CASE 1.
Siege tactics:

Hudeidah under fire
(Yemen, 2018)

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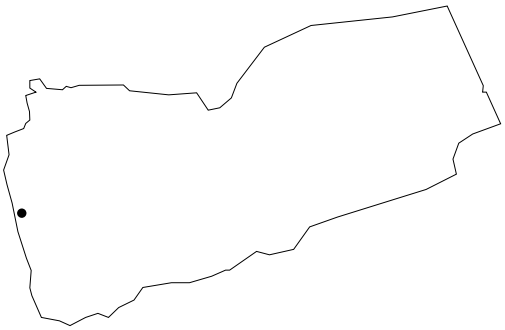
COUNTRY

Yemen



PERPETRATOR

The Saudi-led coalition

ACT

carried out airstrikes and lay siege to the city of Hudeidah by cutting off supplies entering the port

OBJECTIVES*

- to combat Houthi rebels

** As far as we have been able to discern; the list may not be exhaustive in this regard*

CONSEQUENCES

The death of many civilians upon impact of airstrikes

Mass displacement of civilians

↳ leading to a number of displacement-associated risks (e.g. reduced access to education, income and health care)

The destruction of markets and medical facilities

↳ contributing to malnutrition, other health problems, and loss of livelihood

The destruction of WASH and electricity infrastructure

↳ contributing to public health problems like cholera

Decreased access to drinking water, food and medicine

↳ contributing to malnutrition, food insecurity, other health problems

↳ stunted growth

Fuel shortages

↳ causing decreased food production

↳ leading to food insecurity

Located in the south-west of the Arabian Peninsula with its coastline of over 2,000 kilometres, Yemen has long existed at a crossroads of cultures because of its strategic location in terms of trade, with Hudeidah being the country's principal port on the Red Sea. From the major international shipping lanes used to move goods between Europe, Asia and Africa via the Suez Canal to the west of the city, to the Ras Isa oil terminal serving the Marib oilfields and the nearby port of Saleef. Strategically, Yemen sits on the strait linking the Red Sea to the Gulf of Aden, through which most of the world's oil shipments pass. Despite its geostrategic location, Yemen remained the poorest, most water-scarce and most corrupt country in the Middle East with very low development. The Arab Spring of 2011 brought a welcome change in political leadership in the country when the authoritarian President Ali Abdullah Saleh, who ruled Yemen for over three decades, handed over power to his deputy, Abdrabbuh Mansour Hadi. However, this sowed the seeds for a civil war which has gripped the country since 2015, worsening the already dismal development indicators and increasing the suffering of an already impoverished population.[1]

1.1 Case: Airstrikes on a besieged city

On 26 March 2015, Saudi Arabia and the United Arab Emirates (UAE) launched a surprise military attack on Yemen, destroying its air force and controlling its airspace within 24 hours, with the stated goal to reinstate Yemen's embattled President Abdrabbuh Mansour Hadi, whose legitimacy had been undermined by the Houthi takeover of Sana'a some months prior. Wanting to retake the port city of Hudeidah, which had been under Houthi control since 2015, the pro-government forces announced the commencement of 'Operation Golden Victory' on 13 June 2018. The battle for Hudeidah resulted in the Saudi-led coalition laying siege to the port. Consequently, fishing was no longer the main activity practiced by most residents of Hudeidah; instead, the hunt for civilians trapped under the rubble of structures destroyed by Saudi-led coalition airstrikes, had come to take people's time.

One such airstrike was carried out on 2 August 2018. In the late afternoon, citizens of the besieged city of Hudeidah heard warplanes buzzing overhead; this unfortunately was not an uncommon occurrence in the port city. Soon they heard the whizzing of a missile, followed by an explosion as the missile hit the busiest fish market in the city. People on the streets rushed to the site and began helping the paramedics and ambulances – already in a dire state as a result of the siege and a conflict spanning over three years – to carry the bodies of the dead and injured to nearby medical facilities, including the largest hospital in the city, Al Thawra Hospital. In the midst of all the frenzy, the hovering of the warplanes returned, and this time strikes hit the entrance of the hospital, crowded with civilians. Alaa Thabet, a 38-year-old resident of Hudeidah said that it seemed like the warplanes were chasing the casualties, and the second round of strikes therefore killed more people than the first. 'After the second airstrike people were praying Allah would take revenge on the Saudis,' Thabet said. 'As I approached the site of the strikes, I saw a motorcyclist who had been killed but his hands did not leave the motorcycle. I cannot forget this scene' (Middle East Eye, 2018).

