wife's 70-year-old grandmother. Six other people in the neighborhood were wounded, including two children, he said. He provided Human Rights Watch their names and ages.

Al-Sa'adi said the area attacked was a poor neighborhood. There were no evident military targets in the vicinity, he said, although his neighbor was a low-ranking Houthi-Saleh soldier. The coalition has not announced whether it will investigate the attack.

Undermining Accountability Efforts

JMAT, the Saudi-led coalition's investigative team, has largely [absolved](#) the coalition of any wrongdoing in about two dozen strikes it has investigated. Despite the coalition's promises to pay compensation in a small number of the attacks it has investigated, it has not made any payments or concrete progress toward creating a compensation system, numerous Yemeni sources said.

Even in strikes where JMAT has found fault, it has not identified the coalition forces responsible. Human Rights Watch was unable to determine which [coalition members participated in the strikes](#) most recently investigated. Saudi Arabia, Bahrain, Kuwait, the United Arab Emirates, Egypt, Jordan, Morocco, and Sudan are current members of the coalition; Qatar [withdrew](#) in June. In July, the UN Panel of Experts expressed concern that coalition members "are deliberately hiding behind 'the entity' of the 'Coalition' to divert and shield themselves from state responsibility for violations committed by their own forces during airstrikes." Human Rights Watch has not been able to identify any steps JMAT or coalition states have taken to hold members of their own forces accountable for laws-of-war violations.

Saudi Arabia and its allies have actively worked to avoid accountability. In 2016, then-UN Secretary-General Ban Ki-moon listed the coalition, along with Houthi-Saleh forces and other groups fighting in Yemen, on his annual "list of shame" for violations against children in armed conflict. The UN had documented the coalition killing and maiming children and attacking schools and hospitals, but the secretary-general [removed](#) the coalition from the list after Saudi Arabia and its allies [reportedly](#) threatened to withdraw

millions of dollars of funding from critical UN relief programs, such as those serving Palestinian refugees. Coalition attacks harming children continued in Yemen throughout 2016 and into 2017. The UN should relist it in its forthcoming report that covers attacks on children during 2016, Human Rights Watch said.

The Human Rights Council in 2015 and 2016 failed to create an international inquiry into Yemen abuses, instead endorsing processes that over the past two years [have](#) not provided the impartial, independent, and transparent investigations needed to address the gravity of violations in Yemen. On August 29, 62 Yemeni and international nongovernmental organizations [wrote](#) to members of the Human Rights Council to urge it to create an independent international inquiry into abuses committed by all parties to the conflict in Yemen.

September 8, 2017: Hiding Behind Coalition’s Unlawful Attacks

Lack of Transparency Underscores Need for International Inquiry

(Beirut) – Members of the Saudi-led coalition have sought to avoid international legal liability by refusing to provide information on their role in alleged unlawful airstrikes in [Yemen](#), Human Rights Watch said today. In 2017, Human Rights Watch wrote to the coalition and its current and former members urging them to release information on their investigations and findings of laws-of-war violations as required by international law. None have replied.

The coalition’s unwillingness to conduct serious investigations into alleged violations of the laws of war was evident in its response to airstrikes on apartment buildings in Sanaa, the capital, on August 25 that killed or wounded more than two dozen civilians.

“No coalition member can claim clean hands in Yemen until all its members explain their role in scores of documented unlawful attacks,” said [Sarah Leah Whitson](#), Middle East director at Human Rights Watch. “It borders on the absurd for the coalition to claim its own investigations are credible when it refuses to release even basic information like which countries participated in an attack and whether anyone has been held accountable.”

Two family members of victims of the August 25 attack reported that coalition aircraft struck three apartment buildings in Faj Attan, a densely populated neighborhood of the

capital, killing at least 16 civilians and wounding 17. After an [international outcry](#), the coalition admitted carrying out the attack, but, as in previous apparently unlawful airstrikes, did not provide details on the coalition members joining the attack or the countries undertaking any investigation.

At about 2 a.m. on August 25, Muhammad Mea'sar, in his thirties, went up to the roof of his home in Sanaa after hearing an airstrike. He said there were four airstrikes, each about two to three minutes apart. The first three hit the Faj Attan mountains on the outskirts of Sanaa, where there are stockpiles of Yemeni army weapons under the control of the opposing Houthi-Saleh forces, who control the area. The coalition has hit the mountains repeatedly during the two-and-a-half-year conflict.

The fourth strike hit the neighborhood below, Mea'sar said: "People live there, people from Sanaa, and a lot of displaced people from different governorates. I saw the smoke coming from the middle of the houses." Mea'sar later learned that the coalition had hit a three-story building he owned, and two four-story buildings his aunts owned. He said his aunt's buildings "were gone." The buildings "became only rubble, dust, and casualties."

Ali al-Raymi, a 32-year-old Ministry of Oil and Minerals employee, was messaging his younger brother as the August 25 attacks began. Six months earlier, his brother, with his wife and six children, had moved to a cheaper apartment in the neighborhood below the mountains. His brother texted him that the sounds of the first attacks terrified his children.

Ali al-Raymi said that when his brother stopped messaging him: "I took my mom's phone and started calling my brother. He was not answering. I called him many times, but the phone was ringing and there was no answer...I felt very nervous. I felt something bad may have happened."

Al-Raymi called a friend in the area and "heard the noise of ambulances and people saying take him out!...Take him out!...Help this one...Help that one." Al-Raymi immediately walked to the area and "found destruction." He said the area was so chaotic and the devastation so complete that he could not tell which home was his brother's. Another brother guided him over the phone to the spot where the house should be. "It was rubble," al-Raymi said. "I told him not to call our mother."

The airstrike killed al-Raymi's brother, his sister-in-law, five of their six children, ages 2 through 10, and his sister-in-law's brother. Only the family's 6-year-old daughter survived. Al-Raymi stayed to help with the rescue effort. The rescuers found his brother last, at about 5 p.m., after more than 14 or 15 hours of continuous searching.

Mea'sar compiled for Human Rights Watch a list of the names, ages, genders, and hospitals where people were taken: 16 people were killed in the attack, including 7 children ranging in age from 2 to 13, and 17 wounded, including 8 children. Two of Mea'sar's cousins, ages 3 and 12, were among those killed.

The coalition said that it [carried out the attack](#), but asserted that the civilian casualties were the result of a technical error and that it had targeted a "legitimate military objective" – a command-and-control center that Houthi-Saleh forces built "with the sole purpose of using the surrounding areas as well as its civilians as shields to protect it." The coalition spokesperson said it had referred the case to the Joint Incidents Assessment Team (JIAT), the coalition's investigative mechanism, which has, to date, [largely absolved the coalition](#) of wrongdoing. The coalition spokesperson did not provide any details regarding which countries' forces may have participated in the attack. The International Committee of the Red Cross [called the attack "outrageous,"](#) and said there was no apparent military target in the area.

The coalition currently consists of Saudi Arabia, Bahrain, Kuwait, United Arab Emirates (UAE), Egypt, Jordan, Morocco, and Sudan; [Qatar withdrew in June](#). The coalition has conducted thousands of airstrikes in Yemen since March 2015, including scores that appear to violate the laws of war, some of which may be war crimes, yet JIAT and coalition members have provided no or insufficient information about the role that particular countries' forces are playing in alleged unlawful attacks.

While Saudi Arabia leads the coalition, available information shows that other countries have participated in the military campaign to varying degrees. In March 2015, the Emirati State news agency reported that [Saudi Arabia had deployed 100 aircraft](#) to take part in coalition operations, the UAE had deployed 30, Kuwait 15, Bahrain 15, and Qatar 10. Media and policy reports have provided some detail on specific incidents in which coalition members have played a role in the air campaign: In May 2015, a Moroccan F-16 aircraft [crashed while on a mission in Yemen](#). In December 2015, both a [Bahraini F-1 jet](#) and a

[Jordanian pilot flying an F-16](#) carrying out coalition operations crashed. In 2015, Egypt [conducted airstrikes on Yemen's western coast](#). In March 2017, after a helicopter attacked a boat carrying Somali migrants and refugees off the coast of Hodeida, killing and wounding dozens, a member of the UAE armed forces said the UAE was operating in the area but [denied the UAE carried out the attack](#).

In July, the United Nations Panel of Experts on Yemen, established by the Security Council, expressed concern that coalition members “seek to hide behind ‘the entity’ of the Coalition to shield themselves from state responsibility for violations committed by their forces....Attempts to ‘divert’ responsibility in this manner from individual States to the Saudi-Arabia led coalition may contribute to further violations occurring with impunity.” A month later, *Foreign Policy* [reported that US officials had said](#) that instead of looking at the whole coalition as a single entity, the UN should identify the individual countries directly responsible for atrocities in its annual “list of shame” of violations against children. A US official denied the account.

The failure of the coalition or any coalition member to credibly investigate violations by their own forces for more than two years of armed conflict underscores the need for an independent international investigation into alleged violations of international human rights and humanitarian law by all parties to the conflict, Human Rights Watch said.

“Yemeni civilians who are paying the price of this war deserve far more than blanket denials or generic expressions of sympathy,” Whitson said. “UN member countries should make crystal clear to coalition members that they are failing to meet even basic standards for transparency, and that – as none of the warring parties seem willing to do so – the Human Rights Council will step in and make sure these violations are investigated.”

March 26, 2017: Attack on Refugee Boat Likely War Crime

Failed Investigations into Abuses as War Turns 2

(Beirut) – An apparent [Saudi](#)-led coalition attack on a boat carrying Somali civilians off the coast of [Yemen](#) highlights the need for accountability on the second anniversary of the Yemeni armed conflict, Human Rights Watch said today. Several witnesses reported that on March 16, 2017, a helicopter fired on the boat, [killing at least 32](#) of the 145 [Somali migrants and refugees on board](#) and one Yemeni civilian. Another 29, including six

children, were wounded, and 10 more remain missing. Photos of the boat taken the next day show damage consistent with gunfire from an aerial attack.

All the parties to the conflict denied responsibility for the attack. Only the Saudi-led coalition has military aircraft. The Houthi-Saleh forces do not. Somalia, which supports the coalition, [called on the coalition to investigate](#). But the coalition has repeatedly shown itself unable or unwilling to credibly investigate its own abuses.

“The coalition’s apparent firing on a boat filled with fleeing refugees is only the latest likely war crime in Yemen’s two-year-long war,” said [Sarah Leah Whitson](#), Middle East director at Human Rights Watch. “Reckless disregard for the lives of civilians has reached a new level of depravity.”

One of the boat’s four Yemeni crew members told Human Rights Watch that the boat was about 50 kilometers off the coast of the Yemeni port city of Hodeida, traveling away from Yemen, when it was attacked. That evening the captain had told the passengers to be quiet as they were transiting through “a very dangerous place,” two people onboard told Human Rights Watch. Earlier in the journey a vessel had approached and told the crew to stop the boat, but the boat continued.

Four people aboard the boat said that at about 9 p.m. they saw a helicopter repeatedly shoot at the boat. A Somali woman refugee, 25, who was wounded in the attack, said, “All of a sudden, I saw a helicopter above us....They attacked abruptly....When they kept firing at us, those of us who spoke Arabic kept saying, ‘We are Somalis!’” Another woman said that she was hit by a fragment from an explosive weapon. A crew member and others said a large naval ship also fired on the boat.

After the attack, the boat docked at Hodeida port at about 4:30 a.m. The head of the fishing port, Daoud Fadel, said, “We couldn’t find a place to put the bodies, so we had to put them in the place where we store the fish.” Another witness said that, in addition to those who had been taken to nearby hospitals for treatment, about 15 men were wounded from bullets or fragments during the attack.

Both the [Saudi-led coalition and the Houthi-Saleh forces](#) denied carrying out the attack. The official state news agency of the United Arab Emirates reported that a [UAE military](#)

[source denied](#) that its forces had been involved and welcomed an international investigation into the incident. Coalition members have naval vessels patrolling access to the Hodeida coast, while Houthi-Saleh forces maintain control over the port. The US, which has been carrying out airstrikes in Yemen against Al-Qaeda in the Arabian Peninsula (AQAP), also [denied carrying out the attack](#).

Under the laws of war, attacks against civilians that are deliberate or reckless are war crimes.

Since March 26, 2015, the Saudi Arabia-led coalition has carried out military operations, [supported by the United States](#), against Houthi forces and forces loyal to former President Ali Abdullah Saleh. The coalition has conducted numerous airstrikes that have unlawfully struck homes, markets, hospitals, and schools.

The Houthi-Saleh forces have indiscriminately shelled civilian neighborhoods, [recruited child soldiers](#), and [arbitrarily detained](#) and [forcibly disappeared](#) scores of civilians. Since the start of the current conflict, at least 4,773 civilians had been killed and 8,272 wounded, the majority by coalition airstrikes, [according to the United Nations human rights office](#).

[Human Rights Watch has documented 62](#) apparently [unlawful coalition airstrikes](#), some of which may amount to war crimes, that have killed nearly 900 civilians, and documented seven indiscriminate attacks by Houthi-Saleh forces in [Aden](#) and [Taizz](#) that killed 139 people, including at least eight children. Human Rights Watch has also documented the [Houthi-Saleh forces use of banned antipersonnel landmines](#) and the [coalition's use of widely banned cluster munitions](#). Both parties have blocked or restricted critical relief supplies from reaching civilians.

On March 23, 2017, the UN High Commissioner for Human Rights called for an international, independent commission of inquiry into allegations of violations of international human rights and humanitarian law by all sides in Yemen, a call repeatedly made by national, regional, and international organizations over the past two years.

The UN Human Rights Council fell short of establishing a full stand-alone inquiry in September 2016, but passed a resolution mandating the UN human rights office to deploy

additional human rights experts to investigate abuses by all sides. Governments should fully support the office's expanded investigative mandate in the absence of a standalone international inquiry, Human Rights Watch said.

The [Saudi-led coalition-appointed Joint Incidents Assessment Team](#) (JIAT) has failed to meet international standards. It has absolved the coalition of responsibility in nearly all of the 17 incidents it has so far investigated and released findings that differed drastically from those of the UN and others.

Although the coalition has conducted widespread unlawful attacks, the [United States](#), [United Kingdom](#), and [France](#) continue to sell billions of dollars of weapons to Saudi Arabia. Human Rights Watch was not able to determine which coalition member carried out the attack on the refugee boat, but the US State Department has approved licenses for the [sale or servicing of military helicopters](#) to [Saudi Arabia](#), the [United Arab Emirates](#), [Kuwait](#), and [Jordan](#). Governments should suspend all weapon sales to Saudi Arabia or risk complicity in future unlawful coalition attacks, Human Rights Watch said.

“Despite the growing mountain of evidence of coalition abuses, the US, UK, and France seem more focused on selling arms to the Saudis than on their possible complicity in coalition war crimes,” Whitson said. “After two years of unlawful attacks on civilians and civilian structures, Saudi Arabia’s allies should reconsider their support and use their leverage with Riyadh to end the violations.”

March 17, 2017: Cluster Munitions Wound Children

Brazil Should Stop Producing Banned Weapon, Join Ban Treaty

(São Paulo) – The Saudi-led coalition launched Brazilian-made cluster munition rockets that struck a farm in northern [Yemen](#) in late February 2017, wounding two boys, Human Rights Watch said today.

“The Saudi-led coalition’s continued use of widely banned cluster munitions in Yemen shows callous disregard for civilian lives,” said [Steve Goose](#), arms director at Human Rights Watch and chair of the [Cluster Munition Coalition](#), the international coalition of groups working to eradicate cluster munitions. “[Saudi Arabia](#), its coalition partners, and

[Brazil](#), as a producer, should immediately join the widely endorsed international treaty that bans cluster munitions.”

Cluster munitions are delivered from the ground by artillery and rockets, or dropped from aircraft and contain multiple smaller explosive submunitions that spread out indiscriminately over a wide area. Many fail to detonate and leave unexploded submunitions that become de facto landmines, posing a threat long after a conflict ends.

On February 22, at about 3 p.m., Muhammad Dhayf-Allah, 10, and Ahmad Abdul-Khaleq, 12, were working at their relatives’ farm at Qahza, in the al-O’albi area of northern Saada governorate, when it was attacked. Human Rights Watch interviewed by telephone two men who witnessed the strike. One witness provided photographs taken at the attack site shortly afterward that show remnants of part of a cluster munition rocket. Both witnesses said they heard a loud explosion followed by several smaller explosions, consistent with a cluster munition attack.

Muhammad Hunish Hawza, 60, an uncle of the boys, was in Qahza that day. “We heard blasts in the air, dozens of multiple small blasts together,” he said. “The small bombs fell over us.”

One of the farm owners, Tareq Ahmad Saleh al-O’airi, 25, said he had been in a greenhouse with the boys pruning cucumber and tomato plants. They heard a blast, went outside, and saw a bomb explode about 50 meters away. He said he told the frightened children to lie down.

“One of the bombs fell five meters away and exploded over us, wounding the two children,” he said. “Two or three bombs exploded inside the greenhouses [and] around 60 bombs exploded in the area. It was like Judgment Day.”

Dhayf-Allah was wounded in his left forearm, and Abdul-Khaleq in his right thigh and back. Relatives took the boys to al-Jumhuri Hospital for treatment.

Photographs that al-O’airi provided show part of the bursting mechanism from an ASTROS II cluster munition rocket lying where witnesses said it landed, near a greenhouse at the farm. Other photographs show solar panels damaged by fragmentation consistent with

submunitions from a cluster munition attack. Hawza, the boys' uncle, said that the attack destroyed more than 30 solar panels.

Al-O'airi said that the farm is three to five kilometers north of al-Saifi military camp, which is controlled by the Houthi-Saleh forces fighting the coalition. Both witnesses said this was the second time coalition attacks have hit the farm since the coalition began its aerial campaign in Yemen in support of the government of President Abdu Rabu Mansour Hadi against the Houthi-Saleh forces in March 2015.

ASTROS cluster munition rockets have been used on at least three previous occasions since the Saudi-led coalition began its intervention in Yemen, killing two civilians and wounding at least 10.

ASTROS II surface-to-surface rockets are delivered by a truck-mounted, multibarrel rocket launcher. Each rocket contains up to 65 submunitions. Bahrain and Saudi Arabia have purchased ASTROS cluster munition rockets from Brazil, where they are manufactured by [Avibrás Indústria Aeroespacial SA](#).

On March 9, 2017, the Brazilian arms manufacturer Avibrás [stated](#) that it could not confirm its cluster munitions had been used in Yemen, but claimed that since 2001, its ASTROS cluster munition rockets have been equipped with a “reliable self-destruct device that complies with humanitarian principles and legislation” of the Convention on Cluster Munitions.

Cluster munitions are prohibited by a 2008 treaty ratified by 100 countries and signed by another 19, though not by [Yemen](#), Brazil, and [Saudi Arabia](#), and its coalition partners Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the United Arab Emirates.

The treaty prohibits all cluster munitions and does not exempt “self-destruct” variants, which leave explosive remnants that must be considered hazardous and not be handled or approached by anyone other than a trained technician. At least 14 countries that have ratified the Convention on Cluster Munitions have destroyed cluster munitions equipped with “self-destruct” features, including Chile, France, Germany, Japan, Norway, Spain, Sweden, Switzerland, and the United Kingdom.

Members of the Saudi-led coalition and other parties to the conflict, including the United States, should promptly join the Convention on Cluster Munitions and abide by its provisions, Human Rights Watch said. Brazil should end its production and transfer of cluster munitions. In February 2017, Yemen's Ministry of Human Rights told Human Rights Watch during a visit to Aden that Yemen was ready to sign the treaty when parliament reconvened.

"The Brazilian government's silence is a wholly inadequate response to mounting concerns over civilian casualties from the Saudi-led coalition's use of Brazilian cluster munition rockets in Yemen," Goose said. "Brazil should recognize that cluster munitions are prohibited weapons that should never be manufactured, transferred, or used because of the harm inflicted on civilians."

Coalition Use of Cluster Munitions

Since March 26, 2015, a Saudi-led coalition of nine Arab states has conducted military operations in Yemen against the Houthis, also known as Ansar Allah, and forces loyal to former President Ali Abdullah Saleh. Human Rights Watch and Amnesty International have [documented](#) the use of seven types of air-delivered and ground-launched cluster munitions made in the US, the UK, and Brazil.

Human Rights Watch has documented the coalition's use of cluster munitions in 18 unlawful attacks in Yemen that killed at least 21 civilians, wounded 74 more, and in some cases, struck civilian areas.

The coalition has acknowledged using US- and UK-made cluster munitions in Yemen, but claims to have done so in compliance with the laws of war. In a January 11, 2016 [interview](#) with CNN, the coalition military spokesman said the coalition used CBU-105 Sensor Fuzed Weapons in Hajja in April 2015 "against a concentration of a camp in this area, but not indiscriminately." He said that the US-made cluster munitions were used "against vehicles."

In May 2016, the US [suspended](#) transfers of cluster munitions to Saudi Arabia. In December, the coalition announced it would stop using a UK-made cluster munition, the

BL-755, but left open the possibility it would continue using other types of cluster munitions in Yemen.

Human Rights Watch previously [documented](#) Saudi Arabia's use of ASTROS cluster munition rockets in Khafji, Saudi Arabia, in 1991, during the First Gulf War. The munitions left behind a significant number of unexploded submunitions.

The three earlier attacks in Yemen where the Saudi-led coalition used Brazilian-made cluster munition rockets during the current conflict include:

- Amnesty International [reported](#) an ASTROS cluster munition rocket attack on February 15, that hit the residential areas of Gohza, al-Dhubat, and al-Rawdha, wounding two civilians.
- Human Rights Watch [documented](#) an ASTROS cluster munition rocket attack by the Saudi-led coalition near two schools in the al-Dhubat neighborhood of Saada's Old City on December 6, killing two civilians and wounding at least six, including a child.
- Amnesty International [found](#) remnants of ASTROS cluster munition rockets remaining after an attack on Ahma in Saada on October 27, 2015, that wounded at least four people.

Civilian harm from the coalition's use of cluster munitions in Yemen since 2015 has received worldwide media coverage, provoked a public outcry, and been condemned by dozens of countries as well as by a European parliament [resolution](#). In September 2015, more than 60 nations at the First Review Conference of the Convention on Cluster Munitions expressed deep concern at the use of cluster munitions in Yemen and issued a [declaration](#) condemning "any use of cluster munitions by any actor."

In December 2016, 141 countries voted in favor of a United Nations General Assembly [resolution on cluster munitions](#) that urged countries that have not yet done so to join the Convention on Cluster Munitions. Russia and Zimbabwe voted against it, while 39 states abstained, including Yemen, Brazil, and Saudi Arabia.

Human Rights Watch is a co-founder of the international [Cluster Munition Coalition](#). Germany's Ambassador Michael Biontino will preside over the next annual meeting of the Convention on Cluster Munitions in Geneva on September 4-6, 2017.

February 16, 2017: Saudi-Led Coalition Airstrike Near School

2 Students, Administrator Killed; 3 Children Wounded

(Beirut) – A [Saudi](#)-led coalition airstrike near a school in northern [Yemen](#) on January 10, 2017, killed two students and a school administrator and wounded three children, Human Rights Watch said today. The unlawful attack reinforces the urgent need for an international investigation into alleged laws-of-war violations in Yemen, an end to arms sales to Saudi Arabia, and the return of the coalition to the United Nations secretary-general’s “list of shame” for abuses against children in armed conflict.

“The bombing death of an 11-year-old girl on her way to school shows how little the Saudi-led coalition took to heart its brief inclusion on the UN secretary-general’s ‘list of shame,’” said [Sarah Leah Whitson](#), Middle East director at Human Rights Watch. “How many more schoolchildren need to die and be maimed before the UN responds?”

On January 10 at about 8 a.m., a coalition airstrike hit an informal gas station in the village of Bani Mea’asar, in the Nihm district, Sanaa governorate, killing three civilians and wounding five others. The attack shattered a number of the nearby school’s windows and damaged its electrical wires and speakers, witnesses said. Al-Falah school, 150 to 200 meters from the gas station, provides primary and secondary education to about 900 boys and girls. In the winter the school usually starts about 8 or 8:30 a.m. Students were either on their way or getting ready to head to the school when the strike took place.

Muhammad Mea’asar, who has served as Al-Falah school’s director for more than 20 years, told Human Rights Watch he was at home with his family preparing to head to the school’s morning assembly when the munition hit. “It landed north of the school wall...next to some shops and an informal gas station,” he said. “If it landed at that time on the school building it would have been a disaster.”

Ahmad Mea’asar was at home about half a kilometer from the school when he heard the explosion. His two children, in the fifth and seventh grades, had already left for school. He immediately ran to the site of the attack, initially worried the munition had hit the school, as it looked like smoke was coming from the building. He helped in the rescue effort once he arrived.

Ali Mudafeer, the school's deputy director, was killed in the strike. Muhammad Mea'asar said that Mudafeer had been standing outside the school to "reassure the students who were still coming that [an earlier] strike [in the area] was far away and the school was okay." The munition also killed Ishraq al-Moa'fa, 11, who was on her way to school, and Shamkh Sa'soua', a 19-year-old who had enrolled at Al-Falah after his previous school closed due to nearby fighting. The strike also wounded two girls, ages 8 and 12, and a 16-year-old boy.

Muhammad al-Radi, a mathematics teacher at the school, was about to leave his house, which is in the school compound, with his 9-year-old son when the munition detonated. He said:

Suddenly...I realized because of all the smoke, dust, and glass that came over us that the airstrike occurred in front of us, in front of the school....My wife ran out with my two kids, out of the school, because we were worried that they will attack again. We were terrified.

Al-Radi said that he and at least 10 other people immediately ran to help the wounded:

We saw body parts scattered on the ground, and we saw Ishraq, and her severed foot. From the traces of the blood, it seems that she crawled...to the other side [of the road], and she was holding her bag, but we arrived and she was dead.

Mwatana, a leading Yemeni human rights organization, sent a team to the village to examine the attack site on January 16. Mwatana photographed remnants of munitions. Human Rights Watch examined these photos and concluded from the thickness of the fragments that the remnants were from the guidance unit and fin assembly system from an air-dropped bomb, but the images were insufficient to make a positive identification.

Coalition airstrikes had previously hit the area around the village, which was about eight kilometers from ongoing fighting between coalition-backed Yemeni forces and Houthi forces and forces loyal to former President Ali Abdullah Saleh. The gas station had

previously fueled military vehicles passing through the town, Mwatana and a witness said. Three witnesses told Human Rights Watch that the coalition had often struck military targets in the area, including military vehicles, but that there was no military vehicle at the gas station at the time of the attack.

International humanitarian law, or the laws of war, applies to all sides fighting in Yemen. Deliberate or indiscriminate attacks against civilians and civilian structures are prohibited. The laws of war require the parties to a conflict to take constant care during military operations to spare the civilian population and to “take all feasible precautions” to avoid or minimize loss of civilian life and damage to civilian objects.

While the occasional use of the fuel station by military vehicles may have made it a lawful military objective, there was no evident urgency to strike so close to a school at the beginning of a school day. The coalition should have provided an effective advance warning of the attack and taken all feasible precautions to minimize harm to civilians, including, for example, carrying out the strike when the school was not in session.

Since March 2015, the [Saudi Arabia](#)-led coalition has carried out military operations in Yemen, [supported by](#) the [United States](#), against Houthi-Saleh forces. The coalition has unlawfully attacked homes, markets, hospitals, schools, civilian businesses, and mosques. The UN secretary-general’s 2016 annual report on violations against children in armed conflict found that at least 785 children were killed and 1,168 wounded in Yemen in 2015, with 60 percent of the casualties attributed to the coalition. The report also found that the coalition was responsible for nearly half of 101 attacks against schools and hospitals.

On June 2, 2016, then-Secretary-General Ban Ki-moon included the Saudi Arabia-led coalition on his annual [“list of shame”](#) for grave violations against children during armed conflict. A few days after the report was published, Saudi Arabia and its allies issued threats to withdraw hundreds of millions of dollars in assistance to the UN. In response [Ban announced he was removing the Saudi-led coalition](#) from the list “pending the conclusion of [a] joint review” and [publicly admitted](#) these financial threats influenced his decision.

