



6 November 2015

Dear Foreign Minister,

RE: Recommendations ahead of the EU Foreign Affairs Council Conclusions on Yemen

We, the undersigned coalition of 15 international NGOs, deeply concerned by the ongoing political, security and humanitarian crisis in Yemen, call on EU Foreign Ministers to take a clear position on Yemen during the upcoming Foreign Affairs Council on 17 November 2015.

One of the poorest countries in the world, Yemen was already facing significant humanitarian needs before the upsurge in fighting in March 2015. But today, a staggering 21 million people – 84 percent of the population – are in immediate need of humanitarian assistance. Intense daily aerial bombardments and indiscriminate shelling has resulted in numerous civilian casualties with over 2,500 civilians, many of them children, killed since March, according to the latest reports. Regular violations of international humanitarian law and human rights law are allegedly being committed by all parties to the conflict as well as frequent targeting of populated areas that are not only causing civilian casualties but also damage and destruction to vital civilian infrastructures, including 51 hospitals or health facilities, such as the recent attack on the MSF health facility in Saada province.

A total of 13 million people are going hungry, this is an increase of 3 million since the start of the conflict in March. As Yemen relies on imports for 90 percent of its food and most of its fuel, restrictions on humanitarian and commercial imports, primarily due to a de-facto blockage of Yemen's ports by the Saudi-led coalition, are threatening the lives of millions of civilians. Just 19 percent of the country's domestic fuel needs entered through Yemen's ports in August and only 1 percent in September. The scarcity of food is pushing prices beyond the reach of millions, as many have gone without income for months now. The rising prices of all commodities have led to a remarkable crisis, especially for conflict affected people. High levels of insecurity, restricted humanitarian access and restriction on imports is further exacerbating the situation and hampering access to basic aid and lifesaving services, threatening the lives of tens of thousands of civilians, especially children and women.

In addition to this, the fighting also poses serious risks of exacerbating divisions within the Yemeni society. Worrying developments related to regional tensions, internal tensions between different groups inside the country, and strains on IDPs and host communities' relations threaten to have long-term consequences on social cohesion and stability in the country if not addressed properly.

Bearing in mind the last Foreign Affairs Council Conclusions on Yemen adopted on 20 April 2015, we recommend that the Foreign Affairs Council include the following points in its upcoming conclusions to help find a sustainable peace and bring much needed relief to the Yemeni people:

- 1) **Serious steps are taken by all involved actors in order to achieve an immediate and sustainable ceasefire** as the quickest and most effective way to halt the escalating humanitarian crisis in the country;
- 2) **The EU should call on parties to the conflict to comply with their obligations under international humanitarian and human rights law, including provisions preventing indiscriminate attacks on civilians, and reiterate the call for the establishment of an international independent body to investigate all alleged violations** of international humanitarian law and human rights law in reference of Foreign Affairs Council conclusion on Yemen of 20 April 2015;
- 3) **All land, sea and air routes to Yemen should be re-opened and the de-facto blockade lifted on all sea ports, including Hodeidah port**, to allow the full resumption of commercial and humanitarian

imports to all parts of the country, particularly to northern areas. The UN Verification Inspection and Monitoring Mechanism should be operationalised immediately and steps taken in order to make sure that the implementation of the arms embargo put forward in UNSC Resolution 2216 is not abused to create a de-facto blockade of commercial imports;

- 4) **All parties to the conflict must facilitate unimpeded humanitarian access** and take immediate measures to protect humanitarian staff and assets from attack and collateral damage. All parties should commit to facilitate secure access to all people in need of assistance as well as the distribution of essential commodities such as medicine, fuel and food throughout and around the country and across conflict lines. Civilians must be able to flee areas of conflict, have freedom of movement and be able to access assistance safely;
- 5) As nearly 200,000 people in Taiz city are now completely cut off from water, food and medical supplies, the **Foreign Affairs Council should immediately call on all parties to allow entry of aid and vital supplies into the city** and to allow people to meet their most basic needs;
- 6) **The EU and its Member States should increase their financial support to Yemen to match the scale of humanitarian needs in Yemen. Moreover, the EU should commit to supporting conflict sensitive funding for locally-led conflict prevention, mitigation, peacebuilding and good governance**, in order to match the increased humanitarian funding with continued support to local leaders and civil society working to prevent violence and address the causes of the conflict;
- 7) **The Foreign Affairs Council should recognise the need for EU Member States to re-examine their position on arms sales to countries involved in the conflict.** EU Member States are bound by the EU Common Position on Arms Exports (and many also by the Arms Trade Treaty) to refrain from the sale and transfer of arms where there is a clear risk that they may be used to commit serious violations of international humanitarian law and human rights law. There are widespread reports on alleged regular violations of IHL, including indiscriminate attacks and the use of explosive weapons with wide-area effects on populated areas, being committed by all parties to the conflict; there is therefore a clear risk that arms provided by EU countries may be used to commit serious violations of IHL. The EU Member States must effectively apply the Common Position to ensure that no arms or military equipment supplied to any combatant party can be used in Yemen, or in support of military operations in Yemen. To the same end, Member States should also consider the option of an EU arms embargo on Yemen, and urge the UN Security Council to expand the arms embargo established under Resolution 2216 to ensure that no arms or military equipment will be supplied to any combatant party where these might be used in Yemen, or in support of military operations in Yemen, as there is a clear risk that these may be used to commit serious violations of international law.

The EEAS declaration of 26 October 2015 welcoming the upcoming talks between Yemeni parties underlines that all parties should engage in negotiations without preconditions and stresses the importance of implementing practical confidence building measures to facilitate a return to the political track. **We strongly urge the EU to pursue these objectives by actively supporting the resumption of inclusive peace talks to find a permanent and comprehensive solution to the crisis.**

Signed: ACF, ACTED, CAAT, CARE International, Danish Refugee Council, Norwegian Refugee Council, Saferworld, Save the Children, Search for Common Ground, Society for Threatened Peoples (Germany), War Child UK, World Relief Deutschland

CC: HR/VP Mogherini, Commissioner for Humanitarian Aid and Crisis Management Stylianides, PSC Ambassadors

For further information or to contact the signing organizations please contact
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