THE BEST OF INTENTIONS: HOW THE BIDEN ADMINISTRATION TRIED AND FAILED TO END THE WAR IN YEMEN

By:
Gregory D. Johnsen

March 23, 2022
THE BEST OF INTENTIONS: HOW THE BIDEN ADMINISTRATION TRIED AND FAILED TO END THE WAR IN YEMEN

By:
Gregory D. Johnsen

March 23, 2022
INTRODUCTION: ADMINISTRATIONS PAST

The Biden administration took office on January 20, 2021, determined to end the war in Yemen. On the campaign trail, candidate Biden had promised not to “sell more weapons” to Saudi Arabia, explaining that Saudi airstrikes in Yemen were “murdering children” and “innocent people.”[1] Biden referred to Saudi Arabia as a “pariah” and said that it needed “to be held accountable” for its actions in Yemen.[2]

Biden’s campaign pledge was designed to be a sharp break with the previous two administrations. Both the Obama administration – in which Biden served as vice president – and the Trump administration had, in one way or another, backed the Saudi-led coalition and its war in Yemen. But six years into a war that Saudi Arabia had said would last about “six weeks”, it was clear that change was needed.[3] The Houthis, the militia group that controlled Sana’a and much of northern Yemen, was stronger than ever and the US was deeply implicated in a war it didn’t control.

For many members of the Biden administration, the war in Yemen was also personal. They, like Biden himself, had been part of the Obama administration when the US decided to sign off on Saudi Arabia’s plan for war. At the time, as one former Obama official would later say, the US knew it “might be getting in the car with a drunk driver,” but whatever misgivings the US might have had, it “climbed in anyway”.[4]

On March 25, 2015, the same evening that Saudi Arabia announced the beginning of the war – which interestingly enough it did from Washington D.C. and not Riyadh – the US announced the formation of a Joint Planning Cell in Saudi Arabia to “coordinate US military and intelligence support.”[5] The US would eventually provide targeting information, maintenance on Saudi and Emirati aircraft, as well as mid-air refueling for coalition jets on bombing runs. And despite early and mounting evidence that Saudi-led coalition strikes were resulting in an appallingly high number of civilian casualties, the US continued to sell Saudi Arabia and the UAE weapons and munitions.

In 2016, the State Department’s legal office concluded that US officials, including the Secretary of State, could be “charged with war crimes for approving bomb sales to the Saudis and their partners.”[6] By that point, it was clear to the US, and most outside observers, that Saudi Arabia and the UAE were either “using the bombs negligently or deliberately aiming them at civilians.”[7] Either way, it was a problem for the US. The final straw for the Obama administration – which had approved a US$1.3 billion weapons package to Saudi Arabia at the start of the war – came in October 2016 when Saudi Arabia bombed a funeral hall apparently on the mistaken intelligence that former president Ali Abdullah Saleh was in the building. He was not, and the airstrikes resulted in more than 140 deaths and over 500 injured, including children.[8]

On its way out the door, in December 2016, the Obama administration signaled its frustration with the Saudis by blocking a US$350 million package of precision-guided munitions.[9] But it was too little, too late. The US was already enmeshed in the war, providing material support to one side and opening itself up to a number of liability issues.

A few months later, in May 2017, President Trump took his first foreign trip in office to Saudi Arabia and agreed to reverse the Obama administration’s block on weapons sales.[10] But even while the Trump administration was signaling its support for the Saudi-led coalition and the war in Yemen, Congress began pushing back. In June 2017, the Senate narrowly supported, by a vote of 53-47, the sale of the precision-guided munitions to Saudi Arabia.[11]

In November 2018, just a month after Saudi Arabia’s brutal murder of the journalist Jamal Khashoggi, the US announced that it would no longer be providing mid-air refueling to Saudi jets on bombing runs over Yemen.[12] In the aftermath of the Khashoggi murder, Congress also passed a resolution calling for the end of US involvement in the war and another blocking an arms sale to Saudi Arabia. Trump vetoed both measures.[13]
Eventually, worried that Congress might pass a veto-proof measure, the Trump administration elected to skirt Congressional oversight by “declaring an emergency over Iran” to push through the sale of weapons and equipment to Saudi Arabia and the UAE.[4] That declaration, which came from then-Secretary of State Mike Pompeo, sparked an internal investigation by the State Department’s Inspector General. Pompeo later successfully lobbied President Trump to fire that same Inspector General.[15]

