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THE HUMANITARIAN CRISIS IN YEMEN: ADDRESSING CURRENT POLITICAL AND HUMANITARIAN CHALLENGES

HEARING

BEFORE THE

SUBCOMMITTEE ON
THE MIDDLE EAST, NORTH AFRICA, AND
INTERNATIONAL TERRORISM

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THE HUMANITARIAN CRISIS IN YEMEN: ADDRESSING CURRENT POLITICAL AND HUMANITARIAN CHALLENGES

Wednesday, March 6, 2019

House of Representatives,

Subcommittee on the Middle East,

North Africa, and International Terrorism,

Committee on Foreign Affairs,

Washington, DC

The subcommittee met, pursuant to notice, at 2:40 p.m., in Room 2172, Rayburn House Office Building, Hon. Theodore E. Deutch (chairman of the subcommittee) presiding.

Mr. DEUTCH. This hearing, titled "The Humanitarian Crisis in Yemen," will examine current political and humanitarian challenges in Yemen and how the U.S. Congress can address them.

Without objection, all members may have 5 days to submit statements, questions, extraneous materials for the record, subject to the length limitation of the rules. I will now make an opening statement and then turn it over to the ranking member for his opening statement.

I want to thank our esteemed panel for being here today. I would like to particularly thank Ms. Radhya Almutawakel for joining us today. She and her organization, Mwatana for Human Rights, bravely advocate for justice, accountability, and human rights in Yemen. We are so honored by your presence today. Thank you very much. Having your voice on this panel to help us better understand both the situation on the ground and the plight of the people of Yemen will help us make better and more informed, well-informed decisions. We really are grateful.

In September 2014, Houthi rebels attacked the Yemeni capital of Sana'a and forced the internationally recognized government of President Hadi to flee. In March 2015, in response, the military coalition led by Saudi Arabia and the United Arab Emirates launched devastating airstrikes in Yemen and partnered with local forces to reclaim territory from the Houthis. The Saudis and Emiratis remain preoccupied with their military campaign in Yemen, which they view as directly related to their national security, and I share their concern that Iran is providing training as well as military and logistical support to the Houthis. This assistance has allowed the Houthis to attack international shipping, including an American naval vessel, in the Red Sea and the Gulf of Aden. It also prepared the Houthis to launch attacks on territory in both Saudi Arabia and the UAE, where approximately 130,000 Americans live.

U.S. relationships with these States are enduring and date to the end of the Second World War. I believe these partnerships are vital to stability in the Middle East. The United States is correct to support these countries' legitimate right to self-defense. However, we cannot avoid the fact that the war has directly caused tens of thousands of civilian deaths in Yemen. The United Nations has verified more than 18,000 civilian casualties since March 2015, although the actual number is likely much higher. The total does not include the tens of thousands of additional Yemenis who have died from nonmilitary causes, such as disease and hunger, that are worsened by the conflict.

Last year's National Defense Authorization Act, the NDAA, required the Trump administration to certify to Congress that Saudi Arabia and the UAE are taking demonstrable actions to reduce harm to civilians and damage to civilian infrastructure in Yemen. However, the administration brazenly ignored the February 9th certification deadline. The administration continues to refuse to certify, ignoring a law supported by both Republicans and Democrats.

Even worse, the military conflict has exacerbated a devastating humanitarian crisis in Yemen that began in 2011. According to the United Nations, the crisis in Yemen is the worst humanitarian situation in the world. Approximately 3.3 million people remain displaced, and an estimated 24 million people, nearly 80 percent of the population, require assistance and protection. More than 20 million people in Yemen are food insecure with 5 million—5 million—people on the brink of famine. More than 17.8 million lack access to safe water and sanitation, and 19.7 million lack access to adequate healthcare. Because of the conflict, poor sanitation and waterborne diseases, like cholera, are widespread. The World Health Organization estimates that more than 1.1 million people in Yemen have cholera and that thousands have already died from the disease.

A lack of humanitarian access in Yemen aggravates these extreme conditions, putting millions at risk of starvation, disease, and death. In response, the United Nations has contributed nearly $700 million in humanitarian aid since Fiscal Year 2018. In late November, another $131 million in food assistance was announced. The Saudis and Emiratis have provided billions of dollars in assistance, but billions of dollars are meaningless if the goods cannot reach those in need, if there is no cold storage for food, if there is no cash available to buy food in places where there might actually be food. Money is not going to solve the crisis. Only a political solution will end the war in Yemen and begin to relieve the suffering of its people.

Like most Americans, I am deeply troubled by this crisis. That is why I cosponsored and voted for H.J. Res. 37, a resolution that requires the removal of U.S. Forces from the Saudi-led military campaign in Yemen. I supported the resolution because I believe there is no military solution to this situation. We cannot allow American resources to contribute to or, worse, be complicit in the suffering created by this conflict.

Furthermore, with this resolution, Congress is finally engaging in a thoughtful and nuanced debate on our role in foreign policy

decisions and the constitutional limits of Presidential authority to participate in military action abroad without congressional consent. Congress has an important oversight responsibility when it comes to the use of military force, and we are appropriately reasserting ourselves in these decisions. This afternoon, I hope our witnesses can provide insight into the political situation and humanitarian challenges in Yemen. I also look forward to hearing how the U.S. Government, specifically Congress, can take steps to increase humanitarian access and stem the spread of disease, displacement, and famine. And, finally, I hope the witnesses will outline how the United States can support diplomatic efforts to reach a lasting political solution, which is the best way to secure U.S. national interests, end the suffering of Yemen's people, and provide the country with a brighter future. I now turn for the first time in the subcommittee proudly to the ranking member for his opening statement.

Mr. WILSON. Chairman, thank you.

Mr. Chairman and Chairman Deutch, first of all, I want to congratulate you on assuming the chairmanship of this important subcommittee. Your leadership on U.S. policy issues in the Middle East is well known, and I look forward to working closely with you and your staff in moving forward.

Second, I would like to thank you for calling this important hearing. Now, ongoing conflict in Yemen has produced the most devastating humanitarian catastrophe in the world. To reaffirm the chairman's statistics, our concerns are bipartisan. Close to 80 percent of Yemen's population of nearly 30 million people are currently in need of some form of assistance. That is a staggering 22 million people. Sixteen million Yemenis lack access to drinking water and sanitation. Another 16 million are classified as severely food insecure. Unfortunately, children have borne the brunt of this humanitarian nightmare. The regional director of the United Nations International Children's Emergency Fund, UNICEF, remarked just last week that, quote, "today Yemen is the worst place on Earth for a child", end of quote. Nearly 85,000 children have died from severe acute malnutrition between 2015 and the end of last year. About 360,000 children are suffering from acute malnutrition with life-threatening consequences. Cholera has resurfaced in Yemen with roughly 10,000 suspected cases now reported per week, according to the World Health Organization. Tragically, children account for 30 percent of the infections.

Amid the conflict and humanitarian crisis, Yemen's economy continues to unravel. The exchange rate is around 600 Yemeni rials to the U.S. dollar. As the economy's situation gets increasingly worse, the price of food for Yemenis rises, exacerbating the situation on the ground. We are optimistic that the U.N.-brokered Stockholm agreement signed in December 2018 could alleviate some of the humanitarian concerns, but little progress has been achieved since the parties met in Sweden, and violations of the agreement and resulting cease-fire continue unabated. I am saddened by reports that the Iranian-backed Houthi rebels have been targeting and detaining humanitarian workers in the country. International aid is a lifeline to millions of Yemenis, and humanitarian workers should have unhindered and unimpeded access to

civilians in war zones. Everyone should condemn harassment and intimidation of these good people risking their lives to help others. But fundamentally, I agree with the U.N. Secretary General Guterres' comments last week when he said that we cannot have a humanitarian solution to a humanitarian problem. Only a comprehensive political solution to the conflict can begin to address Yemen's immense problems. Throwing money at the many problems Yemen faces will not fix the country.

I appreciate Chairman Deutch calling this hearing and shedding some light on the tragic humanitarian conditions on the ground currently in Yemen. Too often we focus exclusively on our Nation's more direct security concerns, whether it be al-Qaeda's local branch or the increasing influence of Iran. The truth, however, is that the humanitarian crisis in Yemen is laying the groundwork for future decades of instability in the country that will be inevitably a breeding ground for terrorists to attack the United States. This is a long-term threat to our national security interest and must be addressed. Thank you, Mr. Chairman, and I look forward to hearing from our esteemed witnesses. I yield back my time.

Mr. DEUTCH. I thank the ranking member, Mr. Wilson. And I would ask if any other members, Mr. Malinowski, would like to make a 1 minute opening statement. No. Seeing none, I would like to introduce the witnesses.

Dr. Dafna Rand is vice president for policy and research at Mercy Corps. Prior to joining Mercy Corps, Dr. Rand held a number of leadership positions in government and academia, most recently as the Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor at U.S. Department of State.

Mr. Malinowski, do you have anything to add to that introduction?

Mr. MALINOWSKI. And served ably as my Deputy Assistant Secretary of State for Middle East Affairs when I had the honor to work with her at the State Department.

And this will not protect you from tough questions today.

Mr. DEUTCH. Thanks.

Also joining us is Radhya Almutawakel. She is chair of Mwatana for Human Rights, a Yemeni human rights organization. Again, we are so grateful for your presence here on the panel with us today.

Jeremy Konyndyk is a senior policy fellow at the Center for Global Development. He previously served in the Obama Administration from 2013 to 2017 as the Director of USAID's Office of U.S. Foreign Disaster Assistance where he led the U.S. Government's response to international disasters.

And Katherine Zimmerman is a research fellow at the American Enterprise Institute.

To all of our distinguished witnesses, I ask that you limit your testimony to 5 minutes.

And, without objection, your prepared written statements will be made a part of the record.

I thank you again so much for being here with us today.

And, Dr. Rand, I will turn it over to you.

STATEMENT OF DAFNA RAND, PH.D., VICE PRESIDENT FOR POLICY AND RESEARCH, MERCY CORPS

Dr. RAND. Thank you. Thank you, Chairman Deutch, Ranking Member Wilson, members of this committee. I am really honored to testify, especially with this expert group of witnesses. In addition to my written statement, I would like to make four additional points quickly.

First, I would like to analyze a bit the humanitarian tragedy that you have both described so ably. It is clear that institutional and governance solutions are the longer term complement to the current humanitarian relief operations. There is food in the marketplace but no money in the household to buy it. Forty percent of the hospitals are closed or shuttered in Yemen or have been targeted by airstrikes while 1.2 million people have contracted cholera. Both the public and private sectors have been politicized and, in some cases, weaponized with no social safety net, massive inflation, and no regulation on the remaining formal private sector.

The second nuance to the humanitarian situation: We have heard about the predominant strikes on weddings, funerals, and school buses, but there also have been strike upon strike on potato chip factories, agricultural infrastructure, water treatment centers, and electric grids. No party to the conflict is innocent. And the bottom line is this: In Yemen, the military conduct of State and non-State actors has downgraded international norms of warfare, expectations for how security actors treat civilians, expectations that have held for decades, and I worry that the damage to these international norms will extend far beyond the Arabian Peninsula.

The second point is that we are at an inflection moment. There have been recent agreements regarding de-escalation led by the U.N. special envoy. They have focused rightly on Hudaydah Port and City, through which so much of the humanitarian operations transit. And the United States congressional action of last year, your oversight, your legislative activity, your floor statements, these were instrumental in 2018 in creating this diplomatic opportunity. Congressional pressure on this administration dragged the parties to Stockholm, I believe. And although they are limited agreements, negotiated by the United Nations, they have the potential to shift the dynamic. For the first time, Congress has questioned the assumption and the assumed logic that only escalation will achieve the end goals of the coalition, the Government of Yemen, or the Houthis.

The third point is that, buoyed by recent evidence that your voice matters, Congress should continue signaling privately and publicly that there will be consequences for failing to follow through on the Stockholm agreements. In Yemen, like in so many other places, when Congress speaks united with one voice, you are echoing the conscience as well as the common sense of the global community. So Congress must continue to publicly and privately support the U.N. Special Envoy process, pushing through to follow through on the current commitments and demand additional de-escalation; call on the parties directly to empower and improve the functioning of the Central Bank of Yemen in order to control the currency crisis; tell the Government of Yemen and the Houthis to pay the public sector employees, the doctors and the teachers, before the militias;

tell the Government of Yemen and the UAE to finally cut through that backlog at the Aden Port so that humanitarian shipments can offload there; tell the Saudis to allow flights out of the Sana'a airport at least for medical treatment and other basic needs; and, finally and perhaps most fundamentally, call out publicly when U.S. partners and all parties commit human rights abuses in their military operations, whether these abuses are through interrogation or torture, through unlawful airstrikes, or through any other means.

And, finally, the United States must definitively and completely end its support for the coalition. This is a 4-year policy that has failed. It has incurred significant cost to the United States, generating greater instability and potential new rounds of terrorism in the Arabian Peninsula, offering Iran a broad and chaotic civil conflict to exploit and manipulate. U.S. support for this coalition has had significant moral costs for the United States and for U.S. global leadership worldwide. Congress must ensure that the Trump administration extricates itself from this war. This means legislating a formal end to DOD operations, including the refueling. This means signaling through oversight that the new focus of U.S. power will be on diplomatic opportunities that have arisen, and this means blocking all future offensive arms sales that could be used in the war in Yemen.

Finally and in conclusion, I urge this committee and Members of Congress to learn from this failed policy approach of 4 years. There is a dangerous trap lurking when the United States offers a blank check in the form of a security assistance to partners who whose values and interests can diverge from ours. Thank you very much, and I look forward to your questions.

[The prepared statement of Dr. Rand follows:]

Testimony before the House Foreign Affairs Subcommittee on the Middle East, North Africa and International Terrorism

"The Humanitarian Crisis in Yemen: Addressing Current Political and Humanitarian Challenges"

Dr. Dafna H. Rand, Vice President for Policy and Research, Mercy Corps

March 6, 2019

Chairman Deutch, Ranking Member Wilson, and members of the Committee, thank you for the opportunity to testify on the Yemen crisis and its implications for U.S. policy. After a brief analysis of the current humanitarian situation, this testimony focuses on recommendations for the international community and U.S. policymakers.

Today's hearing occurs at a potential inflection point in the four-year-old war in Yemen. For the first time since the breakdown of the ceasefire in 2016, there exists real, though easily reversible, political momentum toward de-escalation that could reduce the fighting, enable the transit of needed assistance, and lay the groundwork for future negotiations. Humanitarian progress almost entirely depends on diplomatic progress.

While the United Nations Special Envoy has led the diplomatic track, the United States—including the U.S. Congress—must pressure the parties to fulfill their late 2018 Stockholm, Sweden agreements and to offer additional agreements to end the fighting. The United States commands significant leverage over the Coalition, including the power to influence decision-making within Saudi Arabia and the United Arab Emirates. The United States should end all operational support for the Saudi-led Coalition. America's involvement in this war has undermined U.S. global leadership and derailed the pursuit of key U.S. national security interests. U.S. material support for the Coalition has set back global human rights norms. As the United States extricates itself operationally, it should pressure its partners in the Coalition to draw down and redeploy their forces, while urging all parties to de-escalate.

THE CRISIS IN YEMEN

The world's worst humanitarian crisis has followed from the confluence of food insecurity, deadly, though preventable, disease, economic collapse and hyperinflation, and the breakdown of social safety nets. All of these factors are the direct result of the fighting. The United Nations estimates that as of February 2019, in a country of over 30 million people, 24 million people require some form of humanitarian assistance, with 14.3 million of these in acute need, requiring basic water, food and other handouts for survival.[1] Alarmingly, these numbers have grown exponentially since the war began; in 2018 alone, there was a sharp 27 percentage rise in the

[1] "Humanitarian Needs Overview: Yemen," *UN OCHA*, December 2018, https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Yemen_HNO_FINAL.pdf.

number of civilians facing acute humanitarian need.[2] The 3.3 million Yemenis internally displaced because of the conflict are among the most vulnerable.

Today, 17.8 million Yemenis lack access to clean water. This water scarcity has triggered the current cholera outbreak—the largest in recorded history, with over 1.2 million cases since April 2017.[3] While Yemenis have been facing a water shortage problem for decades, the fighting has accelerated water mismanagement. Combatants frequently target key elements of the water infrastructure. Finally, the sharp decrease in fuel access has also limited water availability—across the country, diesel is required to operate water treatment facilities and to pump groundwater.

In many places across Yemen there is food in the marketplaces but no household money to buy it given the inflated prices. The poorest Arab country before civil war broke out, Yemen now faces economic collapse. Since 2015, the Yemeni rial (YR) has lost over 70 percent of its value. The YR hit an unprecedented low in October 2018 when it was trading at YR800 per $1 U.S. dollar compared to YR250 per $1 U.S. dollar before the war.[4] The parties to the conflict have blatantly disregarded civilian and economic infrastructure sites, such as transportation networks and health facilities, shuttering vital industries such as agriculture, manufacturing, and fishing, with deleterious implications for Yemen's post-war recovery.[5] Exchange rate volatility, access impediments, and double-taxation by overlapping governing jurisdictions have disrupted markets. Skyrocketing fuel prices have raised the costs of transportation, making food, water, and other basic goods more expensive.

The split of the Central Bank of Yemen in 2016 compromised the neutrality of Yemen's most important financial institution, accelerating the depreciation of the currency and the collapse of the economy and government institutions.[6] (While an injection of capital into the Central Bank in October 2018 by Saudi Arabia helped strengthen and stabilize the Yemeni rial in the short term, the ameliorative effect of that injection is beginning to fade as foreign reserves dwindle once again.[7]) The budget deficit has meant that public civil servant salaries remain unpaid, affecting the extended households that depend on this steady source of income. Nurses, doctors, and public works officials have been forced to stay home, with dire implications for the health and

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[2] "Yemen," *UN OCHA*, Accessed February 27, 2019, https://www.unocha.org/.

[3] "Humanitarian Response Plan: Yemen, January-December 2019," *UN OCHA*, February 2019, p. 5, https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Yemen_HRP_V21.pdf.

[4] Farea al-Muslimi, "Revitalizing Yemen's Banking Sector: Necessary Steps for Restarting Formal Financial Cycles and Basic Economic Stabilization," *SANA'A Center for Strategic Studies*, February 2019, http://sanaacenter.org/files/Revitalizing_Yemens_Banking_Sector_en.pdf.

[5] Martha Mundy, "Strategies of the Coalition in Yemen War: Aerial Bombardment and Food War," *World Peace Foundation*, October 9, 2018, p. 7, https://sites.tufts.edu/wpf/files/2018/10/Strategies-of-Coalition-in-Yemen-War-Final-20181005-1.pdf.

[6] "Yemen Economic Monitoring Brief," *World Bank Group*, October 2018, http://documents.worldbank.org/curated/en/508301539801659212/pdf/130967-REVISED-BRI-PUBLIC-Disclosed-10-19-2018.pdf.

[7] "Yemen Commodity Tracker," *UN OCHA*, January 7, 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/20181231%20OCHA_Yemen_Commodity%20Tracker.pdf.

sanitation systems. Only 50 percent of health facilities are functioning despite the dramatic rise in the population's health needs.[8] In short, a breakdown in the public sector, combined with the inability of small businesses to find capital, has meant little income to sustain the extended family structure for most Yemenis.

HUMANITARIAN ACCESS FOR THE YEMENI PEOPLE

Even before the start of the civil conflict, Yemen was already 90 percent reliant on imports for its food and for items such as water, fuel, and medicine. It is therefore impossible to overstate the importance of both commercial and humanitarian access—both into the country through Yemen's ports and airports and between the ports of entry through various regions into the cities and towns. Inflation of basic goods has skyrocketed as a result of the restrictions on imports arriving by sea, air, and land. The Coalition imposed a blockade in November 2017, preventing all imports from entering the country for nearly one month. Today, despite the partial lifting of the blockage, access is limited due to the uncertainty of delays, restrictions, and insecurity at Hodeidah Port, the largest entry point for goods into Yemen. Shippers face increased financial and security risks, given the uncertainty at Hodeidah Port and the bureaucratic and access obstacles at other ports. The result has been hundreds of thousands of dollars in added costs for importers and businesses, much of which is passed on to the consumers.[9]

When the Coalition offensive in Hodeidah began in June 2018, shipping traffic increased toward Aden—the second largest port located along the southern coast of Yemen. Coupled with debilitating bureaucratic inefficiencies, Aden port still lacks the capacity and infrastructure to accommodate the current level of imports needed, leading to frustrating delays extending for days. Some shippers have resorted to ports in Oman, offloading and then transporting goods overland to Yemen. Although the Saudi-led Coalition has announced investments intended to increase the overall capacity at Yemen's sea and land ports, these investments have yet to yield tangible improvements to access.[10]

RECOMMENDATIONS FOR U.S. AND INTERNATIONAL POLICYMAKERS

Pressure the parties to improve humanitarian access

The Coalition must reopen Sana'a International Airport to commercial traffic, to allow the import of commercial and humanitarian goods, including medical supplies. Opening the airport will enable Yemenis to leave the country to seek needed medical treatment. The Coalition,

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[8] "Humanitarian Response Plan: Yemen, January-December 2019," *UN OCHA*, February 2019, p. 5, https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Yemen_HRP_V21.pdf.

