

# Not a single body in one piece

How civilian harm from explosive weapons in Yemen  
calls for immediate action



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**Research and writing:** Mwatana and PAX

**Editing:** Susan Clark/Clare Wilkinson

**Layout:** Tutaev Design

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**Cover picture:** Destroyed house in Warazan Area, Khadir District, Taiz Governorate, photographed on 29 June 2019. © Mwatana.

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# Summary and Recommendations

The armed conflict in Yemen started in September 2014, when the Iran-backed Ansar Allah armed group (the 'Houthis') and forces loyal to former president Ali Abdullah Saleh violently took control of the capital Sana'a. The conflict intensified in March 2015 when a Saudi and United Arab Emirates (UAE) led Coalition started military operations against the Houthis and Saleh loyalist forces, in support of the internationally recognised government of the former president Abd Rabou Mansour Hadi. Ever since, civilians in Yemen have suffered from the conflict.

Mwatana, whose work covers most Yemeni governorates, has documented thousands of incidents of civilian harm since the beginning of the armed conflict in 2014, based on fact-finding, examination of evidence and detailed research.

Between September 2014 and 31 August 2022, Mwatana visited the scene of and documented 1,044 airstrikes in which civilians or civilian objects were hit. In these incidents, 3,618 civilians were killed, including 459 women and 1,207 children. A further 3,973 civilians were injured, including 464 women and 1,013 children. Also, hundreds of civilian objects, such as homes, schools, hospitals and other service facilities, were damaged or destroyed. In the same period, Mwatana visited and documented 805 incidents of ground-launched attacks. These attacks killed 751 civilians, including 122 women and 310 children. Another 1,885 civilians were injured, including 288 women and 785 children. In addition, hundreds of civilian objects, such as houses, schools and hospitals, were damaged or destroyed.

However, these incidents documented by Mwatana do not constitute a comprehensive catalogue of all violations committed by the parties to the conflict in Yemen. Rather they are examples of violations in which civilians were harmed and civilian objects were destroyed.

This report documents ten incidents of harm resulting from attacks by the Saudi and UAE-led Coalition and the Ansar Allah armed group (Houthis). In all the incidents explosive weapons, most notably unguided shells and air-launched missiles, were used in populated areas. In some incidents, evidence suggests acts in breach of International Humanitarian Law (IHL), for example when a civilian target was hit by what appears to be guided munitions. In that case, an attack may have been based on wrong information about the target, but it can also be that the civilian target was willingly targeted, even though this is not allowed under IHL. In other incidents the

evidence is less straightforward. What all the incidents have in common, however, is that they show a pattern of grave human harm that goes beyond the direct injuries and deaths, extending to grave psychological suffering, loss of income and loss of homes.

Mwatana for Human Rights and the Dutch peace organisation PAX teamed up to write this report, based on field research conducted by Mwatana.

The incidents demonstrate the urgent need for all parties to the conflict to respect international humanitarian law and international human rights law and to better protect civilians, including by avoiding the use of explosive weapons in populated areas.

Mwatana and PAX call upon the parties to the conflict in Yemen to:

- ◆ Adhere to international humanitarian law, including the fundamental principles of distinction, proportionality and precaution;
- ◆ Immediately cease unlawful attacks on civilian objects, including hospitals, schools, and residential homes in densely populated areas;
- ◆ Stop the use of explosive weapons with wide area effects in populated areas to better protect civilians;
- ◆ Respect international human rights law, including economic and social rights;
- ◆ Support, cooperate fully with, and contribute to efforts to ensure accountability for violations of international humanitarian law and international human rights law, and prompt, effective and adequate reparations, as well as other forms of amends, for impacted civilians;
- ◆ Investigate all the incidents in this report, as well as all other attacks alleged to have violated the laws of war, in a credible, impartial and transparent manner;
- ◆ Support efforts to end hostilities, reach a sustainable and inclusive peace and ensure accountability and redress for serious violations and crimes.

We furthermore call upon all states to:

- ◆ Condemn the widespread use of explosive weapons in towns and village in Yemen and accede to the international political declaration on strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas;
- ◆ Immediately cease the sale or transfer of weapons to all conflict parties, whether states or non-state actors;

- ◆ Suspend sales until the Coalition has concretely demonstrated full respect for international humanitarian law and international human rights law in Coalition operations in Yemen, and undertaken comprehensive efforts toward effective accountability and redress for all alleged crimes and violations committed throughout the conflict;
- ◆ Support and contribute to efforts to ensure accountability for international crimes and prompt, effective and adequate reparations, as well as other forms of amends, for impacted civilians, for example by the establishment of an independent international criminal accountability mechanism for Yemen or referring Yemen's situation to the International Criminal Court to hold the perpetrators accountable;
- ◆ Join the Arms Trade Treaty without delay;
- ◆ Join the Rome Statute, the founding treaty of the International Criminal Court (ICC), without delay.

Lastly, we call upon arms producing companies to:

- ◆ Investigate allegations of IHL violations - including the incidents in this report - committed by the states involved in the armed conflict in Yemen.
- ◆ Commit to and implement the UN Guiding Principles and OECD Guidelines on responsible business conduct
- ◆ Develop strong due diligence processes to prevent the military goods they produce and/or sell from being used in violations of human rights and/or international humanitarian law.

# 1 Methodology

This report is a joint publication by the Yemeni organisation Mwatana for Human Rights and the Netherlands-based peace organisation PAX, which wrote this report based on field research conducted by Mwatana.

The report is based on field research and documentation by Mwatana for Human Rights. Research was conducted in the period between January 2019 and March 2021. Mwatana research staff conducted interviews, visited the sites of attacks, verified and reviewed information, and edited the report. The investigative field research by Mwatana included in-depth investigations and direct inspections of the sites where attacks and incidents occurred. Mwatana interviewed witnesses, relatives of victims, survivors and doctors, and examined documents, photos, videos and other forms of physical evidence. After the evidence had been collected by Mwatana, we consulted with an independent weapons expert to identify the types of weapon that were used in the incidents.

