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The Sana'a Center for Strategic Studies is an independent think-tank that seeks to foster change through knowledge production with a focus on Yemen and the surrounding region. The Center's publications and programs, offered in both Arabic and English, cover political, social, economic and security related developments, aiming to impact policy locally, regionally, and internationally.

From the beginning of the Yemen conflict in 2015, the United Nations Security Council has been quick to condemn the armed Houthi movement. Initially, at least, this made sense. The Houthis are a non-state actor that seized power in a coup. The Yemeni government, led by President Abdo Rabbu Mansour Hadi, is a member of the UN – in bureaucratic parlance a “Member State” – the Houthis are not, and it is always easier for the Security Council to condemn outside actors than member states. The Security Council’s cornerstone resolution on Yemen – [2216](#) – essentially calls on the Houthis to surrender, asking them to, among other things, end the use of violence, withdraw from Sana’a, hand over all weapons seized from the military, and “cease all actions that are exclusively within the authority of the legitimate Government of Yemen.”^[1] Not surprisingly, asking them to simply give up hasn’t worked. Nor have targeted sanctions. In late 2014 and early 2015, the Security Council sanctioned three Houthi officials, including the movement’s leader Abdelmalek al-Houthi, as well as former President Ali Abdullah Saleh and his eldest son, Ahmed, both of whom were allied with the Houthis at the time.

Such a one-sided approach has the advantage of bringing the full weight of the international community and the Security Council to bear on a single participant in the hopes of changing or altering their behavior. But this type of front-loaded strategy also has its disadvantages. Namely, if it doesn’t work right away, it is unlikely to work at all. This is exactly the situation the UN Security Council currently finds itself in. Five years of war have made the Houthis stronger, not weaker. They are less susceptible to diplomatic threats and sanctions today than they were five years ago. The Saudi-led coalition’s military campaign, despite years of airstrikes, has been unable to uproot the Houthis from Sana’a. Lopsided Security Council resolutions and an imbalanced sanctions program have, if anything, made the Houthis less willing to negotiate in good faith. From their perspective, they hold territory and are unwilling to give up at the negotiating table what they have won on the battlefield.

Despite all this the UN Security Council’s approach in 2020 is largely the same as it was in 2015. The only thing that has changed is the resolution number the Security Council approves each year. This is not for a lack of knowing. Twice a year, in a confidential and a public report, the Panel of Experts on Yemen provides the Security Council with detailed information about the conflict in Yemen, the targeted sanctions program and the arms embargo. (Full disclosure: I served for two years on this panel from April 2016 – March 2018. Two of my former colleagues continue to serve on the Panel and I know a third member of this year’s Panel.)

1) UN Security Council Resolution 2216, adopted April 14, 2015, [https://www.undocs.org/S/RES/2216%20\(2015\)](https://www.undocs.org/S/RES/2216%20(2015))

This year's [final report](#) was delivered to the Security Council in January and released to the public in February.^[2] The report is divided into three parts. First, there is a brief one-and-a-half page executive summary. This is the only part of the report the Panel expects busy diplomats to read, so anything of importance must be addressed in this section. Next, comes the main body of the report. The Panel is limited here by space concerns and a word count. The main body of the report has to be translated into all six official UN languages, so the Panel can only write as much as the translators permit. In previous years, this has tended to be about 58 pages, or about 25,000 words. This year, the report shrank to 47 pages, likely a reflection of budgetary concerns. Finally, come the annexes. This is where the Panel shows its work. It expects this section to be examined and re-examined by government experts from Moscow and Beijing to London and Washington. The annexes do not have to be translated, and therefore are not governed by word limits. This year the Panel included 35 annexes, totaling 157 pages.

Sanctions and Named Individuals

Just as there is an art to writing Panel reports – the best ones tend to flow as if from a single voice and tell a story of that particular year – so, too, is there an art to reading the reports. The Panel often signals to the Security Council issues and individuals of interest. Most notably, as the Panel is responsible for monitoring the targeted sanctions program in Yemen, it can highlight individuals that meet the designation criteria, which in Yemen is incredibly broad. Anyone involved in or supporting acts that “threaten the peace, security or stability of Yemen” is eligible to be sanctioned.^[3] Of course, meeting the designation criteria and being designated for sanctions are two different things.