After the Saudi-led coalition was removed from the list of shame, coalition attacks continued to kill and maim children and damage schools and hospitals. In December, for example, a coalition [cluster munition attack](#) struck an area near two local schools in Saada city, in northern Yemen, killing two civilians and wounding six, including a child. Students were told not to return to school the day after the attack, as the schools had to be checked for any explosive remnants, including unexploded submunitions.

The secretary-general also included the Houthis, government forces, pro-government militias, and Al Qaeda in the Arabian Peninsula on his 2015 list for grave violations against children during the armed conflict in Yemen. Human Rights Watch has documented Houthi-Saleh forces in Yemen using [landmines that killed and maimed children](#), recruiting and using child soldiers, and [arbitrarily holding and abusing child detainees](#).

“Yemeni children have been among those paying the heaviest price during this nearly two-year-long war,” Whitson said. “Both the Saudi-led coalition and Yemeni forces on both sides need to better protect children from the fighting.”

2016

December 23, 2016: Brazil-Made Cluster Munitions Harm Civilians

Saudi-Led Coalition Rockets Nearly Hit Schools in Saada

(São Paulo) – The Saudi Arabia-led coalition fired Brazilian-made rockets containing banned cluster munitions that struck near two schools in the northern [Yemeni](#) city of Saada on December 6, 2016, Human Rights Watch said today. The attack on al-Dhubat neighborhood in Saada’s Old City at about 8 p.m. killed two civilians and wounded at least six, including a child.

The attack came a day after Yemen, Saudi Arabia, Brazil, and the United States abstained from a vote in the United Nations General Assembly that overwhelmingly endorsed an already widely accepted international ban on cluster munition use. Brazil should join the Convention on Cluster Munitions and cease the production and transfer of cluster munitions, while Saudi Arabia and other coalition members should cease all use of cluster munitions, Human Rights Watch said.

“Brazil should be on notice that its rockets are being used in unlawful attacks in the Yemeni war,” said [Steve Goose](#), arms director at Human Rights Watch and chair of the [Cluster Munition Coalition](#), the international coalition of groups working to eradicate cluster munitions. “Cluster munitions are prohibited weapons that should never be used under any circumstances due to the harm inflicted on civilians. Brazil should make an immediate commitment to ending production and export of cluster munitions.”

Since March 26, 2015, a Saudi Arabia-led coalition of nine Arab states has conducted military operations in Yemen against the Houthis, also known as Ansar Allah, and forces loyal to former president Ali Abdullah Saleh. Human Rights Watch and Amnesty International have [documented](#) the use of seven types of air-delivered and ground-launched cluster munitions made in the US, the United Kingdom, and Brazil. The coalition has admitted using UK and US-made cluster munitions in attacks in Yemen.

On December 19, the Saudi-led coalition announced it would stop using a UK-made cluster munition, the BL-755, but left open the possibility it would continue using other types of cluster munitions in Yemen.

Human Rights Watch interviewed by telephone four witnesses to the attack and several other local sources. One witness visited the attack site shortly afterward and photographed the damage, while another photographed an unexploded submunition lying where it had landed.

Witnesses described hearing a loud explosion followed by several smaller explosions, which is consistent with a cluster munition attack. Ayman Lutf, a 20-year-old university student, told Human Rights Watch that five submunitions landed on his street, damaging a parked car and a water tank.

Bassam Ali, a 20-year-old neighborhood resident, said, “We thought it’s like the regular missiles that always hit Saada...Which only create single explosions. This one was different, a series of explosions together...All of the bombs landed over our neighborhood, over houses, and on the streets.”

Khaled Rashed, a 38-year-old member of the local council, said, “We heard...two sounds of explosions...One louder than the other, and...after that we heard more explosions, smaller, and falling from the sky like embers...It landed everywhere, water tanks over houses, one...exploded and destroyed a taxi.”

Rashed said that the rocket strike occurred near a girls’ school and a boys’ school, both between the old city and al-Dhubat neighborhood. People wounded in the attack were taken to a nearby hospital. Students were told not to return to school the next day as the schools had to be checked for any explosive remnants, including unexploded submunitions, an administrator at the boys’ school said.

Dr. Mohammed Hajjar, general director of the largest hospital in Saada, said that the hospital treated seven people for wounds, of whom one later died, and that another had died before arriving. Fathy Al-Batl, a local activist, said that those wounded included a teacher, a 20-year-old student, and a 14-year-old boy.

Human Rights Watch identified the remnants of ASTROS II surface-to-surface rockets, each containing up to 65 submunitions, delivered by a truck-mounted multi-barrel rocket launcher. Bahrain and Saudi Arabia have purchased ASTROS cluster munition rockets from

Brazil, where they are manufactured by [Avibrás Indústria Aeroespacial SA](#). Previously, Amnesty International [researchers found](#) remnants of ASTROS cluster munition rockets remaining after an attack on Ahma in Saada on October 27, 2015, that wounded at least four people.

Saudi Arabia's use of ASTROS cluster munition rockets in Khafji, Saudi Arabia in 1991, during the First Gulf War, was previously documented by Human Rights Watch. These munitions left behind "significant numbers of unexploded submunitions."

The use of cluster munitions in Houthi-controlled territory that has been attacked by Saudi-led coalition aircraft and by rockets launched from Saudi Arabia on previous occasions suggests that Saudi forces fired the cluster munitions used on December 6, 2016. However, further investigation is required to conclusively determine responsibility, Human Rights Watch said.

The coalition has attacked the Houthi-stronghold of Saada City frequently since the start of the war. A Houthi-Saleh military camp is located less than 50 meters from al-Dhubat neighborhood. Human Rights Watch has documented the coalition's use of cluster munitions in 17 unlawful attacks in Yemen that killed at least 21 civilians, wounded 72 more, and in some cases struck civilian areas.

The use of cluster munitions in Yemen since April 2015 has received worldwide media coverage, provoked a public outcry, and been condemned by dozens of countries as well as by a European Parliament [resolution](#). In September 2015, more than 60 nations at the First Review Conference of the Convention on Cluster Munitions expressed deep concern at the use of cluster munitions in Yemen and issued a [declaration](#) condemning "any use of cluster munitions by any actor."

The coalition has acknowledged using US and UK-made cluster munitions in Yemen, but claims to have done so in compliance with the laws of war. In a January 11, 2016 [interview](#) with CNN, the coalition military spokesman said the coalition used CBU-105 Sensor Fuzed Weapons in Hajja in April 2015 "against a concentration of a camp in this area, but not indiscriminately." He said that the US-made CBU-105 has been used "against vehicles."

In May, the US [suspended](#) transfers of cluster munitions to Saudi Arabia. President Barack Obama should halt all arms transfers to Saudi Arabia and make the cluster munition ban permanent and extend it to all other countries before he leaves office, Human Rights Watch said.

Cluster munitions are delivered from the ground by artillery and rockets, or dropped from aircraft and contain multiple smaller explosive submunitions that spread out over a wide area. Many fail to detonate and leave unexploded submunitions that become de facto landmines that continue to pose a threat long after a conflict ends.

Cluster munitions are prohibited by a 2008 treaty signed by 119 countries, though not by Brazil, the US, [Yemen](#), or [Saudi Arabia](#), and its coalition partners Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the United Arab Emirates. These countries should promptly join the Convention on Cluster Munitions and abide by its provisions, Human Rights Watch said.

Human Rights Watch is a co-founder of the international [Cluster Munition Coalition](#). Germany's Ambassador Michael Biontino will preside over the next annual meeting of the Convention on Cluster Munitions in Geneva on September 4-6, 2017.

The December 6, 2016 cluster munition attack on Saada took place the day after the UN General Assembly adopted [a resolution on cluster munitions](#). A total of 141 states voted in favor of the non-binding resolution on the convention while Russia and Zimbabwe voted against it, and 39 states abstained. Those abstaining included Yemen, Saudi Arabia, the US, and Brazil.

On December 19, the Saudi Press Agency, Saudi Arabia's state-run news agency, [reported](#) that the government of Saudi Arabia had "decided to cease usage of the UK-manufactured BL-755 cluster munitions" and had informed the UK of its decision. The statement acknowledged the Convention on Cluster Munitions, argued that, "international law does not ban the use of cluster munitions," and claimed that Saudi Arabia used UK-made cluster munitions in Yemen "against legitimate military targets to defend Saudi towns and villages against continuous attacks by Houthi militia, which resulted in Saudi civilian casualties. In deploying these munitions [sic], the Coalition fully observed the

international humanitarian law principles of distinction and proportionality. Furthermore, the munitions were [sic] not deployed in civilian population centers.”

The same day, the UK government admitted it had evidence indicating the coalition had used UK-made cluster munitions in attacks in Yemen.

“At last Saudi Arabia is beginning to feel global pressure for its continued use of cluster munitions,” Goose said. “Both Saudi Arabia and Brazil should join the international ban on these weapons without delay.”

December 8, 2016: US-Made Bombs Used in Unlawful Airstrikes

Dozens of Civilian Deaths Underscore Need for Saudi Arms Embargo

(Beirut) – The [Saudi Arabia](#)-led coalition killed several dozen civilians in three apparently unlawful airstrikes in September and October 2016, Human Rights Watch said today. The coalition’s use of [United States](#)-supplied weapons in two of the strikes, including a bomb delivered to Saudi Arabia well into the conflict, puts the US at risk of complicity in unlawful attacks.

The attacks underscore the urgent need for foreign governments to suspend all arms sales to Saudi Arabia and for the United Nations human rights office to send additional investigators to [Yemen](#) to carry out credible investigations of alleged abuses by the coalition, the Houthis and their allies, and all other parties to the conflict, Human Rights Watch said.

“Saudi-led forces are bombing civilians in Yemen with newly supplied US weapons,” said [Priyanka Motaparthi](#), senior emergencies researcher at Human Rights Watch. “The Obama administration is running out of time to completely suspend US arms sales to Saudi Arabia or be forever linked to Yemen wartime atrocities.”

Since the beginning of the Saudi-led campaign in March 2015, Human Rights Watch has found remnants of US-supplied weapons at the site of 23 apparently unlawful coalition airstrikes, including more than a dozen attacks involving US-made cluster munitions. Researchers did not find identifiable remnants in every attack documented. The US approved more than [US\\$20 billion in military sales to Saudi Arabia in 2015 alone](#). Three US

arms sales in 2015 and 2016, worth nearly US\$3 billion, [involved replenishing Saudi weaponry used in Yemen](#).

Human Rights Watch located remnants of US-made weapons at the site of coalition airstrikes in Arhab in Sanaa governorate and in the Hodeida governorate. A September 10 attack on a drilling site for water in Arhab killed at least 31 civilians, including three children.

Human Rights Watch researchers found remnants of two US-made GBU-12 Paveway II laser guided 500-pound bombs. One Paveway II laser guidance system had markings indicating it was manufactured by Raytheon, Inc., a US arms manufacturer, dated October 2015 – seven months after the start of the war. The other weapon was manufactured at an undetermined date in 2015. By October 2015, the UN as well as Human Rights Watch and others had already reported numerous unlawful attacks by coalition forces.

A coalition airstrike on October 29 struck the al-Zaydiya security administration building north of the city of Hodeida. Many of the about 100 people who were being detained in the facility died in the bombing. The Houthis and allied forces stationed military personnel and trucks mounted with machine guns at the site.

But even if a strike was on a military target, it may have unlawfully caused disproportionate civilian casualties. Human Rights Watch researchers found remnants consistent with a US-made JDAM satellite-guided bomb at the site.

A coalition airstrike on Souq al-Hinood, a densely populated neighborhood in Hodeida, on September 21 killed at least 28 civilians, including eight children, and wounded 32 others. The only known military target in the vicinity was the city's Presidential Palace, about 450 to 500 meters away, which was bombed earlier that day.

Between March 2015 and October 2016, at least 4,125 civilians were killed and 7,207 wounded in Yemen, [according to](#) the UN Office of the High Commissioner for Human Rights (OHCHR), the majority by coalition airstrikes. [OHCHR reported in August](#) that airstrikes had been the “single largest cause of casualties” over the past year. The Houthis and their allies, including forces loyal to former president Ali Abdullah Saleh, have also committed numerous serious abuses.

The Saudi-led coalition has repeatedly used US-produced weapons in unlawful attacks. US-produced weapons were used in two of the war's deadliest incidents so far: the March 15 [attack on Mastaba market](#), which killed at least 97 civilians, and the October 8 attack on a [funeral hall in Sanaa](#), the capital, which killed at least 100 people and wounded more than 500. Both attacks appear to have been war crimes.

The continued transfer of arms by the United States to Saudi Arabia, despite evidence of their repeated use in unlawful attacks, [may make the US complicit](#) in some of the coalition's violations in Yemen. The US is also party to the conflict in Yemen, providing targeting intelligence and refueling planes during bombing raids, but the US has not announced any independent investigation into its actions in the Yemen war. According to a Reuters investigation, US officials [debated internally](#) whether US support to the coalition could make US personnel criminally liable for war crimes in Yemen.

In May, the US suspended transfers of cluster munitions to Saudi Arabia. However, President Barack Obama, before he leaves office, should halt all arms transfers to Saudi Arabia and make the cluster munition ban permanent and extend it to all other countries, Human Rights Watch said.

Immediately following the October 8 funeral hall attack, the US National Security Council [announced](#) the US had "initiated an immediate review of our already significantly reduced support" to the coalition and was "prepared to adjust our support." The US has made no further announcements regarding how it planned to alter support for the war in Yemen nor released any findings from the review. President Obama should ensure that the review examines whether US forces [participated in any unlawful coalition attacks](#) in Yemen, and release the review findings before leaving office, Human Rights Watch said.

The government of the United Kingdom also sells arms to Saudi Arabia, despite growing parliamentary pressure over its support for Saudi Arabia's military campaign in Yemen and evidence of the use of British-made weapons in Yemen. Human Rights Watch has [documented](#) the use of UK-made weapons in three apparently unlawful coalition attacks in Yemen. Since March 2015, the UK has approved £3.3 billion in military sales to Saudi Arabia, [according](#) to the London-based Campaign Against Arms Trade.

On November 15, the UK Foreign and Commonwealth Office concluded, despite considerable evidence to the contrary, that there [was no clear risk of serious Saudi breaches](#) of international humanitarian law in Yemen. The ministry had previously issued six corrections to statements, walking back its initial denial of coalition laws-of-war violations in Yemen. But it noted that, “UK Defence personnel are unable to form a complete understanding of the coalition’s regard for international humanitarian law in Yemen as they do not have access to all the information required to do so.”

Neither the Saudi-led coalition’s Joint Investigation Assessment Team (JIAT) nor the Yemeni-led National Commission has announced investigations into the three airstrikes. JIAT, after [releasing](#) initial investigation results into eight airstrikes on August 4 that largely absolved the coalition of responsibility, has only published initial [results](#) of one additional investigation, the October 8 funeral hall airstrike, after the strike received widespread international condemnation. JIAT’s published investigations have [failed to meet international standards](#) for credible and transparent investigations into laws of war violations, Human Rights Watch said.

In September, the UN Human Rights Council passed a resolution mandating the UN human rights office to deploy additional human rights experts to investigate abuses by all sides, and report publicly on its findings. These three attacks highlight the need for the warring parties and concerned governments to fully support the office’s expanded investigative mandate, Human Rights Watch said.

“Governments selling weapons to Saudi Arabia cannot with any credibility rely on either coalition or Yemeni-led investigations to determine whether these weapons are being used against civilians,” Motaparthi said. “The US, UK, and others selling weapons to Saudi Arabia should suspend these sales until unlawful attacks are curtailed and properly investigated.”

Arhab Water Drilling Site, September 10, 2016

Casualties: At least 31 civilians killed, including three children, and 42 injured.

Munitions Identified: Two GBU-12 Paveway II laser guided 500-pound bombs. One bomb wing assembly produced by Raytheon in the US in October 2015. Second bomb wing assembly produced in the US in 2015, exact manufacture date unknown.

Before dawn on September 10, coalition aircraft struck the site of a water drilling rig near Beit Saadan village in the Arhab district, 30 kilometers north of Sanaa. The drill rig was in an unpopulated area reachable only by dirt road, about two kilometers from the nearest village. Multiple strikes over the course of the morning killed at least 31 civilians and wounded 42 more, according to OHCHR.

The first strike hit near a workers' shelter occupied by nearly a dozen workers and managers, killing six and wounding five others. At about 9 a.m., after several dozen villagers came to remove the bodies of those killed and examine the site, three planes returned and proceeded to bomb the vicinity at least 12 more times, about 15 minutes apart, witnesses said. The strikes lasted until about noon, killing at least 15 civilians, and wounding dozens more. Human Rights Watch independently confirmed the names and ages of 21 people who died in the attack, including three boys ages 12, 14, and 15.

Yehia Abdullah, a 34-year-old teacher, said he spent the evening with his brother Muhammed and other workers at the site. His brother died in the first strike. Abdullah, who had left the site 20 minutes earlier, was on his way back when he heard the bombing:

I saw the light of a bomb on the site of the drill rig. I tried to reach them by phone, but no one answered.... I arrived while the drill machine was operating and saw scattered and charred bodies. Everyone was in his place where he had been working or sitting. I saw five bodies including my brother Muhamad. First I found my brother's severed leg outside the [workers' shelter], about six meters, his arm on the door ... and half his body buried in the ruins.

Salim al-Sadani, a local farmer, said that when he learned that his uncle Mahdi al-Sadani had died in the airstrike, he went to the site, arriving at about 8 a.m.

About 300 people, including the dead's relatives, [were there] to remove the bodies.... I saw two warplanes arriving from the south. Between 8 and 9 a.m., I saw the missile coming down to ground as I was [here] next to my uncle's body.

Sadani said he lost consciousness briefly when the strike threw him to the ground:

I saw myself full of blood and ran away. I just saw smoke and flame. I saw a body of an old man in front of me, he is from [Thinah], the neighboring village. He was dead. I was taken to [the] hospital. I was injured by [fragments] in the left hand...as well as [fragments] in my back.

Several witnesses said that three coalition planes circled overhead, striking the area in widening circles as those gathered attempted to escape. People ran in all directions to escape the bombing, they said.

Human Rights Watch visited the site on November 10, and examined the rubble of the workers' shelter, as well as the burned wreckage of a fuel tanker truck. There were at least 11 bomb craters or impact sites in the immediate area. Footage of the site taken the day of the strikes shows many burned and mutilated bodies.

Human Rights Watch examined and photographed remnants of a US-made GBU-12 Paveway II laser guided 500-pound bomb. A part of the guidance system (wing assembly) was produced by Raytheon in the US in October 2015, according to markings on the remnants.

Residents of Beit Saadan said that they had pooled together 22 million Yemeni Rials (US\$88,000) of their personal funds to pay to drill the well to supply drinking water to their village. The bombing occurred on the last day of planned drilling, after the villagers had struck water, a local farmer said. Several witnesses said that no Houthi fighters or military equipment were stationed in the area before the strikes.

When Agence France Presse questioned a coalition spokesman, Gen. Ahmed Assiri, about the attack, [he replied](#), "All our strikes in that area target Houthi positions." The coalition has not announced an investigation into the attack.

Deliberate or indiscriminate attacks on civilians and civilian infrastructure are a serious violation of the laws of war, and if carried out intentionally or recklessly are war crimes.

Al-Zaydiya Security Administration, October 29, 2016

Casualties: 63 Houthi personnel and civilians killed and 67 wounded.

Weapons Identified: US-made JDAM satellite guidance system.

Between 8 and 9 p.m. on October 29, three airstrikes hit the al-Zaydiya security administration, 60 kilometers north of the city of Hodeida, in the Hodeida governorate. Beyond using the building as a jail, the Houthis and allied forces based military personnel and trucks mounted with machine guns at the facility, making it a legitimate military target. Human Rights Watch could not determine whether these personnel and vehicles were there at the time of the attack.

The strikes killed at least 63 people and injured 67, according to OHCHR. Many of the casualties were alleged criminal and security detainees held at the facility without charge, including at least two children. The Sanaa-based Foreign Affairs Ministry [wrote on December 1](#), in response to a Human Rights Watch letter, that there were about 126 people, including both prisoners and staff, at the detention facility at the time of the attack. The ministry wrote that 62 people were killed, including 30 prisoners. Human Rights Watch could not confirm how many of those killed or injured were prisoners and how many were security administration officials.

The Foreign Affairs Ministry's letter explained that the security administration had two sets of wards, the first housing 84 criminal suspects and the second, the former women's section, housing 22 men accused of "terrorism," working with the coalition or working to undermine state security. A guard and former detainee confirmed to Human Rights Watch that the detention facility held about 60 criminal suspects and about 30 alleged security detainees. Human Rights Watch interviewed former detainees held in both buildings.

Six former detainees said that they had been held between several months and several years on suspicion of common crimes. Most had no access to legal counsel or judicial review throughout their detention. The ministry said all the detainees were under investigation or had charges brought against them. "Saeed," a prisoner in Al-Zaydiya, told Human Rights Watch that he had been held in the former women's section for at least four months, based on Houthi accusations that he was in the armed opposition. He said:

I'm not a soldier and I've never been a soldier. They took me and covered my eyes and put me here. They interrogated me a few times while my eyes were covered. No one was allowed to visit me, and they never took me to the prosecutor or the court.

A source from Al-Zaydiya familiar with the security administration said that the Houthis used the facility as a base for military operations in the area, an allegation that the Foreign Affairs Ministry denied in its letter to Human Rights Watch. However, members of Houthi popular committees, which the ministry described as “undertake[ing] and administer[ing] security activities... [to] assist the concerned security entities in fulfilling their duty to maintain security and stability during the Saudi aggression,” oversaw the security detainees, the letter said. Members of popular committees who are full-time fighters are subject to attack.

The airstrikes hit the roof of the administration building; one of two cells holding male suspects; and the facility's women's cell, the separate building used to house security detainees.

“Ahmed,” who had been detained in the facility's main section, said that when the first strike hit:

[We] ran to the door and tried to get out, [we were] asking to be let out... Then the second missile hit, and then the third on my ward. All the prisoners were at the door when it hit.

Ahmed said he lost consciousness after the third strike. He suffered burns on more than 40 percent of his body as a result of the strike.

“Abdullah,” another detainee, said:

I was injured in my leg...in the first strike. I tried to protect [myself by lying] on the ground after the first bomb. The third bomb came into my cell. After it finished, I saw that most of the prisoners were dead. I saw a hole in the

wall so I went out, then I was in the street. Two people with a motorbike took me to [the hospital].

A guard at the facility said:

I [had gone] home to eat dinner. I was 200 meters from here...[when] I heard the bombing. It shook the home. I ran outside to see what was happening, then there were more strikes. I was scared and ran away.

The prison workers made an opening so they [the prisoners] could leave. I didn't have time to get the key, I feel ashamed about that. I was scared and far away. Some people [prisoners] ran away through the opening in the wall.

Human Rights Watch visited the facility on November 6. The attack had significantly damaged the jail's reception area and destroyed one of two large cells holding male detainees, as well as the main hallway of the men's detention center.

Human Rights Watch examined and photographed remnants of the munitions used in the attacks and determined they were consistent with a US-made JDAM satellite-guided bomb.

By deploying military forces at a civilian detention facility, the Houthis failed to take all feasible precautions to minimize the risk to the detainees.

At the same time, the coalition airstrike on the detention facility appears to be an unlawfully disproportionate attack under the laws of war, and a possible war crime. An attack is disproportionate if the expected civilian harm incurred from the attack is greater than the attack's anticipated military advantage. In this incident, any military gain from the attack would appear small compared with the expected high loss of civilian life in the detention facility.

Souq al-Hinood Neighborhood, September 21, 2016

Casualties: At least 28 civilians killed, including 8 children, and 32 wounded.

Munitions Identified: No remnants found at the site.

At about 7:15 p.m. on September 21, coalition aircraft attacked the Presidential Palace in Hodeida, which was still being used by local authorities. About an hour later, an airstrike hit a home in the densely populated residential neighborhood of Souq al-Hinood, about 500 meters from the palace. The strike killed at least 28 civilians, including eight children, and wounded 32, according to OHCHR. Human Rights Watch confirmed the names and ages of 24 of those killed, including six children.

Mohammed Ahmad Abduljalil, a local resident, said that on the night of the bombing, he was holding a funeral for his wife. At least 50 people had gathered on the street in front of his house, where the family had set up a tent for mourners, with separate sections for women and men. The strike hit approximately 30 meters from the funeral site. He said:

When the strike came, [the guests] ran in all directions.... I was sitting in the men's funeral [section]. I and my [granddaughter], she is only 4-years-old, flew in the air. We were thrown [from the street] to the back of the house.... She was injured in the head. My 23-year-old son... was cut on his neck and face, his jaw detached. He also had [fragments] lodged in his leg.

Abduljalil's son-in-law and his grandson were killed.

Muhammad Ghareib, 41, a shop owner whose store is about 150 meters from the strike location, said:

I was inside my shop [when] I heard a very loud explosion. All the glass in my shop shattered, the dust filled the shop....I went outside and saw people running away: men, women, and children, some of them were falling on the ground, some covered with dust and some with blood.

The airstrike directly hit the three-story building in the middle of [the building]. All the bricks and one balcony fell over the funeral and [those attending]. About 12 houses were damaged.

None of the witnesses described any military target in the area other than perhaps the Presidential Palace, which had at times been used to host meetings with high-level Houthis

officials involved in military operations. The palace was located 450 to 500 meters away from the neighborhood. The house of the Houthi-affiliated deputy governor, was about 20 meters away, a neighborhood resident said. Armed men in military trucks used to visit the deputy governor's house, but the resident was uncertain whether any were there at the time of the strike.

Human Rights Watch visited the site on November 7. There was no evidence of a possible military target in the area other than the Presidential Palace.

The attack on Souq al-Hinood may have been intended as part of the attack on the Presidential Palace, but it was apparently unlawfully indiscriminate as it did not distinguish between civilians and a military objective. Indiscriminate attacks carried out recklessly are war crimes. The coalition has not announced if it will investigate the attack.

October 13, 2016: Saudi-Led Funeral Attack Apparent War Crime

Credible International Investigation Urgently Needed

(Beirut) – A [Saudi Arabia](#)-led coalition airstrike on a crowded funeral ceremony in [Yemen](#)'s capital, Sanaa, on October 8, 2016, is an apparent war crime. The attack killed at least 100 people and wounded more than 500, including children. While military personnel and civilian officials involved in the war effort were attending the ceremony, the clear presence of several hundred civilians strongly suggests that the attack was unlawfully disproportionate.

The funeral strike underscores the urgent need for credible international investigations into alleged laws-of-war violations in Yemen, Human Rights Watch said. The United States, United Kingdom, and other governments should immediately suspend arms sales to Saudi Arabia. The coalition should urgently allow commercial flights to Sanaa, [suspended in August](#), to allow anyone who is sick or wounded to [seek medical treatment abroad](#).

“After unlawfully attacking schools, markets, hospitals, weddings, and homes over the last 19 months, the Saudi-led coalition has now added a funeral to its ever-increasing list of abuses,” said [Sarah Leah Whitson](#), Middle East and North Africa director. “An independent international investigation of this atrocity is needed as the coalition has shown its unwillingness to uphold its legal obligations to credibly investigate.”

Human Rights Watch interviewed 14 witnesses to the attack and two men who arrived at the scene immediately after the airstrike to help with rescue efforts, among other sources, by phone, and reviewed video and photos of the strike site and weapons remnants.

On October 8, several hundred people had gathered in the al-Sala al-Kubra community hall, which has a capacity of over 1,000, for the funeral ceremony of Ali al-Rawishan, the father of the Sanaa-based administration's interior minister, Jalal al-Rawishan. All the witnesses who spoke to Human Rights Watch said that at about 3:30 p.m., at least two air-dropped munitions penetrated the roof of the hall and detonated a few minutes apart.