Mwatana researchers often undertake this on-site documentation under extremely difficult and dangerous conditions and at great risk to their own lives. In the interest of their safety, their names are not included here. Mwatana has lately witnessed a worrisome trend in which parties to the conflict frequently prevent human rights activists and field researchers from accessing the sites of the incidents directly after the attack. Increasingly, weapon remnants are removed from the site before the field researchers enter the sites, making identification of the weapons used more and more difficult.

Photographs in this publication may not be used separately from the publication without express permission by Mwatana, unless otherwise specified in this report.



## 2 Introduction

**I only heard the sound of the sudden loud explosion. I remember the fire and the smoke in the car. I only saw my sister next to me. I was crying, calling her loudly, but she did not respond. I did not feel my injury nor did I know what was around me. I fainted and woke up in a military vehicle.**

23-year-old female survivor of a ground-launched attack on Al-Saha area, Al-Qahera District, Taiz, Yemen.

In 2019, Mwatana, PAX, and the University Network for Human Rights published the joint report 'Day of Judgment'.<sup>1</sup> In the foreword of that report we stated that while the conflict in Yemen was often described as "the forgotten war", one could better describe it as "the ignored war". Since the Human Rights Council voted against a renewed mandate for the Group of Eminent Experts in October 2021, shutting down the only UN-mandated international, independent mechanism working towards accountability for the Yemeni people, the qualification of "the ignored war" seems more apt than ever. The well-documented violations of international human rights law, international humanitarian law and civilian harm cannot be ignored. Not for Yemen, and not for any place in the world if we want a world in which international norms of humanity and solidarity prevail.

After December 2018, the Stockholm Agreement for an Al Hodeidah ceasefire resulted in a decrease in hostilities in most parts of Yemen. However, while the hostilities decreased in some areas of Al Hodeidah after the agreement came into effect, they escalated significantly in Marib, Taiz, northern Hodeidah and elsewhere in Yemen. In January 2022 there was another spike in attacks by parties to the conflicts. Overall, however, the truce that started in April 2022<sup>2</sup> has been considered

1 Mwatana, University Network for Human Rights and PAX, 'Day of Judgment: The Role of the US and Europe in Civilian Death, Destruction, and Trauma in Yemen', March 2019, <http://mwatana.org/en/day-of-judgment/>.

2 UN News, 'UN welcomes announcement of two-month truce in Yemen', 1 April 2022, <https://news.un.org/en/story/2022/04/1115392>.

an unambiguously positive development in the more than eight years of war, as has been its subsequent extensions.<sup>3</sup> Unfortunately the truce was not renewed in October 2022, endangering a process towards peace.<sup>4</sup> Although the parties to the conflict did not adhere to all the armistice points and committed many breaches, the armistice was a good step towards peace and alleviation of civilians' suffering. The coming months will therefore be crucial for any further prospect of peace in Yemen.

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3 Aziz El Yaakoubi, 'U.N. presses Yemen warring parties for six-month truce extension -sources', Reuters, 18 July 2022, <https://www.reuters.com/world/middle-east/un-presses-yemen-warring-parties-six-month-truce-extension-sources-2022-07-18/>.

4 OSEGY, 'Statement from the UN Special Envoy on the negotiations to extend and expand the nationwide truce in Yemen', 2 October 2022, <https://osesgy.unmissions.org/statement-un-special-envoy-negotiations-extend-and-expand-nationwide-truce-yemen>.

# 3 Background

## 3.1 The Conflict

The armed conflict in Yemen started in September 2014, when the Iran-backed Ansar Allah armed group (Houthis) and forces loyal to former president Ali Abdullah Saleh violently took control of the capital Sana'a. The conflict intensified in March 2015 when a Saudi and UAE-led Coalition started military operations against the Houthis and Saleh loyalist forces, in support of the internationally recognised government of former president Abd Rabou Mansour Hadi. Ever since, civilians in Yemen have suffered from the conflict.<sup>5</sup>

Between September 2014 and 31 August 2022, Mwatana visited the scene of and documented 1,044 airstrikes in which civilians or civilian objects were hit. In these incidents, 3,618 civilians were killed, including 459 women and 1,207 children. A further 3,973 civilians were injured, including 464 women and 1,013 children. Also, hundreds of civilian objects, such as homes, schools, hospitals and other service facilities, were damaged or destroyed.<sup>6</sup> In the same period, Mwatana visited and documented 805 incidents of ground-launched attacks. These attacks killed 751 civilians, including 122 women and 310 children. Another 1,885 civilians were injured, including 288 women and 785 children. In addition, hundreds of civilian objects, such as houses, schools and hospitals, were damaged or destroyed.<sup>7</sup>

By the end of 2021, estimates indicate that 21,780 civilians had reportedly been killed or injured as a direct result of hostilities since the onset of the conflict in Yemen. Only casualties that could be independently recorded and verified are included in this figure; the true numbers are almost certainly much higher. Combined with indirect effects—including inadequate food, health care and infrastructure—the hostilities reportedly caused the deaths of nearly 377,000 people in Yemen from 2015 to 2021.<sup>8</sup>

After eight years of war, Yemen remains the world's worst humanitarian crisis.<sup>9</sup> The Yemeni economy has suffered immensely, with total losses estimated at USD 126 billion by the end of 2021.<sup>10</sup> By June 2022, around 80 per cent of the population

5 Mwatana, 'Civilians with disabilities caused by the armed conflict in Yemen', February 2021, <http://mwatana.org/en/disabilities-2/>.