[9] According to UN OCHA, since the Coalition imposed a blockade in November 2017, only 75% of food and 24% of fuel requirements have been met, resulting in the rise of prices. "Prices of basic commodities including food, diesel and petrol are 137%, 257% and 261%, respectively, higher than pre-crisis."

[10] In December 2018, Saudi Arabia announced the arrival of cranes to Aden and Mukalla ports. Yet according to private commercial shippers importing goods into Yemen, delays continue as a result of bureaucratic impediments and limited capacity.

Government of Yemen, and Ansar Allah (the Houthis) must take genuine steps to reduce barriers and delays to imports. They must allow for free and unfettered access of commercial and humanitarian goods into and through all entry points, including those in the Red Sea and Gulf of Aden. Commercial shippers have all but given up on Aden, because of the backlog and inefficiencies that they find there.[11]

Pressure the parties to implement the Stockholm agreements and to expand de-escalation zones

The three agreements reached in Stockholm in late 2018 remain unfulfilled, including the re-deployment of forces out of Hodeidah Port. The most tangible progress involves a noticeable diminution in ground fighting and air strikes in the Hodeidah governorate.

Overall, the Stockholm agreements are limited to small geographies. The United Nations must pressure the parties to expand the de-escalation agreements to broader areas. Near Hodeidah, the fighting continues—in January 2019, the number of airstrikes increased in nearby Hajjah governorate, for example. Over the course of the first six weeks of 2019, at least 271 civilian casualties were reported across Yemen, including 96 deaths.[12] Fighting has increased in Taiz, since December, in spite of the agreement in Stockholm to focus on de-escalation there.[13] Taiz is a historic economic, commercial, and educational hub where the persistent fighting will have an irreversible impact on Yemen's economic recovery as well as the healing of Yemen's torn social fabric.

De-escalatory measures should focus on re-opening the Hodeidah-Sana'a highway.[14] Finally, as the negotiations over the administration of Hodeidah port continue, port operations are not reaching capacity. Even if the military forces are fully redeployed, all parties will continue to compete over the running of the port, including managing its revenues—presenting a challenge to further United Nations peace talks and the expeditious resumption of full port operations.

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[11] The international community, including the United States, its European allies, Saudi Arabia, and the United Arab Emirates, have generously provided humanitarian assistance since the start of the war in 2015. The United States, one of the single largest bilateral donors, has provided over $1.46 billion in humanitarian aid plus $74 million in development and recovery funds between 2016 and 2017. Yet just as important as the aid itself is the diplomatic pressure to ensure that the parties to the conflict, allow international aid to arrive in Yemen in a cost-efficient and effective manner and to enable the transport of this aid from ports of entry to the communities of need.

[12] On 19 February, nine civilians were killed and 13 injured by armed hostilities in Hodeidah and Hajjah, according to the Office of the Resident Coordinator and Humanitarian Coordinator for Yemen, Lise Grande.

[13] "Statement of Understanding on Ta'iz." United Nations Security Council, 20 December 2018, p. 5. https://undocs.org/en/S/2018/1134

[14] "Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mark Lowcock Statement on the Situation in Yemen," *UN OCHA*, February 7, 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/ERC%20USG%20Mark%20Lowcock%20on%20Yemen%2007%20Feb2019.pdf.

Pressure the Saudi-Led Coalition to limit civilian harm

Direct attacks on civilians and civilian infrastructure have led to a tragic loss of life in Yemen, including the August 2018 Coalition attack on a bus of schoolchildren and the numerous other attacks on weddings, markets, and food production, agriculture sites, and distribution sites. The United States remains distinctively positioned to press the Saudi-led Coalition to avoid civilian casualties and to prevent the continued destruction of critical civilian infrastructure, even as UN-led talks take place.

Over the past few months, as the fighting has decreased across Hodeidah, in some governorates, including Hajjah in northwest Yemen, there has been intense escalation. In some cases, the recent fighting has generated newly-besieged civilian areas. Coalition airstrikes hit Sadaa 60 times in January 2019.[15] This Congress and the 115th Congress have clearly called on all parties to limit civilian harm in airstrikes and ground fighting and to reduce the risk to civilian sites. It is critical that U.S. Congressional and Executive Branch officials, including from the Department of Defense, consistently reiterate these messages publicly and privately at senior levels.

CONCLUSION: U.S. POLICY AIMS IN THE NEXT PHASE

The nearly four-year-old conflict has killed tens of thousands of civilians and devastated the civilian infrastructure and economy of Yemen. While the United Nations continues to lead the diplomatic process, the voice, influence and legislative action of Congress will remain a key U.S. diplomatic lever. Over the past year, Congress' firm opposition to the planned Hodeidah offensive— conveyed through statements, legislation and scrutiny over U.S. security assistance underlying Coalition operations—undoubtedly contributed to the parties' willingness to meet in Stockholm rather than escalate the fighting.

Congressional leadership on Yemen should focus on two key policy goals: First, while the United States has suspended its military aerial refueling, Congress should ensure that the United States extricates itself definitively and completely from the Coalition operations in Yemen. Second, Congress should ensure that U.S. diplomatic energies are working toward peace – particularly by convincing the Coalition that its strategic goals will only be achieved at a negotiating table. Given the complexity of this crisis, and the multiple internal actors, peace in Yemen may yet be illusory. Ending the Coalition offensives and airstrikes, combined with pushing the Houthis to show restraint, will be a critical step forward in a country that has seen too much war.

[15] According to Yemen Data Project, "...eight governorates saw an increase in bombings in January most notably in Hajja where there was a 65% rise in air raids and the highest in the governorate since May 2018."

Mr. DEUTCH. Thank you very much, Dr. Rand.

Ms. Almutawakel, thank you again for being with us.

STATEMENT OF RADHYA ALMUTAWAKEL, CO-FOUNDER AND CHAIRPERSON, MWATANA FOR HUMAN RIGHTS

Ms. ALMUTAWAKEL. Thank you. Chairman Deutch, Ranking Member Wilson, subcommittee members, thank you for the opportunity to speak to you today. I will summarize my written statement, which I submit for the record.

Mwatana for Human Rights documents violations by all sides in Yemen. It is a dangerous job, but our 70 staff, men and women, know that for humanity to be preserved, the brave must stand up in the face of abuses.

Today I urge Congress to do the same. Congress has the power to change the face of millions of Yemeni civilians but must choose to do so. Twenty-four million Yemenis need humanitarian aid, more people than live in Florida. Ten million are on the brink of famine, twice South Carolina's population.

It is a manmade crisis. Yemenis are not starving. They are being starved. The humanitarian crisis cannot be addressed without addressing the human rights situation.

The war in Yemen is not some distant tragedy with no connection to America. Since 2015, the U.S. has supported Saudi and Emirati attacks on Yemeni civilians by selling billions in bombs and other weapons and providing military and political support. After 4 years of war, Yemenis are losing hope for a country based on rule of law. Most now live under de facto control of extremist groups. On the one hand, the Houthis, who are supported by Iran and commit terrible abuses, such as indiscriminate attacks, disappearances, and land mines; on the other hand, armed groups loyal to the Hadi government and Saudi-Emirati coalition who also commit horrible violations. All these armed groups act with impunity because they think no one will stand up in the face of their abuses, but neither does Saudi-Emirati coalition.

When CNN recently showed U.S. weapons sold to Saudi Arabia and United Arab Emirates in the hands of extremist armed groups, Congress was right to be angry at this business, but you should not have been surprised because, since 2015, the Saudi-Emirati coalition have used U.S. weapons recklessly to kill and maim Yemeni civilians. Mwatana has documented hundreds of attacks, killing and maiming thousands of civilians, and destroying key infrastructure. We found U.S. bomb remnants at dozens of these airstrikes. Many are likely war crimes. Every single one destroyed innocent lives.

The 2016 Saudi bombing of a Sana'a funeral using U.S. Munitions, killing and maiming hundreds, should have been a turning point. Congress should have stopped arms sales until unlawful attacks ended and war criminals were held accountable. And instead, the U.S. accepted Saudi and Emirati promises to end violations and investigate. Two years later, there has been no accountability, and airstrikes on Yemeni civilians continue.

Yemen cannot survive another 4 years. In the short time I have been talking to you, another child has died because of war-inflicted

wounds, starvation, or disease. Congress has the power to change this, to stop this.

Attention to Yemen increased after the outrageous Khashoggi murder. The Stockholm talks showed that the international community can push to end the war, but this tentative progress needs sustained global pressure including from Congress. Your recent votes on Yemen drew the parties to take small steps toward peace. By ending U.S. arms sales and military support to Saudi Arabia and the United Arab Emirates, Congress can stop American allies from using American weapons to kill Yemeni civilians with impunity. This would be a significant step toward accountability and an end to the war.

This month, America pledged millions in humanitarian aid for Yemen, but if U.S. arms sales to Saudi Arabia and United Arab Emirates continue, American bombs might reach Yemeni civilians before American aid will. Peace in Yemen is very possible, but to achieve it, Congress must act. Thank you.

[The prepared statement of Ms. Almutawakel follows:]

Written Testimony of Radhya Almutawakel
Chairperson, Mwatana for Human Rights
House Committee on Foreign Affairs
Subcommittee on the Middle East, North Africa, and International Terrorism
Hearing on "The Humanitarian Crisis in Yemen:
Addressing Current Political and Humanitarian Challenges"
Wednesday, March 6, 2019

Chairman Deutch, Ranking Member Wilson, distinguished Subcommittee Members,

My name is Radhya Almutawakel, and I am the Chairperson of Mwatana for Human Rights. Thank you for providing me the opportunity to speak with you today about how Congress can help end the conflict and the humanitarian and human rights crisis in Yemen.

Mwatana is an independent Yemeni human rights organization seeking to defend human rights and end abuses. Mwatana's 70 staff members from across the country work in almost all Yemeni governorates, documenting human rights violations committed by parties to the conflict, local authorities, and armed groups. These women and men have difficult and dangerous jobs; but they continue their work because they know that for humanity to be preserved, the brave among us must stand up in the face of abuses.

I am here today to urge that Congress also stand up in the face of abuses, and take concrete action to help end civilian suffering in Yemen. Congress has the power to change the fates of millions of Yemeni civilians who bear the brunt of this war. But you must choose to do so.

In 2018, 22 million Yemenis were in need of assistance. In 2019, that number increased to 24 million—80 percent of the population, more people than live in Florida. 10 million of them – twice the population of South Carolina – are now on the brink of famine.

It is a man-made humanitarian crisis, and one which cannot be addressed without stopping human rights violations; neither of these challenges can be resolved unless this inhuman war is brought to an end, and the parties held accountable. Peace is possible in Yemen; there just needs to be the will to pursue it.

Yemenis are not starving, they are being starved. Parties to the conflict are using starvation as a weapon of war. They are blocking aid, impeding commercial imports, and destroying critical infrastructure. Saudi Arabia and the United Arab Emirates have blockaded Yemen's ports – delaying and obstructed inbound cargo vessels to the point that many private shippers have given up – and have shut the country's main airport in Sana'a for more than two years. The Houthis, supported by Iran, have obstructed humanitarian assistance, and created a war economy that prioritizes their personal enrichment over public services. Hundreds of thousands of Yemeni civil servants—upon whose income millions of families depend—have not received their salaries since 2016. The Hadi government refuses to pay them.

No side in this war has a clean record. Since September 2014, Mwatana has documented hundreds of international humanitarian and human rights law violations; in which thousands of civilians have been killed and injured and civilian objects damaged and destroyed. Civilians have been victims from all parties to the conflict: the Ansar Allah armed group, also known as the Houthis, the Saudi/Emirati-led coalition (SELC), UAE proxy forces, and President Abd Rabou Mansoor Hadi's government of Yemen and the fighting forces and armed groups that pledge loyalty to him.

Every day the war in Yemen continues, it undermines Yemenis' dream of a functioning state based on equal rights and rule of law. The war has put most of Yemen and the millions of people in it under the de facto control of armed extremist groups: The Houthis, and a range of armed groups that have pledged loyalty to the Hadi government or the Saudi/UAE coalition, and established themselves based on regional and tribal backgrounds.

The war in Yemen is not a distant tragedy with no connection to America. Since 2015, the United States has supported the bombardment of Yemeni civilians by Saudi Arabia and the United Arab Emirates. The United States has sold Saudi Arabia and the UAE billions of dollars' worth of bombs and other weapons, and has provided logistical, intelligence, and political support to the Saudi/UAE military campaign.

Many Members of Congress expressed outrage last week over CNN reports showing weapons that America sold to Saudi Arabia and the United Arab Emirates ending up in the hands of extremist armed groups. You are right to be angry that Saudi Arabia and the UAE would be so reckless when you entrusted them with U.S. arms. But you should not have been surprised.

For nearly four years, Saudi Arabia and the UAE have used American weapons to commit violations against Yemeni civilians. Saudi Arabia and the UAE have bombed weddings and funerals; homes and hospitals; fishing boats and schools. Since March 2015, Mwatana has documented over 300 attacks conducted by the Saudi/UAE-led coalition in 13 Yemeni governorates that appear to violate international humanitarian law. These attacks have killed at least 3250 civilians and injured at least 2547 others. The indiscriminate and disproportionate airstrikes have contributed to the humanitarian crisis by damaging or destroying critical civilian infrastructure.

Mwatana also has identified remnants of U.S.-made weapons at the sites of at least 25 apparently unlawful Saudi/UAE-led coalition airstrikes in Yemen. Scores of children and women were among the dead and wounded. Many of the attacks took place far from any potential military target; others failed to abide by international humanitarian law's proportionality requirement, in that they caused harm to civilians that vastly outweighed any possible military benefit. In no case did we find any evidence that Saudi/UAE coalition forces took the necessary steps to minimize harm to civilians, as is required.

Some of these attacks are likely war crimes. Many of them used American-made bombs and munitions. Every single one of these attacks destroyed innocent lives. The real tragedy is that much of this could have been prevented had Congress stood up in the face of years of credible reporting on Saudi/UAE abuses in Yemen.

In 2016, Saudi Arabia bombed a Sana'a funeral hall using U.S. munitions, killing and maiming hundreds. That should have been the turning point. It was a likely war crime—any possible military justification grossly outweighed by the easily foreseeable and immense civilian harm.

Then, Congress should have stood up and stopped U.S. arms sales until unlawful attacks ended and war criminals were held accountable.

But the United States did not do that. Instead, you accepted Saudi and Emirati promises that the violations would end, and those responsible would be investigated and held accountable. Almost two and a half years later, accountability remains lacking. Saudi/UAE investigations, conducted by their Joint Incidents Assessment Team (JIAT), do not meet international standards. No clear mechanism for redress exists. And Yemenis continue to be killed and maimed by airstrikes, and pushed ever closer to starvation, because of the way this war is being waged.

It is clear that those Saudi and Emirati promises were empty.

Also empty, after four years of war, is the hope among so many Yemenis for the future. More and more of us feel overwhelmed and full of sorrow at how the world seems to have abandoned Yemen. For four years, our cities, streets, and families have been destroyed. What terrifies us is that the war in Yemen is expanding every day to more and more villages and cities, bringing hunger, loss, fear, and death. In the short time I've been talking to you, another child in Yemen has died of starvation, disease, or war inflicted wounds.

The war empowers and feeds extremist groups, creating ticking bombs for the future.

The Houthis run areas under their control with the mentality of an armed group. They operate with impunity, as they continue to wage bloody and indiscriminate ground attacks against civilians and civilian sites, and to commit grave violations of human rights and international humanitarian law, including arbitrary detentions, enforced disappearances, torture, and laying of landmines. The Houthis also obstruct humanitarian access and profit from taxation of commercial imports in what has become a war economy.

Southern parts of Yemen and some areas in the north are ostensibly under the control of the Hadi government, but authority is actually wielded by proxy forces and armed groups principally backed by the UAE. These groups run areas under their control with the same mentality of impunity as the Houthis. Instead of building government institutions and enforcing the rule of law, the areas under the control of Saudi and UAE proxies have become an open space for extremist groups to grow, for violations against civilians to proliferate without accountability. Hundreds of civilians have been arbitrarily detained, forcibly disappeared, or tortured in secret prisons by the UAE or UAE-backed armed groups in the south.

Only building a state, enforcing the rule of law, and ensuring accountability can stop the different armed groups currently proliferating throughout the country. The warring parties depend on the total absence of accountability and expect their allies to allow the status quo to continue. Their disregard for international law and for the millions of civilians suffering in

Yemen will only grow with each new abuse they are allowed to commit with impunity. Saudi Arabia, the UAE, the Houthis, and other armed groups feel they have a green light to do whatever they want, however horrible it may be, because they do not believe anyone will stand up in the face of their abuses.

But Congress has the power to stop this. Yemen can't wait another four years.

We saw significant new attention to Yemen following the outrageous murder of Saudi journalist Jamal Khashoggi. Like Khashoggi's killing, the war in Yemen is a reckless adventure – only in Yemen, it is tens of thousands who are being killed, and millions who are suffering at the hands of the Saudi/UAE-led coalition, the Houthi armed group, and other parties to the conflict.

We saw in Sweden last December how the international community can, when it chooses, find the political will to really pressure the parties to the conflict to take steps to end the war. The December Stockholm talks opened the most important window towards peace since the beginning of the conflict. Now is the time to build on that effort. But this tentative progress will succeed, and overcome the many challenges ahead of it, only with sustained international attention and pressure, especially from Congress.

Congressional debates and votes on Yemen last December and earlier this month brought significant pressure on the conflict parties to take steps toward ending the war. Continuing that pressure would contribute to alleviating the suffering of millions of civilians.

By ending U.S. arms sales and military and logistical support to Saudi Arabia and the United Arab Emirates, Congress can make clear that you do not accept and will not continue the status quo in Yemen – because the status quo means American allies using American weapons to kill, maim, and starve Yemeni civilians with impunity. This would be a very significant first step toward accountability and peace.

Earlier this month, the United States pledged millions of dollars in aid for Yemen at a pledging conference in Geneva. Though the American contribution ranked only twelfth among donors, it is still certainly welcome. But I am afraid that if U.S. arms sales to Saudi Arabia and the United Arab Emirates continue, American bombs will reach Yemen's suffering civilians before American aid will.

If Congress stands up in the face of abuses in Yemen, you can help end the worst humanitarian crisis in the world. Peace in Yemen is still possible, but to achieve it, Congress must act.

Thank you.

Mr. DEUTCH. Thank you very much.
Mr. KONYNDYK.

STATEMENT OF JEREMY KONYNDYK, SENIOR POLICY FELLOW, CENTER FOR GLOBAL DEVELOPMENT

Mr. KONYNDYK. Thank you, Chairman Deutch, Ranking Member Wilson, and distinguished members of the panel. Thank you for the opportunity to testify before you today. When this crisis began in 2015, I served as the Director for Foreign Disaster Assistance at USAID, and in that capacity, I oversaw U.S. Government humanitarian aid to Yemen for several years, and I also participated actively in U.S. policymaking on the crisis. Since leaving government, I have tracked the crisis closely in my new position at the Center for Global Development.

Yemen is the world's worst humanitarian catastrophe, and it is worsening rapidly. Humanitarian relief operations there are robust, and they are growing, but aid alone cannot offset State collapse. As you mentioned in your own opening remarks, 20 million people are hungry; 7.4 million are malnourished. At least 238,000 live in areas affected by famine-level conditions. Health and water systems have imploded. Twenty million people lack access to adequate healthcare. Cholera is present. Diphtheria is present. Millions have been forced to flee their homes.