Photos and video footage taken after the attack show charred and mutilated bodies strewn in and outside the hall, the building destroyed, and rescuers carrying out bodies to ambulances. A spokesman for the Sanaa-based Health Ministry, Dr. Tamim al-Shami, told Human Rights Watch on October 9 that at least 110 people had been killed and 610 wounded, but that the death toll was likely to rise because a number of bodies had been burned or mutilated beyond recognition. Human Rights Watch was unable to independently verify the ministry's figures, but soon after the attack, Doctors Without Borders reported that [six of its hospitals had treated over 400 wounded](#).

One witness said, "When I got there, there were more than 50 burned bodies, many where you can still tell the features, but half of their body was gone, half of their head was gone, but the others, it was very, very hard to tell who they were."

Hundreds of those killed and wounded were civilians, according to the United Nations Office of the High Commissioner for Human Rights (OHCHR). One witness said that he personally knew at least 45 civilians who had been killed in the attack. At least 20 high-ranking officials affiliated with former president Ali Abdullah Saleh's General People's Congress and the Houthis, also known as Ansar Allah, as well as military and security officials, were at the funeral, and several were among the casualties. The Saudi Arabia-led coalition began an aerial campaign against the Houthis and allied forces in March 2015.

Under the laws of war, an attack is unlawfully disproportionate if it may be expected to cause incidental loss of civilian life or damage to civilian structures that would be excessive in relation to the concrete and direct military advantage anticipated from the

attack. Only military personnel and civilian officials involved in military operations against the coalition would be considered legitimate targets.

Serious violations of the laws of war committed willfully – that is, intentionally or recklessly – are war crimes. The date and place of the funeral ceremony was [announced on Jalal al-Rawishan's Facebook page](#) on October 7, and would have been publicly available. The afternoon hour of the attack would have been known to be the “peak time” when the funeral ceremony, open to the public, would have been very crowded. Coalition forces should have known that while a number of high-ranking commanders would be gathered, any attack on the hall would result in massive civilian casualties.

Human Rights Watch identified the munition used as a US-manufactured air-dropped GBU-12 Paveway II 500-pound laser-guided bomb. The identification was based on a review of photos and footage of an intact guidance fin assembly with legible manufacturer's markings and other weapon remnants. The photos and video were taken at the scene of the attack by Mwatana, a leading Sanaa-based human rights organization, journalists from the British news channel ITV, and a local activist, who visited the site on October 9.

Coalition [sources initially denied responsibility](#) for the attack, but the following day the coalition announced it would investigate the incident with support from the US. The BBC [reported](#) the UK also requested to be involved in the investigation. However, the coalition has not conducted previous investigations impartially or transparently, nor publicly carried out prosecutions for alleged war crimes, or provided redress for victims.

On October 12, [Saudi Arabia's King Salman directed](#) the King Salman Center for Relief and Humanitarian Aid to coordinate with the coalition, the government of Yemen, and the UN to facilitate the transfer of victims of the October 8 airstrike out of Yemen to access medical treatment abroad. The royal decree did not lift the overall ban on commercial flights into Sanaa, suspended since August.

Since March 26, 2015, the Saudi-led coalition of nine Arab countries, with direct military support from the US and assistance from the UK, has conducted numerous unlawful attacks in Yemen. Human Rights Watch has documented 58 unlawful airstrikes causing civilian loss of life and property. Other human rights organizations, as well as the UN, have

documented dozens more. The Houthis and their allies, including forces loyal to former president Saleh, have also committed numerous serious abuses.

Between March 2015 and October 2016, 4,125 civilians had been killed and 7,207 wounded in Yemen, [according to OHCHR](#), the majority by coalition airstrikes. [OHCHR reported in August](#) that airstrikes had been the “single largest cause of casualties” over the past year.

Saudi Arabia, which is currently running unopposed for re-election to the Human Rights Council and has previously used its position to obstruct efforts to establish an international inquiry into ongoing violations in Yemen, has no place on the UN body, Human Rights Watch said.

The independent investigative role of the OHCHR is crucial, and its findings on the funeral strike and other serious violations of international law by all parties to the conflict in Yemen should be presented to the Human Rights Council at the earliest opportunity. The US, as a party to the conflict, is legally responsible for the role of its forces in any unlawful attack, and should credibly investigate alleged violations and take appropriate disciplinary or criminal action.

The US, UK, and other governments should immediately suspend arms sales to Saudi Arabia until it curbs unlawful attacks and credibly investigates those that have already occurred, Human Rights Watch said.

“The US, UK, and other coalition allies should send an unequivocal message to Saudi Arabia that they want no part in these crimes,” Whitson said. “Yemeni civilians should not be asked to tolerate such madness a moment longer.”

Funeral Strike

The funeral ceremony at al-Sala al-Kubra for Ali al-Rawishan, a public figure and the father of the Sanaa-based administration’s interior minister, was attended by several hundred people, including colleagues, friends, and relatives of the deceased. Funeral ceremonies of public figures in Yemen are customarily well-attended and open to all male members of the public.

Adel al-Harish, a 41-year-old who attended the funeral with a friend, told Human Rights Watch that the hall was “crowded with people from all layers of society – military, civilian, sheikhs, dignitaries, and journalists.” Seeing how packed the hall was, al-Harish and a friend decided to leave, but they had trouble getting out of the hall because of the crowds trying to enter.

Al-Harish said that at about 3:30 p.m., as they were walking away outside, he heard a whizzing sound from the sky, followed by a “huge explosion.” A few minutes later, another munition hit. He heard a plane and fled the scene.

Luai al-Hayouti, 27, a local government employee, was sitting at the back of the hall paying his respects to the family when he heard a munition explode. It struck the front of the hall and caused the ceiling to collapse. He said he stood up, ran out of the hall, and away from the building.

“Yusuf” (pseudonym), a civilian official in the pro-Saleh General People’s Congress, said he was looking for a place in the hall to pray when he heard the sound of a plane and the munition hit. “The hall exploded,” he said. “I fell down.... The flames were rising up and up... I was covered in dirt and blood.”

Abed al-Baredah, a 31-year-old doctor, said he was with his father, nephew, and four brothers inside the hall waiting to offer his condolences to the deceased’s family when an explosion threw him off his feet:

I couldn’t see anyone.... There was a lot of dust and smoke and screaming. We started running away as many others did. The back gate was closed but we broke it. We were 20 meters away from the great hall when suddenly another strike happened. I heard the sound of a plane.

Al-Baredah said he heard two more munitions detonate in the hall a few minutes apart before fleeing the area.

Abdulla al-Shami, 35, a businessman whose leg was injured in the strike, said:

I was inside sitting at the funeral when the airstrike happened... I couldn't see who was next to me, I was looking for an exit. There were dead bodies and body parts, some people under rubble... There were children inside before the strike, but I couldn't see anyone after the strike. It was dark. I just saw the light and ran toward it to escape.

The second munition affected people trying to enter the building to help survivors after the first bomb detonated. "Ahmed" (pseudonym), a businessman in his thirties who asked not to be identified, went to the hall shortly before 4:00 p.m. to help with the rescue effort after several of his friends who had been at the funeral called him asking him for help. He said that his cousin, who was near the hall when the first munition detonated, tried to rush in to help survivors. His cousin was thrown backward off his feet when the second munition exploded.

"Ahmed" told Human Rights Watch:

The scene was catastrophic. Beyond what I can explain to you or describe... There were burned bodies and dead bodies all over the hall...When I got there, there were more than 50 burned bodies, many where you can still tell the features, but half of their body was gone, half of their head was gone, but the others, it was very, very hard to tell who they were.

"Ahmed" said he helped carry bodies out from under the debris and place them in body bags, while others on the scene tried to put out the fire raging in the hall. He saw at least seven children who had been in the hall, some of whose family members had died. He said 15 of his friends or family members, all civilians, had been killed in the strike, and at least six wounded.

Accountability

The [coalition announced in a statement](#) carried by the official Saudi news agency that its Joint Incidents Assessment Team (JIAT) would investigate the funeral strike with US support. JIAT has not met international standards for transparency, credibility, and

impartiality, and the Saudi-led coalition should not only investigate but cooperate with UN investigations into the incident.

The high commissioner for human rights, Zeid Ra'ad al-Hussein, [denounced the funeral attack](#) as “outrageous” and repeated his call for an independent international inquiry into alleged violations of international human rights and humanitarian law in Yemen. The OHCHR should undertake an immediate investigation into the incident and promptly brief the UN Human Rights Council on its findings.

Despite mounting violations of international human rights and humanitarian law by all sides in the conflict in Yemen, no participating government has conducted credible investigations into alleged war crimes, as international law requires.

In September 2016, the Human Rights Council passed a resolution laying out two complementary processes for investigations, through the OHCHR itself, strengthened by the allocation of additional human rights experts, or through the Coalition-backed Yemeni National Commission set up by Presidential Decree No. 13 (2015).

In the course of its work, the Yemeni commission, which reports to President Abdrabbuh Mansour Hadi and does not have access to many parts of the country, has not complied with international standards of impartiality, independence, and effectiveness, Human Rights Watch said. Its first report focused almost entirely on Houthi and allied forces violations. The funeral strike will be a test of the commission’s credibility, Human Rights Watch said, but the UN should conduct its own independent investigation and report its findings to the Human Rights Council at the earliest opportunity to ensure that all those responsible are held to account.

US Role

The US became a party to the conflict during the first months of fighting by providing specific targeting information and refueling planes during bombing raids, Human Rights Watch said. [Reuters recently reported that US officials debated internally](#) whether US support to the Saudi-led coalition made the US a co-belligerent, and were concerned that US officials could be criminally liable for war crimes committed in Yemen.

Immediately following the funeral strike, US National Security Council spokesperson Ned Price [said the US was “deeply disturbed” by the incident](#), “which, if confirmed, would continue the troubling series of attacks striking Yemeni civilians.” Price announced the US had “initiated an immediate review of our already significantly reduced support” to the coalition and was “prepared to adjust our support.”

A thorough review of US support to the coalition is a step forward, but does not absolve the US of potential liability for any coalition military operations in which US forces participated that resulted in war crimes, Human Rights Watch said. The review of the funeral attack should be thorough and transparent, but the US should also examine the role of its forces in other alleged unlawful attacks in Yemen. The US Congress should exercise more effective oversight over US involvement in the Yemen conflict, for instance by holding investigatory hearings during the next Congress, Human Rights Watch said.

Human Rights Watch has [repeatedly documented coalition use of US](#) and UK-produced weapons, including cluster munitions, in unlawful attacks in Yemen. The US continues to sell arms to Saudi Arabia, approving more than [US\\$20 billion in military sales in 2015 alone](#), despite increasing recognition that the coalition may use these weapons unlawfully. Three US arms sales in 2015 and 2016, worth nearly \$3 billion, [involved replenishing Saudi weaponry used in Yemen](#).

The UK government also continues to sell arms to Saudi Arabia, despite growing parliamentary pressure over its support for Saudi Arabia’s military campaign in Yemen and evidence of the use of British-made weapons in Yemen. Since March 2015, the UK has approved £2.8 billion in military sales to Saudi Arabia, according to the London-based Campaign Against Arms Trade.

May 6, 2016: Saudis Using US Cluster Munitions

End Production, Transfer of These Banned Weapons

(Washington, DC) – [Saudi Arabia](#) has used US-made cluster munitions near civilian areas in [Yemen](#), leaving behind unexploded submunitions, Human Rights Watch said today. The [United States](#) should cease its production and transfer of cluster munitions to conform with the widely accepted international ban on the weapons.

US export rules that rely on weapon reliability standards have not prevented the sale of cluster munitions to Saudi Arabia, putting civilians at long-term risk, Human Rights Watch said. Cluster munitions are prohibited by a 2008 treaty signed by 119 countries, though not [Saudi Arabia](#), [Yemen](#), or the [US](#).

“The US has sold Saudi Arabia cluster munitions, a weapon most countries have rejected due to the harm they cause civilians,” said [Steve Goose](#), arms director at Human Rights Watch and chair of the [Cluster Munition Coalition](#), the international coalition of groups working to eradicate cluster munitions. “Saudi Arabia should stop using cluster munitions in Yemen or anywhere else, and the US should stop producing and exporting them.”

Since March 26, 2015, a Saudi Arabia-led coalition of nine Arab states has conducted a military operation in Yemen against Houthi forces, also known as Ansar Allah. A ceasefire that came into force on April 10, 2016, has been repeatedly violated by all sides.

In the past year, Human Rights Watch has documented civilian casualties in Yemen from the Saudi Arabia-led coalition’s use of [four types](#) of US-made air-dropped and ground-launched cluster munitions. This includes using CBU-105 Sensor Fuzed Weapons in at least six airstrikes in the governorates of Amran, Hodeida, Saada, and Sanaa. The most recent CBU-105 attack was recorded on February 15, at a cement factory in Amran governorate.

Cluster munitions are dropped from aircraft or delivered from the ground by artillery and rockets, and contain multiple smaller submunitions or bomblets. Cluster munitions pose an immediate threat to civilians as they disperse over a wide area and leave explosive remnants, including submunitions that fail to explode upon impact and become de facto landmines.

US export law provisions from December 2007 prohibit recipients of US cluster munitions from using them in populated areas and permit the transfer only of cluster munitions with a failure rate of less than 1 percent. Cluster munitions transferred before then are not covered by these requirements.

Saudi Arabia and the United Arab Emirates (UAE) have both received CBU-105 Sensor Fuzed Weapons from the US in recent years. There is no evidence to indicate that other countries in the Saudi-led coalition – Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, and

Sudan – have received CBU-105 Sensor Fuzed Weapons. The US also provided Saudi Arabia with significant exports of other cluster bombs between 1970 and 1999.

According to a [data sheet](#) issued by its manufacturer, Textron Systems Corporation, each CBU-105 disperses 10 BLU-108 canisters that each subsequently release four submunitions the company calls “skeet” that are designed to sense, classify, and engage a target such as an armored vehicle. They are designed to explode above the ground and project an explosively formed jet of metal and fragmentation downward. The submunitions of the Sensor Fuzed Weapon are equipped with electronic self-destruct and self-deactivation features.

However, Human Rights Watch field research and visual evidence indicate at least three attacks that resulted in multiple BLU-108 with their “skeet” or submunitions still attached: in the governorates of Amran on February 15, 2016; Sanaa on May 21, 2015; and Saada on April 27, 2015. This shows a failure to function as intended, as the submunitions failed to disperse from the canister, or were dispersed but did not explode. In May 2011, [guidance](#) issued by the US Defense Security Cooperation Agency stated that skeet from CBU-105 Sensor Fuzed Weapon are “the only cluster munition with a compliant submunition” with US export rules.

The Sensor Fuzed Weapons have been used in or near civilian areas, also in apparent violation of US export law. A woman and two children were injured in their homes by CBU-105 Sensor Fuzed Weapons used on December 12, 2015, on the port town of Hodeida, while at least two civilians were wounded in an attack that used CBU-105 Sensor Fuzed Weapons near al-Amar village in Saada governorate on April 27, 2015.

Saudi Arabia has repeatedly denied using other types of cluster munitions in Yemen, but it has [admitted](#) using CBU-105 Sensor Fuzed Weapons once, in April 2015.

The UAE acknowledges stockpiling CBU-105 Sensor Fuzed Weapons, but denies using them in Yemen. On April 12, 2016, a diplomatic representative of the UAE told the Cluster Munition Coalition that the UAE is not using CBU-105 Sensor Fuzed Weapons because they are banned by the 2008 Convention on Cluster Munitions.

“Following multiple attacks in Yemen, it is now obvious that Sensor Fuzed Weapons are not the ‘reliable’ or ‘intelligent’ cluster munitions they have been promoted as,” Goose said. “The US should cease production and transfer of these weapons following the evidence of their failures and their use in and near civilian areas and should join the international ban on cluster munitions.”

Amran Attack, February 15, 2016

The most recent known attack in Yemen involving the use of a CBU-105 Sensor Fuzed Weapon was on February 15, 2016, near a cement factory in Amran governorate, 40 kilometers northwest of the capital, Sanaa. The Amran Cement Factory employed about 1,500 people prior to the current conflict but reduced its staff significantly after a July 12, 2015 attack wounded 12 workers. Further attacks in early 2016 resulted in more casualties.

Mujahid Nasser Shalef, 38, a journalist from *al-Massira*, a media outlet linked to the Houthis, was visiting the cement factory on February 15 with a photographer from *Yemen Today*, an outlet linked to former President Ali Abdullah Saleh, to investigate another air attack earlier that day. Shalef told Human Rights Watch:

At about 5 p.m. we were standing on the roof of a neighboring house ... when suddenly we saw a bomb blast, but this was a different kind. It exploded in the air and released tons of smaller bombs into the air. Some of them exploded in the air, others exploded when they hit the mountain. When they exploded they released black smoke.... No one was wounded, thank God.

The reporter provided Human Rights Watch with a 37-second video that he said they filmed during the attack. The video shows multiple distinctive black smoke clouds generated by the CBU-105 submunitions emanating from a strike behind a ridge line while multiple detonations can be heard in the video.

Fawaz Saleh al-Qishwi, 36, an electrical engineer from the neighboring al-Darb village, less than a kilometer from the cement factory and home to about 300 families, also witnessed the attack. After hearing planes overhead, he went to his rooftop:

I saw a plane coming from the east. It dropped the cluster bombs. I heard a number of explosions from the bombs. None of the [bomblets] came to the village. Later, I went with my friend to the mountain and took a piece.

Al-Qishwi showed Human Rights Watch researchers the remnants that he collected, which were identified as a suspension lug and piece of a parachute from a BLU-108 canister used in the CBU-105.

Jamal Yehia al-Hadek, 45, the cement factory's security chief, said, "I saw an explosion in the air, then pieces came out and spread into the sky with parachutes, like a net." The description is consistent with a CBU-105 attack.

The next morning, Kamal Hussein Qaid, 50, and Bandar Ahmed Daoud, 33, both workers at the cement factory, headed up to inspect damage at the factory's quarry at the foot of al-Raha Mountain, about one kilometer from the main factory building. On the way, they found and collected remnants of munitions that were in the middle of the road. Human Rights Watch researchers visited the factory on March 24, and photographed remnants of a CBU-105 bomb casing with legible factory markings and manufacture date of July 2012, and two expended BLU-108 canisters. Neither canister had its "skeet" attached.

The cement factory workers said they saw three more BLU-108 canisters with their "skeet" or submunitions still attached on a path to the quarry, along with the weapon's parachute. The workers subsequently provided photos they took of the remnants where they landed. At least three BLU-108 canisters are visible: one has all four "skeet" and its parachute still attached, while the others each have two "skeet" attached. This shows a failure to function as intended because the submunitions failed to disperse from the canister, or were dispersed but did not explode or self-destruct. An individual unexploded "skeet" is also shown on the ground where it landed.

The nearest military base is more than two kilometers from the quarry, on al-Jumaima Mountain, and has been under the control of Houthi forces since 2014. Several factory staff members said that two or three small huts on the road leading from the factory to the quarry and used by cement factory were occupied by Houthi forces after the beginning of the Saudi-led campaign.

US Transfer of CBU-105 Sensor Fuzed Weapons

Under a [June 2008 policy directive](#) issued by then-Secretary of Defense Robert Gates, the US can only export cluster munitions that “after arming do not result in more than 1 percent unexploded ordnance across the range of intended operational environments,” and the receiving country must agree that cluster munitions “will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.”

This policy is most recently codified in Section 7054(b) of the Consolidated and Continuing Appropriations Act (H.R. 83) of 2015. The US Department of Defense concluded a contract with Textron Defense Systems for the manufacture of 1,300 CBU-105 Sensor Fuzed Weapons for Saudi Arabia in August 2013. The contract stipulated that the weapons were to be delivered by December 2015. The UAE received an unknown number of CBU-105 from Textron Defense Systems in June 2010, fulfilling a contract [announced](#) in November 2007. At the time that these two countries procured these weapons, each CBU-105 [cost](#) approximately US\$360,000, which equates to \$36,000 per BLU-108.

Human Rights Watch chairs the Cluster Munition Coalition US, which has [called](#) on President Barack Obama to review the 2008 US cluster munitions policy and remove the exception allowing cluster munitions that result in less than 1 percent unexploded ordnance rate.

In an [RI Future article](#) on February 24, 2016, a Textron spokesperson, David Sylvestre, asserted that the company cannot be held liable if the weapons are misused, reportedly stating: “We’re not in the plane dropping the bomb. If it was dropped in an area that is perhaps too close to a civilian population, that is not supposed to happen.” The report said that he affirmed that CBU-105 Sensor Fuzed Weapons are provided to the US military for delivery to foreign recipients, stating: “No company can put that on a boat and deliver it to a foreign government.”

Sylvestre described the CBU-105 Sensor Fuzed Weapons as “intelligent” munitions and said: “They are not intended to target human beings at all....They are made to target armored-vehicles.” None of the CBU-105 attacks documented by Human Rights Watch in

Yemen have involved armored vehicles nor have any damaged or destroyed armored vehicles been documented at the strike locations.

During an April 19 demonstration at Textron's corporate headquarters in Providence, Rhode Island, Textron representatives apparently [refused](#) to receive a petition signed by more than 3,000 people calling on the company to cease its production of cluster munitions. Two days later, Rhode Island police [arrested](#) three activists who chained themselves to Textron's front doors during a protest against the company's production of cluster munitions.

Also on April 19, the Pacific nation of Palau [ratified](#) the Convention on Cluster Munitions, becoming the 100th country to ratify. Another 19 countries have signed, but not yet ratified, the treaty, which comprehensively bans cluster munitions and requires destruction of stockpiles as well as clearance of cluster munition remnants and assistance to victims of the weapons.

Before the Yemen conflict, the only known use of CBU-105 Sensor Fuzed Weapon was by the US in Iraq in 2003, apparently on a very limited scale. But [multiple failures](#) of the munitions resulted in unexploded ordnance and call into question the claimed reliability rate of better than 99 percent.

May 4, 2016: War Crimes Not Addressed

Justice Efforts Crucial to Peace Talks

(Beirut) – Participants to the [Yemen](#) peace talks should support international investigations, transitional justice, and victim compensation as key elements of any agreement. The United Nations-backed talks began in Kuwait on April 21, 2016.

The armed conflict in Yemen has been characterized by numerous violations of the laws of war by all sides, which have not been investigated nor have resulted in any redress for victims of unlawful attacks. The Saudi Arabia-led coalition of nine Arab countries has carried out indiscriminate airstrikes against residential neighborhoods, markets, and other civilian structures causing several hundred civilian casualties. Ansar Allah, the northern group, also known as the Houthis, and other armed groups on both sides have committed

various abuses in ground operations. Although a ceasefire was announced on April 10, fighting has [continued](#) across Yemen.

“It’s crucial for the Yemen peace talks to address past atrocities as well as future political arrangements,” said [Joe Stork](#), deputy Middle East director. “A mechanism should be put in place to investigate abuses, prosecute those responsible, and assist the victims.”

Human Rights Watch has documented new coalition airstrikes that appear to be unlawful. Six attacks in and around the capital, Sanaa, in January and February, killed 28 civilians, including 12 children, and wounded at least 13 others. In the past year, Human Rights Watch has documented 43 airstrikes, some of which may amount to war crimes, which have killed more than 670 civilians, as well as 15 attacks involving internationally banned cluster munitions. Human Rights Watch has also documented serious laws of war violations by Houthi and other armed groups, including indiscriminate shelling of cities, enforced disappearances, and the use of internationally banned antipersonnel landmines.

Participants at the peace talks include representatives from the Yemeni government of President Abdu Rabbu Mansour Hadi, the Houthis, and the pro-Houthi party of former President Ali Abdullah Saleh. Human Rights Watch is unaware of any investigations by Saudi Arabia or other members of the coalition into allegedly unlawful attacks or abuses, or of any compensation for victims. In their public statements, none of the participants in the talks has indicated a need to include accountability or redress in the peace process.

Any peace agreement should include a mechanism that would allow an independent international investigation into abuses by all sides since the beginning of military operations in the country in late 2014, and provide a path toward prosecuting those responsible. In addition, governments are obligated to provide appropriate compensation to victims of violations of the laws of war.

On August 19, 2015, Human Rights Watch and 22 other human rights and humanitarian organizations [called](#) on the UN Human Rights Council to create an independent international commission of inquiry to investigate alleged laws-of-war violations in Yemen. The UN high commissioner for human rights similarly [called](#) on UN member countries to encourage the establishment of an “international independent and impartial” investigative mechanism.

Instead, on September 7, President Hadi established a national commission to investigate violations of human rights and the laws of war. During the ensuing UN Human Rights Council session in Geneva, Saudi Arabia and other Arab countries effectively blocked an effort led by the Netherlands to create an international investigative mechanism. The national commission has taken no tangible steps to conduct investigations.

“Yemeni victims have grown tired of waiting for credible justice for the abuses committed against them,” Stork said. “The parties around the negotiating table have an obligation to ensure that the violations against civilians are properly investigated and appropriately punished.”

Bait Baws, Sanaa, January 22, 2016

On January 22, between 11 p.m. and midnight, an airstrike hit the intersection of 24th and 30th Streets, in Bait Baws, a southern neighborhood of Sanaa. Human Rights Watch visited the area on March 24. The strike damaged a single-story home and a storage facility containing clothing across the street. The strike killed one son of the Shabalah family and wounded four other family members.

Abdo Muhammad Murshid Shabalah, 40, was home with his wife and four children at the time of the strike. “I was in a deep sleep and woke up to find that the ceiling had caved in and my children were wounded,” he said. Though the strike did not hit his home directly, the pressure from the blast caused the support beams and ceiling in both of the two front rooms to collapse. Shabalah had to dig out his 9-year-old daughter, Israa, from the rubble. At the hospital, Shabalah learned that his son Mohammed, 11, had died in the attack. Shabalah’s wife and three other children were wounded.

Shabalah did not know why the area had been attacked. “The people here are just civilians and salesmen, and it is a safe area,” he said. He added that that this was the first time coalition forces had struck the Bait Baws neighborhood, though they had hit the al-Nahdain mountains about two kilometers away, where there are caches of Yemeni army weapons under the control of former President Saleh and the Houthis. They had also repeatedly struck the presidential palace, about four kilometers away, since the beginning

of the war. Human Rights Watch could not identify any military targets or installation closer to the strike site.

Northern Sanaa, January 25, 2016

On January 25, at 1:30 a.m., an airstrike [hit](#) the home of Judge Yahya Muhammad Rubaid, the president of Sanaa's criminal appeals court, in northern Sanaa, killing five members of the family. Only one son and several bodyguards survived. Human Rights Watch visited the site on March 21, and saw the remains of the three-story house that had been hit.

Sadiq Yahya Rubaid, 25, the only surviving family member, said that he was asleep when the bomb hit his father's bedroom on the third floor of the house. The son was wounded in the attack, with several broken ribs that punctured his lungs.

Mohsin Muhammad Rubaid, 50, the brother of Judge Rubaid, who lived in a house about 40 meters away, said he came running the moment he heard a loud blast. He found his brother and his brother's wife lying on the ground 30 meters from their home, by a gas station. "He was still alive but totally confused, we were speaking to him but he didn't understand anything," Mohsin Rubaid said. "His wife was lying there too, gasping for breath. She couldn't breathe even though she didn't have any visible wounds. They both died later that day in the hospital."

The strike also killed one of Judge Rubaid's sons, his wife, and Sadiq Rubaid's wife, who was six months pregnant. The rest of the bodies were found about 100 meters from the house, across the main road, in front of a supermarket.

Neighbors and Sadiq Rubaid said that the family had armed security guards for protection. The guards were asleep on the ground floor and were unharmed. Before March 2015, there was a Houthi checkpoint right below the house, but neighbors said that once the war started, they had dismantled it. On the day Human Rights Watch visited the destroyed house, a hotel about 120 meters away was filled with Houthi armed fighters. The house is 600 meters from al-Iman University, an institution affiliated with the Islah Party, which opposed the Houthis. During the [fighting](#) in September 2014, the Houthis frequently targeted the university and subsequently used it as an ad hoc [detention](#) facility.