6 Unpublished research by Mwatana.

7 Unpublished research by Mwatana.

8 Taylor Hanna, David K. Bohl, Jonathan D. Moyer, 'Assessing the Impact of War in Yemen: Pathways for recovery', UNDP, November 2021,

9 UNHCR, 'Yemen Crisis Explained', 14 July 2022, <https://www.unrefugees.org/news/yemen-crisis-explained/#:~:text=After%20seven%20years%20of%20war,has%20never%20been%20more%20acute.>

10 Taylor Hanna, David K. Bohl, Jonathan D. Moyer, 'Assessing the Impact of War in Yemen: Pathways for recovery', UNDP, November 2021, <http://reliefweb.int/report/yemen/assessing-impact-war-yemen-pathways-recovery>.

in Yemen lived below the poverty line, according to the United Nations High Commissioner for Refugees (UNHCR).<sup>11</sup> Over 23.4 million Yemenis (73 per cent of the total population) depend on humanitarian assistance to survive, including 4.3 million internally displaced persons (IDPs), 102,000 refugees and 192,000 migrants.<sup>12</sup> The recent conflict in Ukraine has further threatened food supplies in Yemen as over half of the imported wheat used to be imported from Ukraine and Russia.<sup>13</sup>

By 2021, only half of Yemen's health facilities were operational.<sup>14</sup> 2,916 schools were destroyed, partially damaged, or utilised for non-educational purposes.<sup>15</sup> More than 80 per cent of the country's population struggles to access food, safe drinking water and adequate health services. Nearly 90 per cent of the population has no access to publicly supplied electricity, with the centralised grid beset by challenges including inadequate capacity, poor maintenance, fuel shortages and conflict-related damage.<sup>16</sup>

Severe damage has also resulted in the water infrastructure in Yemen operating at less than 5 per cent efficiency, significantly impeding people's access to water and sanitation. Other critical infrastructure such as roads and bridges—including on major trucking routes between governorates—have also been damaged or otherwise inaccessible to drivers due to the crisis, inhibiting the movement of civilians, market goods, and humanitarian assistance and personnel.<sup>17</sup>

One of the most imminent threats to the marine environment is the ongoing issues around Yemen's oil infrastructure and environmental governance. Current international attention is mainly focused on finding a lasting solution for the decaying oil tanker FSO Safer, loaded with 1.1 million barrels of oil. The tanker is at risk of sinking or exploding, which would create a regional environmental catastrophe.<sup>18</sup> Fortunately, by September 2022 enough funds had been raised to start salvaging the vessel, hopefully preventing disaster.<sup>19</sup>

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11 UNHCR, 'Yemen Fact Sheet, June 22', <https://reliefweb.int/report/yemen/yemen-fact-sheet-june-2022>.

12 UN Office for the Coordination of Humanitarian Affairs (UNOCHA), 'Humanitarian Needs Overview Yemen', April 2022, <https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2022-april-2022>.

13 UNOCHA, 'Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator, Ms. Joyce Msuya, Remarks to the UN Security Council on Yemen', 11 July 2022, <https://reliefweb.int/report/yemen/assistant-secretary-general-humanitarian-affairs-and-deputy-emergency-relief-coordinator-ms-joyce-msuya-remarks-un-security-council-yemen-11-july-2022>.

14 The World Bank, 'Health Sector in Yemen – Policy Note', 14 September 2021, <http://www.worldbank.org/en/country/yemen/publication/health-sector-in-yemen-policy-note>.

15 UNOCHA, 'Humanitarian Needs Overview Yemen', April 2022, <https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2022-april-2022>.

16 UNOCHA, 'Humanitarian Needs Overview Yemen', April 2022, <https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2022-april-2022>.

17 UNOCHA, 'Humanitarian Needs Overview Yemen', April 2022, <https://reliefweb.int/report/yemen/yemen-humanitarian-needs-overview-2022-april-2022>.

18 PAX, 'Leaking Ghost Tankers: Pollution in the Port of Aden', 1 August 2022, <https://paxforpeace.nl/news/overview/leaking-ghost-tankers-pollution-in-the-port-of-aden>.

19 Netherlands government, 'Additional Dutch funds to help salvage oil tanker off the Yemeni coast', 17 September 2022, <https://www.government.nl/latest/news/2022/09/17/additional-dutch-funds-oil-tanker-yemen>.

Following the start of a truce on 2 April 2022, fortunately the number of casualties has declined. The truce was initially for a period of two months, but was extended on 2 June and subsequently on 2 August for an additional two months.<sup>20</sup> Through the agreement, all parties have committed to halt all offensive military operations, including cross-border attacks, allow fuel ships to dock in Al Hodeidah seaport, reopen Sana'a international airport for commercial flights and open the Taiz road.<sup>21</sup> Unfortunately the truce was not renewed in October 2022, endangering a process towards peace.<sup>22</sup> Although the parties to the conflict did not adhere to all the armistice points and committed many breaches, the armistice was a good step towards peace and alleviation of civilians' suffering.

### 3.2 International Humanitarian Law and International Human Rights Law

The non-international armed conflict in Yemen, which began between the Ansar Allah (Houthi) armed group and the Yemeni government, now involves multiple warring states and non-state armed groups. Parties directly involved in hostilities include the state members of the Saudi and UAE-led Coalition, the armed forces of the internationally recognised Yemeni and non-state armed groups like Ansar Allah, the UAE-backed Southern Transitional Council, and the Joint Forces on Yemen's west coast. International humanitarian law applies to the armed conflict in Yemen. Applicable law includes Common Article 3 to the four Geneva Conventions of 1949, Additional Protocol II from 1977 and customary international humanitarian law. While IHL applies in armed conflict, human rights law applies at all times, in peace and war.

International humanitarian law requires all parties to the conflict to distinguish between military targets and civilian objects; indiscriminate attacks, which are not or cannot be directed at a specific military objective, are prohibited (the distinction principle). International humanitarian law also requires that parties to the conflict take all feasible precautions to minimise harm to civilians (the precaution principle). Warring parties must consider the potential civilian consequences and the relative value of the military objective before launching an attack, and refrain from carrying out disproportionate attacks, i.e. attacks in which the expected harm to civilians or civilian objects is excessive in relation to the anticipated military advantage (the proportionality principle).