All parties to this conflict are culpable, but that culpability is not evenly distributed. Any fair assessment must assign predominant responsibility to the Saudi and Emirati-led coalition. To be clear, the Houthis are a part of the problem and bear special responsibility for having instigated the conflict. They have blocked and sought to manipulate relief operations. They have harassed humanitarian personnel and committed a litany of other human rights violations. The Houthis are not angels or good guys by any stretch of the imagination. But while both sides have impeded humanitarian response to the emergency, it is Saudi and Emirati behavior that has been the engine of the emergency. This is because the crisis flows from the collapse of Yemen's economy and its infrastructure, and that has been a direct and seemingly intentional consequence of the coalition's political and military strategy. Their airstrikes have repeatedly and intentionally targeted Yemen's critical infrastructure, directly fostering both Yemen's massive cholera outbreak and its creeping famine. Examples of this include strikes on major ports and roads vital to humanitarian relief and movements, including roads and other facilities that the U.S. Government has specifically asked them not to strike, more than 100 attacks on water and electrical facilities, more than 70 attacks on medical facilities, and concerted targeting of food production and commerce, including nearly 600 attacks on farms and 200 attacks on marketplaces. They have also struck weddings, funerals, a packed school bus, and countless other targets with no plausible military purpose. This is not the behavior of a campaign that is seeking to minimize civilian harm. The Saudis and Emiratis have simultaneously pursued a policy of economic punishment. Their naval blockade and flight restrictions have disrupted supplies of food, fuel, and other essential goods. The shift of the Yemeni Central Bank out of Houthi-controlled territory has been a fiasco, depriving huge num-

bers of Yemenis of their wages and dramatically weakening the currency.

For 4 years, the U.S. has treated this kind of reckless behavior as a problem of weak systems rather than maligned intent. U.S. officials argue to this day that U.S. military cooperation is a moderating factor. It is time to end this delusion. Saudi Arabia and the UAE have continued to drop U.S.-supplied bombs out of U.S.-refueled planes flown by U.S.-trained pilots onto innocent civilians. If this is due to coalition military incompetence, then years of U.S. Engagement and support have delivered no improvement whereas if this targeting is intentional, then these same U.S. efforts are arguably enabling war crimes. Either way, the Saudis and Emiratis have shown willful disregard for the laws of war and have manifestly failed to demonstrably reduce civilian harm as Congress demanded rightly last year. U.S. involvement in this confers on us a degree of culpability, but it also gives us unique leverage to change coalition behavior.

And one clear takeaway from the last 4 years is that when it comes to moderating Saudi and Emirati behavior, pressure delivers while quiet engagement does not. To that end, I make three recommendations: First, the U.S. should halt all military assistance, including ongoing arm sales and maintenance that supports offensive military operations in Yemen. This is important leverage, and we should use it.

Second, the U.S. should put this leverage toward a concerted diplomatic surge. Recent U.S. actions shielding the coalition from Security Council criticism or giving them a pass on Congress' civilian targeting concerns have undermined U.S. goals of halting the fighting and bringing the parties to the table. The U.S. should instead make clear that sustaining the conflict will deal long-term damage to U.S.-Saudi and U.S.-Emirati bilateral relationships. Two immediate confidence-building measures would be to negotiate humanitarian access to besieged Taiz and to restore neutrality and functionality to the Central Bank and restart salary payments.

Finally, the U.S. should pull out all the stops to protect the Hudaydah cease-fire. A major battle for Hudaydah would devastate the food import lifelines on which most of Yemen depends. The U.S. should make clear to the Saudis and Emirates that this is a red line.

There is much that Congress can do to shape policy in these areas, and I look forward to your questions. Thank you.

[The prepared statement of Mr. Konyndyk follows:]

The Humanitarian Crisis in Yemen:

Addressing Current Political and Humanitarian Challenges

Testimony before the House Committee on Foreign Affairs, Sub-Committee on the Middle East, North Africa, and International Terrorism

Jeremy Konyndyk, Senior Policy Fellow, Center for Global Development

6 March 2019

Chairman Deutch, Ranking Member Wilson, distinguished members of the Committee:

Thank you for the opportunity to testify before you today on the humanitarian situation in Yemen. I am grateful to the Sub-Committee for giving this important issue the attention it deserves. I have closely followed this crisis since it began in 2015. At that time I served as the Director for Foreign Disaster Assistance at the US Agency for International Development, in which capacity I oversaw the US Government's humanitarian response to the situation and participated actively in administration policymaking on Yemen more generally. Since leaving that position in January 2017 at the end of the Obama administration, I have continued to follow the situation from my current position as Senior Policy Fellow at the Center for Global Development. The views I express here today are my own.

Overview

The Yemen war has triggered a man-made humanitarian catastrophe. 20 million people are hungry; 10 million of these face extreme food gaps and at least 238,000 people are in famine-level conditions.[1] 20 million people likewise lack adequate access to essential health care, and the country has experienced severe outbreaks – including cholera and diphtheria – as the health system has imploded. 3.3 million people have fled their homes and are internally displaced. An average of 600 civilian structures are damaged or destroyed each month. As the war approaches the 4-year mark, conditions are deteriorating and needs are growing. The stakes are extremely high: if full-blown famine sets in, I believe it could prove to be the world's deadliest since the North Korean famine of the mid-1990s.

While conflict in a country as vulnerable as Yemen inevitably creates humanitarian needs, the extreme severity of this crisis flows directly from the conduct of the war. All sides in this conflict share culpability for what is now the worst humanitarian emergency in the world. But that does not mean the culpability is evenly distributed.

[1] https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Yemen_HNO_FINAL.pdf

Any fair assessment must assign predominant responsibility for the humanitarian crisis to the Saudi and Emirati-led Coalition and their conscious choices of tactics in this war. While both the Houthis and the Coalition have been responsible for impeding humanitarian response, the Saudi/Emirati Coalition is much more directly responsible for creating and aggravating the underlying conditions that have accelerated the humanitarian emergency.

I want to be clear that the Houthi militants who control much of the country *do* bear a substantial share of responsibility for the abysmal conditions in Yemen today. Their decision to pursue political power by expelling the recognized government through force of arms prompted the conflict in 2015 and triggered the Saudi-led intervention. Since that time they have frequently blocked aid access and committed crimes against the civilian population, including besieging the city of Taiz. They have harassed and periodically abducted humanitarian personnel,[2] and contacts in the humanitarian community report that Houthi interference has been escalating in recent months. Faced with dire conditions in areas under their control, they have obstructed aid assessments and operations from reaching those in need. Their human rights record is also abysmal; the UN has documented numerous incidents of arbitrary detention, torture, and other violations.[3] They have regularly engaged in indiscriminate shelling of civilian areas. Their behavior has been consistently indefensible.

But the Saudi/Emirati Coalition's behavior is the more dominant factor. Yemen's crisis flows fundamentally from the collapse of the country's economy and infrastructure, and this collapse is a direct, foreseeable, and seemingly intentional consequence of KSA/UAE political and military strategy. The Coalition's behavior is also disproportionally important because the US has been involved in supporting and enabling it. For nearly four years, Saudi Arabia and the UAE have mounted an air campaign over Yemen using US-supplied bombs dropped out of US-refueled planes flown by US-trained pilots. This campaign has struck weddings, funerals, relief clinics, a bus full of schoolchildren, water and sanitation infrastructure, ports and roads vital to humanitarian relief, and countless other recklessly illegitimate targets. This involvement gives the US a degree of culpability, but also means the US has unique leverage to change Coalition behavior – something that we lack with respect to the Houthis.

We must begin to apply this leverage. The Trump administration, like the Obama administration in which I served, has publicly called for ending the war, and has called on all sides to address the humanitarian emergency. Yet current US policy still rests on the now-untenable theory that quiet US engagement acts as a meaningful restraint and is helping to improve Saudi and Emirati behavior. The most notable manifestation of this delusion was Secretary Pompeo's decision last year to certify to Congress that Saudi Arabia and the UAE are "undertaking demonstrable actions to reduce the risk of harm to civilians" in the war. In light of the ongoing litany of reckless Coalition military strikes, this claim is absurd on its face. The US has simultaneously run diplomatic interference at the UN level, watering down and hampering recent efforts by Security Council members to call out the Coalition for its role in the crisis. The Trump administration even

[2] https://foreignpolicy.com/2019/02/21/in-yemen-targeting-of-aid-workers-risks-unraveling-crisis-middle-east-humanitarian-aid-famine-houthi-rebels/
[3] https://undocs.org/S/2018/594

went so far as to threaten to veto a UK-drafted resolution unless language on humanitarian concerns was removed.[4]

It is long past time that the US Government accept the reality that the Saudi-led coalition will not take civilian harm and humanitarian concerns seriously unless and until the US compels them to do so. Having worked on this issue for several years in the prior administration, I have seen that Saudi and Emirati conduct in the war can be restrained. During the previous administration, the only times that we saw meaningful Coalition steps on humanitarian matters were when the US brought pressure to bear. Meaningfully improving the humanitarian situation will thus require a distinct and explicit shift in policy by the US Government: to apply focused and sustained US pressure on the Coalition toward reducing civilian harm and ending the war.

The State of the Humanitarian Response

Yemen today hosts one of the largest humanitarian aid operations in the world. Humanitarians face a daily struggle to navigate a complex political environment, manage dynamic security challenges, and negotiate safe access to communities in need. Theirs is as much a diplomatic challenge as a logistical one: maintaining credible dialog channels with all parties to the conflict in order to remove impediments to their work. Both the Coalition and Houthis have proved problematic in this respect. The Coalition has periodically blocked and frequently slow-rolled humanitarian requests for importation of relief supplies, blocked fuel imports, undermined public services, and at times hit humanitarian facilities in airstrikes. The Houthis have imposed restrictions on humanitarian movements and increased interference with humanitarian operations. General insecurity is a major further obstacle to effective aid delivery.

Nonetheless, the aid operation has proved resilient in the face of a forbidding operating environment. Each year the relief effort grows more effective, with 48 international groups and nearly 200 local Yemeni organizations partnering in 2018 to reach nearly 8 million people with life-saving aid each month.[5] Total humanitarian funding has tripled since the first year of the war, topping $5 billion in 2018[6] and trailing only the Syria crisis in terms of aid expenditure. This is an aid mission that can deliver effectively, if both sides give it the space to do so.

The depressing reality, however, is that the price tag will inevitably continue to rise the longer the war drags on. The aid operation, no matter how large or effective, cannot offset state collapse. It cannot offset a war that has targeted civilians with uncanny precision. Saudi Arabia, the United States, and the United Arab Emirates are the largest donors to the operation, jointly accounting for more than half of all resources. This generosity is commendable; yet the aid these countries provide is unable to keep pace with the damage their militaries (or in the US case, military assistance) are doing on the ground. The humanitarian impact of responsible targeting, or a full cessation of hostilities, would far outweigh the good that their aid resources can deliver.

[4] https://www.theguardian.com/world/2018/dec/21/un-yemen-ceasfire-stockholm-resolution-us
[5] https://reliefweb.int/sites/reliefweb.int/files/resources/2019_Yemen_HRP_V21.pdf
[6] https://fts.unocha.org/appeals/657/summary

Coalition Culpability for the Humanitarian Crisis

The two most overt dimensions of the humanitarian crisis – the creeping famine and the massive cholera outbreak – both flow directly from Coalition battle tactics and policy decisions. Coalition airstrikes have been particularly problematic. The laws of armed conflict require the Coalition to strike only targets that have military value; to scrupulously distinguish between military and non-military sites in their targeting; and to ensure that the collateral damage of any strikes is proportional to the target's military importance. From the earliest days of the war the Coalition has disregarded and at times actively contravened these obligations, and similar obligations to facilitate humanitarian access and minimize humanitarian suffering.

Moreover they have pursued this course with the full knowledge of its human impact. I know, because I and others in the US Government told them so repeatedly, as have interlocutors in the UN and the NGO communities. This suggests that the mass suffering they are inflicting is an intentional objective rather than an inadvertent byproduct of their strategy: an attempt to achieve their military aims via a 21-st century version of medieval siege tactics. And things are getting worse. In 2018 the Coalition's targeting of civilian sites actually increased relative to its strikes on military targets.

Cholera

Coalition military conduct has directly contributed to Yemen's cholera outbreak, which erupted two years ago. At up to 1.3 million suspected cases, it is the largest in the world and may be the largest in known history. At its peak, the outbreak was producing an estimated 10,000 new cases each week[7]; intense international assistance has since helped to reduce outbreak, but cases continue.

Cholera preys on infrastructure collapse: it spreads through contaminated water and kills when health systems are weak. Basic sanitation infrastructure and water treatment facilities are normally sufficient to prevent the bacteria from reaching people's drinking water. Treatment is usually a straightforward matter of rehydration and antibiotics. In addition, there is an effective vaccine that can prevent community-level spread of the disease. The sustained spread of the disease, and in particular an outbreak of over one million cases, only becomes possible when core water, sanitation, and medical infrastructure have collapsed – which is the case in Yemen.

This infrastructural collapse is a direct outcome of the Coalition's tactics. Coalition airstrikes have repeatedly targeted water and sanitation facilities in the country – with such frequency that it is hard to see it as anything but purposeful. There have been more than 100 Saudi/Emirati attacks on water and electricity infrastructure over the course of the war.[8] Indeed, one water facility in Sa'ada has been hit three times by Coalition airstrikes[9] – a clear indication of intent to deprive that community of clean water. This kind of intentional targeting of civilian infrastructure is a clear-

[7] https://www.reuters.com/article/us-yemen-security-cholera/yemen-cholera-outbreak-accelerates-to-10000-cases-per-week-who-idUSKCN1MC23J
[8] http://yemendataproject.org/data/
[9] https://www.unicef.org/mena/press-releases/access-water-continues-be-jeopardized-millions-children-war-torn-yemen

cut violation of the laws of war, yet it has been a persistent characteristic of the Coalition air campaign.

The war has also pushed the health system to functional collapse, exacerbated by Coalition targeting and related battle damage. Coalition airstrikes have hit medical facilities nearly 70 times[10], including those run by humanitarian organizations like MSF[11] and the Red Cross[12]. In June of last year, for example, the Coalition struck a newly constructed MSF cholera treatment facility.[13] Coalition behavior has also impeded the importation of medical supplies.[14] The decision by the Coalition and the Yemeni government-in-exile to economically starve the government ministries that fell under Houthi control has simultaneously meant a drastic reduction in payment of salaries and operating costs to sustain Yemen's national health services. Aid groups have attempted to compensate by providing support to keep critical ministry functions operational, but cannot realistically substitute for core government financing.

These attacks have had a clear effect. The UN estimates that today nearly 18 million people in Yemen lack access to clean water and adequate sanitation. Only half of the health facilities in country remain functional, and those that are still open rely heavily on humanitarian assistance for operating costs and supplies. Perhaps most damningly, the Coalition's attacks on water infrastructure and health facilities have continued even after it became amply clear that the country was in the throes of a historic cholera outbreak. This is not the behavior of a military campaign that is seeking to minimize civilian harm.

Hunger

The country's food crisis has followed a similar pattern. Yemen is a food-insecure country at the best of times. Immediately prior to the start of the Coalition offensive in early 2015[15], most populated areas of the country were already at phase 2 (stressed) or phase 3 (crisis) on the scale humanitarians use[16] for gauging food emergencies (famine is phase 5). Agricultural production in the country is modest, and so Yemen typically relies on commercial imports for over 85% of its staple cereals, and 35-100% of other staples. Far more so than aid, commercial food imports are the lifeline on which Yemen depends.

The beginning of the conflict in the spring of 2015 proved immediately disruptive to Yemen's food security, and hunger indicators promptly began deteriorating. Among the Coalition's first moves was the imposition of a debilitating naval blockade that enormously disrupted food and other commercial imports. Within a matter of months nearly all of Yemen's heavily populated

[10] http://yemendataproject.org/data/
[11] https://www.nytimes.com/2016/01/11/world/middleeast/hospital-aided-by-doctors-without-borders-is-bombed-in-yemen.html
[12] https://www.who.int/bulletin/volumes/93/10/15-021015/en/
[13] https://www.doctorswithoutborders.org/what-we-do/news-stories/story/yemen-airstrike-hits-msf-cholera-treatment-center-abs
[14] https://www.amnesty.org/en/latest/news/2018/06/yemen-restrictions-to-life-saving-supplies-putting-millions-of-civilians-at-risk/
[15] http://fews.net/east-africa/yemen/food-security-outlook-update/february-2015
[16] http://fews.net/IPC

areas jumped into phase 4 (emergency), the last phase short of famine.[17] The bombing campaign within the country disrupted markets and internal transports; in the initial months of the conflict the Coalition hit transport trucks frequently enough to significantly crimp internal commerce. The blockade also tightly restricted the import of fuel, so the little food that was getting in could not be bulk-milled for consumption, nor easily transported around the country.

A core focus of Obama administration policy during the first year of the conflict was preventing this dire situation from deteriorating into famine – a very real risk in such a vulnerable and import-dependent context. The administration – up to and including the President – put concerted pressure on the Saudis to facilitate humanitarian relief operations. But we also recognized that no amount of relief aid could offset a collapse of the commercial food markets, so we simultaneously pressed the Saudis hard to allow commercial shipments of food and fuel into the country.

The US worked with the UN to establish the UN Verification and Inspection Mechanism (UNVIM), a process for UN-managed validation of commercial shipping to ensure that shipments contained only legitimate cargo. This helped to facilitate food imports into the country while also signaling to the Saudis that a general economic blockade would not be tolerated.[18] The establishment of this mechanism required the US to exert considerable diplomatic pressure on the Saudis to secure their cooperation. And it had the intended impact – within months of UNVIM's establishment, food imports returned to near pre-crisis levels (however prices remained elevated even as supply recovered).

Severe food insecurity sets in when market forces drive essential food prices beyond the reach of most people. Food supply is one part of this calculus, but general household economic conditions are equally important. Deterioration on one or the other dimensions can cause considerable problems; deterioration on both simultaneously risks catastrophe. The political pressure and aid interventions applied by the US in 2015-16 forestalled an abrupt decline, but only temporarily. The longer the conflict dragged on, the greater the pressure it exerted on Yemenis and the more their economic resilience eroded. From 2017 onward, several changes helped to accelerate the deterioration and produce the famine-like conditions we see in the country today.

The extraordinary hunger the world is witnessing in Yemen now is the product of several years of economic decline, paired with Coalition policy of strangling the import channels that deliver the vast majority of Yemen's staple foods. In November 2017, the Coalition re-escalated its economic blockade (previously eased under pressure from the Obama administration) following a Houthi missile attack upon Saudi territory. In the face of international condemnation, the Saudis partially relented. But rather than fully lift the blockade, they began temporarily lifting the blockade in 30-day increments. This incremental approach introduced great uncertainty into food markets, elevated importation costs, and restricted food supply, contributing to a major escalation in food

[17] http://fews.net/east-africa/yemen/food-security-outlook-update/june-2015
[18] https://www.securitycouncilreport.org/monthly-forecast/2016-09/the_story_of_the_un_verification_and_inspection_mechanism_in_yemen.php

costs. In addition, the Coalition continues to impose secondary requirements upon commercial shipping, over and above UNVIM verification, that further delay imports and inflate costs.[19]

Other Saudi/Emirati-backed decisions have further devastated country's economy, leaving increasing numbers of Yemenis destitute. In September 2016, the Yemeni government-in-exile attempted to starve the Houthis of resources by moving the Central Bank – which until then was still in Houthi-held Sana'a – to Coalition-held Aden. Reporting at the time noted that the Central Bank was the "last bastion of the impoverished country's financial system" and was "effectively running the economy."[20] The well-respected governor of the Central Bank, who had attempted to keep the Bank politically neutral (though against increasing odds), was sacked in the process.[21] The Central Bank had been receiving Yemen's oil revenues and also providing funds for payment of public sector salaries, an important income source for many Yemenis. The Economist Intelligence Unit noted at the time that the barebones government-in-exile had little technical capacity to effectively take over the Central Bank's functions, and that the move would likely aggravate the country's food insecurity.[22]

This proved a prescient concern. Shortly after the relocation, the Bank stopped paying salaries to a large proportion of the hundreds of thousands of registered public sector workers – predominantly those in Houthi-held areas (most in Coalition-held areas continued receiving payments).[23] This had outsized effects throughout the country, as these salaries had been one of the few reliable sources of income left in the collapsing economy, and often supported extended family members beyond the employees' immediate households. In Houthi-held Hudaydah, the Central Bank finally paid a portion of salaries just last month, after a gap of more than two years.[24] The Bank has also struggled to manage the Yemeni currency, which has lost more than half its value since the beginning of the crisis. In the second half of last year the currency began collapsing, and its slide was only halted after the Saudi government transferred an infusion of $2 billion to the Hadi-controlled Central Bank. [25]

Beyond the blockade and the economic catastrophe, Saudi and Emirati military conduct also overtly aggravated the food crisis. Throughout the conflict the Coalition has targeted sites involved in commercial food supply, including a notorious strike on Hudaydah port in 2015, damaging offloading cranes and warehouses at the port through which most of Yemen's food imports flow.[26]

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[19] https://undocs.org/en/S/2019/83
[20] https://www.reuters.com/article/us-yemen-cenbank/yemen-president-names-new-central-bank-governor-moves-hq-to-aden-idUSKCN11O0WB
[21] http://sanaacenter.org/publications/main-publications/55
[22] https://country.eiu.com/article.aspx?articleid=1634627747&Country=Yemen&topic=Politics&subtopic=Forecast&subsubtopic=Political+stability&u=1&pid=1204905704&oid=1204905704&uid=1
[23] https://www.reuters.com/article/us-yemen-security-salaries/unpaid-state-salaries-deepen-economic-pain-in-yemens-war-idUSKBN15A1WW
[24] https://www.thenational.ae/world/mena/yemen-government-pays-thousands-of-civil-servants-in-hodeidah-1.831486
[25] http://fews.net/east-africa/yemen/food-security-outlook/december-2018
[26] https://www.reuters.com/article/us-yemen-security-idUSKCN0QN0HX20150819

At least 250 fishing boats have been damaged or destroyed by Coalition military action.[27] Data compiled by the Yemen Data Project found that from the start of the conflict through late 2017, there had been 356 Coalition attacks on farms, 174 on markets, and 61 on food storage sites. This continued through 2018 with a further 231 attacks on farms and 26 on market places.[28]

This level of consistent targeting of civilian food sites does not appear accidental, a conclusion affirmed by researchers in a 2018 Tufts University study finding extensive targeting of rural agricultural sites across Houthi-held areas of the country. The researchers conclude that there is "strong evidence that Coalition strategy has aimed to destroy food production and distribution" in areas under Houthi control, leading to "mass failure in basic livelihoods."[29] Few of these strikes serve any plausible military purpose.