Media outlets that [reported](#) the strike and several human rights activists in Sanaa linked the bombing of Judge Rubaid's house to a pending criminal [case](#). The public prosecutor on November 17, 2015, had brought charges *in absentia* against President Hadi and six others for multiple crimes. The charges included sabotaging and destroying military sites and equipment, highways, bridges, public roads, and warehouses; exposing Yemen's military secrets and sharing maps and other information about military sites; causing economic collapse by preventing the import of food, medicine, and fuel by air and sea; killing and wounding thousands of civilians; and destroying more than 71,000 houses, 1,300 schools, 70 mosques, 40 sports facilities, and 34 artistic and technical institutes and archeological sites. The activists said that while the case was still before the court of first instance, it was likely to come before Judge Rubaid on appeal in the coming months.

Faj Attan, Sanaa, January 28, 2016

On January 28, at about 10:30 p.m., an airstrike hit the home of the al-Haj family in a residential neighborhood in southwest Sanaa, 500 meters from the base of the Faj Attan mountains. The attack killed six civilians, including four women and a child. Since the war began, the coalition has repeatedly bombed the mountains, where there are caches of Yemeni army weapons under the control of former President Saleh and the Houthis. Because of the repeated strikes, the family had left their home and had only returned on January 27, to check on the house, staying overnight. Human Rights Watch visited the site on March 23.

Safwan Muhammad al-Mansub, a security guard nearby, told Human Rights Watch that three airstrikes hit the mountains just a few minutes apart, at about 10:40 p.m. After the second strike, he ran to the al-Haj home to tell the family to leave the area. The family members told him the head of the household, Aidrous Muhammad al-Haj, had gone out to buy dinner, so they would wait for his return. Just as the third strike hit the mountain, al-Haj returned and then tried to usher his family out of the house and into the car, while al-Mansub held open the gate in their yard. As the family was gathered in the entry hall, a fourth strike hit the house directly.

Mansub and another guard in the area, al-Azaa Mohsin, 40, said strikes continued in the area until about 1 a.m., the rest hitting the surrounding mountains. They estimated that 18 strikes hit the area that night.

Mohsin said:

We only found the body of Aidrous, the father, the next day, and we were too scared to come back sooner, as were the ambulances. We found his wife in the corner by the entrance, with her hands still on her head, and their daughter Asil... we just found the top half of her body, up to her chest, flung out on the dirt track outside the house.

Al-Haj's son, Ali, 24, who survived the strike because he was sleeping at a relative's house that night, said that everyone in the house that night was killed: his father Aidrous, about 50; his mother, Malka, about 45; his sister Asil, 18; his brother Muhammad, 14; and his two aunts Raba'a Ali al-Haj, 43, and Umm al-Kheir al-Haj, 41. Ali and both security guards said that Aidrous al-Haj worked as a public affairs officer at a cardiac clinic in Sanaa and that the family had no military affiliations.

Human Rights Watch could not identify any military targets or installation at the site of the attack. The guards estimate that the mountains have been bombed more than 550 times since the beginning of the war.

Bait Maiyad, Sanaa, February 9, 2016

On February 9, at about 9 p.m., an airstrike hit a home at 60 Meter Street in the Bait Maiyad neighborhood of southern Sanaa, killing a family of five, including one woman and three children. The house is a few meters from the Shaqa'iq al-No'man school, which has 300 students, and about 600 meters from the presidential palace, which coalition aircraft have targeted throughout the war. Human Rights Watch visited the site of the attack on March 27, by which point the remains of the home had been removed. The windows and some walls of the school were damaged in the airstrike, and this damage was still visible.

Mahdi Muhammad Abdullah Maiyad, 40, a neighbor, said that he was walking in the neighborhood at the time of the strike:

Suddenly I saw a flash of light to the west, and then a loud explosion followed seconds later. I thought it was coming from the presidential

palace. I ran home to check on my family and just as I got there, about three minutes later, a second explosion blasted from the same spot – not the presidential palace but the home of Mounir al-Hakimi and his family.

Fursan Muhammad Hazza'a, 24, a security guard at Shaqa'iq al-No'man, was inside the school at the time of the strike on al-Hakimi's home. He rushed outside after hearing an explosion and saw the building on fire. He heard al-Hakimi's wife, Sua'd Ali Houjera, 35, screaming for help, as well as the cries of their sons Rami, 10, and Majd, 8. "I wanted to rush into the fire to save them, but within a few minutes an explosion broke out in the garage behind the home," he said. The strike killed the whole family, including their daughter, Nouran, 2.

Muhammad Ali al-Dari, 18, a student at the school, was at a nearby shop at the time of the strike. "Rescuers could not collect some of the bodies buried under the rubble for a week, after the debris had been removed," he said. He showed Human Rights Watch photos he took from inside the school the day after the attack: "The strike completely burned out some classrooms, and all the walls were scorched." He and others from the neighborhood spent two days removing debris and broken glass from the building before students could use it again.

Two witnesses said that several minutes after the strike on the al-Hakimi home, another strike hit a small hangar a few meters away housing vehicle oils and fluids, destroying it. Al-Dari said that the hangar was not being used for any military purposes. The security guard Hazza'a did not believe there had been a second airstrike, but instead thought the fire caused by the first airstrike set flammable liquids in the hangar on fire, causing a second explosion.

Al-Lail, Sanaa, February 25, 2016

On February 25, at about 12:30 a.m., an [airstrike](#) hit a road 450 meters north of the presidential palace in Sanaa, in the neighborhood of al-Lail, damaging two houses about five meters away, killing one civilian and wounding four, including two children.

Muhammad Hussein al-Raidy, 57, a local resident, told Human Rights Watch he was asleep at home with his wife and nine children when the wooden roof collapsed on top of him. He

was able to remove the rubble, and ushered his wife and four of his children outside. He rushed back in to find the other three. Two of them, Thuriya, 12, and Bashar, 9, had minor wounds from the collapsed roof. His neighbors took the two children to a nearby hospital, and al-Raidy headed to the home of his father-in-law, Muhammad Ali Abdullah al-Ibbi, a few meters away. Al-Raidy said:

As I approached the house, I heard the voice of Muhammad, my relative calling for help. My neighbors and I went into the house and saw my mother-in-law Mu'ajaba Muhammad Ali, with only her head sticking out of the pile of rubble. After we pulled her out, we asked where her husband was, and she said, "He is gone." We then found Muhammad Khaled; he had wounds from metal fragments to his chest and shoulder. Later we found part of my father-in-law's body, which was in four or five pieces.

Mu'ajaba Muhammad Ali told Human Rights Watch that she suffered several injuries from the airstrike.

Nihm district, February 27, 2016

On February 27, between noon and 12:30 p.m., two airstrikes hit the village of Khulqa in the Nihm district, about 40 kilometers northeast of Sanaa. Fighting between pro-Houthi forces and fighters supported by the coalition and the Yemeni government in Nihm had begun early in 2016. The first strike hit the middle of a small, crowded local market, killing at least 10 civilians, including one woman and four children, and wounding at least four more. The second strike landed 150 meters away in a graveyard between five and 10 minutes later, causing no injuries.

Yahiya Ahmad Mabkhout al-Qash'a, a resident of Khulqa, told Human Rights Watch that on the morning of February 27, his relatives in Maswara village, 25 kilometers closer to the front line, left their village for Sanaa to avoid the fighting. Four of al-Qash'a's cousins, including two women, and two of his friends got into three cars and drove to Khulqa. While they were in the village at noon, an airstrike hit the cars, killing three of al-Qash'a's cousins, his two friends, and five other people in the marketplace, including four children. Only one of his cousins, Khamsa Muhammad Muhammad al-Barqe, 35, survived.

Rageh Mohsen al-Gradi, 46, the local sheikh, arrived at the site of the strike 30 minutes later and saw the three cars on fire, and seven or eight dead bodies on the ground. He recognized three local children killed in the strike. The strike also wounded four local residents, he said.

Gafer Muhammad Nasser al-Gradi, a Khulqa resident, said that since fighting had begun in Nihm district, the Houthis were using the main road that cuts through the village and market, connecting Sanaa, Nihm and Marib, on a daily basis. However, he was in the market that day and did not see any Houthis or Houthi vehicles on the road for at least one hour before the strikes.

April 7, 2016: US Bombs Used in Deadliest Market Strike

Coalition Allies Should Stop Selling Weapons to Saudi Arabia

(Sanaa) – [Saudi Arabia](#)-led coalition airstrikes using [United States](#)-supplied bombs killed at least 97 civilians, including 25 children, in northwestern [Yemen](#) on March 15, 2016, Human Rights Watch said today. The two strikes, on a crowded market in the village of Mastaba that may have also killed about 10 Houthi fighters, caused indiscriminate or foreseeably disproportionate loss of civilian life, in violation of the laws of war. Such unlawful attacks when carried out deliberately or recklessly are war crimes.

Human Rights Watch conducted on-site investigations on March 28, and found remnants at the market of a GBU-31 satellite-guided bomb, which consists of a US-supplied MK-84 2,000-pound bomb mated with a JDAM satellite guidance kit, also US-supplied. A team of journalists from ITV, a British news channel, visited the site on March 26, and found remnants of an MK-84 bomb paired with a Paveway laser guidance kit. Human Rights Watch reviewed the journalists' photographs and footage of these fragments.

“One of the deadliest strikes against civilians in Yemen’s year-long war involved US-supplied weapons, illustrating tragically why countries should stop selling arms to Saudi Arabia,” said [Priyanka Motaparthy](#), emergencies researcher at Human Rights Watch. “The US and other coalition allies should send a clear message to Saudi Arabia that they want no part in unlawful killings of civilians.”

Human Rights Watch has [called](#) on the United States, [United Kingdom](#), [France](#), and other countries to suspend all weapon sales to Saudi Arabia until it curtails its unlawful airstrikes in Yemen, credibly investigates alleged violations, and holds those responsible to account. Selling weapons to Saudi Arabia may make these countries complicit in violations, Human Rights Watch said.

On March 15 at about noon, two aerial bombs hit the market in Mastaba, in the northern Hajja governorate, approximately 45 kilometers from the Saudi border. The first bomb landed directly in front of a complex of shops and a restaurant. The second struck beside a covered area near the entrance to the market, killing and wounding people escaping, as well as others trying to help the wounded. Human Rights Watch interviewed 23 witnesses to the airstrikes, as well as medical workers at two area hospitals that received the wounded.

A United Nations human rights team [visited](#) the site the day after the attack and compiled the names of 97 civilians killed in the strike, including 25 children. The UN team said that another 10 bodies were burned beyond recognition, bringing the total number of victims to 107. Two Mastaba residents said that many members of their extended families had died. One lost 16 family members, and the other 17. A local clinic supported by Doctors Without Borders (MSF) [received](#) 45 wounded civilians from the market, three of whom died and were counted in the total death toll.

A witness who helped retrieve bodies said that he saw the bodies of about 10 Houthi fighters, whom he knew previously, among those killed. He said that some armed Houthi fighters regularly ate and slept in a restaurant about 60 meters from where one bomb detonated. The restaurant was not damaged. He said some residents objected to the Houthis' presence but were powerless to remove them. Human Rights Watch was not able to confirm these claims with other witnesses. The only Houthi military presence identified by Human Rights Watch during its visit was a checkpoint manned by two or three fighters about 250 meters north of the market.

On March 16, the day after the attack, the Saudi military spokesman for the coalition, Gen. Ahmad Assiri, [said](#) that the strike targeted "a militia gathering." He also noted that the area was a place for buying and selling *qat*, a plant widely chewed in Yemen as a mild stimulant, indicating that the coalition knew the strike hit a civilian commercial area. On

March 18, Assiri [told Reuters](#) that the coalition used information from Yemeni military forces loyal to President Abdu Rabbu Mansour Hadi when targeting the Mastaba site. He said the Houthis “deceived people by saying it was a market.” A graphic forwarded to Reuters prepared by Hadi’s government indicated that the target was a military area where Houthi forces had gathered but provided no further detail.

The laws of war prohibit deliberate attacks on civilians and indiscriminate attacks, which are attacks that strike military objectives and civilians or civilian objects without distinction. Attacks that are not directed at a specific military objective are considered indiscriminate. An attack is disproportionate if the anticipated loss of civilian life and property is greater than the expected military gain from the attack. The Houthis’ use of a building in the market as a barracks would have amounted to failure to take all feasible precautions to protect civilians under their control from the effects of attacks. However, this in itself would not have justified the coalition airstrikes as carried out.

Individuals who commit serious violations of the laws of war with criminal intent may be prosecuted for war crimes. Individuals may also be held criminally liable for assisting in, facilitating, aiding, or abetting a war crime. All governments that are parties to an armed conflict are obligated to investigate alleged war crimes by members of their armed forces.

Hadi’s government announced on March 18 that it had formed a committee to look into the bombing. Human Rights Watch contacted the Yemeni human rights minister, who said that a Yemeni national investigative body created in September 2015 and based in Aden was charged with the investigation. Findings have not yet been reported.

Since March 26, 2015, a coalition of nine Arab countries has conducted military operations against the Houthi armed group and carried out numerous indiscriminate and disproportionate airstrikes. The airstrikes have continued since the announcement of a ceasefire, to begin on April 10. The coalition, whose targeting decisions are made in the Saudi Defense Ministry in Riyadh, has consistently failed to investigate alleged unlawful attacks or to hold anyone accountable.

On February 25, 2016, the European parliament passed a resolution calling on the European Union’s high representative for foreign affairs and security policy, Federica Mogherini, “to launch an initiative aimed at imposing an EU arms embargo against Saudi

Arabia.” On March 15, the Dutch parliament [voted](#) to impose the embargo and ban all arms exports to Saudi Arabia.

Human Rights Watch and other international and Yemeni groups have [called for](#) foreign governments to halt sales and transfers of all weapons and military-related equipment to parties to the conflict in Yemen if “there is a substantial risk of these arms being used...to commit or facilitate serious violations of international humanitarian law or international human rights law.”

The US military has deployed dedicated personnel to the Saudi joint planning and operations cell to help “coordinate activities.” US participation in specific military operations, such as providing advice on targeting decisions and aerial refueling during bombing raids, may make US forces jointly responsible for laws-of-war violations by coalition forces. As a party to the conflict, the US is obligated to investigate allegedly unlawful attacks in which it took part.

“Even after dozens of airstrikes on markets, schools, hospitals, and residential neighborhoods have killed hundreds of Yemeni civilians, the coalition refuses to provide redress or change its practices,” Motaparthy said. “The US and others should pull the plug on arms to the Saudis or further share responsibility for civilian lives lost.”

Market Airstrike

At about noon on March 15, 2016, an airstrike hit the crowded market in Mastaba, in northern Yemen. It detonated in front of a line of shops selling groceries and household items, and a restaurant on the floor above the shops. Ali Ahmad Nahan, a secretary working at his home nearby, said he heard the sound of planes and ran outside. He saw two planes circling the market area, then saw an explosion. Approximately five minutes later, he said, he saw a second explosion.

Yehia Ali, 70, said he was in a restaurant across the road from the market when he saw two planes overhead. “The first strike hit here [in the market], right next to the tomato seller,” he said. “It threw people everywhere. The planes went west, circled around to the south, then came back toward us. Then the second [bomb] struck, and people were just finished off.”

The second strike hit near the entrance to the market, approximately 12 meters north of a covered area containing several market stalls. Ali Abdullah Bakily, a 19-year-old high school student, was sitting in the covered market. “People ran out of the market to the north after the first strike,” he said. “But those who ran north were killed in the second strike.” Bakily himself ran east behind the line of stores, into the village.

Mohammed Yehia Muzayid, a cleaner at the market injured in the attack, said:

When the first strike came, the world was full of blood. People were all in pieces, their limbs were everywhere. People went flying. Most of the people, we collected in pieces, we had to put them in plastic bags. A leg, an arm, a head. There wasn't more than five minutes between the first and second strike. The second strike was there, at the entrance to the market. People were taking the injured out, and it hit the wounded and killed them. A plane was circling overhead.

I was helping to remove the dead, trying to pick a man up to see who he was. Then the second strike hit. Shrapnel hit me in the face. After the second strike, I just ran away. The shrapnel cut my lip and inside my mouth, I lost these teeth.

Sixteen members of the extended Muzayid family died in the attack, he said. The airstrike also killed 17 members of the al-Obeid family, another witness told Human Rights Watch.

Abbas Mastabani, 35, said he had parked his car across the street from the market and was approaching it to buy some goods when the first bomb struck. He was thrown to the ground, but was able to crawl back to his car to check on his four-year-old son, Majid. He said he crawled past bodies, limbs, and livestock until he reached his car, and saw a leg wedged under the front tire. He pulled himself up and looked through the shattered front window but his son was no longer in the car. He then fled the site, terrified that there might be another strike and panicking about the fate of his child. When he got home he found that a friend who had been standing by his car had grabbed his son when the first bomb hit and taken him home.

Hamid Muhammad Yahya, 25, pointed to a red scarf hanging on the remains of the roof covering the patio of the shops and restaurant: “That is Muhammad Hussein al-Aslami’s scarf. He was a *qat* seller at the market. We found his body on the other side of the street, about 60 meters away.”

Three witnesses gave Human Rights Watch the names of relatives whose bodies they had not been able to find even weeks after the strike. Ahmed Bakeel Abdullah, 50, a local sheikh, said that local residents found 48 body parts that they could not identify, and buried them in a pit just outside the village.

Several witnesses said that the wounded could not receive medical treatment for at least an hour because bystanders and emergency medical services could not enter the site, fearing additional strikes.

Othman Saleh, a Health Ministry official at the MSF-supported clinic in Abs, said that the clinic’s staff received 45 wounded from the Mastaba attack, one of whom was dead upon arrival and two of whom died over the next five days. He and other medical staff estimated that about a quarter of the wounded had been women, a quarter children, and a quarter elderly. Saleh said his team sent medical kits to Mastaba’s healthcare center and that residents there had treated a number of the wounded.

Previous Airstrikes in the Area

Coalition airstrikes have struck the area in and around the village of Mastaba at least six times over the last eight months. Between July 16 and 19, 2015, airstrikes hit an Agriculture Ministry office, a newly constructed municipal administration building that had yet to open, and a storage hangar in the building’s backyard. Three more strikes hit the road next to the buildings as well as the local courthouse, damaging its outer wall. These government building compounds are about 800 meters from the Mastaba marketplace. One witness said that Houthi fighters had been sleeping in all three buildings leading up to the airstrikes, but he did not know how many.

On August 3, at about 2 a.m., a bomb landed next to a small shop across from a hut being used by the Houthis as a checkpoint along the road into Mastaba village. It did not detonate or cause any casualties.

Across northern Yemen, Human Rights Watch has [documented](#) airstrikes on 11 other marketplaces. On May 12, 2015, a [strike](#) on the marketplace in the town of Zabid, along the western coast, killed at least 60 civilians. A July 4 strike on the marketplace in the town of Muthalith Ahim in the northwest, 20 kilometers from Mastaba, killed at least 65 civilians. In the northern Houthi stronghold city of Saada, the coalition has [bombed](#) at least five of the city's main marketplaces.

Coalition Airstrikes Generally

Since March 26, 2015, the UN and nongovernmental organizations have documented numerous airstrikes by coalition forces that violate the laws of war. The UN Panel of Experts on Yemen, established under UN Security Council Resolution 2140 (2013), in a report made public on January 26, “documented 119 coalition sorties relating to violations” of the laws of war.

Human Rights Watch has documented 36 unlawful airstrikes – some of which may amount to war crimes – which have killed at least 550 civilians. Human Rights Watch has also documented 15 attacks in which internationally banned cluster munitions were used in or near cities and villages, wounding or killing civilians. Cluster munitions have been [used](#) in multiple locations in at least five of Yemen's 21 governorates: Amran, Hajja, Hodeida, Saada, and Sanaa. The coalition has [used](#) at least six types of cluster munitions, three delivered by air-dropped bombs and three by ground-launched rockets. Human Rights Watch has said there should be an immediate halt to all use of cluster munitions and that coalition members should join the Convention on Cluster Munitions.

February 14, 2016: Cluster Munitions Wounding Civilians

US Supplied Weapon Banned by 2008 Treaty

(Beirut) – The [Saudi Arabia](#)-led coalition is using internationally banned cluster munitions supplied by the [United States](#) in [Yemen](#) despite evidence of civilian casualties, Human Rights Watch said today. Recently transferred US-manufactured cluster munitions are

being used in civilian areas contrary to US export requirements and also appear to be failing to meet the reliability standard required for US export of the weapons.

“Saudi Arabia and its coalition partners, as well as their US supplier, are blatantly disregarding the global standard that says cluster munitions should never be used under any circumstances,” said [Steve Goose](#), arms director at Human Rights Watch and chair of the international Cluster Munition Coalition. “The Saudi-led coalition should investigate evidence that civilians are being harmed in these attacks and immediately stop using them.”

Since March 26, 2015, a Saudi-led coalition of nations has been conducting a military operation in Yemen against Houthi forces, also known as Ansar Allah. Field research by Human Rights Watch, Amnesty International, and the United Nations; interviews with witnesses and victims; and photographs and video evidence confirm that the Saudi-led coalition is using cluster munitions in Yemen.

Cluster munitions are delivered from the ground by artillery and rockets, or dropped from aircraft and contain multiple smaller submunitions that spread out over a wide area. A total of 118 countries have banned cluster munitions due to the threat they pose to nearby civilians at the time of attack and afterward. The submunitions often fail to explode and pose a threat until cleared and destroyed. Yemen, the US, and Saudi Arabia and its coalition members should join the 2008 Convention on Cluster Munitions, Human Rights Watch said.

[Human Rights Watch](#) believes the Saudi Arabia-led coalition of states operating in Yemen is responsible for all or nearly all of these cluster munition attacks because it is the only entity operating aircraft or multibarrel rocket launchers capable of delivering five of the six types of cluster munitions that have been used in the conflict.

One type of air-dropped cluster munition used by the Saudi-led coalition in Yemen is the CBU-105 Sensor Fuzed Weapon, manufactured by Textron Systems Corporation of Wilmington, Massachusetts. Human Rights Watch has investigated at least five attacks involving the use of CBU-105 Sensor Fuzed Weapons in four governorates since March 2015.

Most recently, CBU-105 Sensor Fuzed Weapons were used in a December 12, 2015 attack on the Yemeni port town of Hodeida, injuring a woman and two children in their homes. At least two civilians were wounded when CBU-105 Sensor Fuzed Weapons were used near al-Amar village in Saada governorate on April 27, 2015, according to local residents and medical staff. More information on these and other cluster munition attacks is provided below.

While any use of any type of cluster munition should be condemned, there are two additional disturbing aspects to the use of CBU-105 Sensor Fuzed Weapons in Yemen. First, US export law prohibits recipients of cluster munitions from using them in populated areas, as the Saudi coalition has clearly been doing. Second, US export law only allows the transfer of cluster munitions with a failure rate of less than 1 percent. But it appears that Sensor Fuzed Weapons used in Yemen are not functioning in ways that meet that reliability standard.

In recent years, the US has supplied these weapons to Saudi Arabia and the [United Arab Emirates](#), both of which possess attack aircraft of US and Western/NATO origin capable of delivering them. CBU-105 Sensor Fuzed Weapons are the only cluster munitions currently exported by the US, and the recipient must agree not to use them in civilian areas. According to the US government, CBU-105 Sensor Fuzed Weapons are the only cluster munition in its active inventory “that meet[s] our stringent requirements for unexploded ordnance rates,” with a claimed failure rate of less than 1 percent.

Human Rights Watch chairs the [Cluster Munition Coalition US](#), which in a [March 30, 2015 letter](#) urged President Barack Obama to review the 2008 cluster munitions policy, and to remove the exception allowing cluster munitions that result in less than 1 percent unexploded ordnance rate.

According to a Textron Systems Corporation [datasheet](#), the CBU-105 disperses 10 BLU-108 canisters that each release four submunitions the manufacturer calls “skeet” that are designed to sense, classify, and engage a target such as an armored vehicle. The submunitions explode above the ground and project an explosively formed jet of metal and fragmentation downward. The skeet are equipped with electronic self-destruct and self-deactivation features.

However, photographs taken by Human Rights Watch field investigators at one location and photographs received from another location show BLU-108 from separate attacks with their “skeets” or submunitions still attached. This shows a failure to function as intended as the submunitions failed to disperse from the canister, or were dispersed but did not explode.

“Sensor Fuzed Weapons are touted by some as the most high tech, reliable cluster munitions in the world, but we have evidence that they are not working the way they are supposed to in Yemen, and have harmed civilians in at least two attacks,” Goose said. “The evidence raises serious questions about compliance with US cluster munition policy and export rules.”

Evidence of CBU-105 Sensor Fuzed Weapons Attacks in Yemen since March 2015

Al-Hayma Port, Hodeida governorate, December 12, 2015

The coalition has carried out intermittent air attacks on the military port of al-Hayma, 100 kilometers south of the western coastal city of Hodeida, beginning in September, four residents of the fishing village of al-Hayma, 1.5 kilometers from the port, told Human Rights Watch in late January 2016. Ammar Ismail, 22, said that the Yemeni coast guard and Houthi forces both occupy parts of the port, but local fisherman and gasoline smugglers are still using it as well.

Air strikes began at about 9 a.m. on December 12, said Muhammad Ahmad, 33, but about an hour later, he saw a different kind of weapon than used previously:

I was with six friends from the village ... sitting on a small hill watching the strikes. We suddenly saw about 20 white parachutes in the air, falling toward the port. Less than a minute later, each one released a cloud of black smoke as it neared the ground and exploded. It looked like a series of multiple bombs all next to each other. Less than 5 minutes later, it happened again, another bomb let out a group of about 20 parachutes and the same thing happened. But because of the direction the wind was blowing, the parachutes suddenly started falling toward our village.

Hussein Saed, 42, said he watched four parachutes fall toward the village and “as each parachute came close to the ground, it would explode like fireworks, and release bombs.”

He said that one munition hit the wall of his brother Ali Saed’s home, breaking a window just below. Metal fragments flew into the room, wounding Ali Saed’s wife, Aziza Ahmad Ahdab, 42, and their daughter Salama, 4. Doctors had to amputate Ahdab’s lower right leg. Saed said that another munition landed in the yard of his other brother, Hassan Saed, and exploded next to the bathroom, but that no one was wounded.

A doctor at a local health clinic said that he treated Homadi Hassan Muliked, 15, who was wounded in his abdomen by another munition in the same attack. Muliked said that he quickly lay down on the floor in his house when he heard the explosions, but “suddenly I felt a pain in the lower right side of my abdomen. I looked down and saw blood. I didn’t know what happened or how, but later I saw the damage to our house. One of the bombs had hit our wall and exploded.”

One munition hit the home of Muhammad Zeid Ahmad, 50:

Something hit the wall and broke through it. I immediately hit the floor. This strange object landed about five meters from me. It looked like a small silver model of a rocket. I was very afraid, I tried to crawl away and escape because I knew it could explode at any moment. It looked very scary. But as I moved, it moved with me, not toward me, but in the same direction, in slow motion it seemed....This went on for about a minute and then it exploded. Luckily I was not seriously wounded.

Another witness also said it seemed that a weapon followed him. While it is not possible for these weapons to detect human targets, the skeet, or submunitions, are released in all directions.

Amran governorate, June 29, 2015

According to a [report](#) by Amnesty International, CBU-105 Sensor Fuzed Weapons were used in an attack on Harf Sofian in Amran governorate, south of Saada, that locals said occurred

on June 29. Amnesty International researchers visiting the area on July 6 found and [photographed](#) the remnants of an empty BLU-108 canister.

Sanhan, Sanaa governorate, May 21, 2015

Human Rights Watch received photographs and collected witness accounts that indicate CBU-105 Sensor Fuzed Weapons were used in an attack on the Affash Historic Fort in Sanhan, Sanaa governorate, about 20 kilometers south of Sanaa City, on May 21.

The fort is in the village of Bait al-Ahmar, which has approximately [460](#) inhabitants, where former Yemeni President Ali Abdullah Saleh, a key supporter of the Houthis in the current conflict, owns a house. A guard at the fort, Nagi Abdullah al-Gahshi, said that the closest military base is 20 to 25 kilometers away, at Raymet Humaid military camp.