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20 OSESGY, 'Press Statement by UN Special Envoy for Yemen Hans Grundberg on a two-month renewal of the UN mediated truce', 2 August 2022, <https://osesgy.unmissions.org/press-statement-un-special-envoy-yemen-hans-grundberg-two-month-renewal-un-mediated-truce>.

21 OSESGY, 'Press Statement by UN Special Envoy for Yemen Hans Grundberg on a two-month renewal of the UN mediated truce', 2 August 2022, <https://osesgy.unmissions.org/press-statement-un-special-envoy-yemen-hans-grundberg-two-month-renewal-un-mediated-truce>.

22 OSEGY, 'Statement from the UN Special Envoy on the negotiations to extend and expand the nationwide truce in Yemen', 2 October 2022, <https://osesgy.unmissions.org/statement-un-special-envoy-negotiations-extend-and-expand-nationwide-truce-yemen>.

Parties to the conflict must avoid locating military objectives within or near densely populated areas, and endeavour to remove civilians from the vicinity of military objectives, and otherwise protect the civilian population under their control against the dangers of military operations. Important international human rights under threat in Yemen include, but are not limited to, the right to life, the right to health and the right to education.

Since the beginning of the conflict, civil society organisations and others have documented violations of human rights and international humanitarian law on a frequent basis.<sup>23</sup>

In September 2017, the United Nations Human Rights Council (HRC) established a Group of Eminent Experts (GEE) to investigate violations and abuses of international law by all parties to the conflict and to provide general recommendations on improving the human rights situation.<sup>24</sup> The Council renewed the mandate of the GEE in 2018, 2019 and 2020. The GEE has published four reports in which it documents violations of international law, some amounting to war crimes, committed by all parties to the conflict.<sup>25</sup> It stressed the urgency of achieving sustainable and inclusive peace, ensuring accountability for perpetrators of violations, and realising victims' rights to reparations. In October 2021, 18 states voted in favour of a UN resolution led by the Netherlands to renew the mandate of the GEE, while 21 states voted against.<sup>26</sup> The resolution to renew the mandate of the Group of Eminent Experts on Yemen was thereby rejected.

### 3.3 The Use of Explosive Weapons in Populated Areas

In the last decade the use of explosive weapons in populated areas, especially weapons with wide area effects, has given rise to concerns in the international community. Explosive weapons include a range of air-dropped and ground-launched weapons, such as aircraft bombs, artillery projectiles, rockets and missiles. Wide area effects are created when these weapons have a large blast and fragmentation radius, have inaccurate delivery systems, and/or deliver multiple munitions.<sup>27</sup> When explosive weapons with wide area effects are used in populated areas, they cause

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23 See for example: Mwatana, 'A New Year Added to the Age of Bloody Conflict: Press Briefing on the Situation of Human Rights in Yemen, 2021', 6 January 2022, <https://mwatana.org/en/bloody-conflict/>.

24 Human Rights Council Resolution A/HRC/RES/36/31 on human rights, technical assistance and capacity-building in Yemen, adopted by the Human Rights Council on 29 September 2017, [http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/RES/36/31](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/36/31).

25 Reports available at: <https://www.ohchr.org/en/hr-bodies/hrc/yemen-gee/index>.

26 New members of the Council and existing member states who voted against the resolution: Bahrain, Bangladesh, Bolivia, Burkina Faso, China, Cuba, Eritrea, Gabon, India, Indonesia, Libya, Mauritania, Pakistan, Philippines, Russian Federation, Senegal, Somalia, Sudan, Togo, Uzbekistan and Venezuela. See: <https://reliefweb.int/report/yemen/un-human-rights-council-member-states-aject-failure-renew-yemen-investigation-wake>.

27 See for example: Article 36 and PAX, 'Explosive Weapons: Factors that create wide area effects', June 2018, <http://www.humanitarianlibrary.org/resource/explosive-weapons-factors-produce-wide-area-effects>.

tremendous civilian harm. They kill or injure civilians immediately through blast and fragmentation of the explosive weapons used. The explosions cause buildings to collapse and debris to fly, which creates more civilian casualties. The use of explosive weapons in towns and villages also causes what are termed indirect or reverberating effects, which arise when infrastructure is damaged, interrupting services upon which civilians depend. For example, damaged schools<sup>28</sup> will interrupt the provision of education, damaged houses will compel people to flee, and damage to water and electricity infrastructure will disrupt access to water and sanitation as well as other crucial services, such as the provision of healthcare.<sup>29</sup> Most problematic are explosive weapons with wide area effects, because they pose great risks to civilians when used in populated areas. Characteristics that create wide area effects are:

- ◆ A large blast or fragmentation radius (for example with heavy aircraft bombs);
- ◆ Inaccuracy of delivery (for example unguided artillery shells, which are frequently used in Yemen);
- ◆ The use of multiple munitions (for example multi-barrel rocket launchers).

In Yemen, parties to the conflict have used explosive weapons extensively in populated areas. Through monitoring English-language media outlets, the British organisation Action on Armed Violence (AOAV) has recorded 24,498 deaths and injured people from explosive violence in Yemen in the period 2011-2022.<sup>30</sup> Of these, 68 per cent were civilians, and 88 per cent of civilian deaths and injuries occurred when explosive weapons were used in a populated area.<sup>31</sup> Airstrikes have caused the most harm in this period, accounting for 62 per cent of all civilian casualties. Ground-launched weapons were responsible for 23 per cent of civilian casualties, whilst Improvised Explosive Devices (IEDs) accounted for 14 per cent. 2015 was by far the worst year in this period for civilian casualties, with AOAV recording 6,298 deaths and injuries from explosive violence in Yemen.<sup>32</sup> In 2021, AOAV recorded 867 civilian casualties from explosive violence, 279 of whom were killed and 588 injured.<sup>33</sup> Although AOAV notes that “scarcity of reporters on the ground make it likely that the figures fail to capture the full extent of violence inflicted on Yemeni civilians”, their research

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28 See for example: Mwatana, ‘Undermining the future: Attacks on Yemen’s Schools March 2015- December 2019’, August 2020, <https://mwatana.org/en/undermining-future/>.