On the Trump administration’s last full day in office – January 19, 2021 – Secretary of State Mike Pompeo designated the armed Houthi movement a Foreign Terrorist Organization (FTO).[16] The designation, which went against the advice of international and humanitarian NGOs and former US diplomats to Yemen,[17] appeared designed to hobble the incoming Biden administration, leaving the new administration holding the bag for a policy it did not agree with.

PART I: DIPLOMATIC RESET

On February 4, 2021, exactly two weeks after he was sworn into office, President Biden traveled across D.C. to the State Department to deliver his first major foreign policy address as president. The choice of venue, as Biden himself said, was deliberate. “Diplomacy is back at the center of our foreign policy,” Biden told the largely empty building, which was under Covid restrictions.\(^\text{[18]}\)

The Yemen portion of the speech was designed to highlight a trio of coordinated moves. First, the US wanted to finally extricate itself from a war that had done little but tarnish its reputation. Second, Biden wanted to reassert US diplomacy. Third, he was planning to offer the Houthis a carrot in an attempt to lure them to the negotiating table.

The day of Biden’s speech at the State Department, an article in the New York Times spelled out exactly how deeply the US was implicated in Saudi Arabia’s war in Yemen. “When Saudi F-15 warplanes took off from an air base in southern Saudi Arabia for a bombing run over Yemen, it was not just a plane and bombs that were American. American mechanics serviced the jet and carried out repairs on the ground. American technicians upgraded the targeting software and other classified technology, which Saudis were not allowed to touch. The pilot was likely to have been trained by the United States Air Force.”\(^\text{[19]}\)

As a candidate Biden had been clear and unequivocal, writing in an essay in Foreign Affairs: “We should also end our support for the Saudi-led war in Yemen.”\(^\text{[20]}\) But, now as president, he qualified and nuanced his previous pledges. “This war has to end,” Biden declared.\(^\text{[21]}\) But instead of ending all weapons sales to Saudi Arabia, Biden made an important caveat, pledging to end US support for all “offensive operations in the war in Yemen, including relevant arms sales.”\(^\text{[22]}\) What some saw as the difference between campaigning in poetry and governing in prose, others saw as the new administration creating a massive loophole. As President Biden went on to say, striking a much different tone from the candidate who called Saudi Arabia a “pariah,” the kingdom “faces missile attacks, UAV strikes, and other threats from Iranian-supplied forces in multiple countries.


We’re going to continue to support and help Saudi Arabia defend its sovereignty and its territorial integrity and its people.”

Biden’s second move, which he also announced during the speech, was appointing a US Special Envoy for Yemen. The new envoy, career diplomat Timothy Lenderking, would both support UN efforts to end the war in Yemen and lead the US’ renewed diplomatic push for peace.

The next day, February 5, Biden made his third move, rescinding the 11th hour Trump administration decision to list the Houthis as a Foreign Terrorist Organization.[23] That was the carrot. But, as it turned out, the US lacked a stick.

In just over two weeks, the Biden administration had ended US support for Saudi Arabia’s offensive operations in Yemen, re-centered its diplomatic efforts under a Special Envoy and removed the Houthis from the FTO list. From Washington it looked as though Biden had fulfilled most of his campaign promises and that peace might finally be on the horizon in Yemen. But, on the ground in Yemen, things looked decidedly different.

The Biden administration made two fundamental errors in Yemen. First, it overestimated its own importance to the conflict. Second, and relatedly, it underestimated Houthi desires.