News agencies reported between 26 and 60 dead and over 100 injured as a result of the airstrike (Middle East Eye, 2018; Abdulkareem, 2018; Rashad et al, 2018; Deutsche Welle, 2018). Earlier the International Committee of the Red Cross (ICRC) shared on Twitter that it was sending medical equipment to Al Thawra Hospital to treat 50 people in critical condition following the attack. The hospital said in a tweet that a strike targeted its main gate, leaving dozens of casualties (Rashad & El Yakoubi, 2018).

An estimated two dozen missiles were fired in Hudeidah on that day, marking an escalation of the conflict, in a city already besieged. These attacks came after weeks of tensions in which Saudi Arabia accused its Yemeni adversaries, the Houthi rebels who occupied Hudeidah, of attacking a Saudi oil vessel in a Red Sea shipping lane. The missile strikes of 2 August 2018 were the most intense raid in a series of Saudi-led aerial attacks over the previous weeks. Earlier attacks hit targets near a reproductive health centre and a public laboratory in Hudeidah, and a water station and sanitation plant that supplies much of the water to the port city, according to the UN (Kalfood & Coker, 2018).

The siege, which combined incessant airstrikes with an import blockade, had effectively cut off millions of civilians from much-needed resources. Up to 80 per cent of the humanitarian supplies, fuel and commercial goods for the country are delivered through Hudeidah; in short, the port is a lifeline for millions of Yeminis at risk of famine (BBC News, 2018a). 'The Saudis have taken a page from [Syrian President Bashar] al-Assad's playbook. They think this siege will break us and we'll accept their plan for the country', said 62-year-old Mohamed Abu Baker, a civil servant (Edros, 2017).

Despite the Houthi's lack of an air force, the Saudi-led coalition denied being involved in the airstrike: '[The] coalition did not carry out any operations in Hudeidah today', said Colonel Turki Al-Malki, the spokesman of the coalition forces in Yemen. 'The Houthi militia are behind killing of civilians in Hudeidah on Thursday', he insisted. 'The coalition follows a strict and transparent approach based on the international law. We pursue any allegations and if there is any responsibility we will hold it transparently', he said (Rashad & El Yakoubi, 2018). Pro-Yemeni government activists and media accused the Houthis of targeting civilians with ballistic missiles, suggesting the rebels did so to make the coalition look bad.

Marred by airstrikes and blocking of supplies, the siege of Hudeidah lasted over six months, and was finally ended following the truce under the Stockholm Agreement on 13 December 2018.[2] In the following months, even though the airstrikes on Hudeidah stopped, fighting had still not decreased by March 2019. Aid delivery was still hampered and the city remained unsafe for civilians (Slemrod, 2019). The UN-chaired Redeployment Coordination Committee, headed by retired General and out-going head of the UN mission in Yemen Patrick Cammaert, brought parties on a UN-chartered boat off the Red Sea to discuss further steps of the Hudeidah agreement. Under the Stockholm Agreement, the full redeployment of forces from both sides should have been completed within 21 days of the Agreement's conclusion. In reality, it was not until 11 May 2019 that the Houthis began their redeployment (Peoples Dispatch, 2019a).

1.2 Perpetrators: An internationally backed proxy war?

While the battle in Yemen on the surface seemed to be between the Houthis and President Hadi, the latter being backed by Saudi Arabia and UAE, officially, the coalition also included

Qatar (until June 2017), Morocco (until February 2019), Bahrain, Kuwait, Egypt and other Arab and African allies.[3] The Saudi-led coalition is backed by Western allies including the United States, the United Kingdom and France, who are providing intelligence and crucial support to the Saudi-led coalition. On the other hand, Iran supports the Houthis with expertise and weapons smuggled into the country. Against this backdrop, it has been suggested that the battle of Hudeidah and the Yemeni civil war should be viewed as part of the wider Middle East-wide proxy war between Iran and Saudi Arabia.