29 See for example: Harvard Law School International Human Rights Clinic and PAX, ‘Operating under Fire: The Effects of Explosive Weapons on Health Care in the East of Ukraine’, May 2017, <http://paxforpeace.nl/what-we-do/publications/operating-under-fire>.

30 This number of casualties is a major undercount of the numbers mentioned in the previous section (e.g. because it does not account for Arabic media sources, and generally because journalists have poor access to Yemen), but it serves here for comparison, to illustrate the high percentage of civilian casualties.

31 Action on Armed Violence (AOAV), ‘Explosive Violence in Yemen in 2021’, <https://aoav.org.uk/explosiveviolence/yemen/>.

32 AOAV, ‘Explosive Violence in Yemen in 2021’, <https://aoav.org.uk/explosiveviolence/yemen/>.

33 AOAV, ‘Explosive Violence in Yemen in 2021’, <https://aoav.org.uk/explosiveviolence/yemen/>.

reflects a pattern of harm from explosive weapons in populated areas that is seen across conflicts around the world.

In June 2022, a group of states under the leadership of Ireland concluded a series of consultations on a 'Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas'.<sup>34</sup> The political declaration recognises the devastating harm to civilians from bombing and shelling in towns and cities, and it commits states to impose limits on the use of explosive weapons and take action to address harm to civilians.<sup>35</sup> The conclusion of the consultations on this political declaration can be seen as an important step towards better protection of civilians against the use of explosive weapons. The political declaration opened for adoption in November 2022. As stated by the International Network on Explosive Weapons (INEW, a group of organisations calling for immediate action to prevent human suffering from the use of explosive weapons in populated areas): "The adoption of the political declaration is a starting point for a process of work that will now begin – not an end point."

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34 Irish Department of Foreign Affairs, 'Protecting Civilians in Urban Warfare: A Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas', 17 June 2022, <https://www.dfa.ie/our-role-policies/international-priorities/peace-and-security/ewipa-consultations/>.

35 These states include Argentina, Austria, Belgium, Brazil, Bulgaria, Chile, Finland, France, Germany, Guatemala, Italy, Japan, Mexico, Netherlands, New Zealand, Norway, Philippines, Poland, Republic of Korea, Spain, State of Palestine, Sweden, Switzerland, United Kingdom, United States and Uruguay. See: INEW, 'States Agree Final Text of Political Declaration on the Use of Explosive Weapons', 17 June 2022, <https://www.inew.org/states-agree-final-text-of-political-declaration-on-the-use-of-explosive-weapons/>.



# 4 Incidents of Civilian Harm

In this chapter we describe ten incidents in which civilians were harmed by explosive weapons use in towns and cities in Yemen. The incidents were selected because Mwatana was able to provide elaborate documentation, illustrated by both photo material and extensive interviews with eyewitnesses and survivors. After the evidence had been collected, we consulted with an independent weapons expert to identify the types of weapon that were used in the incidents. We have chosen to present attacks by different actors in the conflict because the use of explosive weapons in populated areas puts civilians at risk, no matter who the actor is. Through these incidents, we aim to highlight the civilian perspective and stress the urgency of the need to stop the humanitarian harm caused by the use of explosive weapons in towns and cities.

## 4.1 Al-Saha Neighbourhood, Al- Qahirah District, Taiz Governorate, 22 January 2019

**I didn't hear the sound of the mortar shell coming down, and I didn't feel anything, not even my injury. I only remember the fire and smoke. I rescued a woman, I don't know who she was and where her injury was. I stopped a motorcycle whose driver took her to the hospital.**

19-year-old student, witness and victim, interviewed on 24 January 2019

<b>Place:</b>	<b>Al Saha neighbourhood, Al- Qahirah District, Taiz Governorate</b>
<b>Date:</b>	<b>22 January 2019</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>120mm mortar shell</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>One civilian killed, 20 civilians injured</b>

On Tuesday 22 January 2019, around 10:30 a.m., a mortar shell landed in Al-Saha neighbourhood, next to Ashabab Cafeteria in Al-Qahera District, Taiz Governorate, killing one 15-year-old girl through shrapnel in the head, and injuring 20 others, including 14 seriously and a child who was slightly injured. The eyewitnesses and victims accuse Ansar Allah (Houthis) of the incident, as they were positioned 800 metres north of the incident site. Based on remnants of the shell, it was identified it as a 120mm mortar shell.

A 20-year-old witness and survivor was just driving by when the mortar shell hit:

“At the time of the accident, I was riding a motorcycle with a member of my neighbourhood. We were on our way, specifically in the street across from where the shell landed. Suddenly, there was that scary explosion and fire.

The explosion pushed us away from the motorcycle, which overturned, and we hit the ground. I felt that I was injured and I saw lots of blood on me. I ran, screaming 'Help me!'. I came across another member of the neighbourhood, who saw me falling down and losing consciousness. When I woke up, I was in the hospital emergency unit screaming 'Help me', then I passed out. I don't remember anything after that. I was discharged from the intensive care unit on the third day after the incident."



Tail of a 120mm mortar shell found on the site, photographed by an eyewitness whom Mwatana met on 22 January 2019. All rights reserved.



Car damaged by the mortar attack in Al-Saha Neighbourhood, Al- Qahirah District, Taiz Governorate, photographed on 22 January 2019. © Mwatana.