Following the Obama administration’s decision to materially support the Saudi-led coalition in Yemen, much of the debate in the US has, understandably, focused on the US role and what responsibility, legal or ethical, it bears for the resulting civilian casualties from Saudi and Emirati airstrikes. Although understandable, such a focus subtly but unmistakably shifted understanding and analysis of the war in Washington.24

US policymakers saw the conflict in Yemen almost exclusively through the prism of US involvement, instead of seeing the fighting, more accurately, as a complicated mix of a local civil war and a regional proxy war.25 This mistake of analysis, not surprisingly, resulted in mistaken policy and the belief that the US could simply lean on Saudi Arabia and ramp up its diplomatic efforts and the parties would fall in line.26

That, of course, did not happen. The Houthis responded to Biden’s decision to revoke the FTO designation not by coming to the negotiating table, but rather by renewing a longstanding offensive in Marib.27 Much of this was predictable. As humanitarian groups and country experts often pointed out, the Houthi leadership was largely insulated from shortages associated with the FTO designation.28 It was Yemeni civilians, not Houthi decision makers who suffered the most. This also meant that lifting the designation was not quite the carrot the Biden administration assumed it was.

Indeed, throughout the war, sanctions – even targeted sanctions – have had little impact on Houthi decision making. In late 2014 and early 2015, the UN placed sanctions on five individuals in Yemen – three Houthi leaders, including the movement’s chief Abdelmalek al-Houthi, along with former president Saleh and his eldest son – but instead of weakening or constraining the Houthis, the UN’s sanction program strengthened their hand domestically.

This was because what the UN treated as an equal alliance was, in reality, an alliance of convenience in which one party was susceptible to sanctions and the other was not.

By applying the same sanctions to both Saleh and the Houthis – an asset freeze and a travel ban – the UN overly weakened Saleh, who had international assets to freeze, but did little to impact the Houthis, who did not have international assets. This contributed to destroying the delicate partnership that existed between Saleh and the Houthis in Yemen from 2014 to 2017 and, ultimately, resulted in Saleh’s death and the Houthis’ unrivaled control of the northern highlands. In the zero-sum game of Yemeni politics, Saleh’s loss was the Houthis’ gain.

Something similar was at play in early 2021. The Houthis saw the Biden administration’s pressure on Saudi Arabia not as an opportunity to end the war, but rather as a chance to fulfill the group’s longstanding goal of taking Marib, which due to its oil and gas fields is essential for the creation of an independent Houthis state.

This was the Biden administration’s second mistake: it didn’t understand the full breadth of Houthi desires. The new US Special Envoy, Timothy Lenderking, updated Congress on the war in April 2021, saying, “What has been most striking to me is the recognition and understanding of the necessary role of Houthi representation in any post-war Yemeni government. No longer is anyone suggesting Houthi representatives be locked out of any future settlement — a popular refrain when the conflict began.”[30] Lenderking went on to say that “there is an acceptance that the Houthis will have a significant role in a post-conflict government if they meaningfully participate in a peaceful political process like any other political group or movement.”[31]

But this was a misreading of Houthi goals. The Houthis didn’t want to be part of the Yemeni state; they wanted to be the state. Marib and its oil and gas fields were essential to that goal, but the Houthis also had their eye on Yemen’s other hydrocarbon-rich governorates, Shabwa and Hadramawt, which account for between half and two-thirds of all of Yemen’s oil exports.[32]

Throughout much of 2021, as the Houthis advanced farther east into Marib, the US found itself out of options and with no leverage to compel the Houthis to halt their offensive. The Biden administration had made it clear that it would not insert US troops into the conflict, which took military options off the table.

---


US and UN sanctions had, as explained above, only strengthened the Houthis – or, as in the case of the FTO, hurt the wrong people – and strongly worded statements had no impact whatsoever.

By pressuring the Saudi-led coalition, the US had – much like the UN’s targeted sanctions – weakened one side in the conflict while effectively strengthening its opponent. The Houthis saw no reason to compromise or give up at the bargaining table what the group had won on the battlefield, and the US had no leverage to compel the Houthis to change their mind.
PART III: THE LONG ROAD AHEAD