The Security Council has only sanctioned five individuals in connection to the war in Yemen – three Houthis, the late President Saleh, and his eldest son, Ahmed – and none since early 2015. Nor has it sanctioned anyone associated with Yemen's internationally recognized government or the Saudi-led coalition despite clear violations by several individuals. Ultimately, of course, it is up to the Security Council and not the Panel of Experts to determine who is sanctioned. The Panel can provide evidence and write up the statements of case, but it is the Security Council that adjudicates and votes on those cases.

In 2014 and 2015, when the Yemen war was beginning, the Security Council was

2) Dakshinie Ruwanthika Gunaratne, Ahmed Himmiche, Henry Thompson, Marie-Louise Tougas, Wolf-Christian Paes, “Final report of the Panel of Experts on Yemen,” UN Security Council, New York, January 27, 2020, <https://undocs.org/s/2020/70>

3) UN Security Council Resolution 2140, adopted February 26, 2014, [https://undocs.org/en/S/RES/2140\(2014\)](https://undocs.org/en/S/RES/2140(2014))

in a much different place than it is today. At the time, Russia, which holds a permanent veto in the Security Council and has traditionally opposed the use of targeted sanctions, was on the back foot in the Middle East. It had not yet intervened in Syria, turning the tide of the civil war and saving Bashar al-Assad's regime from near-certain defeat. China, another traditional opponent of sanctions, also went along with both the 2014 and 2015 slate of Yemen-related sanctions. Neither has been so compliant in the years since. Russia, which used its military successes in Syria as a doorway back into the region, argues that the Yemen sanctions program hasn't worked. Moscow has a point, but not because targeted sanctions don't work. Rather, the Yemen sanctions program has not been effective because it targeted the top players – Abdelmalek al-Houthi and Ali Abdullah Saleh – at the beginning of the conflict. There was no ramping up period, no tightening of the noose in which decision-makers like Al-Houthi and Saleh could feel the pressure and adjust their actions. Instead, they were sanctioned almost immediately, and once the Security Council took that step it was out of cards to play in Yemen. Sanctions on Houthi or Saleh subordinates would have done little to change their respective leaders' calculations. In any case, the Security Council has not enacted any new sanctions on individuals related to the conflict in Yemen since April 2015.

None of this is supposed to affect the Panel's report. The Panel is mandated to report on the sanctions and identify individuals who meet the designation criteria. This year the Panel used precious space in the executive summary – highlighting its importance – to note three such individuals, one from the UAE-backed Southern Transitional Council (STC) and two from the Houthis. In the second paragraph of the executive summary, the panel charged that Hani bin Breik, the vice president of the STC, had “initiated” the conflict in Aden when he “used force to remove what little authority the Government of Yemen held in (the city).”^[4] The Panel also noted that it had “identified a Houthi network involved in the repression of women ... through the use of sexual violence,” headed by Sultan Zabin, the Houthi director of the Criminal Investigation Department in Sana'a.^[5] The second Houthi figure mentioned in the executive summary is Saleh Mesfer al-Shaer, a Houthi general who acted “on behalf of Abdelmalek al-Houthi” to divert funds appropriated from Houthi opponents.^[6] Such actions would qualify Al-Shaer for sanctions.

In the body of the report, the Panel also named a third Houthi figure who meets the designation criteria. Motlaq Amer al-Marrani, known as Abu Emad, is a person of interest to the Panel for his involvement in the “obstruction of the delivery of humanitarian assistance.”^[7] Unsurprisingly, the Panel is at its most forceful when it doesn't mention names. At one point, it directed a general warning at the

4) Gunaratne et al, “Panel of Experts,” p. 2.

5) Ibid., p. 2.

6) Ibid., p. 3.

7) Ibid., p. 9.