## 4.2 Al-Jiraf Area, Al-Thawra District, Sana'a Governorate, 10 April 2019

**The poor guy is the owner of the factory. They destroyed his factory, which was a source of income for many families. Who will compensate him for all this loss and damage?**

22-year-old witness and guard at the factory, interviewed on 10 April 2019

<b>Place:</b>	<b>Al-Thawra District, the Capital Sana'a</b>
<b>Date:</b>	<b>10 April 2019</b>
<b>Type of attack:</b>	<b>Air-launched attack</b>
<b>Munition used:</b>	<b>Missiles, weapon remnants suggest guided weapon</b>
<b>Actor:</b>	<b>Saudi and UAE-led Coalition</b>
<b>Casualties:</b>	<b>One civilian injured</b>

On Wednesday, 10 April 2019, around 4:30 a.m., the Coalition warplanes attacked a plastic factory in Al-Jiraf area, Al-Thawra district, the capital Sana'a with three consecutive missiles. The first and second missiles hit the raw materials warehouse, while the third missile hit the workers' dormitory at the factory. The residents of the area started to put out the fire until firemen came. The incident did not result in deaths, but one of the factory workers was injured when he was in the raw materials warehouse across from the factory. One of the guards explains what the site was like when he got there. "The factory was burning and I couldn't do anything. In front of the factory was a food warehouse, and someone was screaming inside. My brother and I went to the warehouse and found a 21-year-old person with shrapnel in his left leg." Besides the injured worker, the factory was badly damaged, and it burned down; the raw materials, production materials and all the machines were completely ruined. Also, some cash left at the factory was burnt in the fire. The weapon remnants suggest that the weapon used in the attack was a guided munition.



Weapon remnant appearing to be the control section for a missile found at the plastic factory in Al-Jiraf Area, Al-Thawra District, photographed on 10 April 2019. © Mwatana.



Destruction at the plastic factory in Al-Jiraf Area, Al-Thawra District, photographed on 10 April 2019. © Mwatana.

### 4.3 Zaid Al-Moshki Neighbourhood, Al- Qahirah District, Taiz Governorate, 25 June 2019

**Suddenly, a big explosion took place in the middle of the street. (...) Then I didn't feel anything until three days later.(...) I was severely traumatised when I saw my left leg had been amputated. I was screaming and crying, and fainted again because of the severity of my trauma.**

25-year-old witness and victim, interviewed on 28 July 2019

<b>Place:</b>	<b>Zaid Al-Moshki</b>
<b>Date:</b>	<b>25 June 2019</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>120mm mortar shell</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>One civilian killed, two civilians injured</b>

On Tuesday, 25 June 2019, around 12:00 midnight, a ground attack took place with an artillery shell landing in Al-Madrassa Street in the centre of Zaid Al-Moshki neighbourhood, Al-Qaherah District, Taiz Governorate, while three people were near the attack site; two were in front of Anwar grocery store, which is located in the centre of the neighbourhood, five metres from the place where the shell fell, and the third was sitting on the western pavement of the street near the intersection of Al-Moshki School neighbourhood and Aqabat Klabah. The shell injured two people and killed a third.

The victims were taken to Al-Safwa General Hospital for treatment and surgery. The Ansar Allah group, the Houthis, are accused of perpetrating this incident from its location on Al-Harir Hill, three kilometres north-east of the area. Witnesses also accused the Houthis of using artillery shells indiscriminately to target the area on an ongoing basis. One of the victims explains he was sitting on the pavement in front of a

grocery shop when the attack happened: “I was sitting on a cement staircase across from Anwar’s grocery store, chewing qat, after I parked my motorcycle in front of the grocery store. Next to me, my friend was chewing qat and browsing WhatsApp. (...) Suddenly, a big explosion took place in the middle of the street, right in front of us at a distance of five metres. It was like a dream. The explosion sounded like it was inside my ears, and I felt like my eardrums were rushing out of place. The dust and smoke were thick and suffocating. I felt dizzy, unbalanced and something burning in my legs. (...) The larger piece of shrapnel penetrated my left knee, causing it to be amputated from the knee joint. Because I was so overwhelmed by fear and horror, I did not know that I had a shrapnel injury to my neck and to my right ankle until days after I recovered and regained consciousness. As for my friend, he had—as I learned after I had regained consciousness—shrapnel injuries to his head, chest and lower body—from the thighs to the bottom, which caused his death in the intensive care room after three days” At the time, he explained, there were no armed men in the neighbourhood. The victim also described the long-term impact from the attack: “My financial condition is very bad because of my inability to work, walk and go back to normal life. (...) I feel that I have become a heavy burden on my brother and family because I need care and attention. Neither the walls nor the doors of shops in the neighbourhood, nor Anwar’s grocery store, were spared from the shrapnel, which was scattered all over the neighbourhood to a great distance. This has caused some families who had returned to flee and become displaced again, leaving their homes to escape the death caused by the Houthi militia.” Based on remnants of the shell, it was identified it as a 120mm mortar shell.



Tail of a 120mm mortar shell found in the Zaid Al-Moshki Neighbourhood, Al- Qahirah District, Taiz Governorate, photographed on 29 July 2019. © Mwatana.

## 4.4 Warazan Area in Khadir District, Taiz Governorate, 28 June 2019

There was not a single body or a complete corpse in one piece, whether among the adults or the children. There were no survivors or injured. Not even half of a body was found among the killed.

24-year-old member of the family, interviewed on 29 June 2019

<b>Place:</b>	<b>Warzan - Warazan area in Khadir District, Taiz Governorate</b>
<b>Date:</b>	<b>28 June 2019</b>
<b>Type of attack:</b>	<b>Air-launched attack</b>
<b>Munition used:</b>	<b>Most likely a bomb, estimated weight 250 – 500Kg</b>
<b>Actor:</b>	<b>Saudi and UAE-led Coalition</b>
<b>Casualties:</b>	<b>Six civilians killed</b>

On Friday evening, 28 June 2019, Coalition warplanes targeted a residential house in Warazan area, Khadir District, Taiz Governorate with two airstrikes (two missiles). The first airstrike was at around 5:00 p.m. Coalition warplanes first targeted the western side of the house, killing six civilians including three children and one woman. Fifteen minutes later, the warplanes targeted the eastern side of the same house, with the second airstrike totally destroying it.

