

**Written Testimony of Radhya Almutawakel**  
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**House Committee on Foreign Affairs**  
**Subcommittee on the Middle East, North Africa, and International Terrorism**  
**Hearing on “The Crisis in Yemen:**  
**Addressing Current Political and Humanitarian Challenges”**  
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Chairman Deutch, Ranking Member Wilson, and distinguished Subcommittee Members, good morning.

***Introduction***

My name is Radhya Almutawakel speak to you from Sana'a, Yemen.

I last briefed the Subcommittee on the situation in Yemen one year ago. Since that time, I've seen both signs of hope and felt moments of despair. But, what I told you then remains true: Congress has a role to play in pushing for an end to this terrible war, and supporting a just and durable peace.

I am the Chairperson of [Mwatana for Human Rights](#). Mwatana is an independent Yemeni human rights organization documenting and reporting on violations and abuses committed by all of Yemen's warring parties. We are a team of more than 100 people, including lawyers and researchers who work in nearly of all of Yemen's governorates. Our team works in extremely difficult circumstances to uncover human rights violations, to support victims, and to promote accountability and the rule of law.

International Women's Day was on March 8. Mwatana is proud that 52% of the team is made up of women, working across all the organization's divisions and represented at all levels of seniority.

*Every time, military escalations in Yemen take a grave civilian toll.*

Since fighting began, it has taken a grave toll on civilians.

The war in Yemen began in September 2014, when the Ansar Allah (Houthi) armed group took over Sana'a, the country's capital, by force. In March 2015, the situation escalated when the Saudi/UAE-led military coalition intervened on the side of President Hadi.

Since that time, Yemen has faced a relentless series of military escalations that have undermined the state and delivered Yemen—from Saadah in the north to Socotra in the south—to different armed groups, each supported by different regional powers. Neither these armed groups nor the regional powers supporting them are acting in the interests of Yemen, or Yemenis.

In the latest such military escalation, the Houthis launched an attack on Marib governorate, in northern Yemen, where many of the country's internally displaced persons have taken shelter throughout the war.

As humanitarian organizations have warned, and as Mwatana has documented, the escalation in Marib has already put civilians at grave risk, and threatens to significantly worsen the humanitarian situation in the country, including by causing additional waves of displacement.

With increased efforts advocating for peace and justice in Yemen, regional actors have used old and new tricks to avoid mounting pressure, to continue the war, and to avoid their legal and ethical responsibilities. These actors denied their involvement in the war (like Iran), declared their formal withdrawal from the war (like the UAE), or hid behind a weak and inefficient government (like Saudi Arabia). But, the tricks don't change the fact that these actors continue from behind their curtains to fight in Yemen, through local armed groups that they created and nurtured, with less cost to the regional actors and higher costs to Yemeni civilians. These regional actors believe the world will turn a blind eye to these tricks, and ignore the continuing civilian harm mounting at their feet.

The international community should work towards an urgent ceasefire in Marib and across Yemen. Fighting also rages on in different parts of the country.

What Yemen needs is serious and rigorous efforts by the global community, and a transformation of the negative role many regional and international actors have

played in fueling destruction and famine into positive roles promoting peace and development.

***Yemenis are being starved.***

The United Nations has described Yemen as the worst humanitarian crisis in the world. Since the war began, the UN, humanitarian organizations and rights organizations have released report after report, figure after figure, about just how bad the situation in Yemen is.

To give you a few: [More than 16 million people are going hungry in Yemen, including around 5 million who are just one step away from famine. Hundreds of thousands of children under the age of five are severely malnourished, many of whom will likely die.](#)

We know these numbers are hard to comprehend. It is shocking that this is happening in the 21st century. But, for us, each of these numbers represents a person, of flesh and blood, who is suffering and does not need to be. We witness this suffering—a mother trying to feed her children, a father despairing because he cannot—every day.

These tragedies were not caused by a natural catastrophe. They are the result of decisions made by people, the product of the systematic abuses of Yemen's warring parties.

As I've said before, I'll say again: Yemenis are not starving, they are *being starved*.

Yemen's horrific humanitarian catastrophe can only be understood as linked to the ways in which the warring parties have carried out attacks and chosen continued fighting over peace, both in the total absence of accountability.