The net effect of the economic blockade, macroeconomic collapse, and Coalition targeting of food production and commerce has been a steady decline in Yemenis' ability to afford sufficient food. Aid groups have done their best to scale up food distribution and nutritional support accordingly, with impressive results considering insecurity and obstacles to movement. Food aid now reaches 7 to 8 million Yemenis each month[30], roughly a quarter of the country's total population. A large-scale, synchronized aid surge in early 2018 succeeded, over the course of the year, in pulling 45 of 107 targeted districts back from pre-famine conditions.

But the progress by humanitarian agencies is tenuous – it depends on both sides facilitating access and avoiding major disruptions to aid operations. The biggest current threat to this is the Coalition's push, late last year, to capture the port of Hudaydah. This port is a major hub for humanitarian operations as it brings in most of the aid and commercial food that reaches Houthi-held areas. A UN-brokered truce late last year has temporarily paused the offensive, and the well-being of much of the country now hinges on that truce holding. A major battle for the port would be devastating to the aid effort and to commercial food supply, and would almost certainly tip large areas of the country fully into famine.[31]

Trying – and Failing – to Constrain Coalition Behavior

The patterns of Coalition behavior outlined above demonstrate a willful disregard for international legal obligations toward protection of civilians and of humanitarian operations. And this in turn puts the lie to the theory that quiet, constructive US engagement can improve and restrain the Coalition's behavior – a notion that, I regret to acknowledge, predates the present administration. This rationale for maintaining US support to the Coalition, which has been articulated by numerous senior Trump administration officials, echoes debates that we held throughout the latter two years

[27] https://www.theguardian.com/world/2017/dec/12/bombed-into-famine-how-saudi-air-campaign-targets-yemens-food-supplies
[28] https://mailchi.mp/5ccc4f828655/january2019-yemen-data-project-update-456659?e=448295c312
[29] https://sites.tufts.edu/wpf/strategies-of-the-coalition-in-the-yemen-war/
[30] http://fews.net/east-africa/yemen/food-security-outlook/december-2018
[31] http://fews.net/east-africa/yemen/alert/june-15-2018

of the Obama administration. The Trump administration appears to have learned little from the Obama administration's intense earlier efforts to put that theory to the test.

During the previous administration there was significant discomfort, from early on, with the US role in materially and diplomatically facilitating the war effort. Problems had been evident from the outset of the air campaign, after the Saudis in 2015 declared all of the heavily-populated Houthi stronghold of Sa'ada to be a free fire zone (in violation of the laws of war).

In the last administration the Coalition's military behavior was widely seen as indefensible. But there was vigorous debate over whether the core problem was one of malign intent or simply incompetence. Some believed that the Saudis and Emiratis wanted to abide by the laws of war and their humanitarian obligations, but lacked the training and systems to do so effectively. The solution, by this logic, was not to pressure them or cut US assistance. Instead, it was to provide extensive additional support and training to help Saudi Arabia and the UAE improve their systems for avoiding civilian casualties and facilitating humanitarian operations.

That argument initially carried the day within the administration, helped along by US reluctance to disrupt bilateral relationships already strained by the Iran deal, and a sympathy toward the Saudis' aim of pushing back on Iranian regional mischief. There was also a desire to give Mohammed bin Salman, the seemingly reform-minded new defense minister (and now crown prince), the benefit of the doubt. So from mid-2015 onward, the Obama administration made an all-fronts push to help the Saudis avoid hitting civilian targets in Yemen and to reduce the impact of their combat operations on the humanitarian response. The Pentagon set up a "Joint Combined Planning Cell," to coordinate US military support to the Saudi-Emirati coalition and mitigate strikes on illegitimate targets. The State Department deployed a seasoned expert on civilian protection – who had advised the US military extensively – to train the Saudi military. At USAID, my team assembled ever-growing "no strike lists", catalogs of humanitarian sites that the Saudis were instructed not to hit. When we found that the Saudis seemed to view anything not listed as fair game, we expanded the lists further to include any and all civilian infrastructure that was critical to the humanitarian situation – hospitals, ports, water and sanitation plants, key convoy routes, schools, commercial food processing facilities, and more. But despite our best efforts, the attacks on civilians and civilian infrastructure continued. And continued. And continued.

After each particularly flagrant airstrike, the interagency would review whether we needed to change strategy. Each time, we conveyed our displeasure to the Saudis and Emiratis but otherwise opted to remain patient, recognizing that change in their behavior would not happen overnight. But each subsequent attack provided further evidence against the sincerity of the Coalition's commitment to reducing civilian harm. By January of 2016, senior leaders at the State Department were concerned enough to begin exploring "options to limit US exposure" to Saudi violations of the laws of armed conflict.[32] In June the Pentagon wound down the JCPC mission[33]; inside the administration this was understood to reflect a lack of progress in improving Saudi procedures.

[32] https://www.reuters.com/article/us-usa-saudi-yemen/exclusive-as-saudis-bombed-yemen-u-s-worried-about-legal-blowback-idUSKCN12A0BQ

[33] https://www.reuters.com/article/us-yemen-security-usa-saudiarabia/exclusive-u-s-withdraws-staff-from-saudi-arabia-dedicated-to-yemen-planning-idUSKCN10U1TL

The Pentagon made a point of expressing concern about the Saudis' tactics, saying publicly that US military support was not a blank check.[34]

Occasionally we made some headway. In May of 2015 the Saudis agreed – under intense US diplomatic pressure – to temporarily halt their bombing campaign in a "humanitarian pause" to allow a surge in aid deliveries. Later in 2015, they agreed to allow unfettered humanitarian access, reopen access to Red Sea ports that they had been blockading, and to allow fuel imports into the country. These commitments were critical to enabling an adequate flow of aid, fuel, and commercial goods into the country – in effect allowing the economy to breathe. Securing these commitments, however, took personal intervention by President Obama with King Salman during the King's visit to Washington in September 2015.[35] The consistent pattern we saw with these steps was that only high-level pressure would rein in Saudi behavior.

Things began coming to a head in mid-2016. In August of that year, the Saudis bombed a bridge[36] along the road that carries most of Yemen's food aid – a road that had been specifically cited on the US no-strike lists assembled by my team at USAID. That same month, they bombed an NGO hospital[37], days after also bombing a school. The Saudi reaction to these strikes followed a consistent pattern: initial denial that the strike even had occurred, followed by acknowledgment and a claim the target had been legitimate, followed by an agreement to investigate, and culminating in opaque investigations[38] that found no wrongdoing. This practice that continues today – after bombing a bus full of schoolchildren last year, the Saudis initially denied responsibility, then claimed the bus was "a legitimate military target", and finally acknowledged the strike was "unjustified" and promised an investigation.[39]

The dam finally burst after a double-tap airstrike on a large funeral[40] in the Yemeni capital in October 2016. The White House, shocked by grotesque reports of mourners targeted by Saudi bombers, announced a review of US support to the Saudi-led coalition. That review ultimately led to decisions to curtail certain US military support to the war, including sales of precision-guided munitions. But soon thereafter, President Obama left office.

President Trump, eager to cultivate a more positive relationship with Saudi Arabia, quickly rescinded the Obama-era restrictions on PGMs[41] and escalated US support to the Saudi/UAE

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[34] https://www.reuters.com/article/us-yemen-security-usa-pentagon/u-s-says-support-to-saudis-yemen-campaign-modest-no-blank-check-idUSKCN10U2EX

[35] https://obamawhitehouse.archives.gov/the-press-office/2015/09/04/joint-statement-meeting-between-president-barack-obama-and-king-salman

[36] https://www.reuters.com/article/us-usa-saudi-yemen/exclusive-as-saudis-bombed-yemen-u-s-worried-about-legal-blowback-idUSKCN12A0BQ

[37] https://www.nytimes.com/2016/08/16/world/middleeast/yemen-doctors-without-borders-hospital-bombing.html

[38] https://www.reuters.com/article/us-yemen-security-saudi-airstrikes/saudi-investigation-largely-defends-deadly-air-strikes-in-yemen-idUSKCN10F23J

[39] https://www.aljazeera.com/news/2018/09/saudi-uae-coalition-admits-yemen-school-bus-bombing-unjustified-180901141048148.html

[40] https://www.bbc.com/news/world-middle-east-37598413

[41] https://www.reuters.com/article/us-usa-saudi-arms-congress/trump-to-resume-precision-munitions-deliveries-to-saudis-officials-idUSKBN1942GG

coalition. As humanitarian conditions worsened and millions of civilians moved closer to the brink of famine, the Trump administration has expressed occasional concern about civilian impact, with the President even demanding in December 2017 that Saudi Arabia do more to expedite humanitarian aid deliveries.[42] This flash of high-level US engagement had an effect, again showing that the Saudis respond to public pressure. Within weeks of the President's December 2017 statement, the Saudis launched a new "Yemen Comprehensive Humanitarian Operations" plan[43], complete with a glitzy accompanying PR campaign.[44] Sadly, the PR campaign proved the most meaningful aspect of the plan (which, it later emerged, had actually been drafted by the PR agency). The Trump administration did not sustain the pressure created by the President's statement, and the plan, having helped alleviate political pressure, was rapidly forgotten.

Peace Through Pressure

It is time to get real. While the Obama administration's quiet engagement approach toward the Coalition was in retrospect misplaced, at least at the time there was plausible reason to hope the new Saudi leadership might be sincere in wanting to reduce civilian harm. Over 19,000 airstrikes[45] later, that hope can no longer be maintained.

If the persistent pattern of mass-scale civilian targeting is due to Saudi and UAE military incompetence, it is clear that years of US engagement, training, support, and arms sales have not led to improvements. Providing further US military support in such circumstances is at minimum willfully reckless on our part. If Saudi and Emirati airstrikes are killing innocent men, women, and children because these governments are actively choosing to target Yemeni civilians, then US training, engagement, and weapons sales are directly enabling war crimes.

Either way, it is indisputable that the Saudis and Emiratis do not meet the standard – demonstrably reducing civilian harm – that Congress laid out last year. And there is no reason to think that sustaining the status quo approach of quiet engagement will deliver any meaningful changes to their behavior. Instead, reducing civilian harm means stopping the war, and using the totality of US leverage to do so. As long as the war continues, the Coalition will continue using civilians as leverage, trying to achieve through their suffering what it has been unable to achieve on the battlefield.

The clear takeaway from nearly four years of US engagement with the Saudis and Emiratis is that when it comes to constraining their behavior, pressure delivers, while quiet engagement does not. To that end, I would make three recommendations for deploying US leverage to address the humanitarian crisis. I would hope to see the administration take these up, but there is also much that Congress can do to shape policy on these areas. I would urge Congress to continue a regular rhythm of engagement and oversight on US Yemen policy, as this attention will both influence the

[42] http://thehill.com/policy/defense/363595-trump-saudi-blockade-on-yemen-must-be-lifted-for-humanitarian-reasons
[43] https://www.saudiembassy.net/fact-sheets/yemen-comprehensive-humanitarian-operations-ycho
[44] https://www.irinnews.org/investigations/2018/02/06/yemen-pr-wars-saudi-arabia-employs-ukus-firms-push-multi-billion-dollar
[45] https://mailchi.mp/89dccc9c8978/february2019-yemen-data-project-update-469991

administration's policy direction and also send a signal to the Saudis and Emiratis that US partnership is not unconditional.

FIRST, the US should halt all military assistance – including ongoing arms sales – that supports KSA/UAE offensive military operations in Yemen. The Saudi/Emirati coalition has made demonstrably clear that they cannot be trusted to use US military assistance in line with US policy and their own international legal obligations. Indeed, they are actively and willfully contravening both, despite years of good-faith US attempts to improve their compliance capacity. Halting all such offensive military assistance would make it materially harder for KSA and UAE to continue the attacks that have crippled Yemeni agriculture, commerce, water infrastructure, and health facilities. It would also send a strong and unambiguous message that US military assistance is contingent upon responsible use.

SECOND, the US should make a concerted diplomatic surge, while halting diplomatic cover for Saudi and Emirati misbehavior. Successive administrations have argued that neither the Houthis nor the Saudi/Emirati Coalition can achieve their objectives on the battlefield, and that both should accept a cessation of hostilities.[46] Yet recent US actions have undermined this message. Protecting KSA and UAE from Security Council criticism, or certifying to Congress that they are reducing civilian harm, in fact sends precisely the opposite signal: that their reckless military behavior and continued offensive operations are acceptable to us. The US should begin a major diplomatic push to make clear to the Coalition that the war must end and to find a more viable political framework for peace. There was an attempt to do so by Secretary Kerry and the White House late in the last administration after the mid-2016 Kuwait talks failed; but it faltered as the parties began hedging during the Presidential transition. Nonetheless that attempt holds lessons for today, namely that senior US engagement with the Houthis themselves can be helpful, and that successful talks will need to reckon realistically with Houthi demands. We should also make clear to the Coalition that sustaining the conflict will deal long-term damage to US-Saudi and -Emirati military cooperation and to the wider bilateral relationships.

THIRD, the US should pull out all the stops to protect the Hudaydah cease-fire and prevent a KSA/UAE offensive to recapture Hudaydah port. The Stockholm agreement signed in December provides hope that a battle for the town can be prevented, but it remains tenuous. A major battle for Hudaydah would set back the potential for more comprehensive negotiations and as importantly would devastate the aid and food import lifelines on which much of the country depends. It must be avoided at all costs. The US should continue to make clear to the Saudis and Emiratis that under no circumstances should they pursue a further offensive against the town. Meanwhile the US should pursue options for extending an UNVIM-like mechanism to operations at Hudaydah port, as UN special envoy Martin Griffiths has proposed.

I thank you again for the opportunity to testify today. I hope that this hearing, and continuing Congressional attention, will advance the cause of peace in Yemen.

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[46] https://www.state.gov/secretary/remarks/2018/10/287018.htm

Mr. DEUTCH. Thank you, Mr. Konyndyk.
Ms. ZIMMERMAN.

STATEMENT OF KATHERINE ZIMMERMAN, RESEARCH FELLOW, AMERICAN ENTERPRISE INSTITUTE

Ms. ZIMMERMAN. Chairman Deutch, Ranking Member Wilson, members of the subcommittee, thank you for your attention to this issue and the opportunity to participate in this hearing. America has vital national security interests in Yemen, defeating al-Qaeda and the Islamic state, reducing Iran's ability to threaten allies in the Bab-el-Mandeb Strait, and addressing the deepening humanitarian catastrophe. The U.S. must develop a policy that pursues all of these interests. Above all, America must lead in securing itself and shaping allies and actions to support American interests in accord with international laws and norms. The U.S. must help our partners develop strategies to resolve the underlying conflicts that permit both al-Qaeda and Iran to operate in Yemen rather than partial and limited approaches that exacerbate those conflicts. The U.S. must also engage diplomatically not only with the recognized Yemeni Government and the United Nations-led peace process but also with sub-State actors whose views will ultimately determine the durability of any settlement.

The U.S. bears some responsibility for the conditions in Yemen. The Obama Administration subcontracted Yemen to Gulf partners while pursuing the Iranian nuclear deal. The Trump administration has continued this approach for fear of becoming entangled in Yemen's complexities. American efforts to stay out of the Yemeni mire have helped make the situation worse and reduced the likelihood that our vital national security interests will be secured.

Yemen's complexities make finding a solution seem impossible. Trying to simplify it by focusing on one of America's interests to avoid dealing with local conflicts will lead to failure across the board. A U.S. strategy to secure its interests requires dealing with the problem in all of its complexity and abandoning the search for simplistic, short-term, feel-good solutions. If relying on Gulf partners has been counterproductive, abandoning them would be disastrous. They are unlikely to find their way out of this war on their own and will continue it without us.

Although limited, American influence has shaped both Saudi and Emirati actions for the better. The U.S. could do even more to shape their behavior if engaged more seriously in the effort. War in Yemen has acquired a momentum that will not easily be stopped. The U.S. must recognize the importance and interest of sub-State actors who benefit from continued conflict and engage them directly and through partners to shape conditions for enduring peace. U.S. policy must recognize that the U.N.-led effort to resolve the current political crisis may not succeed and will not address the conditions that drove Yemenis to war in the first place. Any elite settlement does not resolve the sub-State actor conflicts which allow al-Qaeda and Iran to persist, and there is also a gap between what the Houthis and the Saudis will accept in terms of the Houthi representation in the final government.

Persuading the Houthis that they will ultimately lose requires a more skillful and nuanced strategy than the coalition has been pur-

suing along with much more serious and energetic diplomatic engagements with the United States and extra regional partners.

The Salafi jihadi movement in Yemen has transformed in the context of the war. It has decentralized in such a way that defeating al-Qaeda and the Islamic state will not eliminate the threat. Additional Salafi jihadi groups have established themselves and exist independent of al-Qaeda support. The current U.S. counterterrorism strategy does not address this transformation. The UAE has been a critical enabler for counterterrorism successes in Yemen, but its efforts are unlikely to yield permanent success. The risk that counterterrorism gains will be reversed is high unless the U.S. helps shape Emirati operations and nests the counterterrorism effort into a larger effort to resolve the underlying drivers. The U.S. should leverage its continued support to this end.

The threat from the al Houthi movement is unacceptable, and it has grown largely through Iranian support. Iran and Lebanese Hezbollah have transferred asymmetrical attack capabilities that threaten maritime security and U.S. Gulf partners. No clear incentives exist for Iran to stop supporting the Houthis and for the al Houthis to stop receiving Iranian support, but the Houthis are not Iranian proxies. They are not in the same category as Lebanese Hezbollah, and Yemen is a defensive front for the U.S. in the struggle against Iranian regional maligned behavior. Pressure on the Houthis does not harm Iran enough.

The humanitarian situation in Yemen has sharply declined over the course of the war, but any emergency humanitarian situation solution without a political settlement will not be enduring. Long-term international engagement to improve Yemen's weak State institutions and economy will be required for any lasting effect, and low-level conflict will be disruptive. The Trump administration and Congress must prioritize securing a political resolution in Yemen.

A first step is for the U.S. to rebuild trust with Yemeni power brokers not close to Riyadh. We might consider moving our embassy to into a country other than Saudi Arabia. We must also persuade our partners away from practices that exacerbate the humanitarian crisis, but neither should we defend their practices. We should chastise them publicly when they do wrong and make it clear that our support is conditional. The time to end it has not yet come because we have not yet put enough energy into shaping their actions and giving them a strategy and a way out. America must regain a position of leadership in shaping the coalition's strategies and our own interests inside of Yemen. Real success might not be possible, but it is vital. Thank you for the opportunity to testify.