Ali Mohsen Maqula, a guard for the past four years at the Affash Historic Fort's housing compound and member of the Republican Guard, told Human Rights Watch that he witnessed a cluster munition attack. Yemen's Republican Guard is a military unit that was commanded by former President Saleh's son, Ahmed Ali Saleh.

Maqula said he was on a hill a kilometer from the fort at about 7 p.m. on May 21, when he saw a series of about 12 explosions. "I remember the explosions in the sky, they looked like big bright red fireworks, the color of lava," he said. It was too dark to see anything else, he said. He said that 10 guards at the compound were wounded in the attack, but that Saleh was not there at the time.

Maqula left but returned to the village a week later and saw the remnants in the compound of BLU-108 canisters with their parachutes still attached, as well as at least 20 unexploded skeet, or submunitions. Two weeks later, a team of military engineers arrived and destroyed the submunitions near the gate of the compound by detonating them, but did not touch the rest, he said.

In September 2015, Abdullah Abu Hurriya, a politician from former President Saleh's General People's Congress Party, hired Muhammad Ahmad al-Nahmi, a freelance photographer, to photograph the submunitions. Al-Nahmi told Human Rights Watch that he traveled to the village and saw at least eight BLU-108 canisters in the fort, and another

three next to the compound's mosque. Abu Hurriya provided copies of the photos to Human Rights Watch that show the remnants of a CBU-105 Sensor Fuzed Weapon, including a BLU-108 canister with all four skeets or submunitions still attached, indicated it failed to function.

Maqula said that the local sheikh of the village, Muhammad Mohsen, warned residents to leave on May 19 after three bombs – not cluster munitions – hit the compound at around 11:30 a.m., wounding al-Gahshi and three other guards. Maqula said that those who lived closest to the compound walls left, but about 200 residents living 500 meters or further from the compound stayed. He said that after the May 21 attack, the remaining civilians fled. Since then, there have been four more attacks on the compound – one in September and three in October – but none with cluster munitions.

Al-Amar, Saada governorate, April 27, 2015

A Sanaa-based activist provided Human Rights Watch with [photographs](#) that he said were taken by a resident of Saada governorate at the site of an April 27 airstrike by the Saudi-led coalition in the al-Amar area of al-Safraa, 35 kilometers south of the northern Houthi stronghold of Saada city. The photographs show a BLU-108 canister with four skeet, or submunitions, still attached, indicating it failed to function, and another empty BLU-108.

Local residents and medical staff said the CBU-105 Sensor Fuzed Weapons used outside al-Amar village on April 27, wounded two or three people. One witness said that one of the wounded was a fighter while others, including medical staff in two hospitals, said that at least two were civilians.

In May, locals showed Human Rights Watch the remnants of two BLU-108 canisters and the place where they were found by near the main road between Sanaa and Saada, about 100 meters south of al-Amar. One canister still contained a submunition, while the other was empty. Human Rights Watch found a third empty canister in bushes nearby. Researchers identified six small craters in the asphalt at the attack site that are consistent with craters created by the explosive submunitions released from BLU-108 canisters.

Ayid Muhammad Haydar, 37, a resident, said that he heard an airplane overhead around 11 a.m. on a Monday, the weekly village market day, in late April. He said that the sky filled

with about 40 parachutes. He did not hear any explosions in the air, but said that he heard about 15 small explosions that sounded like hand grenades over the next two hours.

Local residents said that Saudi-led coalition aircraft had carried out dozens of aerial attacks on April 27, apparently targeting the al-Safra military complex, housing the 72nd Military Brigade, two to three kilometers away, which Al-Amar residents described as the closest military installation to their village.

Al-Shaaf, Saada governorate, April 17, 2015

A [video](#) uploaded to YouTube on April 17 by the pro-Houthi September 21 YouTube channel shows numerous objects with parachutes slowly descending from the sky. The video zooms out to show a mid-air detonation and several black smoke clouds from other detonations. Human Rights Watch [established](#) the location, using satellite imagery analysis, as al-Shaaf in Saqeen, in the western part of Saada governorate. The munitions appeared to land on a cultivated plateau, within 600 meters of several dozen buildings in four to six village clusters.

US Transfer of the Weapons

The US Department of Defense concluded a contract with Textron Defense Systems for the manufacture of 1,300 CBU-105 Sensor Fuzed Weapons for Saudi Arabia in August 2013. The contract stipulated that the weapons were to be delivered by December 2015, but Human Rights Watch has not been able to determine if all cluster munitions have been delivered. The UAE received an unknown number of CBU-105 from Textron Defense Systems in June 2010, fulfilling a contract [announced](#) in November 2007. At the time that these two nations procured these weapons, each CBU-105 [cost](#) approximately \$360,000.

Under a June 2008 policy [directive](#) issued by then-Secretary of Defense Robert Gates, the US can only export cluster munitions that “after arming do not result in more than 1 percent unexploded ordnance across the range of intended operational environments,” and the receiving country must agree that cluster munitions “will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.”

This policy is most recently codified in Section 7054 (b) of the Consolidated and Continuing Appropriations Act (H.R. 83) of 2015. According to [guidance](#) issued by the US Defense Security Cooperation Agency in 2011, “the only cluster munition with a compliant submunition compliant with the reliability standard established by the Gates Policy is the CBU-97B/CBU-105 Sensor Fuzed Weapon.”

There is no evidence to indicate that CBU-105 Sensor Fuzed Weapons have been transferred to or stockpiled by the other countries participating in the Saudi-led coalition – Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, and Sudan.

Saudi Arabia has denied using other types of cluster munitions in Yemen, but it has admitted to using CBU-105 Sensor Fuzed Weapons. In a January 11, 2016 [interview](#) with CNN, the Saudi military spokesperson said the coalition used CBU-105 Sensor Fuzed Weapons once, in Hajja in April 2015, “but not indiscriminately.” He said that the CBU-105 has been used “against vehicles.”

The Saudi-led coalition may have used CBU-105 Sensor Fuzed Weapons in Hajja in an attack on a vehicle on a mountain road between Amran and Hajja city. In August 2015, several locals in the area told Human Rights Watch researchers that they had heard about a military truck with a family inside being hit by cluster munitions sometime between May and July. A local news outlet [reported](#) an incident meeting the same description on May 21.

While the CBU-105 is banned under the Convention on Cluster Munitions, its use is permitted under existing US policy and its export is permitted under the existing US export restrictions on cluster munitions.

The US has made few public statements in response to the use of cluster munitions in Yemen. According to State Department officials, the US is aware of “reports” of the “alleged” use of cluster munitions by the Saudi-led coalition. In an August 19 [article](#), however, an unnamed Pentagon official was quoted as acknowledging that “the US is aware that Saudi Arabia has used cluster munitions in Yemen.”

In July, US Representative Jim McGovern raised concern about the use of CBU-105 Sensor Fuzed Weapons in Yemen, [stating](#): “If we have evidence that countries are not complying with US law that ought to be enough to say we sell these weapons to them no more.

Period. End of story.” McGovern said the US should join the Convention on Cluster Munitions.

Before the Yemen conflict, the only known use of the Sensor Fuzed Weapon was by the US in Iraq in 2003, apparently on a very limited scale, but [multiple failures](#) called into question the claimed reliability rate of better than 99 percent.

In addition to the recent transfer of CBU-105, the US provided Saudi Arabia with significant exports of cluster bombs between 1970 and 1999. There is credible [evidence](#) that in November 2009, Saudi Arabia dropped cluster bombs in Yemen’s northern Saada governorate during fighting between the Houthis and the Yemeni and Saudi militaries.

January 7, 2016: Coalition Drops Cluster Bombs in Capital

Indiscriminate Weapon Used in Residential Areas

(Beirut) – [Saudi Arabia](#)-led coalition forces airdropped cluster bombs on residential neighborhoods in [Yemen’s](#) capital, Sanaa, early on January 6, 2016. It is not yet clear whether the attacks caused civilian casualties, but the inherently indiscriminate nature of cluster munitions makes such attacks serious violations of the laws of war. The deliberate or reckless use of cluster munitions in populated areas amounts to a war crime.

“The coalition’s repeated use of cluster bombs in the middle of a crowded city suggests an intent to harm civilians, which is a war crime,” said [Steve Goose](#), arms director at Human Rights Watch. “These outrageous attacks show that the coalition seems less concerned than ever about sparing civilians from war’s horrors.”

Residents of two Sanaa neighborhoods described aerial attacks consistent with cluster bomb use. A resident of al-Zira’a Street told Human Rights Watch that his family was awakened at 5:30 a.m. on January 6 by dozens of small explosions. He said that he had been at work, but that his wife told him that when the family fled they saw many homes and a local kindergarten with newly pockmarked walls and broken windows.

A resident of Hayal Sayeed, another residential neighborhood, described hearing small explosions at around 6 a.m. He went out on the street, he said, and saw more than 20 vehicles covered in pockmarks, including his own, as well as dozens of pockmarks in the

road. He said that at least three houses in the area had pockmarked walls and broken windows. He found a fragment in his car, he said.

The al-Zira'a Street resident said that neither neighborhood had been hit by airstrikes before January 6. The nearest military installations, a small office, and a garage used by military guards, were about 600 to 800 meters from the al-Zira'a Street neighborhood. Even if the attacks were directed at the military targets, the use of cluster munitions meant they were still unlawful, Human Rights Watch said.

The al-Zira'a Street resident said that at the time of the attack he had been at his office, about 2 or 3 kilometers from Hayal Sayeed and 5 kilometers from al-Zira'a Street. Every 10 to 15 minutes he heard small explosions, until about 1:30 p.m. "These did not sound like regular gunfire," he said. "I asked my colleagues if they could hear them too – they said yes."

A third cluster bomb attack on January 6 was [reported](#) on social media by residents of Sanaa's al-Thiaba neighborhood, although Human Rights Watch could not confirm this.

Human Rights Watch viewed photographs taken on January 6 in Sanaa that showed unmistakable remnants of cluster munitions, including unexploded submunitions, spherical fragmentation liners from submunitions that broke apart on impact, and parts of the bomb that carried the payload.

Human Rights Watch identified the munitions as from US-made BLU-63 antipersonnel/anti-materiel submunitions and components of a CBU-58 cluster bomb. Markings on the bomb remnants indicate that it was manufactured in 1978 at the Milan Army Ammunition Plant in the state of Tennessee in the [United States](#).

Each air-dropped CBU-58 cluster bomb contains 650 submunitions. The United States transferred 1,000 CBU-58 bombs to Saudi Arabia sometime between 1970 and 1995, according to US export records obtained by Human Rights Watch. The US is a party to the armed conflict in Yemen, playing a direct role in coordinating military operations, and as such, is obligated to investigate alleged violations of the laws of war in which its forces took part.

The CBU-58 cluster bomb and BLU-63 submunition were developed by the US during the Vietnam War and are designed to attack personnel and lightly protected materiel. The submunitions also contain 5-gram titanium pellets that produce an incendiary effect on flammable targets.

In 2015, Human Rights Watch [documented](#) the use by coalition forces of three types of cluster munitions in Yemen. Amnesty International [documented](#) the coalition's use of a fourth type. A fifth type of cluster munition has been used, but the user's identity is unclear. A US Defense Department official, speaking on the condition of anonymity, [told](#) *US News and World Report* in August that "the US is aware that Saudi Arabia has used cluster munitions in Yemen."

Neither Yemen, Saudi Arabia, nor any of the other coalition countries are party to the 2008 [Convention on Cluster Munitions](#), the international treaty banning cluster munitions. A total of 118 countries have signed and 98 have ratified the treaty. Human Rights Watch is a co-founder of the [Cluster Munition Coalition](#) and serves as its chair.

On November 17, the US Defense Department [announced](#) that the State Department had approved a sale of US\$1.29 billion worth of air-to-ground munitions, such as laser-guided bombs and "general purpose" bombs with guidance systems – none of which are cluster munitions. The US should not sell aerial bombs to Saudi Arabia in the absence of serious investigations into alleged laws-of-war violations in Yemen, Human Rights Watch said.

The UN Human Rights Council [should create](#) an independent, international inquiry into alleged violations of the laws of war by all sides.

"It may have been 20 years since the US last provided these cluster munitions to the Saudis, but they are being used to kill civilians now," Goose said. "The US, as a party to the conflict, should be demanding that the coalition immediately stop using these weapons or risk becoming complicit in their use."

2015

December 21, 2015: Coalition Bombs Homes in Capital

Saudi-led Forces, US Fail to Investigate Alleged Unlawful Attacks

(Beirut) – The [Saudi Arabia](#)-led coalition fighting in [Yemen](#) carried out at least six apparently unlawful airstrikes in residential areas of the capital, Sanaa, in September and October 2015, killing 60 civilians. Coalition members and the United States, as a party to the conflict, are required under the laws of war to investigate such attacks, but they have not.

Human Rights Watch found no evidence of any military target in an airstrike on the Old City and on al-Asbahi neighborhood in September. Airstrikes that caused civilian casualties on homes on Marib Street and in the neighborhoods of Hadda, al-Hassaba, and Thabwa hit 200 meters or more from possible military objectives. These attacks failed to distinguish civilians from military objectives or caused disproportionate civilian loss. Houthi forces in at least two of the attacks put civilians at unnecessary risk by deploying in densely populated neighborhoods. Human Rights Watch visited the sites in late October and interviewed survivors.

“How many civilians will die in unlawful airstrikes in Yemen before the coalition and its US ally investigate what went wrong and who is responsible,” said [Joe Stork](#), deputy Middle East director. “Their disregard for the safety of civilians is appalling.”

Peace [talks](#) among the various Yemeni parties in Switzerland ran from December 15-20 before being adjourned. Any future talks should ensure that victims of laws-of-war violations by any party are provided appropriate compensation. Parties to the negotiations should ensure that there is no amnesty for those implicated in serious crimes in violation of international law.

One coalition attack struck a house in Sanaa’s Old City, a UNESCO World Heritage Site, on the night of September 13, killing 18 civilians and wounding many others. Abd al-Khalik Muhammad al-Khamisi, 29, told Human Rights Watch he was sleeping at home with his family in their second-floor apartment, 50 meters from where the strike hit: “I woke up to a loud noise, and felt the glass from all the windows in the room shatter on top of us. My

wife and I asked each other why a bomb would drop here; there was no military target near here. It was so loud, so dark.” Al-Khamisi found his mother holding his 2-year-old son – covered in dust but unharmed.

According to the United Nations, most of the 2,500 civilian deaths since the coalition began its military campaign in late March against the Houthis, also known as Allah Ansar, have been from coalition airstrikes. Human Rights Watch is unaware of any investigations by Saudi Arabia or other members of the nine-nation coalition into these or other allegedly unlawful strikes, or of any compensation for victims. The US, by coordinating and directly assisting coalition military operations, is a party to the conflict and as such is obligated to investigate allegedly unlawful attacks in which it took part.

The coalition has repeatedly used aerial bombs with wide-area effect in populated areas, creating the likelihood of civilian casualties even when a military target is hit, Human Rights Watch said. The attacks Human Rights Watch documented used large air-dropped bombs, weighing from 250 kilograms to as much as 1,000 kilograms. These would have blast, thermal, and fragmentation effects in a radius of dozens or hundreds of meters of impact.

Since the conflict in Yemen expanded in March, Human Rights Watch and others have reported on serious laws of war violations by all sides. Human Rights Watch previously documented 10 apparently unlawful coalition airstrikes between April and August in Ibb, Amran, Hajja, Hodeida, Taizz, and Sanaa that killed at least 309 civilians and wounded more than 414. In all of these cases, Human Rights Watch either found no evident military target or that the attack failed to distinguish civilians from military objectives.

An Amnesty International report in December examined five airstrikes that unlawfully struck schools in Hajja, Hodeida, and Sanaa between August and October, killing five civilians and injuring at least 14.

Doctors Without Borders (Médecins Sans Frontières, MSF) reported that one of its medical clinics was struck in Saada in [October](#), and another in Taizz in [December](#), but has yet to receive any explanation for the attacks on these protected facilities.

The US in November [announced](#) the sale of air-dropped munitions to replenish stocks for Saudi Arabia and the [United Arab Emirates](#). The [United Kingdom](#) and [France](#) have supported the coalition by selling weapons to Saudi Arabia and other coalition members.

Under the laws of war, a party to the conflict may only attack military objectives and must take all feasible precautions to minimize harm to civilians and civilian objects. Attacks in which there is no evident military target, that do not discriminate between civilians and military objectives, or that cause civilian harm disproportionate to the anticipated military gain, are unlawful. Individuals who commit serious violations of the laws of war with criminal intent are responsible for war crimes.

Warring parties must also avoid deploying in densely populated areas and remove civilians in the vicinity of their military forces to the extent feasible. Violations of the laws of war by one party to the conflict do not justify violations by the other.

The UN Security Council should emphasize to all warring parties in Yemen that those responsible for violations of international human rights and humanitarian law should be held accountable and may be subject to travel bans and asset freezes, Human Rights Watch said. The UN Human Rights Council [should create](#) an independent, international inquiry into alleged violations of the laws of war by all sides.

“The Saudi-led coalition has repeatedly struck houses, schools, and hospitals where no military target was in sight,” Stork said. “The countries best positioned to stop the coalition from carrying out such heinous violations, notably the US and UK, need to weigh in heavily or find themselves complicit in the abuses.”

Hadda Neighborhood, Sanaa

Since the beginning of the current fighting in March, coalition aircraft have frequently attacked the Hadda compound of the Special Security Forces, a paramilitary force under the control of the interior minister and currently acting on the orders by the Houthis. Sanad Ali al-Badawi, 35, who lives about 200 meters away, told Human Rights Watch that on September 4, between 9 p.m. and midnight, five coalition airstrikes hit the Special Security Forces compound.

A sixth strike, at about 1:15 a.m. on September 5, hit the four-story apartment building where the al-Badawi family lives. Three civilians were killed: a woman and two children.

Al-Badawi, whose father owns the apartment building, told Human Rights Watch that he had been sleeping:

I woke up with bricks on top of me. I could hear my brother yelling my name. He pushed open the door to my bedroom, threw all the debris that was blocking his path out of the way, and helped me get out. We went downstairs to where my parents and younger brother sleep – they were all okay. Then we went to check on my 17-year-old sister, Sana. The walls to her room had been blown off and her room was full of dust. The roof had collapsed on top of her room, and the floor had given way from under her, so her bed had fallen two floors down.

Al-Badawi's family called for help from the police, the Houthi authorities, and passers-by, but, al-Badawi said, all refused, saying they feared another strike might follow. At 3 a.m., nearly two hours later, he and other family members were able to pull Sana out of the rubble, still alive, and take her to the hospital. At 3:50 a.m., doctors pronounced her dead.

The blast tore away the wall of the room occupied by al-Badawi's father, Saleh al-Badawi, 55, injuring his neck and back. "I assumed the strike was on the security compound nearby," he said. "It took me awhile to realize it had hit my house and that the room I was in was now wide open to the world." His wife, Mahlia Saleh, 50, suffered significant hearing loss in both ears from the explosion.

A [Syrian](#) family was leasing the top-floor apartment. The mother, Rimaz, 35, lost her leg and died that night. Her son, Nizar, 8, died from wounds eight days later.

Sanad Ali Al-Badawi said that the blast blew the family's safe, containing the equivalent of about US\$18,500 in cash, from the third floor to the street. Neighbors later told him that they saw armed men in a military vehicle take the safe away within hours of the strike. The family contacted the Houthi authorities to request the return of the safe, but had not received a response.

Marib Street, Sanaa

On September 18, at about 10:30 p.m., coalition aircraft struck a brick house next to an unused iron lathe workshop. The airstrike damaged the house and destroyed the workshop, an aluminum-sheet roof over a metal frame. Five civilians, including a woman and a child, were killed, and another eight were seriously wounded.

Earlier that evening, heavy strikes began on the Interior Ministry compound, a kilometer away. Ibrahim Ateeq al-Jihm and his brother Fayez left their house and, from a street corner in their neighborhood, watched as another strike hit a market, Souq Bathar, at a roundabout about a kilometer away.

Al-Jihm told Human Rights Watch:

[M]y brother shouted, “Let’s go home now! It’s not safe to stay here.” As we were walking home, I suddenly found myself flying in the air and then thrown to the ground. I was covered with stones and dust. There was smoke everywhere and I was covered in blood. I was having difficulty breathing as if someone was squeezing my chest tightly. I finally stood up and looked around me, trying to find my brother – he was lying next to me.

His brother was not hurt, but al-Jihm saw three other people lying on the ground nearby, covered in rubble. One, Walid Fadel Muhammad Thabet, was not moving. The other two – one of whom works in the iron workshop and the other at an aluminum workshop – were moaning and convulsing. The two brothers ran home to check on their family and found the cousin of one of the renters in the building badly wounded. They took him to the hospital.

Three witnesses said that this was the first airstrike in the area. Six days later, on September 24, coalition aircraft began bombing the Military Police headquarters, 350 meters from where the first strike hit. Within four days the coalition had carried out at least two dozen strikes on the headquarters.

Old City, Sanaa

On September 18, at 11:30 p.m., an airstrike hit Sanaa's Old City and killed 13 civilians, including two women and seven children, and wounded at least 12. It destroyed one home and severely damaged seven others. UNESCO, the UN cultural organization, declared the Old City a World Heritage Site in 1986 because of its 6,000 houses and 100 mosques built before the 11th century. UNESCO added the Old City to its [2015 List](#) of World Heritage in Danger.

Adel al-Maswari, 19, said he was home eating dinner with 10 family members at the time of the attack. He said that he first heard a plane and then an explosion, and the room filled with dust and ash. The munition had exploded about 20 meters away and sent metal fragments through the house. Al-Maswari and his relatives ran outside, where they saw many other people and heard screaming. It was only after a few minutes that he saw that the home of his neighbor Hafth Allah al-Aini had been hit and the building was in ruins. All 10 immediate members of the al-Aini family, ages 4 to 38 years, died in the attack. Houthi officers came to help rescue any survivors, al-Maswari said.

Saudi al-Alafa, 42, lived with five family members in a home 10 meters from al-Aini's house. He said that before the house was hit, he had been standing outside, looking up at the sky, because earlier that evening there had been multiple [strikes](#) on the neighborhood of al-Hassaba, two to three kilometers away. Later he learned that those strikes had targeted the Interior Ministry, the home of former President Ali Abdullah Saleh, and the Military Police headquarters. As he stood there, he heard a plane and then a whizzing sound, and was thrown against the wall of his house:

I smelled smoke and there was dust everywhere, but I didn't hear the explosion or even realize that it happened right in front of me; I just felt the pressure [from the explosion]. After a few seconds, I started to hear screams from inside my house. Four members of my family were wounded.

Al-Alafa said two of his sons and two of his daughters were hurt, but not seriously. Then al-Alafa turned his attention to his neighbors:

I ran over to al-Aini's home to see how I could help. There was sand burying the house up to the second floor. I saw Sobhiya, who's 50, crawling in the

sand. She and her husband, Saleh al-Aini, who's 60, and a cousin of Hafth, lived in a room on the top floor. She had been thrown from the top floor in the blast, but her husband was still stuck at the top. A neighbor and I helped get him down. Then we came back and started digging, even though we were really scared there might be another strike. We were digging from midnight until 8:30 a.m.

Abd al-Khalik Muhammad al-Khamisi, who lived nearby, said that after the attack, he and his family remained in their home, fearing another strike. He watched from the windows as neighbors spent the next nine hours trying to rescue the al-Aini family.

Muhammad al-Jalal, 33, a neighbor, said he had helped dig out members of al-Aini family, who seemed to have died instantly:

All of them still had food in their mouths. Houria Saad al-Hudiad, al-Aini's wife, was still holding a glass in one hand and a piece of bread in the other. Finally, at around 8:30 a.m., we were able to get Malak [a 4 year-old] out. She was gasping for breath. She died at the hospital shortly afterward.

Al-Jalal had been sitting on a stoop watching children play when the blast struck 20 meters away:

I heard a whizzing sound then I saw a bright light. I was so scared – I thought I would die at that moment. I was in shock. There was glass everywhere, bricks smashed, and the metal from the doors of the buildings flying. I ran toward the home of Yahya Yahya al-Asaba, where two men and a boy had been outside the house setting up a small stall that they were hoping to turn into a shop front. I first saw one of them, Yahya – he had lost all the skin on his right arm to the bone. I tried to pick him up around his waist, but my hands went straight through him. He had a big cut in his neck, which we wrapped a scarf around to try to stop the bleeding.

Al-Asaba, 35, died that day.

Al-Jalal said that 14-year-old Qatin Saleh Al-Rawahi had a metal fragment in his abdomen and his legs seemed to be bent together. He died two days later. Isam Yehya Asabah, 25, was lying a few meters away. He died a week later. All the Old City residents Human Rights Watch interviewed said there were no military targets in the Old City. Those interviewed said that residents do not allow heavy weaponry to be brought into the Old City. The cluster of houses is off the road, so there would be no passing military vehicles. However, during the visit, when a plane flew overhead, researchers heard three bursts of fire from anti-aircraft guns close by.

Al-Hassaba Neighborhood, Sanaa

On September 21, starting at about 4:30 a.m., four airstrikes hit houses in Sanaa's al-Hassaba neighborhood, where the Houthis had placed civilians at risk by deploying their forces in a densely populated residential area. The strikes destroyed four homes and damaged at least 11 others. The fourth strike killed 20 civilians. They included 18 members of an extended family, six of them women and 11 of them children.

Six residents told Human Rights Watch the first strike hit the home of Sam al-Ahmar, which Houthi fighters had been occupying for a year. Three residents said that the Houthis had evacuated the home the night before the strikes, leaving three guards, one of whom was wounded in the strike. A few minutes after the strike, a fire truck came, put out the fire, and quickly drove away. Human Rights Watch saw the burned remnants of several military vehicles, but a Houthi guard prevented researchers from entering the area or taking more than three photographs.

The residents said that as the fire truck was leaving, another strike hit the multi-story home of the Aqlan family, next to al-Ahmar's house. The Aqlan family had fled their home after the first strike.

About 10 to 15 minutes later, a third strike hit an open yard across the street from both houses destroying a single-story home where 10 people lived, though none were home. The strike also damaged a second single-story building on the property where eight people lived, wounding Walid al-Numais, 17, and four other buildings.

Hamran Ghalib Abass, 45, a sweets seller, came outside at 5:30 a.m., about 15 minutes after the strikes. He said he heard his neighbor across the street, Muhammad Munfarih, calling to his son from the gate of his house, telling him to get inside:

As they went inside, I heard a plane fly overhead and a whizzing. The pressure [of the explosion] threw me right through the open door of my building. My son came running down, screaming that they had hit our house, which is what he thought because of all of the damage to our house. I heard Munfarih yelling, "Please, someone help!"

In fact, the fourth strike had hit Munfarih's multi-story home, about 260 meters down the street from the al-Ahmar home. The strike killed 18 members of the Munfarih family, including 10 children, and two neighbors, one of them a 13-year-old boy. The strike destroyed the Munfarih house and severely damaged four other multistory houses and one single-story house.

Muhammad Abdullah al-Hadrami, 70, the imam of nearby al-Hadaya mosque, said he was standing on the street facing Munfarih's home when the fourth strike hit. He said that he saw a bright light and then heard people crying out for help. He could not see because of all the dust, so he got onto the ground and crawled toward the house. The first to enter, he saw Munfarih's wife and daughter-in-law, buried up to their necks. He and other neighbors dug them out. They were the only two family members to survive the blast.

Munfarih and other members of his family died in the wreckage of their home before their neighbors could get them to the hospital.

Al-Asbahi Neighborhood, Sanaa

On September 23, at about 7:30 a.m., two airstrikes hit Sanaa's al-Asbahi neighborhood. The strikes killed 19 civilians, including two women and 10 children. The strikes destroyed three homes and damaged a four-story apartment building and three other multi-story houses.