The Saudi/UAE-led Coalition has hit farms, water points and fishermen in their airstrikes, while the Houthis have laid landmines near food and water sources. All parties have obstructed, impeded and blocked humanitarian access. Warring parties have felt safe in their egregious behavior given the imbalanced global context that has pampered, protected, and granted these parties nearly total with impunity.

What is most unfortunate is that this is not news to the international community.

During 2020 alone, [Mwatana documented more than 1020 attacks impacting civilians or civilian objects.](#) These attacks killed or wounded at least 900 civilians,

most of whom were women and children. In 2020, as in every year before, all of Yemen's warring parties were responsible for civilian harm, and international law violations, including: the Ansar Allah (Houthi) armed group, the Saudi/UAE-led Coalition and armed groups loyal to it, forces affiliated with President Abd-Rabou Mansour Hadi's internationally-recognized government, as well as the UAE-backed Southern Transitional Council and UAE-backed Joint Forces on the West Coast.

The United States has also played a role in Yemen's war. Since 2015, Mwatana repeatedly documented US weapons used in indiscriminate and disproportionate coalition airstrikes. The announcement that the US would end ongoing military support for the Saudi/UAE-led coalition's offensive operations and relevant weapons sales was a significant and necessary step, but it does not erase the last six years.

In addition, for nearly two decades the United States has carried out direct attacks in Yemen as part of its counterterrorism operations. Between 2017 and 2019, Mwatana documented 12 US operations, including 10 apparent drone strikes and two ground operations, that caused civilian harm. The US has so far acknowledged civilian harm in only one of these incidents. There has been no credible accountability or redress.

### ***Yemenis want a state based on the rule of law***

There's something important I've learned from working with and talking to people from all parts of Yemen. It gives me hope. Although years of war have passed, the majority of Yemenis, when they think about their future, still think that this future should be living within a State that guarantees the rule of law, that respects democracy, and that promotes political plurality, freedom of expression, equality, and justice. Yemenis look forward to the moment when sustained and serious efforts, including by the international community, will help them fulfill this dream.

The state has collapsed in many parts of Yemen, and the judicial system has splintered, but thousands of Yemenis across the country are still resorting to police stations and courts to solve their conflicts. Most Yemenis are still in favor of peaceful means of conflict-resolution, instead of violence. The warring parties do not represent Yemenis. It is those Yemenis pushing for a rights-respecting and just country that are the country's best hope for the future.

### ***Pressure the warring parties to take urgent steps to improve situation for civilians***

Much needs to be done in Yemen, but there are some clear places to start. For many years, human rights and humanitarian groups have made the same set of demands of the warring parties, and called on the US and others to pressure the warring parties to heed these calls. They include:

- Respect international humanitarian law and international human rights law,
- Stop attacks on civilians.
- Open Yemen's sea, land, and air ports, including Sana'a airport. End the siege of Taiz, and allow movement and safe passage between Yemen's various regions and cities.
- End restrictions on, and impediments and obstruction to, the flow of commercial and humanitarian goods into Yemen and around the country. Ensure humanitarian aid is able to reach its intended beneficiaries.
- Pay the salaries of public sector employees, including those in arrears.
- Release those arbitrarily detained and disclose the whereabouts of the forcibly disappeared.
- Immediately allow inspection and maintenance of the FSO Safer.
- End all restrictions imposed on, civil society and the media.
- Cooperate with efforts to achieve accountability, including criminal justice and reparation, for Yemen.

Each of these steps, even if the war continues, would have a wide and positive impact for civilians.

The warring parties will only heed these calls if pushed to do so.

Millions of civilians are waiting for these demands, which would change their lives instantly, to receive the serious international attention needed to pressure the warring parties to finally take these steps.

These demands should be high on the list of the United States' priorities, in parallel with efforts towards a lasting, comprehensive and durable peace between all the warring parties and addressing the conflict's various aspects.

### ***The impact of United States policy on the possibility of peace***

Yemenis noticed when the new US Administration declared its intent to take a different approach to the situation in Yemen—one focused on diplomacy, rather than fueling the war. I was astonished by the amount of interest Yemenis across the

country expressed. Every single, meaningful effort towards peace and justice for Yemen over the last few years, including by many Congresswomen and Congressmen, is to be welcomed.

Although many harsh years have passed, and millions have seen their lives upended, millions are waiting to see if the US's new approach will have a meaningful impact on their lives.