A 29-year-old son of the household had just left the sitting room, where the family was gathering, to go to the bathroom when the first bomb exploded. He heard the airplane hovering, but ignored it because the area had never been targeted before. When he was in the bathroom, all of a sudden the house “shook like a tree”, and he saw the door and wall of the bathroom collapsing. He explains: “I screamed at the top of my lungs, fearing for my family. Smoke was coming out from every inch in the house. I ran towards the living room as I saw how our house was turned into a prison because rocks, concrete, and rubble were falling between the doors and the



corridors. When I saw the concrete pillars of the living room lying on the ground, my fear for my father, my mother and the kids, whom I had just left to go to the bathroom and was expecting to return to, intensified. However, when I returned they were all gone, including my father.” He was able to run out of the house, only to witness a second missile hit the house. He continued: “The warplane returned and we heard its loud hovering after the first airstrike, but we couldn’t see it. We started running outside the house while the hovering continued in the air. The rest of the family of my sisters-in-law and their children started to cry and scream hysterically and uncontrollably. There was nothing inside the house except the pieces of the bodies of my family who had been targeted by the first airstrike.” Photos of the site and weapon remnants suggest an estimated weight of the munition used to be 250 – 500Kg.



Damaged house in Warazan Area, Khadir District, Taiz Governorate, photographed on 29 June 2019. © Mwatana.



Remnants of the weapon that damaged the house in Warazan Area, Khadir District, Taiz Governorate, photographed on 29 June 2019. © Mwatana.

## 4.5 Al-Jasham Village, Washha District, Haja Governorate, 12 July 2020

**We carried the victims who had been killed and put them on sheets. We only found the head and the shoulder of the 19-year-old girl but we didn't find the rest.**

24-year-old farmer, witness, interviewed on 16 August 2020

<b>Place:</b>	<b>Al Jasham</b>
<b>Date:</b>	<b>12 July 2020</b>
<b>Type of attack:</b>	<b>Air-launched</b>
<b>Munition used:</b>	<b>Missile, estimated weight 250 – 500Kg</b>
<b>Actor:</b>	<b>Saudi and UAE-led Coalition</b>
<b>Casualties:</b>	<b>Nine civilians killed, four civilians injured</b>

On Sunday, 12 July 2020, around 1:00 p.m., the Saudi and UAE-led Coalition launched an airstrike, hitting a house in the village of Al-Jasham, Dhaen sub-district, Washha District of Haja Governorate. The airstrike killed a 55-year-old woman, a 27-year-old woman, a 19-year-old woman, a 15-year-old girl, a 12-year old girl, a four-year-old girl, a four year old boy, a three-year-old boy, and a two-year-old girl. A 24-year-old woman, a 13-year-old boy, a ten-year-old boy, and an eight-month-old boy all sustained injuries.

On Sunday 12 July 2020, around 1:00 pm, a 60-year-old farmer was having lunch at home with his family. He heard Coalition warplanes hovering over the area. He stopped eating and stood up. Then he heard a loud explosion close to them. He then saw that the house of his nephew 100 metres away had been targeted and smoke and fire was coming out of it. The whole house collapsed with the inhabitants inside. "I didn't believe what had just happened. When I arrived, there was no house anymore as it was totally destroyed," he explained. "This is a massacre of innocent people. What have they done to deserve to be killed in this horrible and criminal way? They were just women and children." Another farmer, a 24 year old, was also close to the targeted house. When he heard what happened he went to the site. He ran into a 27-year-old worker and another 24-year-old man who were also heading towards the location of the incident. "We saw the smoke coming out of from the house. We

also saw a 25-year-old farmer, his 64-year-old mother, who is a housewife, and a 22-year-old farmer. They were all trying to pull out the two-year-old child from under the rubble, who was already dead. We saved the 13-year-old child from under the rubble; he was injured. We saw a mother and her ten-year-old son, who was alive and just had few scratches. She told us, 'Go and rescue the others'. We went to the other place and I saw the dead body of a 27-year-old woman lying on top of the rubble. Her right hand was cut and her body was covered in blood. We found the four-year-old child under the rubble. He was still alive, but he was bleeding from his nose. Suddenly, he took a deep breath and died. We found the four-year-old girl and she was dead and there was shrapnel all over her body." Photos of the site and weapon remnants suggest an estimated weight of the munition used to be 250 – 500Kg.



Destroyed house in Al-Jasham Village, Washha District, Haja Governorate, photographed by an eyewitness on 12 July 2020. All rights reserved.



Remnants of the weapon found at Al-Jasham Village, Washha District, Haja Governorate, photographed by an eyewitness on 12 July 2020. All rights reserved.

## 4.6 Bir Basha, Old Airport Neighbourhood, Al-Muthafar District, Taiz Governorate, 13 November 2020

At the time, I didn't know anything, I was unconscious. I was later told that some people from the neighbourhood broke down the door and took me and my daughter by ambulance to Al-Buraihi Hospital.

25-year-old female victim, interviewed on 16 November 2020

<b>Place:</b>	<b>Bir Basha</b>
<b>Date:</b>	<b>13 November 2020</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>Five 120mm mortar shells</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>Two civilians injured</b>

On Friday 13 November 2020, at almost 12:00 midnight, a residential house in the Old Airport neighbourhood, in Al-Muthafar District of Taiz Governorate, was damaged as a result of ground shelling allegedly carried out by Ansar Allah (the Houthis), who were stationed one kilometre north of the site of the incident. Five mortar shells fell on the neighbourhood. The time lapse between them was around 20 minutes, and the distance between each shell about 100 metres. This resulted in injuries to a girl and her mother with multiple pieces of shrapnel. Since the mother was unconscious, she and her daughter were taken to an ambulance by a neighbour. The neighbour explained, "We went to the house, broke down the door and entered the room where the shell fell. We found a little girl, 11 years old, but she was unharmed, thank God. We also found another girl, 13 years old, who was covered in dirt, screaming that her leg was broken. The mother was lying against the wall unconscious. She didn't say a word. I yelled at the mother, asking her why she didn't scream and ask for help. She seemed shocked by what had happened, or didn't know what happened. She couldn't say anything." They were then taken to Al-Buraihi hospital in a private vehicle. According to the victims, the aforementioned hospital refused to admit the victims on the ground that it only admits the injured of the National Army Forces. They were

then taken to Al-Thawra General Hospital, where the victims received first aid. The victims were informed that the specialised doctor was not on duty and that they would have to come back the next day. The incident caused panic and fear among the locals in the Old Airport neighbourhood, which is near the main gate of the 35<sup>th</sup> Armoured Brigade of the National Army. Based on remnants of the shell, the munitions used were identified as 120mm mortar shells.