A local resident, Idris Radman, 27, showed Human Rights Watch the effect of the first strike, which destroyed three single-story houses. In the home of a taxi driver, Ahmed

Maghreb, two people were killed. In the home of a police inspector, Ali al-Gharashi, seven were killed. In the third, the home of an oil company worker, Sayid al-Thubai, five were wounded.

“I was sleeping with my family, and suddenly at around 7:30 a.m. something woke me and terrified me – a very extreme loud sound, an explosion,” said Najeeb Hussein, a 43-year-old oil industry worker.

Five minutes later, the second strike hit a four-story apartment building, destroying the south-facing façade and damaging three more multi-story houses. The building housed the families of a barber, a painter, and a plumber. Mukhtar Dadya’s wife and three children were killed. Hisham Ghamdan, 35, a neighbor said that Dadya survived because he had gone to help at the scene of the first strike. “I was next to him when he found out that his whole family had been killed,” Ghamdan said. “It was a tragic, indescribable scene.”

Ghamdan said he was sleeping when the first airstrike hit:

Suddenly, I heard a very loud sound. I called my son, Ali, 16, to check what happened, because although I was used to hearing the loud sound of airstrikes, this one was very loud, and felt much closer than usual. My son returned within minutes terrified, pale, scared, crying and stuttering, “The rocket hit Ali al-Gharashi house’s, the rocket hit al-Gharashi’s house!”

Zain al-Futaini, 43, who lives opposite the second apartment building that was hit, said he was lying in bed when he heard the first strike hit and then minutes later, the second. He thought they were probably not close because he did not know of any military targets in the area. But his building started to shake and bricks fell. He went outside:

I saw one woman with a wound to her head, three children and two men lying on the ground, and one woman cut in half at the waist. My neighbors and I pulled three women and two children out of the basement of the apartment building.

One [other] kid, who lived on the third floor of the building, had gone out onto the balcony after the first bomb to see what had happened, so when the second strike hit his building, he was blasted off the balcony and splattered onto the façade of the building opposite.

Local residents said that no other airstrikes had hit the area. The home of Ali al-Thafif, a commander in the former Republican Guard, which has supported the Houthis, is 50 meters from the first strike site and 115 meters from second site. He and his family left their home at the beginning of the war, neighbors said, so it would not be a legitimate military target. An earlier airstrike [hit his village home](#) in Bayt al-Thafif, in Hamdan directorate, on June 8.

Thabwa, Sanaa

On October 26, at about 11:30 a.m., an airstrike hit Thabwa, a southern suburb of Sanaa, wounding a woman and her 3-year-old son. The strike destroyed two homes.

Abdullah Hussein al-Futohy, whose house was just 10 meters from where the bomb struck, said he heard a whizzing sound:

My wife fearfully said, “There is a rocket coming toward us.” I was scared. Suddenly we heard the explosion and the whole of our house began to collapse on top of our heads. Two-thirds of the house collapsed. My wife lost consciousness - she was covered with blood. I heard my 3-year-old son screaming, “Baba! Baba!”

I ran to him, dug through the rubble, and dragged him out. He was crying and his legs were bleeding. I carried him outside to my neighbor Haj Muhammad’s house, and gave them my son. I then ran back to my house to check on my wife. All of that time, I thought my 7-year-old daughter, Sali, had been killed in the explosion -- she had just left a few minutes before the explosion to go to our neighbor’s house. Suddenly I heard my Sali calling me, “Baba! Baba! I thought all of you were killed.”

Al-Futohy's daughter was fine but his wife, Elham Naje, 27, was bleeding from her chest. He took her to the hospital. Human Rights Watch was not able to reach the family again to learn more about her condition.

The bomb fell in the general vicinity of several military installations, including al-Thabwa military camp, 1.2 kilometers east, and Raymat Humaid military camp, three kilometers west. The home of the former First Armored Division commander, Gen. Ali Mohsen al-Ahmar, was 250 meters west. According to residents, at least a dozen Houthis had been occupying his home for several months, placing civilians in the area at grave risk of attack. The airstrike did not damage Al-Ahmar's house.

At the site, Human Rights Watch found the manufacturing markings of a guidance fin assembly for the laser-guided Paveway III bomb, which is produced by the US company Raytheon. These are very accurate weapons when properly used. It was not possible to discern whether the bomb was deliberately guided to the impact point or whether a malfunction of the guidance system caused the bomb to strike a point that had not been targeted.

December 20, 2015: A Wedding Bombed in Yemen

It was an October night and the al-Sanabani family was readying to celebrate the wedding of three couples. It was around 9:30 p.m. when Muhammad Jamal Saleh Ghouba al-Sanabani arrived at his relative's home, where the wedding was to be held, to take part in the celebration.

Then, Yemen's war caught up with them.

"I heard whizzing for a moment, then came the explosion," al-Sanabani, 33, told Human Rights Watch two weeks after a warplane bombed his relative's home. "It was a huge explosion inside the yard. The sky turned red. I didn't realize at that moment it was an airstrike and still now also can't believe it – it's like a nightmare that plays before my eyes."

Instead of celebrating his cousin's marriages, al-Sanabani spent the night trying to dig the wounded out of rubble, searching the wreckage in hopes of finding his mother and small daughter alive.

Since March 26, 2015, a Saudi Arabia-led coalition of nine Arab countries with direct US support has carried out a military campaign against the Houthis, who ousted the former government and now control much of Yemen. Human Rights Watch and others have reported on numerous indiscriminate airstrikes by coalition forces that have killed and wounded hundreds of Yemeni civilians. No investigations are known to have been conducted into alleged unlawful attacks as required by international humanitarian law.

Families began gathering for the wedding at 9 p.m. that October 7, when the families brought the three brides – Khetam, Hana, and Jamila – to the home of al-Sanabani's relative, Muhammad Saleh Ghouba al-Sanabani. The house sat atop a small hill overlooking the village of Sanaban, about 150 kilometers south of Sanaa. The brides were to be wed that night to three of the elder al-Sanabani's sons – Moayed, Ayman, and Abd al-Rahman. Throughout the evening they heard jet planes overhead, but they did not believe they were in danger because planes had flown in the area before without conducting any strikes.

Al-Sanabani told us he and his wife had just arrived at the house along with four of his brothers. By 9:30 the procession of grooms to their father's home was nearly finished. His own father was standing at the gate of his house, just 10 meters away when a bomb from a coalition warplane struck the compound next to the ground-floor room of his father's home where the women and girls had gathered.

Gas cylinders, diesel and petrol stored for the wedding exploded, setting fire to the building. Al-Sanabani was thrown to the ground, disoriented by the pressure of the explosion. When he recovered, he headed to the house, afraid for his mother and his daughter, Joud, whom he believed were inside with about 50 other women and girls.

He saw his brother Jameel on the ground, who told him to find their father. "It was a big shock when I saw [my father]," al-Sanabani said. "He was different – swollen and split in half. I can't describe the scene. My father, only 65-years-old, dead."

Rubble covered the gate to the house. Al-Sanabani said he and a few other men pried open the gate and helped a few women out. They went inside. He heard a voice calling for help.

“I saw one of my cousins inside covered with rubble, except for her head, which was visible,” he said. “It was a very difficult situation. She was calling me by name, begging for help. She was terrified and crying. I tried to help her but I couldn’t do anything – the roof was falling on top of us.”

Others showed up to help in the rescue effort. They were able to extract al-Sanabani’s cousin – her face had been disfigured and she had lost an arm. Altogether, 18 women and girls were buried under the rubble in the room.

Al-Sanabani began searching for his mother and daughter. He saw women evacuating from the second floor of the house by ropes tied to the windows. The fire kept growing, so he left the building to see if his mother and daughter were in the yard.

He learned that his 30-year-old brother Essam had been killed along with Essam’s son Muhammad, 5. An uncle had died as well.

The fire died down after about 45 minutes. Al-Sanabani found his mother’s remains inside the compound. They were “charred and burned,” he told us. Neighbors said he might find his daughter Joud in nearby houses, where others had taken some children. He found his 8-year-old son Jamal but still could not find his daughter.

“The next afternoon at 1 o’clock, some people brought a body to the mosque to be buried after prayers,” al-Sanabani told us. “Someone came to ask me to check if she was my daughter because they couldn’t tell – the body was so charred. I refused to look at her in such shape. They brought to me the only thing that was left – her hair clip. I gave it to her mother, who immediately recognized that it was hers.”

In addition to the destruction of the al-Sanabani home, 25 other homes in the village were also damaged in the airstrike. Al-Sanabani and other residents said there were no military targets in the vicinity, no Houthi forces, not even a checkpoint. Altogether the airstrike killed 43 people, including 13 women and 16 children. Dozens were wounded. The victims and their families have received no compensation from any coalition country.

November 25, 2015: Coalition Used UK Cruise Missile in Unlawful Airstrike UK Should Stop Selling Air-to-Ground Munitions to Saudi Arabia-led Forces

(London) – The [Saudi Arabia](#)-led coalition used a [British](#)-made cruise missile to destroy a [Yemeni](#) ceramics factory, a civilian object, on September 23, 2015, Amnesty International and Human Rights Watch said today, based on field research and interviews with eyewitnesses at the scene.

The attack on the factory in the Sana'a governorate, which appeared to be producing only civilian goods, killed one person, and was in apparent violation of international humanitarian law (IHL), the laws of war.

This strike, using a British missile supplied in the 1990s, undermines the claim of ministers that the Saudi Arabia-led coalition's use of United Kingdom military equipment is consistent with IHL, and that the UK monitors such compliance "very carefully." The organizations are unaware of any credible coalition investigation into this or other apparently unlawful airstrikes for possible IHL violations.

"The UK Foreign Secretary Philip Hammond claims he favors 'proper investigations' into possible breaches of the laws of war in Yemen. This strike provides a perfect test case – the UK should urgently press the Saudi Arabia-led coalition to open a credible investigation into this strike, as well as others that appear to have violated the laws of war," said Lama Fakih, senior crisis advisor at Amnesty International.

"The latest revelations show UK policy to be both misleading and seriously ineffective. Despite multiple, well-documented cases of violations of the laws of war by the Gulf coalition in Yemen, UK ministers have consistently refused to acknowledge this. The UK should suspend further sales of aerial munitions to coalition members pending a thorough investigation into this case, and other apparently unlawful air strikes," said [David Mepham](#), UK director at Human Rights Watch.

Analysis of Weapon Remnants

Amnesty International and Human Rights Watch have examined the weapon remnants at the September 23 strike site and identified the munition used as a PGM-500 "Hakim" air-

launched cruise missile, supplied in the mid-1990s and manufactured by the UK firm Marconi Dynamics. The analysis compared fragments photographed at the strike site with unexploded remnants of the same missile type from a separate strike and found both were consistent with the deployment of an air-launched PGM-500 “Hakim.” The other recorded strike using this type of cruise missile hit an open field on November 4 or 5 in Sahar in Saada governorate in northern Yemen and did not result in any known casualties.

Marconi markings are clearly visible on a component part recovered from the Sana’a strike site. Stocks of this missile are in service with the [United Arab Emirates](#) Air Force, which has the capability to fire them from both Mirage 2000s and F-16F aircraft.

Witness Accounts of 23 September Strike

Amnesty International staff visited the Sana’a strike site on November 6 and they, as well as Human Rights Watch, later interviewed one of the factory owners and other witnesses to the strike.

The airstrike took place between 11 and 11:30 a.m. on September 23 in the village of Matna in Beni Matar district, west of Sana’a. Witnesses and one of the factory owners said that four missiles hit the Radfan Ceramics Factory in quick succession.

Ibrahim Ghaleb Mohammad al-Sawary, the son of one of the factory directors, who was in the vicinity during the attack, told Human Rights Watch:

I was getting ready to pray, leaning back on the wall of the factory when suddenly I heard whizzing followed by a very loud explosion. I started running away but less than two minutes later we heard the second explosion. I saw people running away from their homes – kids, older people, and young people – all of them scared like us and running away without knowing where.

He later returned to the factory, which had smoke rising from it and was in ruins, particularly the section with heavy machines used to heat and press the ceramics, which was entirely destroyed.

One man in the vicinity, Yahya Abd al-Karim al-Sawary, 28, was killed by shrapnel as he was fleeing the area. A local resident who asked to remain anonymous told Human Rights Watch that the victim had been working as a guard at a makeshift detention facility run by Ansarullah, the political wing of the Houthis, a Zaidi Shi'a armed group in northern Yemen. The site had originally been a government building known as the Productive Families Centre, approximately 140 meters from the factory compound. The airstrikes did not hit the detention facility.

Ali Ahmad al-Faqih, 55, who was injured in the attack, said that he had been on a motorbike trying to check on his family who live next to the factory during a brief lull between airstrikes – not realizing the attack had not finished: “I heard a whizz and knew it was a rocket coming,” he said. “I lay down and prayed out loud. I saw all my body covered in blood.” Al-Faqih was later taken to a private hospital, where he underwent surgery to remove shrapnel from his chest.

Another local resident told Human Rights Watch that a second civilian, Elham Hussein Hussein Taher, a 14-year-old girl who lived near the factory, was also injured in the attack.

Ghalib Muhammad al-Sawary, one of the factory owners, told Amnesty International that the factory had never been used for any military purpose. Other witnesses told Human Rights Watch that no fighters or military vehicles were in or near the factory at the time of the attack.

On-Site Investigation

During its on-site investigation Amnesty International did not observe any evidence that would indicate that the factory had been used for a military purpose. The organization observed that the area directly surrounding the factory compound appeared to be residential and that it was next to the September 26 Hospital.

The strikes on the factory caused minor damage to the hospital. Amnesty International visited the hospital on November 6 and observed the damage and spoke with staff who had been there during the strike.

The owners of the ceramics factory, which opened in 1994, said that it was the only such facility in the country, and employed about 330 workers, primarily from the village of Matna. However, its owners said they were forced to stop operations in April this year due to security fears for its staff and difficulties obtaining fuel to operate machinery.

IHL prohibits deliberate attacks on civilians not taking a direct part in hostilities and on civilian objects, and attacks that do not distinguish between civilians or civilian objects and combatants or military objectives, or that cause disproportionate harm to civilians or civilian objects in relation to the direct military advantage that may be anticipated. Such attacks are serious violations of IHL and if committed with criminal intent can constitute war crimes.

All countries have legal responsibilities under international law to control the transfer of weapons and to restrict or prohibit their transfer in certain circumstances. The UK is a party to the [Arms Trade Treaty \(ATT\)](#), which came into force in late 2014, and played a leading role in its establishment. Under article 6 of the treaty, a country is prohibited from authorizing an arms transfer if it has knowledge at the time of authorization that the arms would be used in the commission of “attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.” Further, article 7 of the ATT requires that states assess the potential that the arms being exported could be used to commit a serious violation of international human rights or humanitarian law; if there is an overriding risk of this, their export shall not be authorized.

As it is now evident that there is such a risk, the UK and all other countries that supply arms to the members of the Saudi Arabia-led coalition should suspend all transfers of weapons that pose a substantial risk of being used in unlawful airstrikes in Yemen, particularly air-to-ground munitions, Amnesty International and Human Rights Watch said.

An independent international inquiry should be established to investigate alleged violations by all parties to the conflict in Yemen, establish the facts, and identify those responsible for violations with a view to ensuring that they are held accountable.

October 27, 2015: Coalition Airstrikes Hit Hospital

Credible, Impartial Inquiry Needed into Attack

(Sanaa) – The airstrikes by a [Saudi](#)-led coalition on a hospital in northern [Yemen](#) supported by Doctors Without Borders (Médecins Sans Frontières, MSF) on October 26, 2015, was in apparent violation of the laws of war. The attack with a half-dozen bombs destroyed Haydan Hospital, the only medical facility in the town of Haydan in the northern governorate of Saada, about 30 kilometers from the Saudi border. Two patients were injured during the evacuation of the hospital.

The MSF Yemen country director, Hassan Boucenine, told Human Rights Watch that the first strike hit the left wing of the building at about 10:30 p.m. After the first explosion, all of the patients and staff members in the hospital – there were at least 12 at the time – fled the building. Aircraft then dropped about five more bombs on the hospital, including two that did not explode and are still in the building.

“The bombing of a hospital is shocking amid increasing reports in Yemen of civilian deaths from coalition airstrikes,” said [Joe Stork](#), deputy Middle East director. “Bombing a hospital sends a message that all medical facilities, health workers, and patients are at grave risk.”

Boucenine said that, as is standard practice to avoid becoming a target, MSF had first supplied the health center’s coordinates to the coalition about six months ago and reconfirmed them at least once a month since then. The hospital had the MSF logo and name painted on its roof.

Haydan Hospital receives support, including funding to cover staff salaries and medical supplies, from MSF, Boucenine said. It is the only medical facility within an 80-kilometer radius, and usually receives about 150 emergency cases a week. Since May 2015 the facility has treated about 3,400 wounded. The facility is now closed.

A Yemeni Health Ministry official told MSF that the attack completely destroyed the emergency room, outpatient and inpatient departments, lab, and maternity ward, and severely damaged the windows and walls of the building. The only departments that were undamaged were the x-ray department and the medical staff room.

Brig. Gen. Ahmed Assiri, the coalition military spokesman, [told Reuters](#) that “coalition jets had been in action over Saada governorate” but had not hit the hospital.

Since the beginning of the Saudi-led coalition air campaign on March 26, Human Rights Watch has documented more than two dozen airstrikes that appeared to be in violation of the laws of war. Human Rights Watch has not been able to ascertain that [Saudi Arabia](#) or other coalition members are investigating a single airstrike. In some instances the coalition has denied that the attacks Human Rights Watch documented were unlawful, but has not provided information to support those claims. The coalition should open an impartial, thorough, and transparent investigation into the bombing of Haydan Hospital to establish the circumstances of the attack, and make its results public. Anyone responsible for committing a war crime should be fairly prosecuted.

International humanitarian law, or the laws of war, applies to all sides in the fighting in Yemen. Deliberate or indiscriminate attacks against civilians and civilian structures are prohibited. The laws of war require that the parties to a conflict take constant care during military operations to spare the civilian population and to “take all feasible precautions” to avoid or minimize the incidental loss of civilian life and damage to civilian objects.

Hospitals and other medical facilities are civilian objects that have special protections under the laws of war. They only lose their protection from attack if they are being used, outside their humanitarian function, to commit “acts harmful to the enemy.” Even if military forces use a hospital to store weapons or deploy able-bodied combatants, the attacking force must issue a warning to cease this misuse, setting a reasonable time limit for it to end, and attacking only after such a warning has gone unheeded.

The United Nations Security Council should remind all parties to the conflict in Yemen, including coalition members, that anyone responsible for “planning, directing, or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses” is potentially subject to travel bans and asset freezes under resolution 2140. The resolution, passed in February 2014, established a sanctions committee with a mandate to sanction individuals found to be engaging in or providing support for acts that threaten the peace, security, or stability of Yemen.

The coalition has carried out many strikes near Haydan Hospital since the beginning of the war, Boucenne said. He added that the hospital is in a village of mostly clay huts in which there was no fixed military target in the vicinity. There have been no allegations that Houthi forces are in the area or that the hospital was being used for military purposes.

The Saudi-led coalition, which includes the [United Arab Emirates](#), [Bahrain](#), [Egypt](#), [Jordan](#), [Kuwait](#), [Morocco](#), [Qatar](#), and [Sudan](#), has conducted an aerial campaign since March 26, 2015, throughout Yemen against Houthi forces, also known as Ansar Allah, who have controlled much of Yemen since late 2014.

The [United States](#) has said that it is providing the coalition with logistics and intelligence support. The [United Kingdom](#) has [said](#) that it is “providing technical support, precision-guided weapons and exchanging information with the Saudi Arabian armed forces through pre-existing arrangements.” Providing direct support to military operations, such as information on targets and refueling aircraft, could make the US and the UK parties to the armed conflict, and bound to apply the laws of war, including the obligation to investigate alleged violations.

The Houthis and other forces have also been responsible for indiscriminate attacks and other laws-of-war violations, Human Rights Watch said. Houthi and [allied forces](#) and opposition militias have engaged in military operations around [Aden](#), [Taizz](#), and other areas that have repeatedly put civilians and civilian structures such as [hospitals](#) at unnecessary risk.

“Again and again, we see coalition airstrikes that smack of violations of the laws of war, but we see no investigation into possible violations,” Stork said.

August 26, 2015: Cluster Munition Rockets Kill, Injure Dozens

Saudi-led Coalition Likely Launched 7 Attacks Harming Civilians

(Beirut) – [Saudi Arabia](#)-led coalition forces appear to have used cluster munition rockets in at least seven attacks in Yemen’s northwestern Hajja governorate, killing and wounding dozens of civilians, Human Rights Watch said today. The attacks were carried out between late April and mid-July 2015.

Cluster munitions caused civilian casualties both during the attacks, which may have been targeting Houthi fighters, and afterward, when civilians picked up unexploded submunitions that detonated. Coalition forces should immediately stop using cluster munitions due to the inevitable harm they cause to civilians, Human Rights Watch said. The United Nations Human Rights Council should [create](#) a commission of inquiry to investigate alleged serious laws-of-war violations by all parties to the armed conflict in [Yemen](#) since September 2014.

“The loss of civilian life in Hajja shows why most countries have made a commitment never to use cluster munitions,” said [Ole Solvang](#), senior emergencies researcher. “These weapons not only kill or injure people at the time of attack, but the unexploded submunitions go on killing long afterward.”

Since March 26, a coalition of nine Arab countries has carried out a military campaign against the Houthis, also known as Ansar Allah. The Houthis, a Shia armed group from northern Yemen, took control of large parts of the country and ousted President Abu Mansur Hadi earlier in 2015.

In July, Human Rights Watch visited four of the seven attack sites, all in the Haradh and Hayran districts of Hajja governorate. At each of them, Human Rights Watch found unexploded submunitions or remnants of cluster munition rockets. Human Rights Watch also spoke to local residents who witnessed the attacks, and reviewed photographs of cluster munition remnants, including unexploded submunitions, that they provided. The photographs showed unexploded submunitions from two sites that Human Rights Watch did not visit.

Several of the attacks took place in or near areas with concentrations of civilians, indicating that the rocket attacks themselves may have been unlawfully indiscriminate in violation of the laws of war. Local residents named 13 people, including 3 children, who were killed as well as 22 people who were wounded in the seven attacks. They also identified three people who were injured when unexploded submunitions detonated after being handled. In several attacks, residents said, the number of killed and wounded was higher, but that they did not know the names of the other victims. Human Rights Watch does not know whether any Houthi fighters were killed or injured in the attacks.

Human Rights Watch found unexploded submunitions scattered about in fields normally used for agriculture and grazing. Because of the unexploded submunitions, these areas have become too hazardous to use, threatening the livelihoods of local farmers and adding to food insecurity.

Based on examination of remnants, Human Rights Watch identified the weapons used in all seven attacks as United States-made, ground-launched M26 cluster munition rockets. The M26 is delivered by the M270 Multiple Launch Rocket System (MLRS), which carries 12 rockets, or the M142 High Mobility Artillery Rocket System (HIMARS), which carries 6 rockets, to a range of 10 to 32 kilometers.

Each M26 rocket contains 644 M77 Dual Purpose Improved Conventional Munitions (DPICM) submunitions that are dispersed over a 200-by-100 meter area. A volley of six rockets releases 3,864 submunitions over an area with a one-kilometer radius.

The M77 submunitions have a significant failure rate, up to 23 percent in US military testing, which means that unexploded bomblets remain in the area, posing a serious hazard until they are located and safely cleared. Several residents described or showed Human Rights Watch remnants of the weapons, including their distinctive white nylon stabilization ribbons, which often remain after the submunition has exploded.

Although the evidence is not definitive, several factors indicate that the Saudi-led coalition carried out the seven attacks, Human Rights Watch said. Coalition members Bahrain, Egypt, and the United Arab Emirates all possess M26 rockets and their launchers, though there is no authoritative publicly available information that Saudi Arabia or Yemen do. Media reports suggest that Egyptian and Emirati forces might be deployed in Saudi Arabia, but Human Rights Watch was not able to confirm this.

The attack sites are between 4 and 19 kilometers from the Saudi-Yemeni border, within range of attack by forces located in Saudi Arabia. One Yemeni in a village 20 kilometers from the border said he saw rockets coming from the direction of the border.

The rockets struck in Houthi-controlled territory, at least three in areas that Houthi forces had used as bases or to launch attacks against Saudi territory and that would be likely targets for coalition forces. A Saudi reporter shared on social media a [photograph](#) of a

failed M26 rocket containing M77 DPICM submunitions that he said he took in Saudi Arabia's adjacent Jizan province, claiming that Houthi forces launched it. The photograph shows, however, that part of the rocket's propulsion section is missing, indicating that the rocket misfired after being launched. It is therefore not possible to conclude the target of this rocket based on the location alone.

Saudi authorities have not responded to an August 18 written request from Human Rights Watch to clarify responsibility for the attacks.

Local Yemeni residents told Human Rights Watch that they had heard of similar cluster munition rocket attacks in other locations in northern Yemen, but Human Rights Watch has not been able to investigate these reports due to ongoing fighting. A photograph [shared](#) on social media on July 2 that accompanying text said was taken in the district of Razeh in Saada governorate showed a child holding two unexploded M77 DPICM submunitions. The photograph suggests that M26 cluster munition rockets might have been used there as well.

Human Rights Watch has previously identified three other types of cluster munitions used in attacks apparently by coalition forces in Yemen in 2015: US-made [CBU-105](#) Sensor Fuzed Weapons, rockets or projectiles containing "ZP-39" DPICM submunitions, and [CBU-87](#) cluster bombs containing BLU-97 submunitions. A US Defense Department official, speaking on the condition of anonymity, [reportedly told](#) *US News and World Report* that "the US is aware that Saudi Arabia has used cluster munitions in Yemen."

Neither Yemen, Saudi Arabia, nor any of the other coalition states are party to the 2008 international treaty banning cluster munitions. A total of 94 countries are parties to the [Convention on Cluster Munitions](#) and another 23 have signed but have not yet ratified the convention. Human Rights Watch is a co-founder of the [Cluster Munition Coalition](#) and serves as its chair.

"Cluster munitions are adding to the terrible civilian toll in Yemen's conflict," Solvang said. "Coalition forces should immediately stop using these weapons and join the treaty banning them."

Al-Qufl Village, Haradh District

On the morning of July 14 or 15, members of the Hayash family were taking their cows and sheep to graze in fields surrounding the village of al-Qufl when they witnessed a cluster munition attack. Al-Qufl is about 13 kilometers northeast of Haradh, a town in the governorate of the same name, and just 4 kilometers from Yemen's border with Saudi Arabia. Aziz Hadi Matir Hayash, 15, told Human Rights Watch: "We were still close to the house when the rocket exploded in the air and ... [sub]munitions fell out of it. Two landed near our house while others spread all over the village. One exploded and the other is still there."

The submunition that exploded near the Hayash family's house fatally wounded Hayash's brother, Khaled Matir Hadi Hayash, 18, in the neck, and wounded Aziz Hayash and three of his cousins. Human Rights Watch met Hayash and his three cousins in a hospital in Hajja City on July 24, where they were being treated for their injuries. The attack also killed 30 sheep as well as their cows, Hayash said.

Aziz Hayash's cousin Saria Muhammad Hayash, 24, said that the unexploded submunition was the size of a small medicine bottle with a white ribbon attached to it, a description consistent with the M77 DPICM submunition. He said he had seen perhaps 10 such unexploded submunitions in the area.

A resident from a neighboring village said that five people had died in an attack on al-Qufl village. He may have been referring to the same cluster munition attack because he mentioned that members of the Matir family, a name also used by the Hayash family, were among the victims, but he could not recall the date.

Malus Village, Haradh District

Just before midnight on June 7, cluster munitions were used in an attack on the village of Malus in the al-Fag directorate of Haradh District, local residents told Human Rights Watch. Malus is 30 kilometers east of the town of Haradh and 5 kilometers south of Yemen's border with Saudi Arabia.

Human Rights Watch interviewed 11 people from Malus, including five who were injured in the attack, in a camp for displaced people in Hayran District. The Malus residents provided

the names of seven local people, including three children, who were killed in the attack, and another 17 who were wounded.