Houthis that “the brutal suppression of tribal and political dissent ... may meet the designation criteria.”^[8]

The Panel is much more careful when it comes to discussing the actions of UN member states. Twice it mentioned Emirati airstrikes on Yemeni government forces in late August 2019, but in neither case does it suggest such actions threatened the peace, security, and stability of Yemen. The UAE, of course, was only in Yemen at the express written invitation of President Hadi, whose forces it bombed in August to prevent them “from entering Aden.”^[9] The Panel noted that the UAE bombings “created a military advantage for the Southern Transitional Council, and subsequently, the council regained control of Abyan.”^[10] Under the targeted sanctions program for Yemen, individuals can be sanctioned, member states and groups cannot. Abdelmalek al-Houthi can be sanctioned, the Houthis cannot. It is unlikely that the Panel was able to uncover the name of the UAE officer responsible for giving the strike order to fire on Yemeni government troops. Indeed, the Panel mentions in a footnote that neither the Government of Yemen nor the UAE has responded to its letters requesting additional information.

Nor does the Panel mention Abu al-Abbas, the *kunya* of [Adil Abduh Fari Uthman al-Dhubhani](#), the leader of the Abu al-Abbas group, who has been sanctioned by the US, Saudi Arabia and the UAE.^[11] The Panel does, however, mention the Abu al-Abbas group, noting that it continues to receive “support from the United Arab Emirates,” despite the fact that [its leader is under American and Emirati sanctions](#).^[12]

Inconvenient Truths

Perhaps the key takeaway from the report and the most worrisome indicator for the future of the conflict is the Panel’s assessment that President Hadi’s “already tenuous level of control” was severely diminished in 2019 by the country’s overlapping conflicts.^[13] “In contrast,” the Panel says, “the Houthis have continued to consolidate their control, maintain their economy and present a unified military force.”^[14] Any peace talks, then, would feature a weak and embattled president fighting for his political survival sitting across the table from an insurgent group that holds his capital and appears to be growing stronger despite the military

8) Ibid., p. 12.

9) Ibid., p. 15.

10) Ibid., p. 15.

11) Counter Terrorism Designations, U.S. Department of the Treasury, October 25, 2017. <https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20171025.aspx>

12) Gunaratne et al, “Panel of Experts,” p. 7; and Sudarsan Raghavan, “The U.S. put a Yemeni warlord on a terrorist list. One of its closest allies is still supporting him,” The Washington Post, December 29, 2018. https://www.washingtonpost.com/world/middle_east/the-us-put-a-yemeni-warlord-on-a-terrorist-list-one-of-its-close-allies-is-still-arming-him/2018/12/28/f3c4fb5b-f366-4570-b27b-75a3ed0f0f52_story.html

13) Gunaratne et al, “Panel of Experts,” p. 6.

14) Ibid.,” p. 6.

conflict. As in previous years, the Panel was denied access to Houthi-controlled territory.^[15] (In the Houthi-controlled press the Panel is often referred to as *Lajna al-Uqubat*, or the Panel of Punishment, a reference to the sanctions imposed on Houthi figures.) The Panel also noted that after June 2019, the UN Humanitarian Air Service has denied Panel members access to its aircraft.^[16]

The Panel did, however, dispute two Houthi claims of attack responsibility. First, it said it “investigated the high-profile attack on 14 September 2019 on the Saudi Aramco facilities in Abqaiq and Khurays” and found that the “Houthi forces are unlikely to be responsible for the attacks, as the estimated range of the weapon system used does not allow for a launch from Houthi-controlled territory.”^[17] This conclusion matches that of the US, which had previously claimed that the attack on Abqaiq originated from Iran, not Yemen.^[18] The Panel also cast doubt on the Houthis’ claim that they were behind the August 1 attack on a military base in Aden, which killed Muneer al-Mashali, who was better known as Abu Yamama. This was the attack that provided the spark for clashes in Aden later that month between STC and Hadi loyalists. The Panel noted that it was unable to find indications of either of the weapons the Houthis claimed to have used in the attack.^[19] All of this raises a simple, yet fundamental, question: Why would the Houthis lie about something that could be so easily disproved?

In the case of the Abqaiq attack, the answer – if the Panel is correct – is straightforward: to help Iran. The Houthis claimed the attack and gave Tehran some deniability. A fig leaf, even a transparent one, is often sufficient in international affairs. But the case of the August 1 strike is more complicated. If the Panel is correct and the Houthis did not launch the strike that killed Abu Yamama, then the obvious question is: Who did? None of the possible answers make for comforting contemplation.