[The prepared statement of Ms. Zimmerman follows:]

Statement before the House Committee on Foreign Affairs Subcommittee on Middle East, North Africa, and International Terrorism on "The Humanitarian Crisis in Yemen: Addressing Current Political and Humanitarian Challenges."

Taking the Lead Back in Yemen

KATHERINE ZIMMERMAN

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March 6, 2019

The American Enterprise Institute (AEI) is a nonpartisan, nonprofit, 501(c)(3) educational organization and does not take institutional positions on any issues. The views expressed in this testimony are those of the author.

Katherine Zimmerman March 6, 2019

Chairman Deutch, Ranking Member Wilson, and members of the subcommittee, thank you for your attention to securing America's interests in Yemen and for the opportunity to participate in this hearing.

America has vital national security interests in Yemen. Al Qaeda in the Arabian Peninsula (AQAP), one of the terrorist groups most focused on attacking the US homeland, retains a safe haven and support among local populations there. A small Islamic State affiliate also persists and could emerge as a threat. The Iranian-backed al Houthi movement threatens the free flow of goods through one of the world's most important maritime chokepoints, the Bab el Mandab Strait, and increases the risk of regional conflict by attacking population centers in Saudi Arabia and the United Arab Emirates. The deepening humanitarian catastrophe in Yemen fuels the conflict and threatens to spread waves of refugees through an already-destabilized region. The US must refocus on Yemen to develop a policy that recognizes and addresses all of these interests. America must, above all, retake a leadership role in securing itself and shaping the actions of its allies so that they support our interests and accord with international law and norms.

American leadership in Yemen does not mean deploying massive military forces. It does mean ending the practice of outsourcing pursuit of our interests in Yemen to local partners who do not share our concerns or objectives and lack our capabilities to develop and execute sound plans.

The leadership most required in the first instance is strategic and political. The US must help our partners develop sound strategies that will lead to a resolution of the underlying conflicts that create space for both al Qaeda and Iran to operate in Yemen, rather than partial and limited approaches that are only exacerbating those conflicts. The US must also engage diplomatically not only with the formal Yemeni government it recognizes and the United Nations–led peace process, but also with substate actors throughout Yemen whose views will ultimately determine the durability of any negotiated settlement.

Experts and practitioners generally agree about the problems in Yemen as the country enters its fifth year of war. Few, if any, believe that the Arab coalition can deliver a political resolution to the conflict. Some believe, or hope, that Yemenis might be able to resolve the political conflict on their own or with international pressure. None can deny Iran's support to the al Houthi movement and how it has changed, or that al Qaeda retains support zones and some popular support in parts of the country. Nearly all assess the overall engagement of the coalition at this point to be harmful rather than helpful in the long term. All agree on how dire the humanitarian situation in Yemen is and that it is worse than the official UN reporting. Consensus does not exist, however, on the best way forward except that the solution is not a military one. That consensus is correct—there is no purely military solution to the problems in Yemen. We must remember, however, that Yemen is a theater in which multiple wars are being fought, so neither can there be any solution that does not have a military component.

The United States bears some responsibility for the conditions in Yemen. The US subcontracted the protection of its interests to Gulf partners under the Obama administration while the US pursued the Iranian nuclear deal. The US has since allowed a fear of entanglement in Yemen's civil war to dictate policy. The US supports Emirati counterterrorism efforts that have been tactically and operationally effective, but are unlikely to deliver a strategic defeat of al Qaeda and other Salafi-jihadi groups in Yemen. The US supports the coalition in its efforts to restore the internationally recognized Yemeni government to power against the Iranian-backed al Houthi movement but has not helped provide a strategic framework for the coalition and has not begun to help address the myriad grievances that led to the civil war in the first place. American efforts to stay out of the Yemeni mire have helped make the situation worse and reduced the likelihood that our vital national interests will be secured.

Solving Yemen

The complexities of Yemen make finding a solution seem impossible. It is tempting to write Yemen off and leave it to its fate while offering emergency humanitarian assistance to ease Yemenis' suffering and throwing some minimal support behind the UN peace process. Trying to simplify the problem to focus on achieving one or another of these interests to avoid dealing with Yemen's local conflicts will lead to failure across the board. A counterterrorism strategy of striking high-value targets will not defeat al Qaeda in Yemen any more than it has anywhere else. Yemen does not matter enough to Tehran that pressure against the al Houthis materially advances any campaign against Iranian regional activities. And cutting off

support to Saudi Arabia and the United Arab Emirates (UAE) will deprive the US of leverage to shape their actions, as well as throwing them into the arms of states such as Russia and China that have no qualms about partners acting with wanton disregard for civilian casualties and human life. A US strategy to secure its national security interests and advance our values requires dealing with the problem in all its complexity and stopping the search for simplistic, short-term, feel-good solutions.

Yemen's civil war is now entangled in regional conflicts and multiple local conflicts that touch on US interests. The national-level conflict is over control of the central government. While much is centered on the status of the al Houthi movement in a future government, former ruling party factions also seek to protect their share of power.[1] Southern factions have aligned with the internationally recognized government to remove northern influence and, in some cases, to strengthen and gain more autonomy for southern Yemen. The empowerment of Salafis has strengthened parts of the Salafi-jihadi movement in Yemen even with counterterrorism pressure on al Qaeda and the Islamic State. The role of Islah, a Yemeni Islamist party, in the central government has linked Yemen to the Saudi-Emirati-Qatari crisis and the UAE effort against the Muslim Brotherhood. The UAE has maneuvered to weaken the Muslim Brotherhood in Yemen, with Islahi leaders now denying ties to the transnational Islamist movement.[2] Saudi Arabia's military intervention and the Iranian-supported al Houthi escalation in response have made Yemen another active theater for the Iran-Saudi proxy war.

America's reliance on Gulf partners to secure its interests in Yemen has been largely counterproductive. The coalition's military intervention has made few strategic gains over the past four years while worsening the humanitarian catastrophe. The toll on civilians from both coalition and al Houthi actions is indefensible. Iran's influence over the al Houthi movement has undeniably grown during this time. Coalition support to various Yemeni factions will help fuel a second round of conflict that will again damage US interests once the current civil war ends. UAE counterterrorism operations have been partially effective, but the Emiratis are also inadvertently shaping the future conditions that could permit al Qaeda to reconstitute.

But abandoning America's Gulf partners in Yemen would be even more disastrous both for American interests and for the humanitarian and international legal concerns driving most of those who advocate this course. Our partners are unlikely to find a way out of the war and will continue fighting without US support. Unlike many of our other partners, Saudi Arabia and the UAE do not depend on the US for financial support and can readily purchase weapons and expertise from other states that do not remotely share our values or concerns. Driving them into the arms of those states, which would be damaging to American interests writ large, would also remove any restraint on their military actions. The desire to dissociate from the bad actions of America's partners is therefore understandable, but misplaced. Although limited, American influence has shaped both Saudi and Emirati actions for the better. The US could do even more to shape their behavior if it engaged more seriously in the effort. Instead of retreating in disgust, the US must work to extricate its partners from Yemen by actively pursuing a long-term political resolution and using its considerable leverage with them to rein in the worst aspects of their own practices and inclinations.

US policy must also recognize that the current efforts to deliver a political resolution to the conflict are flawed. The UN-led effort to negotiate a political resolution to the current war is unlikely to succeed and will not address the conditions that drove Yemenis to war in the first place. These conditions, which include the grievances that united Yemenis against Ali Abdullah Saleh's government in 2011, create opportunities for Salafi-jihadi groups such as al Qaeda and for Iran to increase their influence in Yemen. The humanitarian conditions, poor before the war and worsening still, will not stabilize without a settlement better than the one the UN is currently championing.

That effort is to establish a ceasefire or some sort of interim agreement in order to return Yemen to the political transition process launched in 2011. Yet the current conflict results from the inherent problems in that political transition process, which failed to address the grievances of major opposition groups, including the al Houthis and the southerners. These groups are unlikely to accept the outcomes of a process today that led them to go to war in 2014.

The UN-led peace process also exaggerates the importance of the internationally recognized Yemeni government over the actual factions on the ground. These factions have supported the Yemeni government against the al Houthis as a shared near-term interest, but diverge with the government over the future shape of Yemen. UN Special Envoy Martin Griffiths has recognized the need to discuss what postwar Yemen will be through Track II discussions, but ultimately remains focused on brokering an initial settlement between the al Houthis and the Yemeni government.

War in Yemen has acquired a momentum of its own, moreover, that will not be easily stopped. The manner in which the war and political economy in Yemen has developed incentivizes spoilers. The fracturing of the country has led to the growth of regional powerbrokers who benefit from continued chaos and conflict.[3] The governor of Ma'rib, west of Yemen's capital region, has a mini-fiefdom that has grown rich during the war. The military units in his governorate would probably support him rather than any new central government emerging from the current peace process. The UAE supported the establishment of the Southern Transitional Council (STC), which unifies some powerful southern figures, including secessionists and members of the Yemeni government, into a body seeking to secure southern rights. UAE-backed Yemeni security forces would almost certainly support the STC against the Yemeni government. Yemen's frontlines are also soft: Goods and people equally traverse them, and adversaries on the battlefield all benefit from sales in the same black-market arms networks.[4] Elite negotiations will not resolve these problems; the US must recognize the importance and interests of these substate actors and engage them directly and through our partners to shape conditions for an enduring peace.

The international community has turned from efforts to negotiate a full peace to attempts to ameliorate the humanitarian disaster resulting from the current conflict. These attempts will fail to do either. UN Special Envoy Martin Griffiths negotiated a groundbreaking agreement between the al Houthis and the internationally recognized government in Stockholm, Sweden, in December 2018.[5] Unfounded optimism continues to surround the agreement as it opens up the possibility of broader negotiations for a national ceasefire. Implementation of the agreement remains problematic. Sustained international pressure, rapidly deteriorating humanitarian conditions, and the inevitable al Houthi loss of al Hudaydah port to coalition-backed forces helped facilitate this agreement. But the al Houthis do not perceive overall military defeat as inevitable and have been recalcitrant in the face of international pressure and local humanitarian conditions. The al Houthis have knowingly diverted much-needed food assistance from starving populations for profit to support their war effort.[6] There is no likely road from the current agreement to any larger elite agreement, and even elite settlement would not resolve the substate-actor problem that will continue to drive conflict in ways that open the door to continued al Qaeda and Iranian penetration.

Even a return to a focus on the elite settlement via the UN-led peace process in Yemen is unlikely to deliver a long-term political solution for Yemen acceptable to the United States and partners such as Saudi Arabia, however. Saudi Arabia and the Gulf States have conceded publicly that the al Houthis will be part of a political solution, and the al Houthis have announced they are open to political negotiations, but these statements conceal a possibly insurmountable gap between the expectations of influence in a future Yemeni state. The al Houthis' continued relationship with Iran and possession of certain weapons systems will likely drive Saudi Arabia off. The al Houthis are unlikely to give up their military capabilities in advance of any solution. They also have little incentive to agree to any solution that reduces the extent of their influence over northern Yemen and the central Yemeni government institutions without a coalition military victory, which would come at significant expense and cost of life, if at all. It is almost certainly necessary to persuade the al Houthis that they will ultimately lose before an enduring settlement can be reached—an undertaking that requires a more skillful and nuanced strategy than the coalition has been pursuing along with more serious and energetic diplomatic engagement by the US and its extra-regional partners.

Defeating al Qaeda and the Islamic State in Yemen

The Salafi-jihadi movement in Yemen, including al Qaeda and the Islamic State, has transformed in the context of the civil war. It has decentralized in such a way that defeating AQAP and the Islamic State in Yemen (ISY) will not eliminate the Salafi-jihadi threat from Yemen. Additional Salafi-jihadi groups have established themselves over the past four years and exist independent of AQAP's support. The rise of Salafi militias and leaders in Yemen has also created conditions that strengthen new Salafi-jihadi groups

because both share immediate objectives in the civil war. The current US counterterrorism strategy does not address this transformation.

AQAP is still the dominant and most capable Salafi-jihadi group in Yemen, which continues to serve as a critical safe haven supporting al Qaeda's global operations and providing sanctuary to senior al Qaeda leaders.[7] For example, former Guantanamo detainee Ibrahim al Qosi, who was transferred to Sudan in 2012 and appeared in an AQAP video in December 2015, now has a senior leadership role within AQAP.[8] AQAP strengthened significantly in Yemen until April 2016, when the UAE began supporting ground operations to oust the group from populated centers. AQAP continues to fight alongside local tribal militias in central Yemen where the coalition does not have a strong presence.[9] The surge in US and UAE counterterrorism operations against AQAP in 2017 and into early 2018 markedly weakened the organization.[10] The operational leadership of AQAP is now young with less experience, as many of the mid-level operatives who would have been groomed into more senior positions and who had fought with AQAP in 2011–2012 have been killed. UAE-led operations have sustained that pressure. However, the group remains positioned to resurge from setbacks and benefits from the continuation of the civil war. This younger cadre also poses a long-term threat.

Decentralization and the development of local proxies and partners characterized AQAP's development since its experience in southern Yemen in 2011. AQAP cultivated local forces, originally Ansar al Sharia and then the Sons of Hadramawt or Sons of Abyan, to be its face among Yemeni people. These groups were the ones that took control of populated centers such as Yemen's third-largest port city al Mukalla in the east for a year. Anecdotal reports indicate that AQAP operatives are working with non-AQAP militias on the war's frontlines. The push for decentralization coincided with the rise of new Salafi groups, many brought together after on-and-off fighting against the al Houthis in Dammaj, in Sa'ada governorate in northern Yemen from 2011 to 2014.[11] US-designated Salafi militia leader Abu al Abbas is one such fighter who cut his teeth in Dammaj and has risen to power in Taiz, Yemen's third-largest city, through his fighting strength.[12] Abu al Abbas's fighters, along with other hardline militia, have carved out space for AQAP in Taiz today, a city that historically did not have an al Qaeda presence. The alignment of these non–al Qaeda Salafi-jihadi groups with AQAP and its goals requires broadening the counterterrorism aperture beyond specific affiliation with designated groups—and recognizing that simply attacking AQAP high-value targets will have no effect on the growing strength of the Salafi-jihadi movement in Yemen writ large.

The Islamic State in Yemen retains a small presence and has not claimed a major attack in over a year.[13] ISY has engaged in localized clashes with AQAP over the past six months in central Yemen. US airstrikes targeted ISY training camps in central Yemen in 2017, and ISY has not seemed to have recovered since. Yemeni security forces in Aden described ISY as recruiting primarily from urban youth, building terrorist cells, and then deploying those cells. Yemeni security forces, with support from the UAE, have disrupted the ISY networks.[14] But ISY remains alive and could recover ground if conflict continues or escalates. It is unlikely to unseat AQAP as the leader of the Salafi-jihadi movement in Yemen, but could conceivably drive AQAP and other Salafi-jihadi groups to greater efforts to retain that leadership—a dynamic observed in other theaters.

US and UAE counterterrorism operations have significantly disrupted operations and degraded the leadership of AQAP and ISY. The US counterterrorism strategy in Yemen, which relies heavily on targeting high-value individuals and partner forces for ground operations, has changed little since the Obama administration, which began providing support to the UAE in its counterterrorism efforts in Yemen. The US has provided medical, intelligence, and maritime support to Emirati forces engaged in ground counterterrorism operations in Yemen since 2016.[15] UAE forces have taken lead in training, advising, and assisting local Yemeni forces to counter AQAP in eastern Yemen. The UAE stood up the Hadhrami and Shabwani Elite forces in Hadramawt and Shabwah governorates, respectively, in 2016 to "fight local with local."[16] The forces have responsibility for securing key roads and for clearing populated areas of AQAP. AQAP no longer directly controls major populated centers in southern and eastern Yemen.

The UAE has been a critical enabler for counterterrorism successes in Yemen, but its efforts in Yemen are unlikely to yield permanent success.

First, counterterrorism operations have not eliminated or reduced AQAP's historical sanctuaries. The UAE-backed counter-AQAP operations have occurred primarily in areas to which AQAP expanded during the civil war. AQAP's historical sanctuaries, especially along the al Bayda-Abyan-Shabwah border and in remote parts of Hadramawt and al Mahrah, are tough terrain both from a geographic standpoint (craggy and mountainous) and from a human terrain standpoint (occupied by strongly anti-government tribes). The UAE will not be able to recruit many fighters from these areas, and the current composition of the UAE-backed forces, including the Hizam brigades (Security Belt brigades) operating in southern Yemen, creates a high risk of a new intertribal conflict if they are deployed to clear these sanctuaries.

Second, it is not clear how these counterterrorism operations nest into a strategy to prevent AQAP and other Salafi-jihadi groups from returning in the future. A successful counterterrorism offensive in southern Yemen in 2012 weakened AQAP significantly, but AQAP resurged because the conditions that enabled it to strengthen initially continued to exist. Allegations of torture and arbitrary detention at the hands of Yemeni and UAE forces, regardless of their accuracy, undermine their legitimacy and create resentment that AQAP could exploit.[17] The UAE has sought to address some of the most prominent development and humanitarian asks in southern Yemen, but its big projects run through the Emirati Red Crescent rather than local structures that would sustain them over the long term and might not therefore yield lasting results. The US experienced a similar failure with its major projects in Afghanistan in the early years of the war. Additionally, UAE resource inputs could generate additional instability as they inadvertently create new "haves" and "have-nots" within the population. There is also a possibility that the UAE-backed forces in southern and eastern Yemen might decide to sever ties with the internationally recognized Yemeni government, opening a new front for conflict.

Third, the US and the UAE do not share the same answer to the question of how to define al Qaeda and which forces are acceptable ground partners. This challenge of working with counterterrorism partners is not unique to the UAE—Saudi Arabia, Qatar, Turkey, Egypt, Jordan, and others all hold different definitions. (Turkey, for example, directly supports a US-sanctioned organization in Syria.) The UAE partnered with the most effective fighters on the ground to fight the al Houthis. These partners included many Salafi militias, including the Abu al Abbas brigade, which strengthened further with the influx of UAE money and weapons. UAE support flowed through these groups to AQAP.[18] The unintentional support to AQAP and the strengthening of Salafis—such that Taiz now has a strong Salafi influence—raise the risk of the Salafi-jihadi movement reconstituting once military pressure is lifted. The situation in Yemen somewhat mirrors that in Afghanistan in the 1980s, when the US inadvertently fueled extremists because they were some of the most effective fighters against the Soviets.

The risk that counterterrorism gains will be reversed in the short-to-medium term is high unless the US helps shape Emirati operations in Yemen and nests the counterterrorism effort into a larger effort to resolve the underlying drivers of instability in the country. The US should continue to leverage its support for Emirati counterterrorism operations to improve how these operations fit into the bigger picture. The US should also pressure the Emiratis to allow the UN or another international body to lead in the stabilization effort in southern Yemen. The US must also ensure that its partners are not amplifying the positions of Salafis within Yemen because this risks strengthening the Salafi-jihadi movement.

Reducing the Iran's Influence in Yemen and the al Houthi Movement's Threat

The threat from the al Houthi movement to the Kingdom of Saudi Arabia, the United Arab Emirates, and the Red Sea is unacceptable and has grown, largely through support from Iran's "Axis of Resistance," (known in the US as the Iranian Threat Network). Al Houthi forces have fired ballistic missiles at Riyadh, used water-borne improvised explosive devices (IEDs) and anti-ship missiles against tankers in the Red Sea, and used a so-called kamikaze drone against a Yemeni military parade. They have threatened Abu Dhabi and are developing weapons capable of carrying through on that threat. Iran's influence over the al Houthis has increased since the start of the war, and the coalition's actions have had little strategic effect. A relatively limited Iranian investment in the al Houthis has generated outsized effects in Yemen. No clear incentives exist for Iran to stop this support to the al Houthis or for the al Houthis to refuse Iranian outreach.