In late 2021, after months of fighting, the Houthis took control of large parts of southern Marib as well as three districts in northern Shabwa.\[33\] For the UAE, the Houthi advances into Shabwa crossed a red line. The UAE appeared resigned to the Houthis taking Marib, where Emirati forces had withdrawn from in 2019; but if the Houthis successfully took Shabwa they could split southern Yemen, cutting off Aden from the oil and gas fields in Hadramawt and effectively ending any hope of an independent southern state and Emirati influence along Yemen’s southern coast.\[34\] To prevent this from happening, the UAE moved Giants Brigade units from the Red Sea coast to Shabwa, where they quickly pushed the Houthis out of the governorate in January 2022.\[35\]

The Houthis responded to the UAE’s reengagement by launching multiple ballistic missile attacks on Abu Dhabi, demonstrating the group’s capacity to regionalize the conflict and strike inside the UAE.\[36\] During at least two of the attacks, the US launched interceptor missiles in the UAE to block the Houthi strikes.\[37\] Shortly after the Houthis attacks, then US Centcom commander, General Frank McKenzie, visited the UAE and pledged to replenish stocks of interceptor missiles as well as to send a guided destroyer and more F-22s to the UAE.\[38\]

Instead of getting less involved in the war in Yemen, the US was getting sucked back into an expanding conflict. The Biden administration openly contemplated re-designating the Houthis as a Foreign Terrorist Organization, following a request from the UAE,\[39\] before ultimately deciding on another round of targeted sanctions.\[40\] Even the USS Cole, which was attacked off the coast of Yemen in 2000, was sent back to the region as part of US assurance maneuvers.\[41\] Houthi attacks on the UAE also raised the possibility of the potential for US military and civilian casualties, which would likely change US calculations on the use of force in Yemen. After more than a year of renewed diplomatic efforts, pressure on Saudi Arabia, and a carrot to the Houthis, the US is no closer to ending the war in Yemen than it was the day President Biden took office.

---


\[35\] “Yemeni pro-govt forces say they have retaken Shabwa from the Houthis,” Reuters, January 10, 2022, https://www.reuters.com/world/middle-east/yemeni-forces-say-they-have-retaken-energy-producing-province-houthis-2022-01-10/


PART IV: RECOMMENDATIONS

In order to end the war in Yemen, the US will have to do two separate things, neither of which it can accomplish independently. First, it will have to create and then utilize leverage with the Houthis. Second, it will have to arrest and reverse the rapid rate of political fragmentation throughout the country, particularly in southern Yemen.

To these ends, the US should:

- Build upon renewed Joint Comprehensive Plan of Action (JCPOA) talks with Iran to reduce Iranian support for the Houthis in Yemen in exchange for further sanction relief. This will likely need to be done in cooperation with Saudi Arabia and the UAE, the latter of which has also reached out to Iran in recent months.

- Pressure Saudi Arabia to re-open Sana’a International Airport for twice-daily medical and humanitarian flights as an initial step toward a complete re-opening of the civilian airport.

- Announce a number – at least ten – of new sanctions targeting Houthi financial and military leaders. This would send a message to Houthi leaders that they can be held to account for their actions.

- Encourage actors within the anti-Houthi coalition (such as the STC and forces affiliated with Tareq Saleh) to form political parties designed to work within the framework of a single unified national front until the future make-up of the Yemeni state is determined in a political process.

- Establish direct contact with local government officials in Marib, Hadramawt and Shabwa as a way of encouraging representative local government and providing advisory assistance for the distribution of direct oil and gas revenue in coordination with the Central Bank of Yemen.

- Encourage the internationally recognized government to update local council registries as a way of preparing for local elections.

- Encourage the internationally recognized government, Saudi Arabia and the UAE to coordinate efforts in Hadramawt as a way of fostering political unity between the Wadi Hadramawt and Coastal Hadramawt regions, for instance, by supporting the building of north-south paved roads between Coastal Hadramawt and Wadi Hadramawt.

- Encourage the UAE and Saudi Arabia to invest, update and repair the electricity grid in Aden and Mukalla, as well as help provide a backstop for the Yemeni rial.
Dr. Gregory D. Johnsen is a non-resident fellow at the Brookings Institution and the author of The Last Refuge: Yemen, al-Qaeda, and America’s War in Arabia. From 18-2016 he served on the Panel of Experts on Yemen for the UN Security Council.