The Panel also makes a compelling case that Iran is continuing to supply the Houthis with weapons in violation of the UN’s targeted arms embargo. It documents that optical sights for rocket-propelled grenade launchers, which Iran says had been distributed to Iranian military units, were sent to Yemen;^[20] It says that it has “identified a potential line of financial support to (the) Houthis” from Iran.^[21] Throughout the report, including in the executive summary, the Panel walks to the brink of unequivocally stating that Iran is supplying the Houthis with

15) Ibid., p. 5.

16) Ibid. p. 5.

17) Ibid., p. 2.

18) Eric Schmitt, Farnaz Fassihi, and David D. Kirkpatrick, “Saudi Oil Attack Photos Implicate Iran, US says; Trump Hints at Military Action,” *New York Times*, September 15, 2019, <https://www.nytimes.com/2019/09/15/world/middleeast/iran-us-saudi-arabia-attack.html>

19) Gunaratne et al, “Panel of Experts,” p. 14.

20) Ibid., p. 25.

21) Ibid., p. 8.

weapons. Instead, the Panel takes the diplomatically safer route of noting that the Houthis are receiving the following weapons from outside the country: “assault rifles, rocket-propelled grenade launchers, anti-tank guided missiles, and sophisticated cruise missile systems.”^[22] Without skipping a beat, the next sentence reads: “Some of those weapons have technical characteristics similar to arms manufactured in the Islamic Republic of Iran.”^[23] The Panel’s conclusions are similar, if less strident, than those arrived at by the US, which has [frequently claimed that Iran is smuggling weapons to the Houthis](#).^[24]

In addition to Iranian weapons, the Panel notes that the Houthis are also locally manufacturing some short-range drones and crude weapons as well as using the transfer of commercially available parts to construct drones and other weapons systems.^[25] According to the Panel, “civilian components are exported by commercial manufacturers in industrialized countries through a network of intermediaries to Houthi-controlled territories.”^[26] Since the parts aren’t listed as “dual-use items,” the Panel explains, “neither the manufacturers nor the custom authorities are usually aware that they are being used in Houthi weapon systems.”^[27]

On the Yemeni government side, the Panel plainly states what has long been an open secret: armed groups such as the Security Belt forces, Hadrami Elite Forces, Shabwani Elite Forces, and the Joint Forces for the Western Coast do not operate under Yemeni government control. Instead, the Panel calls them “non-State armed groups.”^[28] To be more precise, many of these groups are Emirati proxy units, which allows the UAE to maintain a significant degree of influence in Yemen even as it [withdraws its troops from combat](#).^[29] It also creates a chaotic operational environment that frequently leads to the proliferation of armed groups which, in [the absence of a functioning state](#), are able to enforce their own form of governance.^[30] None of this is a good sign for the future of a peaceful and unified Yemen.

The final section of the Panel’s report is devoted to the issue of humanitarian aid, particularly the obstruction and manipulation of aid, which has been at the center

22) Ibid., p. 2.

23) Ibid., p. 2.

24) John Ismay and Thomas Gibbons-Neff, “New Iranian Missiles Pose Threat to U.S. Aircraft in Yemen, Pentagon Says,” *New York Times*, February 19, 2020, <https://www.nytimes.com/2020/02/19/us/iran-missiles-yemen.html>

25) Gunaratne et al, “Panel of Experts,” pp. 19, 25-26.

26) Ibid., p. 26.

27) Ibid., 26.

28) Ibid., p. 12.

29) Ibrahim Jalal, “The UAE may have withdrawn from Yemen, but its influence remains strong,” *The Middle East Institute*, February 25, 2020, <https://www.mei.edu/publications/uae-may-have-withdrawn-yemen-its-influence-remains-strong>