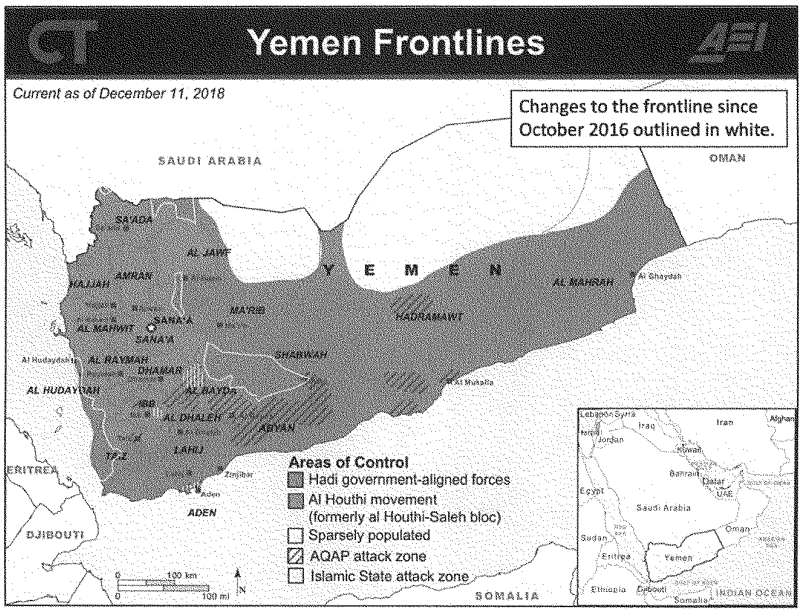
The al Houthi movement is not a monolith. Its core leaders and followers, however, see the US as an enemy and are willing to use armed force for political purpose. Conflict has hardened a movement that had initially gained supporters through its opposition to an authoritarian president and the Yemeni government's widespread political marginalization and economic neglect of regions in northern Yemen. The al Houthis reversed a trend of inclusivity at top leadership levels and have built a family-dominated structure. Anecdotal reporting has surfaced that the al Houthis have used coercive measures against families and tribes that have wavered in their support for the movement. The death of former President Ali Abdullah Saleh splintered some of the al Houthis base from the movement in December 2017, and a recent tribal uprising in northern Yemen, which has received coalition support, indicates that additional families and tribes could still splinter from the movement.[19]

The al Houthis are not simply a proxy of Iran. Tehran neither commands nor controls the al Houthis, though the relationship is deepening. Al Houthi officials have met repeatedly with members of the Axis of Resistance—including Hassan Nasrallah, the leader of Lebanese Hezbollah, and Qais al Khazali, the leader of an Iraqi Iranian proxy force Asa'ib Ahl al Haq—and have received offers of support from other Iranian proxy groups in Iraq.[20] Al Houthi officials meet with Iranian officials in Tehran and in the region, and Islamic Revolutionary Guards Corps (IRGC) Qods Force commander Qassem Soleimani has met with other top IRGC officials to discuss how Iran can support the al Houthis.[21] Lebanese Hezbollah supports the al Houthi media channel, al Masirah, and Iran's PressTV now simulcasts live statements from the al Houthi leader. Lebanese Hezbollah and almost certainly a small team of IRGC members have also provided the al Houthis with weapons expertise.

External support from Iran and Lebanese Hezbollah has transferred asymmetrical attack capabilities to the al Houthis that threatens maritime security and US Gulf partners. The US Defense Department has exhibited evidence of such support to the al Houthis, including ballistic missiles smuggled into Yemen and reassembled in country, Iranian-manufactured surface-to-air missiles (SAMs) and drones, and a computer navigation system used in a naval unmanned surface vehicle attack in the Red Sea.[22] The al Houthis have used drones to knock out Patriot missile battery systems protecting Emirati forces ahead of an incoming missile attack and have also dropped ordnance from drones in attacks.[23] Signature Lebanese Hezbollah IEDs are also in Yemen along the Red Sea Coast.[24] The al Houthis are producing standardized mines and IEDs locally, indicating the transfer of expertise.[25]

The al Houthi movement has consolidated its control over northern Yemen and the Yemeni state infrastructure in Sana'a, Yemen's capital. Anti-al Houthi forces have made limited gains over the past few years, hitting natural lines within the Yemeni human terrain.[26] [See Figure 1.] The al Houthis control access to northern Yemen as well as the headquarters of Yemen's ministries, many of which continue to function across the divided country. They control the media and reporting out of northern Yemen—those who have spoken out against the al Houthis have been silenced or forced to flee.[27] The loss of control of the al Hudaydah port is unlikely to weaken the al Houthis' control or will, and the al Houthis will probably generate much of the revenue collected at the port at checkpoints established to enter al Houthi-held territory. The air campaign has had no strategic effect on the al Houthis.

Figure 1. Map of Yemen Frontlines



Map of Yemen's frontlines as of December 2018 created by Maher Farrukh. Changes since October 2016 marked in white added by the author.

It is a mistake to bucket the al Houthis in the same category as the Assad regime, Lebanese Hezbollah, or Iranian-controlled Shi'a militias in Iraq. The al Houthi movement existed before Tehran was much interested in it, and Iranian support remains too limited to give the Iranians control over al Houthi policies. The IRGC certainly would love to have such control and, no doubt, to provide more support, but the difficulties of getting Iranian agents and material into al Houthi areas are simply too great. Iran has transferred to the al Houthis the means of producing lethal weapons as a mitigation. This indigenous capacity reduces Iranian leverage over the al Houthis, but also increases the risk that the al Houthis could proliferate these capabilities further, potentially giving Iran additional cover in its efforts to create and support other regional proxies with less direct involvement. But they retain their independence—the al Houthis are not so much under Iranian influence that Tehran could cause them either to make or to reject a peace deal.

Yemen is thus a defensive front for the US in the struggle against Iranian regional malign behavior. It is important to deprive Iran of the ability to strike Riyadh and Abu Dhabi by proxy or to disrupt traffic through the Bab el Mandab Strait. Countersmuggling efforts to block the transfer of ballistic missile and drone components and computer systems will limit the al Houthis' ability to carry out such attacks. But pressure on the al Houthis does not harm Iran enough to affect Iranian policy throughout the region.

Stabilizing Humanitarian Conditions in Yemen

The humanitarian situation in Yemen sharply declined over the course of the civil war. Today, UNOCHA estimates that over 24 million people in a country with a population of 28 million need assistance. Of these, 15.9 million people need food assistance.[28] Cholera cases continue as water treatment facilities are damaged in conflict or not maintained. The rising cost of food is prohibitive for many Yemenis, who simply can no longer afford to buy basic foodstuffs. Many have already sold off their source of livelihood to feed their families, which means that the crisis could worsen significantly over the next year. Efforts to stabilize the Yemeni rial have helped, though it will probably continue to depreciate as food prices rise.[29] The operation of al Hudaydah and Salif ports remain critical since about 70 percent of all food imports and 40–50 percent of all fuel imports to Yemen still enter through these Red Sea ports. Further, humanitarian access constraints are high in some of the hardest-hit areas of the country, and actors continue to divert assistance from intended recipients.

The war is driving this complex humanitarian crisis. The coalition's blockade of Yemen's Red Sea ports, which slows the delivery of food, fuel, and commercial goods; ground actors' intentional diversion and politicization of humanitarian assistance; and ongoing airstrikes that damage or prevent the repair of critical infrastructure are exacerbating the situation. Immediate steps must be taken to prevent the humanitarian catastrophe in Yemen from deteriorating further, such as the provision of food aid and repair of water treatment facilities. The Yemeni population was not strong before the war—over 10 million people needed food assistance in September 2014. The war has taken its toll on the resilience of the population.

Any emergency humanitarian assistance without a political settlement is simply a band-aid solution to the problem. Yemen's humanitarian challenges were serious even before the civil war, compounded by development challenges. The country's few resources were poorly distributed within the population. Yemenis have a high rate of illiteracy, and over half were living below the poverty line. A 2011 estimate held that over 40 percent of the population was under the age of 15. Long-term engagement from the international nongovernmental organization community to improve Yemen's weak state institutions and economy will be required for any lasting effect on the humanitarian situation. Low-level conflict will continue without the framework of a political settlement, disrupting humanitarian and development operations and reversing future gains.

A Way Forward in Yemen

The Trump administration and Congress must decide to prioritize securing a political resolution in Yemen as the way forward to addressing the humanitarian crisis over the long term and to securing America's interests.

A first step is for the United States to try to rebuild its trust capital with Yemenis and to strengthen relations with those powerbrokers who are not close to Riyadh. The State Department's decision to maintain its embassy to Yemen in Saudi Arabia undercuts the US position by closely tying it to Riyadh.[30] The al Houthi leadership distrusted the US before the embassy relocated, but the US loses its neutrality among other Yemeni political groups, such as some of the southerners, by locating in Saudi Arabia. The US might consider a neighboring country to host the embassy and could also consider whether US diplomats might be able to meet with Yemeni powerbrokers in Aden.

This step would enable the US to lead the effort prioritizing a negotiated settlement to the civil war and setting the framework for a long-term political resolution. American leadership in the effort does not necessarily imply that Americans must do everything or that this cannot be done through the auspices of a renewed UN process. The relationship with the al Houthis is unlikely to improve, so the US should leverage Omani efforts to work with the al Houthis while recognizing the role that the al Houthis play for Oman in checking Saudi Arabia's influence. The US-led efforts must be inclusive and actively engage substate actors who might otherwise act as spoilers.

The US must also use its leverage to drive our partners away from practices that cause unnecessary civilian casualties and exacerbate the humanitarian crisis. We should not deprive ourselves of that leverage by cutting off aid, but neither should we defend or tolerate those practices. We can and should publicly call out and criticize our partners when they do wrong, and we can make clear to them that they must change

their behavior if they wish to continue to receive our support. However, the time has not yet come to end that support because the US has simply not put enough effort into either shaping their behavior or helping them think through better strategies and objectives.

America must regain a position of leadership in shaping coalition policies and strategies in Yemen. It need not—and should not—deploy many troops to Yemen or otherwise attempt to take over the fighting. Nor do our partners on the whole require money. They require instead our abilities to develop coherent theater campaign plans that transcend national concerns and our position as an extra-regional superpower to help drive negotiations toward sustainable solutions.

Real success that anyone could be comfortable with might not be possible in Yemen, but disastrous failure that severely undermines vital American interests certainly is. The most important thing the US can do right now for Yemen is simply to start paying attention to it again. The stakes are worth at least that much of our effort.

Thank you for the opportunity to testify.

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[1] The General People's Congress (GPC), the ruling party of the late president of Yemen Ali Abdullah Saleh, is now fractured. It split at the start of the conflict when Saleh loyalists following his lead and supported the al Houthi movement while other GPC supporters remained opposed to the al Houthis. The al Houthis' assassination of Saleh further fractured the GPC, when part of the group that had initially joined him in supporting the Houthis turned on the al Houthis.

[2] Barbara A. Leaf and Elana DeLozier, "The UAE and Yemen's Islah: A Coalition Coalesces," Washington Institute, December 6, 2018, https://www.washingtoninstitute.org/policy-analysis/view/the-uae-and-yemens-islah-a-coalition-coalesces.

[3] Peter Salisbury's research on Yemen's war economy describes this development in detail. For a summary, see Peter Salisbury, "Building Peace in Yemen from the Ground Up," *Foreign Affairs*, February 28, 2018, https://www.foreignaffairs.com/articles/middle-east/2018-02-28/building-peace-yemen-ground.

[4] Sanaa Center for Strategic Studies, "The Sana'a Center Editorial," December 11, 2018, http://sanaacenter.org/publications/the-yemen-review/6732.

[5] The Stockholm agreement includes an agreement on demilitarizing al Hudaydah city and part of the Red Sea Corridor, an understanding on the Taiz, a prisoner exchange, and a commitment to resume talks in January 2019. UN Office of the Special Envoy of the Secretary-General for Yemen, "Full Text of the Stockholm Agreement," December 13, 2018, https://osesgy.unmissions.org/full-text-stockholm-agreement. See also Peter Salisbury, "What Does the Stockholm Agreement Mean for Yemen?" *Washington* Post, December 21, 2018, https://www.washingtonpost.com/news/monkey-cage/wp/2018/12/21/what-does-the-stockholm-agreement-mean-for-yemen/.

[6] Food assistance diversion occurs across Yemen. Maggie Michaels, "AP Investigation: Food Aid Stolen as Yemen Starves," Pulitzer Center, December 31, 2018, https://pulitzercenter.org/reporting/ap-investigation-food-aid-stolen-yemen-starves; Danielle Haynes, "U.N.: Houthi Rebels Selling Food Aid on Black Market in Yemen," UPI, December 31, 2018, https://www.upi.com/Top_News/World-News/2018/12/31/UN-Houthi-rebels-selling-food-aid-on-black-market-in-Yemen/8561546283939/; Associated Press, "WFP Calls on Yemen's Rebels to Bring Aid Theft to an End," January 4, 2019, https://www.apnews.com/cbfd01aff8f34c75836aabdcf0d58926; and Samy Magdy, "Yemeni Groups Call on WFP to Reveal Aid 'Corruption,'" Associated Press, January 9, 2019, https://www.apnews.com/aa2eeb34612541cf95b3954957e2583a.

[7] Daniel R. Coats, "World Wide Threat Assessment," statement before the Select Committee on Intelligence, US Senate, January 29, 2019, https://www.dni.gov/files/ODNI/documents/2019-ATA-SFR---SSCI.pdf.

[8] Thomas Joscelyn, "Former Guantanamo detainee Warns Against Spilling Secrets," Long War Journal, January 19, 2018, https://www.longwarjournal.org/archives/2018/01/former-guantanamo-detainee-warns-against-spilling-secrets-in-aqap-video.php; Thomas Joscelyn "Ex-Guantanamo Detainee Now and al Qaeda leader in Yemen," Long War Journal, December 9, 2015, https://www.longwarjournal.org/archives/2015/12/ex-guantanamo-detainee-now-an-al-qaeda-leader-in-yemen.php; and "Ibrahim Ahmed Mahmoud al Qosi," *New York Times*, https://www.nytimes.com/interactive/projects/guantanamo/detainees/54-ibrahim-ahmed-mahmoud-al-qosi.

[9] For background on AQAP's rise in Yemen, read Katherine Zimmerman, "AQAP: A Resurgent Threat," Combating Terrorism Center, *CTC Sentinel* 8, no. 9 (September 2015): 19–23, https://ctc.usma.edu/aqap-a-resurgent-threat/.

[10] Gregory Johnsen characterizes the inflection in counterterrorism operations well in Gregory Johnsen, "Trump and Counterterrorism in Yemen: The First Two Years," Sana'a Center for Strategic Studies, February 27, 2019, http://sanaacenter.org/publications/analysis/7105.

[11] The Dar al Hadith religious center in Dammaj, Sa'ada, is a Salafi center in the heartland of Zaydi Islam. The al Houthis laid siege to the school in October 2011, and a ceasefire went into effect in December 2011. Fighting broke out again in October 2013 and ended after a second ceasefire came into effect in January 2014. Many of the Salafi fighters regrouped at the onset of the civil war to combat the al Houthis. Laurent Bonnefoy provides a comprehensive exposition of Salafi trends in Yemen in Laurent Bonnefoy, "Sunni Islamist Dynamics in Context of War: What Happened to al-Islah and the Salafis?" in *Politics, Governance, and Reconstruction in Yemen*, edited by Stacey Philbrick Yadav and Marc Lynch, eds, Project on Middle East Political Science, January 2018, https://pomeps.org/wp-content/uploads/2018/02/POMEPS_Studies_29_Yemen_Web-REV.pdf.

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Mr. DEUTCH. Thank you very much, Ms. Zimmerman.

I will begin the questioning.

There is consensus on the panel that political settlement is what we must be striving for. In December, Martin Griffiths brokered a cease-fire and the Stockholm agreement between the warring parties. What role should the United States play in diplomacy? How can Congress support those diplomatic efforts springing out of there?

Dr. Rand, I will start with you.

Dr. RAND. Thanks. The U.S. diplomatic efforts have been behind the scenes, and they have been a bit timid. It is important at this stage that the U.S. State Department step up and both publicly and privately show U.S. leadership and resolve, elevating this issue. It has been great the U.S. Special Envoy has taken the lead and has been quite successful, but there has been too little effort from Washington to show how important this is to the U.S. Government. So I would urge greater public and private diplomacy from the U.S. side.

Mr. DEUTCH. Ms. Almutawakel, how do the Yemeni people view American involvement in the war?

Ms. ALMUTAWAKEL. When we say "parties to the conflict," Yemenis consider America as one of the parties to the conflict in a very negative way.

Mr. DEUTCH. Were they aware of the House's recent passage of the War Powers Resolution?

Ms. ALMUTAWAKEL. Whatever happens, although they—Yemenis, they have a lot of anger toward America for many reasons. But whenever there is something happening in America, they follow it with a lot of interest because they know what is happening here has a lot of influence in Yemen.

And for your first question, let me tell you that the peace talk in Sweden, why have it happened? It happened only because of the pressure that happened because of the Khashoggi murder. So the international community pressure, especially from the U.S., in 2 months succeeded to send parties to the conflict to the table. So, if the pressure continues, it should be a balanced pressure on all parties to the conflict. If this pressure continues, then the peace talks will just continue, and Martin should be supported to be successful in this.

Mr. DEUTCH. Can I just ask? The work that you do at Mwatana for Human Rights, we have heard a lot of—there a lot of harrowing statistics that have been thrown around. The numbers are so staggering, but given the data that you collect, can you personalize it for us? Make this, the humanitarian crisis, the abuses that you have seen, can you give it some context from the work that you do through your organization?

Ms. ALMUTAWAKEL. So, in our work, we work on the details, not in the numbers. So we go deep—we just try to move the numbers to details of the suffering of people with just documentation that can be even a legal paper for the future. We build a human rights memory. So it is a lot, yes. We are documenting a lot of incidents daily. But I will just mention one of the incidents that was in our late report regarding using U.S. and U.K. Weapons in some of the airstrikes. There was an airstrike in 2018, in April 2018. It was a

wedding in Hajjah, in a very poor area. Most of the people who died in this wedding were the drummers and dancers, and people, they said it was just a very happy day that ended like a judgment day. And those people are marginalized.

This picture is not even unique. It is happening. So the bus incident is famous, but it is not the only one. The funeral incident in Sana'a is famous, but it is not the only one. It is not new in Yemen. It is not even strange to sleep as a whole family and then to get up in the morning, one person, and all your family is dead. This is only because of the airstrikes, but airstrike is not the only attacks in Yemen, the only violation in Yemen. It is just only one.

What has really broke the back of Yemenis is the starvation. It is not having their salaries. And many Yemenis will not go to ask for humanitarian aid because the middle class, they are now very poor. And they are dying behind the closed doors. That is why humanitarian aid is just an emergency that helps a lot but will never solve the situation in Yemen. We miss the feeling safe. We are safe in Yemen by accident, not because we are protected by anything. We miss the feel of being safe and sleeping while we are sure that, in the morning, all the people we love is going to be safe. Whatever I say, there is just more.

Mr. DEUTCH. I appreciate that very much. Thank you. Thank you so much.

Mr. Wilson.

Mr. WILSON. Thank you, Mr. Chairman, and thank all of you for being here today.

Ms. Zimmerman, given that Iran has not been a party to any of the negotiations or diplomatic initiatives surrounding the conflict, do you assess that Iran has had any incentive to encourage the Houthi rebels to meaningfully come to the negotiating table? If not, how do we incentivize Iran as the major outside supporter of the Houthis to support a peaceful solution to the conflict, including stopping the missile attacks from Yemen on Saudi Arabia?

Ms. ZIMMERMAN. The issue of whether Iran supports the Houthis going to the negotiating table or not is a little bit moot because Iran does not pull the strings in Yemen. It does not make the decisions for the Houthi family. There are instances where Foreign Minister Javad Zarif has met with Houthis during negotiations, so there are clearly conversations happening back door and Iranian advice going forward with the Houthi delegation and negotiating team, but it is not going to be Iranian pressure on the Houthis that changes their actions. They have actually ignored it before, and so I think that is not the vector for changing the Houthi behavior. This is where the nuance in what I put forward is actually putting forward a strategy that would convince the Houthis that ultimately they will lose the majority position they hold in Sana'a. That will bring them to the table, and they are there. They just disagree with the Saudis over how much of a share in the government they should hold.

Mr. WILSON. Well, thank you very much.

Ms. Almutawakel, thank you for your courage to be here, and a question for you, but Mr. Konyndyk can add, too, because I am a big fan of USAID, and so it relates to aid. And that is multiple reports earlier this year indicated the Houthi rebels were engaging

in wholesale food aid diversion to key areas they control. How big a problem is this, the Houthi aid diversion? Have the Houthis used the aid diversion to finance their operations in the past? What is the international aid community doing to mitigate this type of phenomenon?

Ms. ALMUTAWAKEL. So it is me, yes?

Mr. WILSON. Yes.