I am speaking to you today feeling more anxious than I felt on earlier occasions, because for the first time in many years the US approach has given new hope, and I am very afraid that this hope might be dashed.

I experienced a similar sense of hope and frustration during the international efforts that pushed forward a round of negotiations between the warring parties in Stockholm in 2018. That was an important moment. It became clear that sustained international efforts, when there is a will, can help push and build momentum towards peace. On the other hand, Stockholm also represented an important lesson on how precious opportunities to save the lives of millions can be lost when there is no meaningful follow-up or pressure to ensure these windows of opportunity actually become doors to a durable and sustainable peace.

### ***Ensuring credible accountability, including criminal justice and reparations, for Yemen***

Since the war began, the parties to the conflict, as well as their regional and international allies, have resisted and tried to undermine demands for independent investigations that could serve as a basis for accountability. But, justice is the only way to the type of lasting peace hoped for by Yemenis.

Let me tell you here the truth I always repeat: Even during a war, Yemen would not have been the worst humanitarian crisis in the world except for the absence of accountability. The warring parties enjoyed full impunity, and so they committed crimes that they could have easily avoided.

We are waiting to see if the US Administration will take the necessary step of centering Yemeni demands for accountability, including criminal justice and reparations, in its new approach to Yemen, or keep repeating the past mistake of supporting impunity, and paving the way for all the abuses that follow. In earlier

years of the Yemen war, accountability efforts were repeatedly obstructed by US diplomatic and political interventions. This should change.

First, the US should meaningfully support the UN Human Rights Council experts documenting Yemen abuses, including by supporting recommendations made by the [Group of Eminent Experts](#), and ensuring they have the necessary resources to do their work.

Second, the United States should immediately begin working with other states to lay the groundwork for criminal justice for international crimes committed in Yemen and reparations for victims in Yemen, and explore the creation of different mechanisms that would help further both of these aims.

Third, the US should lead by example. While the withdrawal of certain types of military support to the Saudi/UAE-led Coalition was a step in the right direction, the only way to ensure it doesn't happen again is through accountability. Congress should push the Administration to investigate any unlawful civilian harm associated with US attacks in Yemen, including those the US carried out and participated in, ensure the results of these investigations are made public and support prompt and meaningful reparations to civilian victims.

In an ideal world, the US would champion efforts at the UN Security Council to refer the situation in Yemen to the International Criminal Court. Given the gravity of crimes in Yemen, and how clear Saudi Arabia, the UAE and Yemen have made their opposition to any form of justice, a UN Security Council referral to the International Criminal Court is the most obvious and most logical next step for Yemen justice. At a minimum, the US should not block a Security Council referral of the Yemen situation to the Court. Doing so would be tantamount to denying Yemenis justice.

Another thing the US can do through the Security Council is to work with other states on a new resolution that provides an effective framework for peace, and that avoids the pitfalls of earlier resolutions. This resolution should center accountability, including criminal justice and reparations, and human rights. It should work to incorporate all the various warring parties, as well as other groups in society, including civil society, into a more inclusive, representative and context-reflecting framework for the eventual negotiations table.

## ***Conclusion***

Almost ten years ago, Yemen was a country trying desperately to enter the world as a young democracy. Now, the war has created a safe environment for armed groups.

We must remember that the war and military support for the warring parties has only succeeded in creating a humanitarian and human rights catastrophe. It has strengthened the armed groups. It is now the time to try the path of peace and accountability.

Although the Yemen war, like any war, comes with many complexities and challenges, including the overlap between the local, the regional, and the international, these layers also provide opportunities and space for positive action, including meaningful diplomatic and political efforts towards peace and justice.

There is no doubt that pushing peace and justice in Yemen is not an easy task. However, there is a real opportunity now in Yemen because of the precarious balance between the different warring parties, who have all failed civilians miserably, while succeeding in holding onto power and, in many cases, enriching themselves.

But, even an entire end to US military involvement in the conflict, which we have yet to see, is not the end of US responsibility, and certainly not the end of what the US can do help address the ongoing civilian suffering. The US should now approach Yemen with a credible and holistic strategy aimed at mitigating the humanitarian impact of the war, ensuring accountability and redress, and pushing towards peace.

What the US does and says—including what Congress does and says—matters on Yemen. The US can make peace in Yemen more possible, or less. It is as simple as that.