Muhammad al-Marzuqi, 30, who sells *qat* (a leaf widely consumed in Yemen as a stimulant) in Malus, said that he looked out the window after hearing explosions in the village:

I saw a bomb exploding in the air and pouring out many smaller bombs. Then an explosion threw me on the floor. I lost consciousness and somebody transferred me to the hospital with burns and wounds on the heels of the feet and fragmentation wounds on the left side of my body.

The attack also wounded two of his children. Ismail, 13, showed Human Rights Watch a scar on his inner, upper left thigh that had resulted from surgery to remove fragments. Saria, 9, showed a scar on her right knee, which was still stiff from the injury.

Muhammad Rabi said his 13-year-old son was fatally wounded in the attack: “I took him to the hospital, but he died as soon as we arrived. I stayed with him till the morning, then buried him in Hayran. I didn’t even take him back home. Residents of the village all fled. You can’t find anyone there now.”

Human Rights Watch also interviewed Fatima Ibrahim al-Marzuqi, whose legs were injured in the attack. Despite several operations, she still could not walk. Her brother Yahya Ibrahim al-Marzuqi, 22, who was also wounded in the attack, has been carrying her.

Muhammad Swaid al-Marzuqi, about 70, said:

I was sleeping a few meters from my son’s grocery shop when I heard the explosions. I got up and saw the shop was burning, and then I saw burning fires and smoke in many locations in the village and understood that the whole village had been attacked.

The villagers said that at least two submunitions failed to explode; one was found on a road and another hanging from a tree branch. One villager provided photographs that he

said he had taken in and near the village. The photographs show an unexploded M77 DPICM submunition hanging from a tree and the remnants of several M26 rockets. At an ad hoc camp for displaced people in Beni Hassan, a Malus resident showed Human Rights Watch a piece of a white ribbon from an M77 DPICM submunition that he had found in the village after the attack.

Dughayj Village, Hayran District

Cluster munition rockets were used in an attack on the village of Dughayj in the Hayran district, 20 kilometers from Yemen's border with Saudi Arabia, in late June or early July, local residents told Human Rights Watch.

Adel Hassan, 15, a Dughayj resident, told Human Rights Watch researchers who visited the village on July 27 that the attack took place at about 1 p.m. "less than a month" earlier. He said the attack killed about 10 people, all civilians, and wounded 30 others. He named five of the dead, including three women, but said he could not identify other victims, most of whom had come to Dughayj after being displaced from other areas by the conflict.

Hassan said that he saw 10 unexploded submunitions after the attack and that his cousin had destroyed others. Local residents said that Houthi forces had removed unexploded submunitions from the village. Nevertheless, during a visit to the village on July 27, Human Rights Watch found an unexploded M77 DPICM submunition.

Other local residents confirmed the attack and a resident of the neighboring Haradh District said that a villager from Dughayj had brought him an unexploded submunition after the attack.

Al-Hazan Village, Haradh District

Cluster munition rockets hit agricultural land near the village of al-Hazan in the Hayran district, 20 kilometers from the Saudi-Yemeni border, in late May or early June.

One villager said that on the night of the attack he saw flashes from rockets that appeared to have come from the direction of Yemen's border with Saudi Arabia. Shortly thereafter, he saw multiple flashes in the air above the village, followed by dozens of explosions, "like the sound when you dump a load of rocks from a truck."

The submunitions fell in farming land belonging to three villages, which have a combined population of about 3,000.

The attack injured one man, who had been displaced from another village by the war, in his chest and back, the villagers said. Unexploded submunitions in the fields subsequently detonated after being disturbed and injured three farmers in separate incidents: a 17-year-old was injured in his abdomen, a 70-year-old man in his legs and hand, and a 31-year-old man in his leg.

A farmer showed Human Rights Watch the fields where the submunitions landed, where dozens of small craters remained visible in the soft soil. Human Rights Watch found three unexploded M77 DPICM submunitions, as well as pieces of the white stabilization ribbons from submunitions that had exploded. One submunition was almost completely buried in the sand with only part of the ribbon visible. Another was on a path between two fields with a rope tied to the white ribbon, apparently by someone trying to detonate it by yanking on the ribbon.

The presence of unexploded submunitions in the fields is having a negative effect on farmers' livelihoods, locals said. "We can't work the fields anymore because of the submunitions," said Ali Muhammad Gahshor, 52.

Some villagers said that Houthi forces were using a nearby house at the time of the attack and might have been its target.

Bani Kaladah Village, Haradh District

Cluster munition rockets were used in attacks near the village of Bani Kaladah in Haradh District, 5 kilometers west of Haradh and 7 kilometers from the Saudi-Yemeni border, in late April or early May.

One villager said that his brother found 12 unexploded submunitions near their family home when he returned to the village on May 13. The submunitions had landed in the fields, affecting at least 10 farms, the villager said.

The villager sent Human Rights Watch photographs that he said a friend had taken in fields near his house. The photographs showed remnants of at least one M26 rocket and one unexploded M77 DPICM submunition.

On July 27, Human Rights Watch went to see the villager's house where the 12 submunitions were said to have been found but the house had been reduced to rubble, apparently from one or more bombs, making it unsafe to search for unexploded submunitions. Human Rights Watch found the remnants of an M26 rocket about a kilometer north of the house. One local resident said that Houthi forces had cleared the area of unexploded submunitions after the attack.

A resident said that Houthi forces were using local roads, abandoned houses, and farmland to launch attacks against Saudi forces, and had told residents to vacate the area on April 5. The local council had also signed an agreement with the Houthis declaring the area a military zone, he said, although some civilians remained in the village.

Haradh Town, Haradh District

Cluster munition rockets were used in an attack on the outskirts of Haradh, a town 11 kilometers from the Saudi-Yemeni border, on July 25, Houthi fighters and a local medical worker told Human Rights Watch. Human Rights Watch found cluster munition remnants at the site two days after the attack.

A medical worker at Haradh's hospital said that cluster munitions were used in an attack on the western part of town on July 25 and showed Human Rights Watch photographs of two unexploded M77 DPICM submunitions that she said were found in the impact area. The medical worker said the submunitions fell over a large area around the road leading to the port town of Midi.

Inspecting the site on July 27, Human Rights Watch found that some submunitions appeared to have hit close to a Houthi-run military checkpoint. A Houthi fighter patrolling the road in the area at the time of the attack told Human Rights Watch that the cluster munition attack occurred at about 5 p.m. on July 25:

I heard a massive explosion in the air and I saw a red flash followed by a series of explosions on the ground. Many submunitions fell on houses, but they were empty because most Haradh residents had already left.

The Houthi fighter showed Human Rights Watch a bucket containing five unexploded M77 DPICM submunitions that he said had been collected from around the checkpoint.

Al-Fajj Village, Haradh District

A local resident said that cluster munition rockets hit his father's farm in al-Fajj village about a month before Human Rights Watch spoke to him in an area for displaced people in Hayran district on July 25. Al-Fajj is 5 kilometers northeast of Haradh and 10 kilometers south of Yemen's border with Saudi Arabia.

The cluster munition rocket attack killed at least one woman and wounded her husband, he said.

The resident said that he saw unexploded submunitions at his father's farm as well as at other farms and in the mountains nearby. He said that the submunitions had white ribbons attached to them and that their bottom was hollow with a reddish color, a description consistent with M77 DPICM submunitions. He said that he destroyed one submunition by throwing it against a wall, causing it to explode.

An acquaintance shared two photographs that he said were taken in al-Fajj that Human Rights Watch identified as unexploded M77 DPICM submunitions.

July 27, 2015: Coalition Strikes on Residence Apparent War Crime Need UN Inquiry Into Unlawful Attacks by Warring Parties

(Sanaa) – Saudi-led coalition airstrikes that killed at least 65 civilians, including 10 children, and wounded dozens in the Yemeni port city of Mokha on July 24, 2015, are an apparent war crime. Starting between 9:30 and 10 p.m., coalition airplanes repeatedly struck two residential compounds of the Mokha Steam Power Plant, which housed plant workers and their family members.

The failure of [Saudi Arabia](#) and other coalition members to investigate apparently unlawful airstrikes in [Yemen](#) demonstrates the need for the United Nations Human Rights Council to create a commission of inquiry to investigate allegations of laws-of-war violations by the coalition, the Houthis, and other parties to the conflict, Human Rights Watch said.

“The Saudi-led coalition repeatedly bombed company housing with fatal results for several dozen civilians,” said [Ole Solvang](#), senior emergencies researcher. “With no evident military target, this attack appears to be a war crime.”

Human Rights Watch visited the area of the attack a day-and-a-half later. Craters and building damage showed that six bombs had struck the plant’s main residential compound, which housed at least 200 families, according to the plant’s managers. One bomb had struck a separate compound for short-term workers about a kilometer north of the main compound, destroying the water tank for the compounds, and two bombs had struck the beach and an intersection nearby.

Bombs hit two apartment buildings directly, collapsing part of their roofs. Other bombs exploded between the buildings, including in the main courtyard, stripping the exterior walls off dozens of apartments, leaving only the load-bearing pillars standing.

Workers and residents at the compounds told Human Rights Watch that one or more aircraft dropped nine bombs in separate sorties in intervals of a few minutes. All of the bombs appeared intended for the compounds and not another objective.

Human Rights Watch saw no signs that either of the two residential compounds for the power plants were being used for military purposes. Over a dozen workers and residents said that there had been no Houthi or other military forces at the compounds. The power plant and the compound were built in 1986.

Early in the morning of July 25, a news ticker on Al-Arabiya TV, a Saudi-owned media outlet, reported that coalition forces had attacked a military air defense base in Mokha. Human Rights Watch identified a military facility about 800 meters southeast of the Mokha Steam Power Plant’s main compound, which plant workers said had been a military air defense base. The plant workers said that it had been empty for months, and Human Rights Watch saw no activity or personnel at the base from the outside, except for two guards.

Bagil Jafar Qasim, vice director general of the plant, provided Human Rights Watch with a list of 65 people killed in the attack, including 10 children. The list included two people still missing, whom Qasim believed were buried under the rubble and probably dead. Human Rights Watch visited three hospitals in Hodeida that had received 42 wounded from the attack. Several, including an 11-year-old girl, were in critical condition.

Wajida Ahmed Najid, 37, a resident in one of the compounds whose husband is a plant employee, said that when the first strike hit, she grabbed her children close and they huddled together hoping the danger would pass:

After the third strike the entire building began to collapse on top of us. Then I knew we needed to leave because it was not safe to stay. I grabbed my girls and we started running in the direction of the beach, but as we were running pieces of metal were flying everywhere and one hit Malak, my 9-year-old daughter. Thank God she is going to be okay. While we were running I saw bodies, seven of them, just lying on the ground, in pieces.

A doctor at the hospital told Human Rights Watch that they had removed a metal fragment from Malak's abdomen.

Khalil Abdullah Aidrus, 35, a nurse at the plant's clinic, said that he rushed to al-Salam clinic in Mokha city when he heard news of the attack. There, he and other medics administered basic first aid, then sent the wounded on to hospitals in Hodeida. He said that within an hour of the airstrikes they had received at least 30 wounded and 8 bodies. At 1 a.m., he went to the main compound:

As I walked through the gates I saw my friend, an engineer at the plant, Abdu Samid al-Subaie. He was lying on the ground, just outside his apartment. He had a deep gash to his waist and he was bleeding to death as his two children lay at his side screaming and crying. But it was hopeless. At the same time the airplanes were still buzzing above us. We could hear them for hours afterwards.

Loai Nabeel, 20, who works at a shop in the compound, said he rushed to his family's apartment when the attack started. A second bomb hit the apartment before he got there, collapsing the roof. He found his mother and younger brother by the entrance and brought them to the beach before he went back to search for his sisters Hadeel, 12, and Taghreed, 17:

It was dark. It took me 10 minutes to find Hadeel under the rubble. The bomb hit the roof of the room where she was sleeping and her head was seriously wounded. I found Taghreed in another room with minor injuries to her head. Hadeel is still in a coma.

The ongoing hostilities in Yemen and Saudi Arabia are governed by international humanitarian law, or the laws of war. The laws of war prohibit deliberate attacks on civilians and indiscriminate attacks, which are attacks that strike military objectives and civilians or civilian objects without distinction. Attacks that are not directed at a specific military objective are considered indiscriminate.

Individuals who commit serious violations of the laws of war with criminal intent – that is, deliberately or recklessly – may be prosecuted for war crimes. They also may be held criminally liable for attempting to commit a war crime, as well as assisting in, facilitating, aiding, or abetting a war crime. Governments that are parties to an armed conflict are obligated to investigate alleged war crimes by members of their armed forces.

The Saudi-led coalition, which includes the United Arab Emirates, Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, and Sudan, has conducted an aerial campaign since March 26 throughout Yemen against Houthi forces, also known as Ansar Allah. The Houthis effectively ousted the government of President Abdu Rabu Mansour Hadi in January.

The United States is not a member of the coalition but has [stated](#) that it is providing the coalition with logistics and intelligence support. The United Kingdom has also [said](#) that it is “providing technical support, precision-guided weapons and exchanging information with the Saudi Arabian armed forces through pre-existing arrangements.” Providing direct support to military operations, such as information on targets, would make the US and the UK parties to the armed conflict, and bound to apply the laws of war.

Coalition airstrikes have struck Houthi targets in the capital, Sanaa, and other cities, including Saada, Hodeida, Taizz, Ibb, Lahj, al-Dale'a, Shabwa, Marib, Hajja, and Aden. Many of these attacks have killed and injured civilians. As of July 21, the fighting in Yemen had resulted in at least 1,693 civilian deaths, the majority from airstrikes, according to the [UN Office of the High Commissioner for Human Rights](#).

Human Rights Watch has investigated a number of airstrikes that appeared to be unlawful. For instance, warplanes dropped multiple aerial bombs on a [dairy factory](#) in the port of Hodeida on March 31, killing at least 31 civilians. The factory was near two military bases that were later hit.

The Houthis and other forces have also been responsible for laws-of-war violations, Human Rights Watch said. Pro-Houthi forces and opposition militias have engaged in military operations around Aden, Taizz, and other areas that have repeatedly put civilians and civilian structures such as [hospitals](#) at unnecessary risk.

The high commissioner for human rights has [expressed](#) grave concern at the high number of civilian casualties in Yemen and called for urgent and thorough investigations. The UN Human Rights Council should pass a resolution establishing an international commission of inquiry to investigate all alleged violations of international humanitarian law since the current armed conflict in Yemen began.

“Again and again, we see coalition airstrikes killing large numbers of civilians, but no signs of any investigation into possible violations,” Solvang said. “If coalition members won’t investigate, the UN should.”

May 10, 2015: Coalition Blocking Desperately Needed Fuel

Tankers Wait Offshore as Civilians Go Without Water, Electricity

(Beirut) – The [Saudi Arabia](#)-led coalition’s blockade of [Yemen](#) is keeping out fuel needed for the Yemeni population’s survival in violation of the laws of war. [Yemen](#) is in urgent need of fuel to power generators for hospitals overwhelmed with wounded from the fighting and to pump water to civilian residences.

The 10-country coalition, which has United States logistics and intelligence support, should urgently implement measures for the rapid processing of oil tankers to allow the safe, secure, and speedy distribution of fuel supplies to the civilian population. The Houthis and other armed groups controlling port areas should permit the safe transfer of fuel to hospitals and other civilian entities. Fuel should be allowed to go through whether or not a proposed ceasefire takes effect.

“The rising civilian casualties from the fighting could become dwarfed by the harm caused to civilians by the coalition blockade on fuel, if it continues,” said [Joe Stork](#), deputy Middle East and North Africa director. “It is unclear how much longer Yemen’s remaining hospitals have before the lights go out.”

The coalition began an aerial-bombing campaign against Houthi forces on March 26, 2015, and instituted a naval and aerial blockade. Under the laws of war, fuel and other goods with military uses can be prevented from entering the country unless it would threaten the population’s survival or otherwise cause disproportionate harm to the civilian population compared with the expected military gain.

But the overall situation in Yemen is dire, Human Rights Watch said. The United Nations Office for the Coordination of Humanitarian Affairs’ (OCHA) humanitarian coordinator for Yemen, Johannes van der Klaauw, [stated](#) on April 23 that Yemen’s “airports and seaports constitute a lifeline given that Yemen relies on imports for 90 percent of its food and most of its fuel. However, these lifelines have been hampered as most of Yemen’s airports are not open to civilian traffic, and transports by sea are subject to the coalition’s inspection regime related to the arms embargo mandated by the UN Security Council.”

[Van der Klaauw](#) told the media on May 2: “[Those] services still available in the country in terms of health, water, food are quickly disappearing because fuel is no longer being brought into the country. If something is not done in the next few days, Yemen is going to come to a complete standstill.” Aid organizations on the ground have been warning of an imminent humanitarian crisis. On May 8, the United Nation’s Children’s Fund [stated](#) that “More children in Yemen are at risk of dying from hunger and lack of health services than from bombs and bullets.”

According to shipping logs, since April 16, coalition forces granted permission to 19 ships carrying rice, grain, palm oil, steel, and timber permission to berth at Hodeida and Saleef ports, and they were able to unload their cargo. The data shows that permission was denied to three container vessels on April 20. In contrast, no fuel tankers have been able to berth at Yemeni ports since March 28, though at least seven have tried, according to shipping records.

Four shipping industry professionals told Human Rights Watch that according to shipping records, since March 28 no fuel supplies have entered the country, though as of May 8, one ship has been given permission to berth. Illustrating its impact, one relief worker [reported](#) that conflict areas in Aden had been without electricity for 10 days.

Protection Vessels International stated that as of May 1 [seven](#) ships with over 349,000 metric tons (mT) of fuel supplies were anchored outside Yemeni territorial waters awaiting permission to berth at one of the country's ports. Sources in the shipping industry told Human Rights Watch that one of these ships, the *RISA*, has been waiting to berth at western Yemen's Hodeida port since April 21. The *RISA* is carrying around 33,000 metric tons of gasoline, which would provide Yemen with enough fuel to cover two days of its peacetime consumption needs. According to shipping logs shared with Human Rights Watch, on April 23, at 4:06 p.m., six coalition marine officers boarded the vessel and for one hour inspected its cargo, then disembarked. But the coalition has not granted the vessel permission to berth, despite its repeated requests.

The vessel's call log shows that the crew has tried to contact coalition forces over 250 times since the inspection. The log shows 37 responses by coalition forces, telling the vessel's crew that there was no information on whether permission had been granted. On April 28, at 5:30 p.m., the vessel was ordered to advance toward a position 14 nautical miles from Hodeida's port. At 9:30 p.m. it was ordered to leave Yemeni territorial waters again. Coalition forces contend that the vessel had received permission to berth at the port of Aden, but not Hodeida. The log shows the vessel's agent stating that the cargo is intended for delivery to Hodeida.

A shipping security source told Human Rights Watch that vessels are not berthing at Aden's port because of high security risks to vessels and their crews, as well as

restrictions imposed by their insurance companies. According to the log, the *RISA* has been waiting offshore, outside Yemeni waters, since April 29.

Shipping sources told Human Rights Watch that for the ports of Hodeida and Saleef, which is also on Yemen's west coast, applications must be filed with the Yemeni Transport Ministry, currently based in Jeddah, Saudi Arabia, and are subject to [approval](#) by coalition forces. For Aden, applications need to be filed with an office of the "Popular Resistance Committee" in Aden, which reports to the coalition forces. They said that they have been told that vessels must additionally prove that their cargo "will not benefit the Houthis," but that they do not understand what is required for them to do this, and the coalition has not issued any clarifying instructions.

On May 7, coalition forces threatened to open fire on any vessel not complying with instructions to stay well clear of Yemen Territorial Waters, shipping sources told Human Rights Watch. On May 8, coalition forces granted permission to the MT *Folk Beauty* carrying 14,000 metric tons of motor gasoline, according to shipping data. However, the vessel was not able to berth because of payment issues. On May 10, the UN World Food Programme issued a [statement](#) that a boat it had chartered, the *MV Amsterdam*, carrying 300,000 liters of fuel, had been allowed to berth at Hodeida port.

Human Rights Watch does not know to what extent other fuel tankers are declining to head to Yemeni ports due to security and insurance considerations. Major marine [insurers](#) have advised merchant vessels to avoid Yemeni territorial waters if possible while some shipping [companies](#) have publicly declared that they will no longer accept bookings to transport cargo to or from Yemen.

"The coalition blockade is keeping all fuel out of Yemen, while civilians are desperately in need of water and electricity," Stork said. "The coalition, with the cooperation of opposing Houthi forces, should take urgent steps to end this threat to Yemen's civilian population, and ensure that fuel quickly reaches hospitals and other civilians in need."

Humanitarian Situation in Yemen

The coalition's naval and aerial blockade of Yemen was put in place soon after the bombing campaign began on March 26. A coalition spokesman [said](#) on March 30 that "all

the navy vessels needed for the blockade are in place,” and that they would “monitor all ships entering and leaving Yemeni ports.” The United Nations Security Council on April 14 [imposed](#) an arms embargo and travel restrictions against the Houthis. Beyond this, the goods embargoed and the procedures for enforcing the blockade have not publicly been made clear.

Even before the beginning of this armed conflict, according to [MercyCorps](#), 40 percent of the country was reported as food insecure. [UNICEF](#) reported that one million children under 5 years old were acutely malnourished. At least [61 percent](#) of the population, half of whom are children, was in need of some kind of humanitarian assistance. The [WFP](#) estimates that 12 million people are now food insecure, a 13 percent increase.

The fuel shortages have exacerbated the limited access to water, given Yemenis’ heavy reliance on water trucks and [pumps](#). OCHA reported that [13.4 million people](#) lacked access to safe drinking water even before the beginning of the crisis. UNICEF’s [representative](#) to Yemen, Julien Harneis, said: “The vast majority of water is pumped up using diesel generators...which will mean that people will end up using very bad quality water. You will get water-borne diseases, diarrhea and eventually cholera and people will die of that.” On May 3, the [WHO](#) noted a doubling in cases of bloody diarrhea in children under 5 as well as measles and malaria infections since March 26.

The fuel shortage has also impacted many of the country’s hospitals, which do not have [enough](#) fuel for their generators to run. Heavy fighting, including aerial bombing by coalition forces, has wounded several thousand people in urban areas, taxing the country’s already substandard healthcare system. The [World Health Organization](#) (WHO), the [International Committee of the Red Cross](#) (ICRC), and other [humanitarian agencies](#) have pointed to the imminent shutdown of hospitals and medical services for lack of fuel and basic supplies. A [statement](#) issued by the ICRC quoted Issa Alzub, head of al-Kuwait Hospital in Sanaa, the capital, saying, “We are facing tremendous logistical difficulties in trying to keep this hospital working. We are running out of diesel. Our ambulances can no longer transport patients. Only half of our staff can come to work as the hospital buses have stopped running.”

Staff at hospitals in Sanaa, Taizz, Aden, and Lahj told Human Rights Watch that their hospitals were in similarly dire situations. OCHA warned on April 30 that 1,200 patients

were at risk as the renal dialysis center in Hodeida was facing closure because of fuel shortages.

The [WHO](#) said on April 21 that ambulance services and the delivery of medical supplies had been critically disrupted. It said that because of electricity cuts, refrigerated vaccine-storage sites are in danger, which may leave millions of children below age 5 unvaccinated. The head of Yareem Public Hospital in Ibb, Hamoud al-Jehafi, [told](#) the UN Integrated Regional Information Networks, “I’ve been looking for diesel for [the refrigerators] everywhere.”

According to information obtained by the World Food Programme (WFP) on May 3, prices for fuel have increased by about 450 percent in some regions. Official prices increased to as much as 900 Yemeni riyals per liter from 150 before the beginning of the attacks on March 26. In contrast, during the political crisis of 2011, fuel prices spiked at an average of only 250 riyals.

The increase in fuel prices has also [contributed](#) to skyrocketing prices for basic food stuffs. The Famine Early Warning Systems Network (FEWS) [stated](#) on April 17, “The cost of fuel is expected to put upward pressure on staple food prices in most markets.” Yemen imports 95 percent of its [wheat](#) products and 90 percent of its [basic food needs](#), making its population extremely vulnerable to fluctuations in import prices. According to the WFP, retail prices for wheat have risen by up to 90 percent in the hardest hit locations since February. Most essential food and non-food commodities disappeared in areas such as Saada, Aden, al-Dale’a, Lahj, Taizz, and Shabwa due to disruptions of the supply chain, market dysfunctionalities, and transport restrictions on account of fuel shortages. The FEWS now expects most affected regions to reach “emergency” status if the conflict continues.

According to a UN inter-agency assessment coordinated by OCHA in Saada from April 21 to 23, 100 percent of participants faced serious difficulties in accessing food and water. Fifty five percent of the respondents stated that they could not get enough food because of fuel shortages. Also, the assessment found that water pumps in areas of al-Safra, Majz, and Sahar districts have become inoperable because of fuel shortages, forcing residents to use untreated water. As a result, diarrhea was the most common disease they and their families were suffering from, according to 91 percent of respondents.

All of Yemen's energy production is oil and gas based, according to the [US Energy Information Administration](#) (USEIA). On April 14, Yemen's only gas producing plant in the city of Balhaf in Shabwa governorate [shut down](#) its operations citing security concerns. On April 16, Aden's refinery [discontinued](#) its production because of the fighting. Only the refinery in Marib seems to be fully operating, but its maximum capacity of 1,200 metric tons per day (mT/d) does not suffice to supply the country's needs of 17,000 mT/d, and over the last 15 years Yemen has [increasingly](#) relied on petroleum imports. With its two operating refineries in Aden and Marib not producing at full capacity, Yemen imported 9,200 mT/d by 2013, according to the USEIA. Given the lack of a [pipeline](#) to its neighbors, Saudi Arabia and Oman, all fuel shipments reach Yemen via one of its six ports, making it particularly vulnerable to naval disruptions.

The Norwegian Refugee Council (NRC) confirmed that some of its critical, life-saving interventions have been affected by the lack of fuel. "It has become impossible for us to function in Sadaa and Hodeida. The intense bombing, combined with the lack of fuel has ground our operations in the north to a halt," said Hanibal Abiy Worku, NRC country director. "Even around Sanaa and in the south where we have our biggest operation we are affected by the lack of fuel."

Blockades and the Laws of War

International law on naval blockades is set out in the 1908 [London Declaration](#) concerning the Laws of Naval War and in the 1994 San Remo Manual on International Law Applicable to Armed Conflicts at Sea ("San Remo Manual"), which are widely recognized as reflecting customary laws of war at sea. Similar rules relating to aerial blockades are found in the 2009 HPCR Manual on International Law Applicable to Air and Missile Warfare.

Parties to an armed conflict may enforce and maintain a blockade using methods and means of warfare that do not violate the laws of war. Blockades need to be publicly declared and be effectively enforced.

A blockade is unlawful if it has the sole purpose of starving the civilian population or denies the population goods indispensable for its survival. A blockade also violates the laws of war if it has a disproportionate impact on the civilian population, when the harm to

civilians is, or may be expected to be, greater than the concrete and direct military advantage anticipated from the blockade.

A blockading party may capture merchant vessels “believed on reasonable grounds to be breaching a blockade.” A party may attack a merchant vessel that, after prior warning, “clearly resist[s] capture.” However, blockades cannot be used to stop needed humanitarian assistance. If inadequate food and other goods essential for the survival of the civilian population are not being adequately provided, the blockading party must provide for free passage of food and other essential supplies. To allow passage, the blockading party may set technical arrangements, including permission to “visit and search” vessels; and require distributing the supplies under the local supervision of a government or an impartial humanitarian organization. Medical supplies for both civilians and combatants shall also be permitted, subject to meeting technical arrangements, including visit and search.

Merchant vessels are subject to capture outside neutral waters if they are engaged in military activities or if it is determined as a result of visit and search or other means that they are carrying contraband, are operating directly under enemy control or direction, present improper or fraudulent documents, or are breaching or attempting to breach the blockade.