Ms. ALMUTAWAKEL. Yes. OK. It is big. It is very big. We documented many cases where Houthis just obstructed humanitarian access for food and medicine, and also they are bothering humanitarian NGO's on the ground, and humanitarian NGO's cannot talk because Houthis might just do anything. They just might close the humanitarian NGO's and they do not care. So it is very big. But how to solve it? It is only how to stop the war because Houthis is just one issue regarding the humanitarian access, and the Saudi-led coalition is another issue. The other avenues are the third issue. So it is a huge problem for all parties to the conflict. But, again, humanitarian aid is not the solution in Yemen. It is just a lifeline emergency. So, whether we solve it or not, it is not going to solve the problem.

Mr. KONYNDYK. Thanks for that question, Congressman, and thank you for your support for USAID. I know when I worked there, we really felt the support from the Hill, and we really appreciated it. I know that they still do.

It is a problem. The Houthi diversion is a problem. I think obstruction by both sides is a problem, and that is important to understand, you know. Neither side has their hand clean when it comes to obstructing humanitarian aid. They have different tactics of it. Obviously, you know, it is the more on kind of the entry side with the coalition and then the ground side with the Houthis, but both sides have been playing games with and obstructing humanitarian aid really from the get-go. My understanding of what has happened since that report on the concerns about food aid diversion by the World Food Program is that, as you all have seen in the news reports, the World Food Program put out an ultimatum to the Houthis that this behavior needed to change. The Houthis have begun engaging with WFP in dialog and have begun changing some of their practices that had caused so much concern. I would not say it is completely resolved or perfect, but there is at least, as I understand it, a constructive dialog going on to address the underlying problem.

Mr. WILSON. Well, you make a difference, and we want to continue that.

And Dr. Rand, what is the current status of the Stockholm agreement and cease-fire?

Dr. RAND. Unfortunately, Congressman, as of this morning or yesterday, Martin Griffiths, the esteemed and excellent U.N. Special Envoy, has said it is on life support. He is really trying, and he is disappointed, as we all are, there has not been greater commitment by the parties. There has been some redeployment. There has been a diminution in the airstrikes in the Hudaydah city and port, and that was one of the goals was to decrease the fighting in and around the port, so that has been sort of the best part of the progress, but there has not been so far the full redeployment of the

forces out of Hudaydah. So there needs to be pressure right now in the next week or two to ensure that the parties commit to the agreements made in Stockholm.

Mr. WILSON. Well, thank you for your extraordinarily current information. Thank you very much.

Mr. DEUTCH. The gentleman yields back.

Mr. Malinowski will be recognized.

Mr. MALINOWSKI. Thank you, Mr. Chairman.

Dr. Rand, excuse me. You and I were both involved in the effort to advise the Saudis early in the conflict on how to avoid hitting civilians, on how to conduct their operations in a way that was more consistent with the laws of war and more effective. Could you describe that effort and the lessons that you think we should learn from it?

Dr. RAND. Sure. Thanks. To Katie Zimmerman's point, to your great point, that, at the beginning of the war, we at the State Department thought that the best approach was to work with our partners, work with our allies behind closed doors, to build on the strong partnership that the U.S. had with Saudi Arabia. So, in 2015, when it was clear that there was these mass casualty civilian targets and we assumed that they were mistakes in the fog of war that U.S. State Department sent a trainer to Riyadh, you know, someone who had worked with CENCOM on trying to limit civilian casualties for U.S. coalition operations in Afghanistan, thinking that we could train and support the coalition using the same models that had successfully reduced U.S. civilian casualties in Afghanistan. We approached this very technically behind closed doors, very quietly sent our trainer in, and he was well received by the Saudi Ministry of Defense. We kept on trying this, and we were hopeful in the beginning, and we kept on sending him. And then there was a cease-fire in 2016, so we remained hopeful that maybe our efforts to train the Saudis to limit civilian casualties were working.

But then, in August 2016 when the cease-fire broke down, there was a series of mass casualty civilian targets that were hit in a span of 2 weeks in that deadly August 2016, and it gave us pause to recalibrate the strategy and wonder what had happened to our training. Where had been the lessons learned that had been taken so receptively by the Saudi Ministry of Defense, and so we continued. We continued. We very quietly re-sent him. We really, really tried. And we came to the conclusion by late 2016 that, although there were very many well-meaning and good and professional generals in the Saudi Ministry of Defense, there was a lack of political will at the top, senior levels, to reduce the number of civilian casualties. There were many technicians and tacticians who wanted to learn the software and the approaches that the U.S. military had tried in Afghanistan, but at the end of the day, the shots were called from up high, from up above, and there was no political will to change the status quo.

Mr. MALINOWSKI. So was it a problem of imprecise targeting or that they were precisely targeting the wrong things?

Dr. RAND. Right. It was very clear that precision was not the issue and that guidedness was not the issue. It was the type of target selection that became the clear issue. And even when, as Jer-

emy has mentioned, the U.S. Government told them which targets not to hit, we saw instances where the coalition was targeting the wrong things.

Mr. MALINOWSKI. So they deliberately struck targets like water treatment facilities, food distribution centers that were on a no-fly list, a no-strike list that was handed to them. Is that correct?

Mr. Konyndyk, if you want to chime in as well, or either of you, yes.

Mr. KONYNDYK. Yes. So the basic progression was this: Initially we provided—USAID compiled the list of initially just strictly humanitarian sites, NGO offices, warehouses, things that if you, you know, you looked at them from the air, you might not be aware it is a humanitarian facility whereas we would assume you would know what a school looks like, what a hospital looks like, and so on, and not hit those things.

What we found was that the Saudis tended to treat anything not on the no-strike list we gave them as fair game. So then we expanded the list, and we began naming categories of sites including specific road routes that were critical to the humanitarian effort. And in an instance in, I believe it was 2018, they struck the bridges along the main road from Hudaydah Port to Sana'a, which was the principal artery for bringing food, aid, and commercial food into the country. They struck that despite us having specifically told them through that process not to.

Mr. MALINOWSKI. Thank you.

And, Ms. Almutawakel, first of all, thank you so much for being here and for speaking for people in Yemen whose voices are not normally heard in our debate here in the Congress.

When American bombs reach Yemeni civilians before American aid does, as you aptly described the situation, what impact does that have on the Houthis and on other extremist groups like al-Qaeda? Does it hurt them, or does it help them? Do they take advantage of this?

Ms. ALMUTAWAKEL. Well, in the war in Yemen in general, the war in Yemen is empowering two groups in Yemen: al-Qaeda and Iran. The war is a very perfect environment for all armed groups and their allies, whoever they are. So only rebuilding the State in Yemen can just defeat different groups. For Yemenis, many of the Yemenis, they have never been to America, but they received America through the weapons—not through technology, not through education, not through civilization. It is just through weapons.

And in many instances, we documented 300 incidents since the beginning of the war until today, but not in all incidents we could find evidence of weapons. We could find this in 25 incidents, but it might be even much more. So people, they know America through these weapons, and they feel very angry about it, and it is propaganda for the Houthis and for al-Qaeda, but the situation in general does not depend on the propaganda itself.

The war—because the war is—all parties to the conflict, they do not have a war plan; they do not have a peace plan. And even in the areas that are controlled by Hadi government and the coalition, they did not try to rebuild the State, the judicial system, the national army. They decided to empower fanatic religious armed

groups in the ground. So this is also empowering Houthis and other armed groups in the areas. If the 80 percent that was controlled by the coalition and Hadi government was administrated in a good way, then this would defeat also Houthis easily, much easily than the war itself.

Mr. MALINOWSKI. Thank you.

Mr. DEUTCH. Thank you.

And I will recognize Mr. Chabot for 5 minutes.

Mr. CHABOT. Thank you very much, Mr. Chairman. As a former chair of this subcommittee and a long-time member of it, it is really heartbreaking to have the need for this hearing today because this is clearly one of the most significant, if not the most significant, humanitarian crisis on Earth. And, unfortunately, it has been extremely frustrating for those of us that are really trying to help and trying to get aid to those people who need it and try to get a cease-fire on the targeting of civilians or even if it is collateral damage, so to speak. That is where you really want to have some impact to be able to not have people who are completely innocent targeted, or it is always hard, but particularly in this type of situation where you do have the fighters oftentimes in civilian populations. And then another challenge, of course, and I apologize for being in and out. I have had meetings here on and off, and so I have I missed and I probably am repeating some of the things my colleagues have said. And I know speaking for probably folks on both sides of the aisle, the inability to get the aid to those who need it, the access, is a big problem, so I guess my first question would be how can we improve that? What could actually work to get the aid to the people who really need it? Is there anything we can do? And I know your organization is USAID. I know that is what you all do, but I would be happy to just go down the line.

Doctor?

Dr. RAND. I would highlight three things. One is the Sana'a airport is a very important center because of the number of people who cannot leave the country seeking medical help and other treatments, so urging the coalition to open the Sana'a airport. That would be one.

Second, continuing to monitor the verification mechanisms in the Red Sea Port. Part of the challenge is there are legitimate concerns about Iranian and other nefarious missile activity in the region, and so the U.N. has tried very hard to broker a compromise with the coalition to check ships to see, you know, to make sure there are not bad things on some of these vessels, but that has really slowed down the humanitarian access into the port. So there has to be more that can be done to ensure that these ships that are coming in with the humanitarian relief are not stopped and blocked because it is deterring the commercial shipping industry from coming in at all. So there can be more work that can be done with the U.N. and the coalition to ensure that this verification mechanism is not delaying and stopping humanitarian relief access.

And then, finally, calling attention to parts of the Stockholm agreements that were intended to enable the recovery of the Hudaydah and Red Sea Ports along that area. Because of the backlogs at the Aden Port, there is no substitute for Hudaydah Port, despite the parties' wish that there could be run-arounds. It is still

true that 70 or 80 percent of all humanitarian relief must get into the country through that region and that part of Yemen. And so, therefore, ensuring port capacity, ensuring the management, the administration, and the free flow of goods into that port remains critical.

Mr. CHABOT. Thank you. You know, I am actually—I have only got a minute and 30 seconds to go, so I am going to hold your thought, if I can, because I had one other point that I wanted to make. If I go down the line, I am going to be infringing on other people's times. I was in Yemeni some years ago—in Yemen a number of years ago, and I remember at the time because we got a call. There were only a couple of us on the codel. We got there the day after they blew up the graduation of the police, or it was about 100 people I think killed on the parade grounds. We went in anyway and met with an awful lot of goodwilled people, but it was—I remember the date specifically because of that.

Let me ask this question, Ms. Zimmerman. Let me go to you on this one. I know Mr. Wilson was interested in this as well. The business about human shields, you know. We have heard reports that there are examples where that has happened, where Houthis have embedded, you know, militant fighters or military equipment in civilian areas. Could you address that issue?

Ms. ZIMMERMAN. Yes. Thank you, Congressman. The Houthis and many other of the actors on the ground have used civilian positions including the offices of international NGO's as a shield against airstrikes or other artillery fire, and there are multiple instances where you can map the no-strike list against a Houthi military position, and the Houthi military position is right adjacent to a civilian position which places the coalition in a lot of stress.

I think the challenge with civilian casualties in Yemen is not just limited to targeting from the air, however, and what is missed is the mortar fire that is somewhat indiscriminate in certain places, some in Taiz City, which gets lost in the discussion about Hudaydah because it is not stuck on humanitarian issues. All sides are committing egregious targeting cases, and I think we need to be holding all actors accountable.

Mr. CHABOT. Thank you very much.

My time has expired.

Mr. DEUTCH. Thank you, Mr. Chabot.

Mr. TRONE.

Mr. TRONE. Thank you, Ms. Almutawakel, for your courage and efforts in this unmitigated tragedy. Food insecurity, lack of sanitation, relocation to the IDP camps, real negative impacts on all the citizens of Yemen. My question is: The women and girls are specifically disadvantaged in this humanitarian crisis and subject to even greater risk, gender-based violence during the conflict. Could you make any comments on protections that we should be taking?

Ms. ALMUTAWAKEL. You know, the state in Yemen has collapsed 100 percent. Before the war, we used to have a stable state. Now we do not. So you can imagine how much the situation is horrible. Before the war, we started to discuss to have a law to stop the early marriage. You can now just imagine how much we are away far from this. It is just like a dream; it never happened. And the war is very masculine, yes. So women were just fighting for many

years to be in the front in many jobs in Yemen, and they succeed to have a lot of success in this. And now all of this has destroyed as we are just starting from the scratch. And it is scary how much children, girls and boys, are not going to school now. So I am just worried about the future of Yemen. Many, many, I mean, thousands of schools have been destroyed, and millions of children are not going to school. So we are just going very steps—very huge steps to the back. Yemen was not that bad before.

Mr. TRONE. Ms. Zimmerman, your thoughts on that?

Ms. ZIMMERMAN. The challenge that I see is that we are focused on the very serious humanitarian catastrophe right now, which is revolving around the civilian casualties and the distribution of food and fuel, frankly. The challenge that Yemen will face is that it has now gone through 4 years of war, and it is not just coming out of this war, but even from the Arab Spring, children were not going to school. And so, when you look at the Yemeni population, about half of it is under 15 years of age at this moment, and most of them have not had a regular education. Yemenis already suffered from a high level of illiteracy. It is driving them and setting up their opportunities such that when they come out of this, there will be a significant investment required from the international community to rebuild the institutions to allow Yemenis to start succeeding.

Mr. TRONE. Mr. Konyndyk, denial of humanitarian assistance is a violation of international humanitarian law. Under the U.S. Foreign Assistance Act, a government that prohibits or restricts the transport or delivery of U.S. foreign assistance faces penalties, including withholding of foreign assistance and withholding that under the Arms Export Control Act. Based on your observations over the past 4 years, is it your opinion the Government of Saudi Arabia and/or UAE have prohibited or otherwise restricted foreign assistance?

Mr. KONYNDYK. So, on the strict legal question, I am not a lawyer, and I would defer to the lawyers, but I can tell you, on the broader policy question, which I engaged with very closely during my several years in the administration, absolutely the Saudis and the Emiratis, principally the Saudis in that case, were obstructing humanitarian—legitimate humanitarian assistance from entering the country.

And, you know, I think they have given large amounts to the United Nations, and they deserve some recognition for that, but no amount of aid that they give can keep pace with the damage they are doing.

We saw repeatedly that it was very difficult for humanitarian groups to get aid into the country, and there were instances, for example, in 2015, when ships of World Food Program food were being prevented for weeks on end from being allowed to enter the country. I think what we typically saw was that eventually, in that sort of an instance where there was a specific item that they were blocking, they would eventually relent but only after pretty extensive pressure from the U.S. And that to me is a microcosm of I think a key takeaway from this entire process over the last 4 years, which is that when the Saudis are doing something we do not want them to do or the Emiratis are doing something we do not want

them to do, asking them nicely while continuing to sell them arms has not yielded much progress. And the only times we have seen progress has been when, at a very high level, up to and including at times the President himself, when they put that request forward and make clear that it will have consequences for the U.S. bilateral relationship if it is ignored, then we see movement.

Mr. TRONE. Thank you.

Mr. DEUTCH. Mr. Reschenthaler.

Mr. RESCHENTHALER. Thank you, Mr. Chairman.

Violence and human rights atrocities, as you know, devastate Yemen. Iran, the world's largest State sponsor of terror, illegally supplies Houthi rebels with missiles, training, and support. These Houthi rebels terrorize civilians and American allies by attacking cities in Saudi Arabia, the UAE, and even civilian aircraft. Yemen also remains a focal point of U.S. counterterrorism. AQAP, al-Qaeda of the Arabian Peninsula, is one of the largest and most capable terror groups in the region. This is why I voted against the decision to try to remove U.S. Forces from the conflict. Frankly, it was dangerous and misguided, and abandoning this region will not end the humanitarian crisis. In fact, it will just make it worse. Without the United States, bad actors will continue to become more reckless and the tens of millions of Yemenis will continue to suffer without us. If Syria has shown us anything, it is that rogue countries like Russia and China, who have very little regard for peace, prosperity, or even human life, will fill the power vacuum that we create.

So, Ms. Zimmerman, can you please elaborate on how the U.S. can better provide security assistance in the Arabian Peninsula while also holding our counterparts accountable for actions that we as Americans would not adhere to?

Ms. ZIMMERMAN. Thank you, Congressman.

I think you have heard today that the U.S. has provided significant tactical training in how to limit civilian casualties and how to improve operations on the battlefield, and you can see that we have done it with Saudi Arabia, and then we have also done that through counterterrorism training and with cooperation with the United Arab Emirates. What has been missing from this piece is the actual strategic guidance and a nuanced approach that will lead our coalition partners to some sort of victory. And so they have applied the tactics that they have learned not perfectly against the strategy that is fundamentally flawed, and this is one of the reasons why I think that the U.S. should lean further in and provide what only America can provide, which is the expertise that we have in order to coalesce something that will deliver a better negotiated settlement than, frankly, what I can see on the table. I still do not see the path from Hudaydah to a national settlement, and, you know, that is the key piece that we need to start delivering.

Mr. RESCHENTHALER. And what are your thoughts on if we continue to withdraw, with Russia and China filling that power vacuum? Do you want to elaborate on that?

Ms. ZIMMERMAN. Saudi Arabia and the UAE are one of the few partners we have that do not need our money, and if we were to stop selling munitions and weapons, the question is then, will they

keep buying it? And I think the answer is yes. And when we provide it, we also provide it with significant support in terms of military training. It has not been completed in terms of our military training and the professional development, especially of the Saudi military, and withdrawing the provision of weapons will probably lead to the end of that sort of training, which means that we have gotten halfway there and then we lose that investment.

Russia and China do not have that sort of predilection in terms of who they sell their weapons to and the end use of the weapon. And so we have seen cases where our partners have not used our weapons as we have desired. We should publicly hold them accountable, but we also need to recognize that, at the end of the day, there are other actors out there with weapons that are high end, and they are willing to sell, as well.

Mr. RESCHENTHALER. Thanks, Ms. Zimmerman.

Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. DEUTCH. Thank you, Mr. Reschenthaler.

Mr. Vargas, you are recognized.

Mr. VARGAS. Thank you very much, Mr. Chairman.

And thank you again, the witnesses, for being here today.

Obviously, it is a hugely tragic humanitarian crisis. I have also had the opportunity to talk to David Beasley, Governor—former Governor from South Carolina, who tells me of the issues they have had at the port, and so I want to talk a little bit about that. Has the issues of the food coming in—I mean, I understood you saying that there could be some contraband on the ships, and because of that, they have stopped them, and maybe there is a lot more hassle, if you will, to get in. Has that been corrected, or how can that be corrected? I know that that is not the whole issue because there is just so many people that are on the point of starvation, but it does seem that so much of—you said 80, 90 percent—of the food goes through there. How is that being corrected? Who would like to handle that? Go ahead.

Mr. KONYNDYK. I can take a first crack at that, and I am sure others have thoughts.

Mr. VARGAS. Sure.

Mr. KONYNDYK. So when I was at AID, that was one of our major preoccupations, protecting that lifeline through Hudaydah because it is where most of the country's food comes from. And, you know, we saw two important dynamics that were concerning. One was obviously the Saudi naval blockade, which was preventing a lot of legitimate material from getting in out of fear, as you said, that there may be contraband upon some of the ships.

We also saw Iran playing games. And Iran at one point sent a what they called an aid ship, and I think that ship probably did only have aid on it, but there was no way to know that, and they were doing that to test the Saudi blockade, and they were in effect misusing using aid, as well.

So we did two things. First, we worked with the U.N. to set up an arrangement where all aid from Iran and other States would go through the U.N. and be validated by them and delivered by them rather than directly by the State. So that ensured that the contents of the aid were legitimate and not being, you know, no contraband was on board.

And then we set up something called the U.N. Verification and Inspection Mechanism for all commercial shipping, so kind of a counterpart for commercial to what existed for the aid. And that was a U.N. process for similarly verifying and validating what was on board ships to avoid contraband.

The concern has been that the Saudis have not—Saudis and Emiratis have not been great about respecting and working through on them. And I think that gets to the underlying issue, which is that the purpose of the blockade is not merely to prevent contraband; it is also to economically hurt the country with cover of this contraband argument.

Mr. VARGAS. So that was going to be my question because it seems that there is the whole issue of, you know, the contraband, but more than that, they were using it almost as a way to starve the country.

Mr. KONYNDYK. It was an excuse.

Mr. VARGAS. It was an excuse. OK. Has that been corrected at all? What can we do to change that reality again?

Mr. KONYNDYK. It has not—it is a problem that requires constant management. Others may want to weigh in.

Dr. RAND. I would just add that I think these two questions actually relate to each other. Congressman, your question assumed a bit of a binary between either withdrawing completely from our relationship with Saudi Arabia and stopping to limit U.S. support for the coalition for the war in Yemen.