It is clear that all parties to the conflict perpetrate harm against civilians, ranging from arbitrary detention, to rape, torture, and violations of economic, social and cultural rights (Shugerman, 2018). The use of airstrikes in this conflict is particularly notable: They likely violate the International Humanitarian Law principles of distinction, proportionality and precaution, and are responsible for the majority of direct civilian casualties. Notably, the Saudi-led coalition has carried out airstrikes on markets – such as the attack described above – and medical facilities, thereby depriving Yemeni civilians of food and health care (Shugerman, 2018).

It is also essential to look at the facilitating role that the US, UK and France are playing, especially in terms of weapon sales. From 2009 to 2016, the Obama administration authorised a record USD 115 billion in military sales to Saudi Arabia, far more than any previous administration. Much of that weaponry is being used in Yemen, with US technical support (Bazzi, 2018). Moreover, in late 2017, after the Houthis fired ballistic missiles at several Saudi cities, the Pentagon secretly sent US special forces to the Saudi-Yemen border, to help the Saudi military locate and destroy Houthi missile sites. While US troops did not cross into Yemen to directly fight Yemen's rebels, the clandestine mission escalated US participation in a war that has dragged on since Saudi Arabia and its allies began bombing the Houthis in March 2015 (Bazzi, 2018). Similarly, in May 2017, President Trump announced the sale of nearly USD 110 billion in weapons to the regime over a 10-year period (Safi, 2018). Saudi Arabia and UAE, both involved in the international offensive in Yemen, together make up around 28 per cent of the US global arms sale (Peoples Dispatch, 2019b). After years of sales, in January 2021, the new Biden government is now reconsidering arms sales to Saudi Arabia and the UAE, however, a concrete decision is still pending (Strobel, 2021).

The US is not the only Western country supporting the Saudi-led regime. In April 2019, *Disclose*, an independent investigative media outlet, published a report citing a classified report from the French military intelligence, dated September 2018, providing overwhelming evidence that the Saudi-led coalition used French-made artillery, tanks and laser-guided missile systems against civilians in Yemen (Ira, 2019). These claims were denied by the French Minister of the Armed Forces, Florence Parly. However, she confirmed in May 2019 that France was in the process of sending a new shipment of weapons to Saudi Arabia. 'As far as the French government is aware, we have no proof that the victims in Yemen are the result of the use of French weapons,' Parly said (The Defense Post, 2019). The report makes clear that France's actions are in violation of international law, including the 2014 European treaty on arms trade, which outlaws arms sales when the country has 'knowledge at the time of authorization that the arms or items would be used in the commission of' war crimes (Morrow, 2019).

Another Western country which is said to be complicit in the war is the United Kingdom. Over the last 4 years of the war, the UK's weapons exports to Saudi have sky-rocketed, now accounting for nearly 50 per cent of its

arms exports. Between March 2015 and December 2018 over GBP 5.7 billion (about USD 7.3 billion as of December 2018) in arms have been sold to the Saudi-led coalition fighting in Yemen (Burgess, 2019a). Critics have been even more vocal that within the 3 months after the death of the journalist Jamal Khashoggi who was an active critic of the Saudi government, the British government licenced an estimated GBP 11.5 million (about USD 14.7 million) worth of military equipment to Saudi Arabia (Burgess, 2019b). There is currently no obligation on the government to publish the total value of the licence when it ends (Burgess, 2019b).[4] Andrew Smith, a spokesperson for the Campaign Against Arms Trade speaking on these deals said:

> *The murder of Jamal Khashoggi was condemned around the world, but for the arms dealers it was business as usual. At the same time as the regime was coming under unprecedented pressure, the U.K. government was cozying up to the dictatorship and signing off on arms deals. The humanitarian crisis that Saudi forces have inflicted on Yemen hasn't been enough to stop arms sales. Nor has the brutal killing of Jamal Khashoggi. If these atrocities haven't been enough for Downing Street to act then what more would it take? (Burgess, 2019b)*