A blockading party can only confiscate goods on board a neutral merchant vessel (or aircraft) if they are “contraband.” Contraband is defined as goods that “are ultimately destined for territory under the control of the enemy and which may be susceptible for use in armed conflict.” A blockading party must have published contraband lists, which may vary according to the particular circumstances of the armed conflict. Contraband lists shall be reasonably specific. “Free goods” are those not subject to capture, and that include religious objects; articles intended exclusively for the treatment of the wounded and sick; and clothing, bedding, essential foodstuffs, and means of shelter for the civilian population in general, and women and children in particular, unless there is a serious reason to believe that such goods will be diverted to a military purpose; and other goods not susceptible for use in armed conflict.

Recommendations

- All parties to the conflict should abide by their obligations under the laws of war, including by minimizing harm to civilians and facilitating humanitarian access;
- The coalition should urgently implement measures that would allow the rapid entry of fuel tankers to deliver fuel for speedy, safe, and secure distribution to the civilian population, particularly hospitals and water pumps. This would include publication of a transparent set of guidelines governing the process for receiving permission to berth at Yemeni ports;
- The Houthis and other armed groups controlling port areas should permit the unimpeded transfer of fuel to the civilian population, particularly hospitals and water pumps;
- The coalition and other parties to the conflict should facilitate the delivery of fuel to UN agencies and humanitarian organizations;
- The UN should monitor and report daily on the delivery of humanitarian and commercial supplies; and
- The United States and other coalition supporters should press the coalition to facilitate delivery by vessels and aircraft of fuel and other goods necessary for the survival and well-being of the civilian population, as well as humanitarian aid by impartial humanitarian organizations.

May 3, 2015: Saudi-Led Airstrikes Used Cluster Munitions

US-Supplied Weapon Banned by 2008 Treaty

(Beirut) – Credible evidence indicates that the Saudi-led coalition used banned cluster munitions supplied by the United States in airstrikes against Houthi forces in Yemen, Human Rights Watch said today. Cluster munitions pose long-term dangers to civilians and are prohibited by a 2008 treaty adopted by 116 countries, though not [Saudi Arabia](#), [Yemen](#), or the [United States](#).

Photographs, video, and other evidence have emerged since mid-April 2015 indicating that cluster munitions have been used during recent weeks in coalition airstrikes in Yemen's northern Saada governorate, the traditional Houthi stronghold bordering Saudi Arabia. Human Rights Watch has established through analysis of [satellite imagery](#) that the weapons appeared to land on a cultivated plateau, within 600 meters of several dozen buildings in four to six village clusters.

“Saudi-led cluster munition airstrikes have been hitting areas near villages, putting local people in danger,” said [Steve Goose](#), arms director at Human Rights Watch. “These weapons should never be used under any circumstances. Saudi Arabia and other coalition members – and the supplier, the US – are flouting the global standard that rejects cluster munitions because of their long-term threat to civilians.”

Cluster munitions contain dozens or hundreds of submunitions. The submunitions are designed to explode after spreading out over a wide area, often the size of a football field, putting anyone in the area at the time of the attack at risk of death or injury. In addition, many submunitions often do not explode, becoming de facto landmines.

A [video](#) with no audio uploaded to YouTube on April 17 by the pro-Houthi September 21 YouTube channel shows numerous objects with parachutes slowly descending from the sky. The video zooms out to show a mid-air detonation and several black smoke clouds from other detonations. Human Rights Watch established the location, using satellite imagery analysis, as al-Shaaf in Saqeen, in the western part of Saada governorate.

An activist based in the Yemeni capital, Sanaa, provided Human Rights Watch with [photographs](#) he received from a resident of Saada governorate, who said he took them on April 17 at the site of an airstrike in the al-Amar area of al-Safraa, 30 kilometers south of the city of Saada. Subsequent research, including on-the-ground investigations in al-Amar and analysis of videos of the remnants, indicate that these photos show remnants of cluster munitions that were used in an attack on April 27, not April 17. For more information, see [Yemen: Cluster Munitions Harm Civilians](#).

From the photographs, Human Rights Watch identified the remnants of two CBU-105 Sensor Fuzed Weapons manufactured by the Textron Systems Corporation and supplied to Saudi Arabia and the United Arab Emirates by the US in recent years. One photograph shows an empty BLU-108 delivery canister, while the other shows a BLU-108 canister with four submunitions still attached to it. The location of the remnants in the photographs is 36 kilometers from where the video was filmed, indicating the possibility of multiple attacks.

Two local residents of al-Safraa told Human Rights Watch that about 5,000 people normally live in the village. They said they witnessed airstrikes in the area on April 27 in

which bombs were delivered by parachute. Human Rights Watch was unable to determine whether they saw another attack using CBU-105 Sensor Fuzed Weapons or one using other types of bombs.

Human Rights Watch has not been able to obtain information on possible casualties from the attacks.

Since March 26, a Saudi-led coalition including Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the UAE has conducted numerous airstrikes throughout Yemen against Houthi forces, also known as Ansar Allah, who effectively ousted the government of President Abdu Rabu Mansour Hadi in January. None of these countries have signed the 2008 Convention on Cluster Munitions.

Soon after the airstrikes began, Saudi Arabia denied using cluster munitions in Yemen. At a news conference in Riyadh on March 29, Brig. Gen. Assiri told the media, “We are not using cluster bombs at all.”

According to a [data sheet](#) issued by the Textron Systems Corporation, the CBU-105 disperses 10 BLU-108 canisters that each subsequently release four submunitions that sense, classify, and engage a target such as an armored vehicle, and are equipped with self-destruct and self-deactivation features. The submunitions of the Sensor Fuzed Weapon explode above the ground and project an explosively formed jet of metal and fragmentation downward.

While the CBU-105 is banned under the Convention on Cluster Munitions, its use is permitted under existing US policy and its export is permitted under existing US export restrictions on cluster munitions.

In August 2013, the US Department of Defense concluded a [contract](#) for the manufacture of 1,300 CBU-105 Sensor Fuzed Weapons for Saudi Arabia by Textron. The contract stipulated that delivery of the weapons should be completed by December 2015. Human Rights Watch does not know when deliveries began, or if they have finished.

Additionally, the UAE received an unknown number of CBU-105 from Textron Defense Systems in June 2010, fulfilling a contract [announced](#) in November 2007.

US policy on cluster munitions is detailed in a June 2008 [memorandum](#) issued by then-Secretary of Defense Robert Gates. Under the Gates policy, the US can only use or export cluster munitions that “after arming do not result in more than 1 percent unexploded ordnance across the range of intended operational environments,” and the receiving country must agree that cluster munitions “will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.”

This policy is most recently codified in section 7054(b) of the Consolidated and Continuing Appropriations Act (HR 83) of 2015. According to [guidance](#) issued by the US Defense Security Cooperation Agency in May 2011, “the only cluster munition with a compliant submunition [compliant with the reliability standard established by the Gates policy] is the CBU-97B/CBU-105 Sensor Fuzed Weapon.”

In March 2015, Human Rights Watch [called on](#) all parties to the conflict not to use cluster munitions in the Yemen fighting. Credible [evidence](#) showed that Saudi Arabia had dropped cluster bombs in Saada governorate in November 2009 during Yemeni government fighting against the Houthis. Cluster munition remnants from the 2009 airstrikes, including unexploded US-made BLU-97 and BLU-61 submunitions, were reported by a number of sources.

In addition to the recent transfer of CBU-105, the US provided Saudi Arabia with significant exports of cluster bombs between 1970 and 1999. Saudi Arabia possesses attack aircraft of US and Western/NATO origin capable of dropping US-made cluster bombs. Yemen, Saudi Arabia, and other countries involved in the conflict in Yemen should ratify the Convention on Cluster Munitions.

Human Rights Watch chairs the Cluster Munition Coalition US, which in a [March 30 letter](#) to President Barack Obama said that the administration should review the Gates policy, including the exception allowing for cluster munitions resulting in less than 1 percent unexploded ordnance rate.

“The Gates policy is providing the US a handy loophole to send cluster munitions to countries like Saudi Arabia, which shouldn’t be using them at all,” Goose said.

April 22, 2015: Warehouse Strike Threatens Aid Delivery

Inquiry Still Needed If Saudi-Led Bombing Campaign Ends

(Beirut) – An airstrike by the [Saudi Arabia](#)-led coalition that destroyed a humanitarian aid warehouse in northern Yemen on April 18, 2015, was an apparent violation of the laws of war. The attack in Saada killed at least one unidentified man outside the facility of the international aid organization Oxfam.

The dire humanitarian situation in [Yemen](#) is made worse by attacks on relief supplies, Human Rights Watch said. The governments that participated in the attack should impartially investigate the airstrike, which struck civilian goods and a structure that do not appear to have been used for military purposes. The coalition has yet to comment on the attack.

“Destroying an aid group warehouse harms many civilians not even near the strike zone and threatens aid delivery everywhere in Yemen,” said [Joe Stork](#), deputy Middle East and North Africa director. “Saudi statements that aerial attacks are over don’t end obligations to investigate alleged laws-of-war violations.”

The Saudi-led coalition, which includes Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and the United Arab Emirates, has since March 26 conducted numerous airstrikes throughout Yemen against Houthi forces, also known as Ansar Allah, who effectively ousted the government of President Abdu Rabu Mansour Hadi in January. At a news conference in Riyadh on April 21, Saudi Brig. Gen. Ahmed Assiri [announced](#) that the coalition would end its aerial bombardment campaign and that the intervention would focus on reaching a political solution.

Two local residents told Human Rights Watch that although Saada is the Houthis’ traditional stronghold and there are many troops in the town, they were unaware of any mobile or static military targets near the storage facility. Fawaz Muhammad Saleh, 26, a civil servant who lives about 70 meters from the warehouse, described the area as a residential and commercial neighborhood. He told Human Rights Watch that at about 1:45 p.m. on April 18, while he was home eating lunch with his family, they heard a loud explosion. He ran outside and took photos of the site.

“When I got outside, I saw a man lying on the ground across the street from the facility,” he said. “He had been hit by shrapnel and I saw that his body was severed in half at his belly.” He said that many of the windows in the neighborhood were blown out, including at another storage facility in the area. Another local resident said that this was just one of a number of airstrikes that have hit storage facilities in the area.

On April 19, Oxfam issued a [statement](#) that “vehemently condemned” the bombing of its facility.

“It is very concerning that humanitarian facilities have come under attack,” an Oxfam spokesperson told Human Rights Watch on April 22. “The content of the warehouse had no military value. It only contained humanitarian supplies associated with facilitating access to clean water for thousands of households in Saada.”

Under the laws of war [applicable](#) to the armed conflict in Yemen, civilians and civilian objects may never be deliberate targets of attack. The laws of war also prohibit indiscriminate attacks, which include attacks not directed at a specific military objective.

Parties to a conflict must also allow and facilitate the rapid and unimpeded passage of humanitarian aid to the population in need and ensure the freedom of movement of humanitarian relief personnel. Humanitarian relief is protected from confiscation or attack unless it can be demonstrated that it is being used for military purposes.

Coalition airstrikes have struck targets in densely populated areas in the capital, Sanaa, and other cities, including Saada, Hodeida, Taizz, Ibb, Lahj, al-Dale’a, Shabwa, Marib, and Aden. [Airstrikes](#) on March 30 hit a displaced persons’ camp in northern Yemen, killing at least 29 civilians. [Airstrikes](#) on March 31 struck a dairy factory in the port city of Hodeida and killed at least 31 civilians.

Houthi ground forces and opposition militias have engaged in military operations around Aden, Taizz, and other areas that have put civilians and civilian objects, including [hospitals](#), at unnecessary risk. Security concerns and travel difficulties have prevented Human Rights Watch from investigating many of the attacks. As of April 20, the fighting

had [killed](#) at least 436 civilians, including at least 86 children, according to the United Nations Office of the High Commissioner for Human Rights.

The United States is not a member of the coalition but it has announced that it is providing logistics and intelligence support. Providing direct support to military operations would make the US a party to the armed conflict, and bound to apply the laws of war. On April 12, the *Wall Street Journal* [reported](#) that unnamed US officials said that the US was providing Saudi Arabia with direct targeting support for airstrikes.

“The US should disclose whether it was involved in the Oxfam warehouse strike and, if so, participate in a proper investigation,” Stork said. “If the coalition air campaign ends, the US will still have an interest in seeing that alleged unlawful attacks are investigated and victims are compensated.”

April 15, 2015: Factory Airstrike Killed 31 Civilians

Saudi-Led, US-Backed Attack Raises Laws-of-War Concerns

(Beirut) – Airstrikes by the [Saudi Arabia](#)-led coalition that hit a dairy factory in [Yemen](#) on March 31, 2015, [killed](#) at least 31 civilians and wounded another 11. The governments that participated in the attacks should investigate the airstrikes, which may have been indiscriminate or disproportionate, in violation of the laws of war.

Forces of Ansar Allah, known as the Houthis, and other opposition forces, also appeared to put civilians at unnecessary risk. Area residents told Human Rights Watch that the Yemany Dairy and Beverage factory, a multi-building compound 7 kilometers outside the Red Sea port of Hodeida, was about 100 meters from a military air base controlled by Houthi forces. Military units loyal to former President Ali Abdullah Saleh were at another nearby military camp.

“The coalition's repeated airstrikes on a dairy factory show cruel disregard for civilians, as does the deployment near the factory by Houthi and pro-Saleh forces,” said [Joe Stork](#), deputy Middle East and North Africa director. “The attack may have violated the laws of war, so the countries involved should investigate and take appropriate action, including compensating victims of unlawful strikes.”

While civilian casualties do not necessarily mean that the laws of war were violated, the high loss of civilian life in a factory seemingly used for civilian purposes should be impartially investigated, Human Rights Watch said. If the United States provided intelligence or other direct support for the airstrikes, it would as a party to the conflict share the obligation to minimize civilian harm and investigate alleged violations.

Starting at about 11:10 p.m. on March 31, one or more warplanes carried out four separate strikes that hit the dairy factory, three factory workers and three local residents told Human Rights Watch. Dr. Hani Mahfoodh, an emergency doctor at 22 May Hospital in Hodeida, which received most of the victims, told Human Rights Watch that the strikes killed at least 31 factory employees, for whom he provided the names, and wounded at least 11 more. The sources said that the dairy factory produced products for the general public, though it is not possible to rule out that Houthi or other forces also benefitted from them.

Riyadh Yassin, the foreign minister in the government of ousted President Abdu Rabu Mansour Hadi, publicly [asserted](#) that Houthi forces had shelled the factory, but provided no information to substantiate his claim.

Two people who were about 100 to 200 meters from the factory, and another who was about 2 kilometers away, said they saw one or more planes take part in the attack. A factory worker told Human Rights Watch that after his shift ended at 11 p.m., he waited with colleagues at the factory gate for the employee bus. At 11:10 p.m., he heard the sound of aircraft, which he had seen bombing elsewhere in Hodeida earlier that evening. A few seconds later, he saw one of the factory warehouses explode. “We rushed to the doors of the nearest building full of staff, and held open the doors as people ran out,” he said.

A few minutes later he saw a second explosion in a part of the factory that housed packaging equipment, causing water boilers to explode. The ground shook beneath him, he said. He later discovered that the explosion also caused leaks in gas pipes used in the cooling process. The worker said he witnessed ambulance workers take several people who may have inhaled the gas fumes to a hospital.

He said that a few minutes later he saw a third explosion in another part of the factory, setting the building on fire. Three workers in the building died while trying to turn off the

machines. There was a fourth explosion several minutes later in the same part of the factory.

Another factory worker said he was inside another factory building during the first explosion. He was wounded by the second explosion but remained to aid other wounded and the ambulance staff. “In the aftermath of the strikes I saw body parts and charred bodies and hands and legs scattered,” he told Human Rights Watch. “I could not sleep for two days afterward because of the terrible images in my mind.”

A third factory employee who saw the explosions said that fires continued to blaze until the next morning.

Coalition warplanes subsequently attacked both the military air base and the neighboring military camp, on April 11.

Under the laws of war [applicable](#) to the armed conflict in Yemen, civilians and civilian objects may never be deliberate targets of attack. Attacks that fail to discriminate between civilians and combatants or that cause civilian harm disproportionate to the expected military gain of an attack are prohibited. Warring parties must take all feasible precautions to minimize harm to civilians. They should avoid deploying in densely populated civilian areas or remove civilians from the vicinity of their deployments. Governments are obliged to investigate credible allegations of violations.

The Saudi-led coalition, which includes Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, and United Arab Emirates, has launched airstrikes on a near-daily basis starting on March 26 against the Houthis, who effectively ousted Hadi’s government in January. Airstrikes have struck targets in densely populated areas in the capital, Sanaa, and other cities, including Saada, Hodeida, Taizz, Ibb, Lahj, al-Dale’a, Shabwa, Marib, and Aden. Airstrikes on March 30 hit a displaced persons’ camp in northern Yemen, killing at least 29 civilians. Houthi ground forces have engaged in military operations around Aden and other areas. Security concerns and travel difficulties have prevented Human Rights Watch from investigating other attacks.

As of April 14, the fighting has [killed](#) at least 364 civilians, including at least 84 children, according to the United Nations Office of the High Commissioner for Human Rights.

The US is not a member of the coalition but it has announced that it is providing logistics and intelligence support. Providing direct support to military operations would make the US a party to the armed conflict, and bound to apply the laws of war. On April 12, the *Wall Street Journal* [reported](#) that unnamed US officials said that the US was providing Saudi Arabia with direct targeting support for airstrikes.

“If the US is providing targeting intelligence it is a party to the conflict and is obligated to abide by the laws of war,” Stork said. “Even if not, in backing the coalition the US will want to ensure that all airstrikes and other operations are carried out in a way that avoids civilian loss of life and property, which have already reached alarming levels.”

April 1, 2015: Airstrike on Camp Raises Grave Concerns

Saudi-Led, US-Backed Attack Killed at Least 29 Civilians

(Beirut) – The airstrikes by the [Saudi Arabia](#)-led coalition that hit a displaced persons’ camp in northern [Yemen](#) on March 30, 2015, raised grave concerns about violations of the laws of war. The airstrikes [killed](#) at least 29 civilians and wounded 41, including 14 children and 11 women. They hit a medical facility at the camp, a local market, and a bridge, according to initial reports from the World Health Organization.

All government forces participating in the attack should impartially investigate whether there were violations of the laws of war and take appropriate action, Human Rights Watch said. The United States, by providing intelligence to the Saudi-led air campaign, shares the obligation to minimize harm to civilians and civilian property in the fighting.

“The deaths of so many civilians in a camp with no apparent military target heightens concerns about laws-of-war violations,” said [Joe Stork](#), deputy Middle East and North Africa director at Human Rights Watch. “All sides in Yemen’s conflict need to do what they can to avoid harming civilians.”

Sometime before 11 a.m. on March 30, one or more warplanes of unidentified nationality [struck](#) multiple sites at one of the three camps for internally displaced persons (IDPs) in Mazraq, in Hajja governorate of northern Yemen, about six kilometers from the border with Saudi Arabia.

Khaled Mareh, one of the camp managers, told Human Rights Watch that at 10:50 a.m., as he was standing at the camp gate, an explosion knocked him back: “I first heard the sound of a distant plane, then the deafening explosion. I saw body parts scattered in front of me, charred bodies, torn tents, and a large amount of shrapnel that hit the gate and charred the cars.” He said he saw a second explosion hit a section of the camp about 500 meters away, which he later learned killed several children from the camp who were walking to school. From a distance, he saw a third explosion at the western gate of the camp, and a fourth that hit the market.

A local aid worker present at the time said that he saw one aircraft carry out a strike at the camp: “I saw the plane strike 500 meters from the International Organization for Migration office. It shook the building and rattled the windows.” The United Nations Humanitarian Coordinator to Yemen, Johannes Van Der Klaauw, [stated](#) on March 31 that all the structures hit constituted civilian infrastructure.

Reuters [reported](#) that an aid worker said that a warplane had struck a truck at the gate to one of the camps carrying fighters from Ansar Allah, the Houthi armed wing. The *Guardian* [reported](#) that some aid workers believed the attack was targeting a nearby base for Houthi fighters, a claim that Human Rights Watch could not confirm. Even if several Houthi fighters or a military truck were present at the camp, the attack was still probably unlawfully indiscriminate or disproportionate, Human Rights Watch said.

Mareh, the camp manager, said that Ansar Allah has a security office at the camp, near the market, but that it had been empty for three days, since the guards left to join military operations at the border. He said he did not hear any artillery or other fire in the area before the strikes, and that the camp authorities never allow armed people to enter the camp, including that morning. Another witness told Human Rights Watch that he did not see any armed men at the camp prior to the strikes, nor did he hear any fire.

None of the countries participating in the coalition have provided information that the camps are a legitimate military target. When asked about the strikes, a Saudi military official, Brig. Gen. Ahmad Assiri, [said](#), “It could have been that the fighter jets replied to fire, and we cannot confirm that it was a refugee camp.”

Médecins Sans Frontières, which supports a hospital in the vicinity, [confirmed](#) that its staff treated dozens of people wounded by the airstrikes that day, and received the remains of some people who had been killed. An aid worker at the hospital told Human Rights Watch, “We received a number of charred bodies, truncated limbs and others with very severe wounds.”

A full investigation is needed to determine whether the airstrikes on the camp violated the requirement under the laws of war for attacks to be directed at a legitimate military target, Human Rights Watch said. The laws of war, which apply to the armed conflict in Yemen, prohibit attacks that target civilians or civilian property, that do not or cannot discriminate between civilians and combatants, or that cause harm to civilians or civilian property that is disproportionate to any anticipated military advantage. All parties to the conflict have an obligation to take all feasible precautions to spare civilians from harm, and not to deploy forces in densely populated areas.

Following the attack, over 400 residents fled the camp and are seeking refuge elsewhere, Mareh said.

The three camps, two of which are still operating, have been housing about 12,500 people, according to the Office of United Nations High Commissioner for Refugees (UNHCR), which established them in 2001. Most of those living there had been displaced by fighting in Saada governorate between Houthi and Yemeni government forces between [2004](#) and [2010](#).

In January 2015, the Houthis effectively ousted the government of President Abdu Rabu Mansour Hadi. The Saudi-led airstrikes, which started on March 26, [killed](#) at least 11 civilians and possibly as many as 34 in Sanaa on the first day. Saudi and other aircraft also struck targets in other cities, including Saada, Hodeida, Taizz, Lahj, al-Dale’a, and Aden. On March 29, officials of the Ansar Allah-controlled Health Ministry [said](#) that the civilian death toll the previous night was 35. According to the United Nations Office of the High Commissioner for Human Rights, since March 27, the [fighting](#) in Yemen has killed at least 93 civilians and wounded 364.

In addition to Saudi Arabia, the United Arab Emirates, Kuwait, Bahrain, Qatar, Jordan, Morocco, and Sudan said that their aircraft are participating in the airstrikes. Pakistan and

Egypt said they are providing naval [support](#). The United States has [confirmed](#) it is sharing intelligence and providing targeting assistance as well as logistical support, including air refueling of warplanes.

Human Rights Watch earlier [raised](#) concerns about Saudi Arabia's possible use of cluster bombs in the operation, given [credible evidence](#) of past use of cluster bombs by Saudi Arabia in Yemen in 2009. At a news conference in Riyadh on March 29, Brig. Gen. Assiri [responded](#) to a media question about the issue, saying, "We are not using cluster bombs at all." Saudi Arabia should make clear that it will not use cluster munitions under any circumstances, Human Rights Watch said.

"All countries participating in the camp attack, and that could include the US, have an obligation to investigate possible laws-of-war violations," Stork said. "The US needs to make sure that the coalition it is supporting is taking the necessary precautions to avoid civilian loss of life and property."

March 28, 2015: Saudi-Led Airstrikes Take Civilian Toll

Saudis Should Not Repeat Use of Cluster Bombs

(Beirut) – The [Saudi Arabia](#)-led coalition of Arab countries that conducted airstrikes in [Yemen](#) on March 26 and 27, 2015, killed at least 11 and possibly as many as 34 civilians during the first day of bombings in Sanaa, the capital, Human Rights Watch said today. The 11 dead included 2 children and 2 women. Saudi and other warplanes also carried out strikes on apparent targets in the cities of Saada, Hodeida, Taizz, and Aden.

The airstrikes targeted Ansar Allah, the armed wing of the Zaidi Shia group known as the Houthis, that has controlled much of northern Yemen since September 2014. In January, the group effectively ousted the government of President Abdu Rabu Mansour Hadi. Human Rights Watch found that on March 26 warplanes struck populated urban neighborhoods in Sanaa and observed Ansar Allah forces who appeared to be firing anti-aircraft weapons from residential neighborhoods.

"Both the Saudi-led forces and the Houthis need to do everything they can to protect civilians from attack," said [Joe Stork](#), deputy Middle East and North Africa director.

“Reports of air strikes and anti-aircraft weapons in heavily populated areas raise serious concerns that not enough is being done to ensure their safety.”

The governments of the [United Arab Emirates](#), [Kuwait](#), [Bahrain](#), [Qatar](#), [Jordan](#), [Morocco](#), and [Sudan](#) said that their warplanes also participated in airstrikes on March 26 and 27. [Pakistan](#) and [Egypt](#) provided naval support and the [United States](#) provided intelligence and logistical [support](#), media reports said.

Interior Ministry officials linked to Ansar Allah shared with Human Rights Watch details of their final casualty count from the bombings in Sanaa on March 26. They said that warplanes bombed various parts of the city, including Bani Hawat, a predominantly Houthi neighborhood near Sanaa’s international and military airports, and [al-Nasr](#), near the presidential palace. The officials said they had documented that 23 civilians had been killed and 24 wounded. Among the dead were 5 children, ages 2 to 13, 6 women, and an elderly man, they said. The wounded included 12 children, ages 3 to 8, and 2 women.

These numbers are consistent with information provided by two hospitals that Human Rights Watch visited. At the hospitals, Human Rights Watch documented the deaths of 11 civilians, including 2 women and 2 children, whose names were not included among those provided by Interior Ministry officials as well as 14 more wounded, including 3 children and 1 woman.

Amnesty International [reported](#) that bombing destroyed at least 14 homes in Bani Hawat.

Human Rights Watch has not been able to determine whether specific attacks complied with the laws of war, which apply to the armed conflict in Yemen. The laws of war prohibit attacks that target civilians or civilian property, or that do not or cannot discriminate between civilians and fighters. Attacks that cause casualties or damage disproportionate to any anticipated military advantage are also prohibited. All parties to the conflict have an obligation to take all feasible precautions to spare civilians from harm, and not to deploy forces in densely populated areas.

Saudi Arabia’s past use of cluster bombs, which are indiscriminate weapons, raises concerns that they will be used in the current fighting, Human Rights Watch said. There is credible [evidence](#) that in November 2009 Saudi Arabia dropped cluster bombs in Yemen’s

northern Saada governorate during fighting between the Houthis and the Yemeni and Saudi militaries.

Cluster munition remnants from the 2009 airstrikes, including unexploded submunitions, have been reported by a number of sources. In July 2013, Yemeni clearance personnel [photographed](#) unexploded US-made BLU-97 and BLU-61 submunitions. In May 2014, VICE News [published](#) photos and a video shot near Saada showing numerous remnants of US-made CBU-52 cluster bombs deployed in 2009.

Cluster munitions contain dozens or hundreds of submunitions. The submunitions are designed to explode when they hit the ground but spread over a wide area, often the size of a football field, putting anyone in the area at the time of attack at risk of death or injury. In addition, many submunitions do not explode on impact but remain armed, becoming de facto landmines.

The US provided Saudi Arabia with significant exports of cluster bombs between 1970 and 1999. Saudi Arabia possesses attack aircraft of US and Western/NATO origin capable of dropping US-made cluster bombs. Human Rights Watch has urged Saudi Arabia and Yemen to join the 2008 Convention on Cluster Munitions, which prohibits the use of cluster munitions in any circumstance.

“Saudi forces should publicly reject any use of cluster munitions and recognize that their use could have a devastating impact on civilians,” Stork said.