The United States is actively engaged to support the defense of Saudi Arabia day in and day out, aside from operational DOD and arms sales support for the war in Yemen, and this is a great example, right? The United States will continue to defend Saudi Arabia from contraband material going through the Red Sea Port through the activities that my colleague just described and many, many other naval and maritime activities.

Mr. VARGAS. I am going to reclaim my time because you are actually not focusing on my question. My question was not about Saudi Arabia. They are doing quite fine. My question was more about Yemen and how are we going to help the Yemeni people.

So, again, I want to focus how can we get more food in there. I know one of the things that we can do also is try to figure out how to help their currency. I mean, their currency in free fall creates a real problem when there is, in fact, imported food that people would be able to buy if it was not for the depreciation of their currency.

Ms. ALMUTAWAKEL. This is not only your question. I have heard this question from more than one: How can we just help the humanitarian access? We are in the Congress, and just it is so weird for me to ask this question rather than asking how can we stop the war in Yemen. Humanitarian access is a very small issue in Yemen, and it is not even the only thing that causesstarvation in Yemen. For example, millions of Yemenis are not receiving their salaries for years now. Those who are living under the control of Houthis, which is most of the population of Yemen, Houthis they do not consider themselves responsible to obey salaries, and the Hadi government, the coalition, are not paying salaries for people just because they are living in the areas that is controlled by

Houthis. That is one of the main reasons that causes starvation in Yemen, more than the access of humanitarian aid.

So the issue in Yemen is not an issue of how to flow the humanitarian access. It is much more than this, and if there is a humanitarian crisis here and you have a very big influence to just to stop the crisis, just like the symbol, then to stop it by we have to stop it by to stop the war, not to just solve the problem of how to get the food in.

Humanitarian NGO's can get—can solve this problem, and they are trying to, and it is not your question. It is an——

Mr. VARGAS. No, I know. My time is the expired, but thank you for your answer. I appreciate it. Thank you.

Thank you, Mr. Chair.

Mr. DEUTCH. Thank you, Mr. Vargas.

Mr. Sherman, you are recognized.

Mr. SHERMAN. If our goal was just to feel better and more moral, we would get ourselves completely out of Yemen in all respects. It is unlikely that Yemen will be a place that anyone says: That is where great things are happening, and America is a great country to be a part of that.

But the fact is that washing our hands of the issue is not necessarily the best thing we could do for the Yemeni people.

I know that air power has been criticized here. I point out as the country that has the leading air power in the world, we should defend the rules of engagement and the laws of war, which make it plain that if you are hitting strategic targets for strategic reasons and, in that context, that you are trying to avoid civilian casualties, then that is legal. If we then take the position that you cannot use air power if you have any adverse effect on the civilians, then air power is illegal, and it puts us in a much worse strategic position.

One way this war could end is we could change sides or whatever and join the Houthi. And how bad would the Houthi be if they just took over the country? They have a record of enforced disappearances, you know, children soldiers. The U.N. has said they have committed war crimes, but if they, Dr. Rand, if the Houthis just swept their opponents from the battlefield, would they engage in reprisals? Would they kill civilians? Or I do not expect them to provide good governance, but would the people of Yemen be better if, 6 months from now, the Houthis just controlled the whole country?

Dr. RAND. Thanks, Congressman. The Houthis do control around 75, 80 percent of the population. So this is not a hypothetical.

Mr. SHERMAN. Right. Well, it is in some ways. They may be holding themselves back saying: We want to restrain ourselves and not kill 50,000, 100,000 civilians until we win the war. Then, once we win the war, then we do not have to worry as much about our world image, and then we can kill our enemies.

You know, Lenin did not kill all his enemies in 1917. He waited until more like 1920, 1925. So, if the Houthis really had freedom of action, what would they do?

Ms. ALMUTAWAKEL. I want to invite you to visit Mwatana's website just to see how much Houthis are already killing civilians. They are not holding their thumbs back. They are engaged in many serious violations, indiscriminate shelling, child soldiers, torture, enforced disappearance, a lot. They are doing whatever they can do

in the areas that they are controlling, but who said that the scenario of stopping the war that the Houthis control the areas? How this idea came up?

So the idea for the political agreement is to just end, to just replace all armed groups to a state, the state of rule of law——

Mr. SHERMAN. Well, obviously, if we can create peace and compromise, that is the best possible outcome. But we have been trying to do that for a long time.

I will ask the panel: How optimistic are you that a peaceful solution will be reached among the parties?

Dr. RAND. Congressman, you know, in 2015 and in 2016, the U.S. Government was focused very, very directly on reaching a ceasefire——

Mr. SHERMAN. Right.

Ms. RAND [continuing]. In Yemen, and to be honest, in the past 2 years, that has not been a focus of U.S. foreign policy. So what we are advocating here is elevating this issue as a diplomatic priority given the momentum in Sweden and pushing the Trump administration to really make compromise and political negotiation the end goal as opposed to some of the parties maybe preferred strategy of escalation. So that is the recommendation here.

Mr. KONYNDYK. And, Congressman, I think, to hit on a couple of your other points, I do not think anyone is advocating for the U.S. pulling out or for the Houthis winning or just——

Mr. SHERMAN. Well, when you say "pulling out," nobody is advocating for us to pull out diplomatically. And, in fact, there is a consensus on the panel that we should have a higher level diplomat involved in these issues, but there are a lot of folks urging us to pull out militarily.

Mr. KONYNDYK. Yes, including me. And the reason for that is, you know, in your comment, you said: Would this have implications for U.S. use of air power?

I think if the Saudis were anywhere close to the quality of targeting and the quality of respect for international law of armed conflict that the U.S. military has, there would be far less of a problem.

Mr. SHERMAN. We are doing a much better job now if you compare what the Saudis are doing to our approach in World War II. I do not know how historians would rate us, but I yield back.

Mr. DEUTCH. Thank you.

Mr. Lieu, you are recognized.

Mr. LIEU. Thank you.

Thank you, Chairman Deutch, for calling this hearing on Yemen, and I appreciate your doing so, and the message we are sending is that we are not going to let this issue go.

So, if you are a Saudi Arabia or UAE or the Trump administration, we are going to keep highlighting it. We are going to keep exposing your war crimes and the famine that you are causing in Yemen. I do note that, as the witnesses had testified, a new report recently came out with nearly a thousand people killed by U.S. munitions and over 120 children killed. I do have a question about that report. So, Ms. Almutawakel, was that from airstrikes from a Saudi-led coalition that did not also include airstrikes from, let's

say, civilian drones and others with U.S. intel? What was the nature of that casualty count?

Ms. ALMUTAWAKEL. No, these ones, we have reports about drones, and there are incidents regarding the drones. And there are civilians who have been killed and injured because of drones in 2017 and 2018.

Mr. LIEU. Is that in your report or a separate report?

Ms. ALMUTAWAKEL. No, separate. This one, in this report, it is only the Saudi and Emirati airstrikes.

Mr. LIEU. Thank you. And are you aware of any Saudi or UAE officials being held accountable for the killing of civilians through these airstrikes?

Ms. ALMUTAWAKEL. This is a dream.

Mr. LIEU. So the answer is no. And as you had testified earlier, as Congressman Malinowski noted, it appears that many of these airstrikes are not because they are trying to hit a moving Houthi target and missed; it is that they are deliberately trying to target the actual places to hit that have lots of civilians. Is that correct?

Ms. ALMUTAWAKEL. What is really strange about the incidents that killed and injured civilians in Yemen is it is very preventable. Many of the cases that we have documented, there is not even a military target. People themselves were asking, why we were targeted? It is even strange. It is just—that is why it is not a matter of training. It is a matter of accountability. They do not care. If they cared, they can just make it much better, at least not to embarrass their allies.

Mr. LIEU. Thank you.

I actually think it is worse than that they do not care. It does appear to me that they are intentionally hitting civilians. So, as you know, during the Obama Administration, Saudi jets flew and hit a funeral that had a lot of civilians, injuring and killing hundreds, and then they came back around and struck the very same precise location again. So my view is they are deliberately targeting civilians. I think these are war crimes.

And my question to Dr. Rand is, when you have civilians in Yemen watching a U.S.-supported coalition killing a lot of civilians, would not that fuel what terrorists are trying to do in recruiting members and causing more people to hate the United States as well as the British, who are also providing these munitions?

Dr. RAND. Yes. As my colleague said earlier today——

Mr. DEUTCH. Turn on your mike, please.

Dr. RAND. Thank you, Congressman. As my colleague had said earlier in the hearing, I think if you are sitting in Yemen, none of the outside powers look particularly appealing at this point, and I think there is a lot of blaming that is going on. But yes, this is so directly and obviously a recruiting vehicle for radicalism, extremism, and the next generation of AQAP in Yemen. And behind every sortie is clearly the image of a U.S.-sold weapon, a U.S.-sold airplane, and the maintenance, and the other support services. So there is no doubt there is a real, real risk here of generating greater terrorist threat in Yemen of the like AQAP or a future generation of radicalization.

Mr. LIEU. And then just as a question for anyone on the panel: It was reported today that the Trump administration is reversing

an executive order that would essentially now hide the number of civilian deaths being caused from drone strikes from our intelligence agencies. How many of you think that is a good idea? OK. No one does.

So what is your view of what the harm would be if we hide that information from Congress and the American people?

Dr. RAND. I am sure my colleagues have ideas and have responses as well, but just in brief, the idea of the 2016 executive order was in keeping with democratic principles of transparency and clear communication to be open about the civilian casualties in line with current operational procedure at DOD. That was the goal of the 2016 policy, and revoking it sends a signal to the American public and to, more importantly probably, allies, friends, and enemies around the world that the United States will be hiding its civilian casualties.

I would also say this is a global executive order. It is not related to Yemen, but it is related to today's hearing because one of the original purposes of the 2016 executive order was to send the signal to U.S. allies of how America handles its own civilian casualties and wartime operation, to send the signal that the U.S. is open, the U.S. is transparent, the U.S. is willing to investigate ourselves, which was what we were urging the coalition to do and continue to urge it. So there was a diplomatic value to this executive order in 2016, and revoking it is stepping back and saying that we are not going to expect allies and partners of the United States to adhere to the same standards of accountability of the U.S. military.

Mr. LIEU. Thank you.

I yield back.

Mr. DEUTCH. Thank you very much, Mr. Lieu. This was an excellent hearing. I am really grateful to all of the witnesses.

Yemen is a humanitarian crisis, and American leadership is necessary to ensure food is delivered and that we stop the spread of the disease, but ultimately a political solution is necessary to end the war, and American leverage is what can be used to accomplish that.

Again, I thank the witnesses.

Ms. Almutawakel, your voice here with us today is so critically important to our decisionmaking going forward. I would just ask that, as you return to Yemen, that you make sure that you take with you the commitment by this committee and by this Congress to continue to focus on the crisis in Yemen and the war and work to see that it ends.

And, with that, this committee is adjourned.

[The information referred to follows:]

[Whereupon, at 4:06 p.m., the subcommittee was adjourned.]

APPENDIX

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on the Middle East, North Africa, and International Terrorism

Ted Deutch (D-FL), Chairman

March 6, 2019

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Middle East, North Africa, and International Terrorism in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at https://foreignaffairs.house.gov/):

DATE: Wednesday, March 6, 2019

TIME: 2:00 pm

SUBJECT: The Humanitarian Crisis in Yemen: Addressing Current Political and Humanitarian Challenges

WITNESS: Dafna Rand, Ph.D.
Vice President for Policy and Research
Mercy Corps
(Former Deputy Assistant Secretary of State for Democracy, Human Rights and Labor)

Ms. Radhya Almutawakel
Co-Founder and Chairperson
Mwatana for Human Rights

Mr. Jeremy Konyndyk
Senior Policy Fellow
Center for Global Development
(Former Director of the USAID Office of US Foreign Disaster Assistance)

Ms. Katherine Zimmerman
Research Fellow
American Enterprise Institute

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Middle East, North Africa, and International Terrorism* HEARING

Day *Wednesday* **Date** *March 6, 2019* **Room** *2172*

Starting Time *2:41 PM* **Ending Time** *4:04 PM*

Recesses [*0*] (____to____) (____to____) (____to____) (____to____) (____to____) (____to____)

Presiding Member(s)

Chairman Theodore E. Deutch

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING:

The Humanitarian Crisis in Yemen: Addressing Current Political and Humanitarian Challenges

SUBCOMMITTEE MEMBERS PRESENT:

See Attached

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] **No** [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

QFR - Rep. Steve Watkins

SFR - Rep. Gerald Connolly

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *4:04 PM*

Aviva Abosch
Subcommittee Staff Associate

HOUSE COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE HEARING

SUBCOMMITTEE ON THE MIDDLE EAST, NORTH AFRICA, AND INTERNATIONAL TERRORISM

PRESENT	*MEMBER*
X	Theodore E. Deutch, FL
X	Gerald E. Connolly, VA
	David Cicilline, RI
X	Ted Lieu, CA
	Colin Allred, TX
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X	David Trone, MA
X	Brad Sherman, CA
	William Keating, MA
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	Brian K. Fitzpatrick, PA
X	Guy Reschenthaler, PA
	Steve Watkins, KS

STATEMENT FOR THE RECORD

MENAIT Hearing March 6, 2019
The Humanitarian Crisis in Yemen:
Addressing Current Political and Humanitarian Challenges

Statement for the Record from Representative Gerald Connolly

Yemen is currently ground zero for the world's worst humanitarian crisis. Millions of Yemenis face displacement, disease, and famine, as the conflict continues into its fifth year. The United States must cease support to the Saudi-led coalition and ramp up diplomatic efforts to reach a political solution to end the war – the only sustainable way to address food insecurity in Yemen. Increasing humanitarian access is the most urgent priority in order to mitigate further catastrophe.

In addition to claiming an estimated 60,000 Yemeni lives, this war is fueling the largest food security emergency in the world. Humanitarian agencies estimate that 85,000 children have died from malnutrition, more than half the population (nearly 16 million people) currently requires emergency food assistance, and one in every 10 Yemeni children has been forcibly displaced from their homes due to the conflict. In December 2018, Special Envoy of the United Nations Secretary-General for Yemen Martin Griffiths brokered a ceasefire, known as the Stockholm Agreement, centered on Yemen's largest port, Hodeidah, which serves 80 percent of people in need. Therefore, ensuring the complete implementation of the Stockholm Agreement is critical to addressing Yemen's food security crisis.

Since 2015, the United States has provided support to the Saudi-led coalition in its war against Houthi rebels in Yemen. In September 2018, Secretary Pompeo certified to Congress that the Saudi and Emirati governments were mitigating harm to civilians and civilian infrastructure in Yemen; meanwhile, the Saudi-led coalition has conducted attacks killing dozens of civilians at a time, often with U.S.-provided munitions.

Article I, Section 8 of the United States Constitution states that "Congress shall have power…to declare war…and to raise and support armies" and other armed forces. Pursuant to the War Powers Resolution (P.L. 93-148), the President must remove U.S. armed forces engaged in hostilities outside U.S. territory without a specific statutory authorization if Congress so directs.

Congress must reclaim its constitutional foreign policymaking authority to cease American complicity in the ongoing humanitarian crisis in Yemen. I am glad that the House recently passed H.J. Res. 37, which would direct such a removal of U.S. armed forces from hostilities associated with the Saudi-led coalition's war in Yemen, and the Senate should take up this resolution without delay. This resolution is a critical step to foster regional stability and restore respect for human rights to U.S. foreign policy.

The United States and the international community's lackluster response to the humanitarian disaster in Yemen is a stain on human history. We must act now to stem the further spread of disease, displacement, and famine, and pave the way to a better future for Yemenis.

RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD

MENAIT Hearing March 6, 2019
The Humanitarian Crisis in Yemen:
Addressing Current Political and Humanitarian Challenges

Question for the Record from Representative Steve Watkins

My question is for Katherine Zimmerman, thank you for being here today, based on your research, what would you say is the true motive for Iran backing the Houthis, what are they gaining from this partnership? How can we and our allies best exert leverage to end or at least diminish support for the Houthis?

Response:

Iran's support for the al Houthi movement in Yemen is part of its effort to expand its regional influence through the cultivation of what the Iranians call the "Axis of Resistance." The Axis of Resistance is an informal Iranian-led alliance of state and non-state actors generally opposed to Western and Israeli influence in the Middle East, including America's Arab partners. Members include Iran, Syria, Lebanese Hezbollah, and some Iraqi Shia militias. Iranian officials now list the al Houthi movement among other partners, and al Houthi delegations have met regularly with others within the Axis of Resistance. Iran leverages this alliance to pursue its regional objectives, which include expelling the United States from the Middle East and establishing Iranian regional hegemony.

A limited Iranian investment in Yemen has yielded outsized influence on the Arabian Peninsula and in the Red Sea for Iran. Iran has provided the al Houthis with media, political, diplomatic, materiel, and humanitarian support. Critically, Iran has transferred asymmetric military capabilities to the al Houthis that have enabled them to threaten Riyadh and possibly Abu Dhabi, as well as to disrupt commercial naval traffic in the Red Sea. Iran has also built indigenous capacity within Yemen to produce improvised explosive devices (IED) that may very likely challenge Yemeni and coalition advances against the al Houthis in the coming phases of the civil war.[1] Iran has used the threat from the al Houthis to pull Saudi focus from other theaters such as Syria back to Yemen, and to distract from Iranian gains elsewhere in the region. It is far from a given, however, that the al Houthis respond to commands from Tehran.

The al Houthi movement is not under Iranian control yet. It does not take orders from Tehran and the al Houthi movement will not take actions in Iran's interest that run against its own. The al Houthis probably remain more important to Iran than Iran is to the al Houthis. The al Houthi movement itself is not a monolith, and many of the supporters who joined the al Houthis over the course of the civil war most likely would reject Iran under the right conditions. It is not clear where the core al Houthi leadership stands on the Iran question. Separating the al Houthis from Iran will grow increasingly more difficult as time passes, but it is not impossible.

Interdicting the flow of Iranian materiel into Yemen could limit the al Houthis' asymmetrical attack capabilities, though it would not address them fully. The longer-range ballistic missile attacks from Yemen into Saudi Arabia used Iranian-sourced weapons. Iran has also provided unmanned aerial vehicles (UAVs) to the al Houthis, and it is not clear that these can be produced in Yemen. But the al Houthis should be able to sustain shorter-range missile attacks, naval attacks, and landmine and IED attacks without Iranian support. These attacks are critical to the al Houthis' defense in Yemen.

A US-led diplomatic effort to resolve the underlying conflicts in the civil war could be a starting place to reduce the al Houthis' relationship with Iran. Wartime requirements will continue to drive the al Houthi movement toward Iran. The al Houthis (and many of Yemen's southerners) reject the January 2014 outcomes of the Yemeni National Dialogue Conference (NDC) because the process and political maneuvering within the conference allowed Yemen's political elite to paint a veneer of reform over the power structures that support elite interests. Critically, the NDC failed to produce an acceptable solution to how the Yemeni government would decentralize and how national resources would be distributed. The proposed six-region solution, and the manner by which this solution was reached, delegitimized the NDC process for some members of the opposition, including the al Houthis.[ii] Current US statements continue to call for Yemenis to respect the outcomes of the NDC, which ignores the protests of the al Houthis and Yemen's Southern Movement (al Hirak) against these outcomes. The current UN-led efforts do not seek to resolve this issue, either, leaving it unresolved. The US and partners might recognize the failures of the NDC to address this issue and work to produce a solution acceptable to all Yemenis.

The US might also encourage partners to develop or restore relationships with individuals who have chosen to support the al Houthis politically during the civil war but who might not believe in the entirety of the al Houthis' efforts. The al Houthi adherents might include members of the former ruling party still in northern Yemen and northern-based families and tribes who have calculated that their political prospects and futures were better with the al Houthis than with the loose-knit coalition opposing the al Houthis. Splintering the al Houthi movement in this fashion could begin to right-size the al Houthi influence in Yemen. Reducing the al Houthis' strengths would increase the prospects of an acceptable negotiated settlement to the war and political resolution in Yemen.

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[i] Conflict Armament Research, "Mines and IEDs Employed by Houthi Forces on Yemen's West Coast," September 2018, http://www.conflictarm.com/dispatches/mines-and-ieds-employed-by-houthi-forces-on-yemens-west-coast/.
[ii] For reference, see Katherine Zimmerman, *Yemen's Pivotal Moment,* Critical Threats Project at the American Enterprise Institute, February 12, 2014, https://www.criticalthreats.org/analysis/yemens-pivotal-moment.

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