Similarly, in April 2019, the British investigative current affairs programme *Dispatches* released the documentary 'Britain's Hidden War', which exposed the depths of the UK's complicity in Saudi Arabia's bombing of Yemen (Channel 4, 2019). It revealed that under the arms deal signed by the UK government, Britain has provided the Saudis with a fleet of Typhoon military jets, as well as the constant supply of ammunition, components, training and technical support required to keep those jets operational, creating a high degree of Saudi dependency on continued British support. A former Saudi air force officer claimed in the documentary that his compatriots would be unable to keep the Typhoon in the air without British support, and that although jets supplied by the US play an insurmountable role in the war, without the British supplied Typhoon, they will stop the war (Wearing, 2019).

While countries like the UK, US and France may not be official combatants, all these states, including Spain, China, Canada, Turkey, Georgia, South Africa, Belgium, Bulgaria, Romania, and Poland among others, are indispensable participants and accessories in the conflict in Yemen (Dewan, 2018). These countries facilitate Saudi-led violence against civilians. This links those countries to the conflict and makes them complicit in its human cost. It is weapons and military technology like this which enable Saudi and Emirati air forces to target cities like Hudeidah and Taif, which are already besieged, as part of a larger strategy of cutting off food, fuel and other essential resources for Yemeni civilians. Italy, Norway, Finland, Germany, Greece and Denmark have suspended arms exports to Saudi Arabia over concerns over the Yemen conflict, with many announcing this suspension immediately after the killing of Jamal Khashoggi (Za & Jones, 2018; Graham, 2018).

1.3 Victims: Death, displacement, disease, and starvation

According to the UN, at least 6,800 civilians have been killed and 10,700 have been injured as a result of direct fire during the conflict (BBC News, 2018b). However, the second-order impact on the loss of lives and compromised resilience is far more catastrophic. According to conservative estimates by international human rights groups and aid agencies, 60,000 Yemenis have died since 2016, the majority from Saudi- led coalition bombing (Reinl, 2019). Out

of 18,000 strikes from March 2015 to April 2016, 31 per cent of targets were civilians or civilian infrastructure, 36 per cent were military, and the remainder were unknown (Safi, 2018). Another report, commissioned by the UN with researchers from the University of Denver, estimated that by 2019 more than half of the death toll of the conflict in Yemen would consist of deaths as a result of indirect effects of the conflict, such as starvation and diseases (Moyer et al., 2019). The number of grave violations of children's rights has more than doubled in the past year and reported incidents of sexual and gender-based violence (SGBV) have increased 70 per cent, whereas many incidents remain unreported (UN Office for the Coordination of Humanitarian Affairs, 2019). An estimated 3 million women and girls are at risk of SGBV and incidents of violence against women have increased by more than 63 per cent over the last 2 years (Oxfam, n.d.). Areas along many of the more than 30 front lines have been mined.

People fleeing their homes to other areas of Yemen or if they can, outside of the country, are another devastating consequence of the war. Since the siege on Hudeidah started, the UN estimates that over 445,000 people, equivalent to approximately half the city's inhabitants, have fled (McKernan, 2018). In total, over 3.65 million people are displaced internally in the country since the conflict began, out of which 398,000 were displaced within 2019 alone (Internal Displacement Monitoring Centre, n.d.). An additional 1.28 million displaced people have already returned to their areas of origin (International Organisation for Migration, n.d.).

Particularly harmful in the Yemeni civil war have, however, been widespread famine and outbreaks of diseases as a consequence of fighting.

Cholera: Less than 50 per cent of health facilities across the country are fully functional and those which are operational lack specialists, equipment and medicines, with the latter being hard to get because of the siege. Only 22 per cent of rural and 46 per cent of urban populations are connected to partially functioning public water networks and less than 55 per cent of the population has access to safe drinking water. Fighting has damaged water and electricity infrastructure, irrigation systems, agricultural sites, hospitals, water points, sanitation plants and economic assets. Not only are these infrastructures being directly targeted, importing medicines, chlorine for water purification, specialised equipment, and fuel to run these infrastructures have become problematic as a result of the siege. As a result, Yemen is facing the world's worst ever recorded cholera outbreak, which has spread to nearly every corner of the war-ravaged country (World Health Organisation, 2017). More than 1.3 million cases have been reported and at least 2,700 people have died since the start of the epidemic. Many more are now at risk, already weakened by hunger and the effects of the ongoing war.