30) Elana DeLozier, “UN Panel Highlights Command-and-Control Issues in Yemen,” *The Washington Institute for Near East Policy*, Policywatch 3258, February 7, 2020, <https://www.washingtoninstitute.org/policy-analysis/view/un-panel-highlights-command-and-control-issues-in-yemen>

of a high stakes game of chicken between the US and the Houthis in recent months. Basically, the situation is this: the US wants to deliver much-needed aid to civilians in Yemen to minimize and mitigate what the UN often calls the “world’s worst humanitarian crisis,” but the Houthis have increasingly been able to manipulate and redirect the relief effort to strengthen their grip on power in the northern Yemeni highlands. Caught in the middle are the Yemeni civilians, who are dependent on the aid but living under Houthi control. In November 2019, the Houthis announced the creation of a new body in November to oversee the administration and distribution of aid, the [Supreme Council for the Administration and Coordination of Humanitarian Affairs and International Cooperation](#).^[31] The Houthis also announced that the new council would be funded by a 2 percent cut of each humanitarian organization’s budget.^[32] The US has responded by [threatening to cut aid](#), a move other donors are hesitant to take for fear it will cost the lives of civilians and worsen Yemen’s already dire humanitarian situation.^[33]

Another Resolution, Another Year of War

Shortly after the Panel submitted its report, the Security Council met to decide on a new resolution for Yemen. (The sanctions program has to be renewed each year in February.) The US and UK, as has frequently been the case in recent years, pushed for language condemning Iran’s transfer of weapons to the Houthis, while Russia and China, as they have often done, pushed back. The threat of a veto carried the day and the final resolution, 2511, included no references to links between the [Houthis and Iran](#).^[34] The resolution also included no new sanctions, which both Russia and China have refused to support. Otherwise, the resolution was largely a compromise document that included a few new wrinkles but no major changes. Not the technical rollover, which would have changed the dates but not the language of the resolution, that Russia and China preferred – [they both abstained from voting on 2511](#) – but also not the expanded language that the US and the UK sought.^[35] Instead, the resolution carved out the possibility of “case-by-case” sanction exemptions and asked the Panel to provide information on commercially available components that are being used in weapons systems.

This is business as usual for the Security Council, a resolution renewal with no real

31) Maggie Michael, “Yemen’s Houthi rebels impeding UN aid flow, demand a cut,” The Associated Press, February 19, 2020, <https://apnews.com/edb2cad767ccbf898c220e54c199b6d9> Note the AP lists the name of the new Houthi aid organization as the Supreme Council for the Management and Coordination of Humanitarian Affairs and International Cooperation. This paper has followed the UN Panel’s usage.

32) Gunaratne et al, “Panel of Experts,” p. 46.

33) Colum Lynch and Robbie Gramer, “Pompeo to Pressure UN over aid to Yemen,” Foreign Policy, March 2, 2020, <https://foreignpolicy.com/2020/03/02/pompeo-pressure-united-nations-over-aid-yemen-humanitarian-crisis-middle-east-houthi-rebels-conflict/>

34) UN Security Council Resolution 2511 (2020); and Edith Lederer, “UN Security Council Approves Resolution on Yemen Sanctions,” The Associated Press, February 25, 2020, <https://apnews.com/a7bd1fc6e2ec32872628397ccf0e4699>

35) “Yemen: Council Votes on Sanctions Regime,” What’s In Blue, February 25, 2020, <https://www.whatsinblue.org/2020/02/yemen-council-resolution-to-renew-yemen-sanctions-regime.php>

hope of change. Five years after enacting Resolution 2216 the UN's approach to Yemen remains as ineffective as ever, with the council increasingly divided and lacking in leverage. The sanctions program does not work, the targeted arms embargo is broken, and the UN special envoy is unable to bring about a peace the participants themselves do not want.

The Panel of Experts report makes clear that Yemen is a broken country, with too many unaccountable armed groups and too much outside influence. It has laid out the challenges facing Yemen and the international community well. But the Security Council has been unable to articulate an adequate response. This is disheartening, if understandable. No one wants to deal with Yemen. Not the United States, which for years has been an essential party to the conflict, and continues to sell weapons to Saudi Arabia. Not Russia, which seems more interested in countering the US than in solving the conflict; and not China, which has largely been hands-off since the fighting began. No country with influence wants to intervene, and no country that wants to intervene diplomatically has influence.

The war in Yemen remains a Security Council problem, and the Security Council can't agree on a new approach. So it keeps renewing the old approach in the desperate hope that this will be the year that it works. Next year at this time, the UN will likely be putting a new number on another resolution as the war in Yemen rages on.

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