Food insecurity: Food insecurity affects staggering numbers of Yemenis. More than twenty million people face hunger, of whom almost half suffer acute food insecurity (World Food Programme, n.d.). Women suffer disproportionately from these dramatic levels of food insecurity and malnutrition. They eat last and least, giving priority to children and other family members, or using money for other household needs.

The food shortage that led to the famine is not a coincidental consequence of the war in Yemen. There are two variables affecting hunger: food availability and the capacity to pay for it. About 90 per cent of the country's food has to be imported, but the Saudi-enforced blockade of imports has caused shortages. In Hudeidah, the price of barley is three times higher than it was before the conflict. Just in January 2018,

the price of imported cooking oil went up 61 per cent and the price of wheat rose by 10 per cent, whereas maize went up by an approximate 140 per cent (UN Food and Agriculture Organisation, 2018). Analysis indicates that civilian areas and food supplies are being intentionally targeted. 'In Sa'ada, they hit the popular, rural weekly markets time and again. It's very systematic targeting of that, 'said Martha Mundy, a retired professor from the London School of Economics, who analysed the location of air strikes throughout the war (Ferguson, 2018). This is a consistent pattern, also visible in the targeting of Hudeidah's fish market described above.

In addition, companies face arbitrary restrictions by parties to the conflict when moving food around the country (Oxfam, 2018). The blockade causes fuel shortages and uncertainty of imports, and consequently, some of Yemen's major food companies struggle with milling and distributing food inside the country. Despite a temporary ceasefire brokered in December 2017, less than one-fifth of the country's monthly fuel needs and just over half of monthly food needs were imported through the ports by January 2018. 'This is a war waged with 21st century hi-tech weapons, but the tactic of starvation is from the Dark Ages', remarked a country representative from Oxfam in Yemen (Oxfam, 2018).

This economic warfare is a grey area under international law. Whereas overt siege-and-starvation tactics are explicitly prohibited, civilian areas and food supplies are being intentionally targeted. Stopping activities that are essential for people to feed themselves, such as closing of businesses and work opportunities, is not explicitly covered under international law (See Rule 53 in International Committee of the Red Cross [ICRC], n.d.). The Executive Director of the World Peace Foundation and author of the book 'Mass Starvation', Alex de Waal, stated that

> *that is the weakness in the law. The coalition airstrikes are not killing civilians in large numbers but they might be destroying the market that kills many, many more people. The focus on food supplies overall and humanitarian action is actually missing the bigger point. It's an economic war with famine as a consequence. (Ferguson, 2018)*

The situation in Yemen goes to the heart of the major legal dispute regarding economic warfare: intent. Military and political figures can claim that they never intended to starve a population, and argue that hunger is an unintended side-effect of war for which they do not bear legal responsibility.

1.4 Significance: Siege as a war tactic

While the adjective most commonly used to describe sieges is 'medieval', today's sieges are most often laid using jet aircraft, and modern communications technology enables daily contact with civilians living under siege. Both besieged and besieging forces appear motivated by perverse incentives to prevent civilians from leaving besieged areas, potentially prolonging their suffering for years. Other cities in Yemen which have also faced siege in the country include the capital Sana'a, the port city of Aden, as well as the governorate of Hajjah.

Nearby in Syria, siege tactics have been used since the conflict first began in 2011. The first siege in the Syrian conflict was imposed just a month into the uprising. On 25 April 2011, the Syrian Arab Army (SAA) surrounded the southern city of Dara'a and besieged it as part of a 10-day operation that would leave over 500 Syrians dead and 2,500 detained. Similarly, in 2012, the Syrian government imposed multiple sieges to protect

areas of strategic importance. It laid siege to a number of areas in Damascus' suburbs, preventing the spread of dissent into the capital and cutting rebels off from external support. Sieges have also been used to protect the city of Homs, which occupies an important central location between Damascus and Aleppo, and areas near the Lebanese border, to protect supply routes. This strategy has proven successful, as the regime maintains control over these key areas today.

As the rebellion continued and besieged opposition forces refused to surrender, preventing the movement of goods and people was no longer sufficient to eradicate the opposition. Instead, the SAA shifted to a systematic campaign of 'urbicide,' the destruction of vital sites of civilian infrastructure, in an attempt to render the means of modern life impossible. Electricity, water, and sanitation networks were targeted, as well as medical facilities and schools (Todman, 2016). The Syrian government has since besieged areas such as Ghouta, Douma, Kefraya, Fua'a, Zabadani, Darraya, Hama, Homs, Aleppo, and at the time of writing this chapter, has besieged Idlib.

The self-proclaimed Islamic State of Iraq and Syria (ISIS) has also used siege as a war tactic across Iraq, from Mosul to Hawijah, whereas the anti-ISIS coalition besieged Western Mosul in March 2017 in order to physically isolate ISIS and cut its supply lines.

Oddly enough, sieges as such are not prohibited under international law. There are, however, several rules that protect civilian populations in a siege situation. Starvation of the population as a means of warfare is not allowed, nor is the destruction of objects indispensable for their survival; vulnerable civilians must be allowed to evacuate; humanitarian access must be provided; and in general, civilians and civilian objects must be protected from attack and terror.[5] However, as seen in the case of Hudeidah, despite the siege, humanitarian access was not allowed, starvation was still used as a tactic against civilians, and civilian infrastructure was still targeted through airstrikes on markets, and water and health infrastructure. In addition, the ICRC has collected evidence on customary international law to establish certain rules as norms in non-international as well as international armed conflict, including prohibitions on starvation of civilians, on using civilians as human shields, on destruction of objects indispensable to civilian survival, and on collective punishments, as well as requiring 'rapid and unimpeded passage of humanitarian relief for civilians in need' (see Rules 24 and 53 in ICRC, n.d.). International organisations have criticised the use of sieges in Bosnia and Herzegovina as well as in Syria (UN Security Council, 2018; see Rule 53, note 22 in ICRC, n.d.).

In the meantime states, including permanent members of the UN Security Council and parties to the Additional Protocols, continue to use siege warfare – with its attendant severe hardships for civilians – and to defend its legality (The Ceasefire Centre for Civilian Rights, n.d.). As long as strong powers continue to back up the parties to the conflict instead of seriously investing in conflict resolution, and persist in providing arms, planes, intelligence and logistics to the belligerents instead of focusing on relief for the population of Yemen, the siege of Hudeidah and the rest of the country will continue to undermine life and stability for the Yemenis for many years to come.

Images

Damage in Hudeidah following a 21 September 2016 airstrike by the Saudi-led military coalition.

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Endnotes

1 In 2014, before the start of the civil war, Yemen ranked 160th out of 188 on the Human and Gender Development Indices (HDI and GDI) with an HDI score of 0.498 and a GDI score of 0.739, with about 50 per cent of the population suffering from multi-dimensional poverty. In 2018, it had dropped to the 170th place out of 189 countries, with an HDI of 0.463 and a GDI of 0.458. For comparison: The highest-ranking country of 2018, Norway, had a HDI of 0.954 and a GDI of 0.990 (UN Development Programme, n.d.).

2 The Stockholm Agreement also included mechanisms for prisoner exchange, as well as a statement of understanding on Taiz. The parties did not sign the agreement, but shook hands on it.

3 This Saudi-led intervention in Yemen is neither new nor surprising: Yemen's strategic location has ensured a history of Saudi intervention in the country that escalated when monarchs or Saudi-allied presidents—like Hadi—came under threat.

4 The total figure could be much higher because of the use of a type of licence which allows the agreement to be extended over time. The government is not obliged to clarify the final figure. Open licences, known as OIELs, have been described as 'secretive' by campaign groups because they allow an uncapped number of items to be sent to another country for five years.

5 See Article 17 of the Fourth Geneva Convention, as well as Articles 51, 54 and 70 of Additional Protocol I, and Articles 14 and 18 of Additional Protocol II.