Damaged room in the house in Bir Basha, Old Airport Neighbourhood, Al Muthafar District, Taiz Governorate, photographed on 16 November 2020. © Mwatana.



Tail of a 120mm mortar shell found at the site in Bir Basha, Old Airport Neighbourhood, Al Muthafar District, Taiz Governorate, photographed on 16 November 2020. © Mwatana.

## 4.7 Osaifera Area, Al-Qahirah District, Taiz Governorate, 6 January 2021

**Suddenly the second shell exploded. I didn't know anything at the time, and I didn't feel any injury. The sound of the explosion was loud in my head and I passed out.**

22-year-old female, witness and victim, interviewed on 11 January 2021

<b>Place:</b>	<b>Osaifera</b>
<b>Date:</b>	<b>6 January 2021</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>Possibly a 120mm projectile</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>One civilian injured</b>

On Wednesday, 6 January 2021 around 5:30 p.m., Ansar Allah (Houthis) bombed the Al-Qarya neighbourhood in the Osaifera area of Al-Qaherah District, Taiz Governorate with three projectiles. The first projectile reached the Al-Bir neighbourhood and did no damage. Three minutes later, the second projectile hit the window of an empty house. Shrapnel scattered, and a 22-year-old woman got shrapnel in her head above the right eyebrow and shrapnel in her left thigh, as she was passing in the street opposite the house where the shell had struck. Also, a private minivan was damaged by shrapnel on the right-hand doors, and the windows were shattered, as the vehicle was parked directly below the window. Then the third projectile followed and landed in Jabal Jara (Jara Mountain), located about one kilometre west of the neighbourhood. According to witnesses, the shells came from the Sofitel area on the east, which is controlled by the Houthis, approximately three kilometres away.

When the 22-year-old woman was walking to visit her mother, she heard the first projectile explode just as she had reached her parents' house a bit further away. She decided to quickly return home, which was 200 metres away, before the shelling intensified. When the second projectile hit, she was still right in front of the house.

She passed out and regained consciousness in one of the surrounding houses under reconstruction. Her sister-in-law had pulled her in and got her husband, who was close by. The victim described the pain in her thigh and eye. "I felt that someone had cut off my left thigh with a knife, and my eye was hurting me severely. Due to the severity of the pain, I thought I would lose it forever, but thank God, my eye is all right. The shrapnel hit my forehead above the right eyebrow. I arrived at the emergency unit of Al-Thawra Hospital, where I got an X-ray for my skull. The doctor did not know that I was three months pregnant when he took the first X-ray picture of my skull. After he discovered that, he said that I should not get any other X-rays for the safety of the foetus. So, I did not get any further X-ray images of my leg. The doctor said that the shrapnel in my skull had not settled yet, as it was still moving. I was taken to the minor surgery room in the emergency unit to get the shrapnel removed from my head. I was afraid I would lose the foetus." Based on the photos of the weapon remnants the munition used were identified as possible 120mm projectiles.



Remnants of the weapon found at the site in Osaifera Area, Al-Qahirah District, Taiz Governorate, photographed on 11 January 2021. © Mwatana.



Shrapnel found at the site in Osaifera Area, Al-Qahirah District, Taiz Governorate, photographed on 11 January 2021. © Mwatana.

## 4.8 Al-Mughal, Hays District, Al-Hudaydah Governorate, 2 March 2021

**I tried to forget my friend, but I could not. I am sad for my friend. Whenever I remember how I found him without a head, I can't eat or drink.**

18-year-old witness and friend of the victim, interviewed on 6 March 2021

<b>Place:</b>	<b>Al-Mughal</b>
<b>Date:</b>	<b>2 March 2021</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>120mm mortar shell</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>One civilian killed, one civilian injured</b>

On Tuesday, 2 March 2021 at 6:30 p.m., a mortar shell landed on a residential house in the village of Al-Mughal in Rab' Al-Sok, Hays District of Al-Hudaydah Governorate, killing a 17-year-old boy and injuring his 31-year-old brother. The 31-year-old man was taken to the medical point of the 7th Giants Brigade, and then transferred to the field hospital in Al-Khokha and finally to the MSF hospital in Al-Mokha for treatment. One witness described how he reached his friend's house, and saw the 31-year-old victim screaming and crying, bleeding from his left cheek, hand and leg. While the injured victim was taken to the hospital by a motorcyclist, the witness went inside the house with other young men. They lifted the wood bars from the body of the younger brother, who was still inside the house. He explained, "I was shocked when I saw him. His head was cut off and blood was dripping out of him. I felt nauseous and wanted to vomit." They collected the body and handed it to the hospital, he explained. The following day the young men went back to search for the younger brother's head, so that they could shroud him and clean the house of blood and remains before the family saw it. He continued, "We searched for his head, and we kept searching until we found his eye on the wall of the house, and only found pieces of his neck. However, we did not find the head in one piece. It was torn by shrapnel." The older brother who was also injured in the attack was interviewed one week after



the attack: "I was shocked at first when the shell fell, and I suffered physical damage as my hand was broken, and I got traumatised. I lost my brother, my house was damaged and I lost my capital. My mother suffered a severe trauma and is still suffering from a bad psychological condition." According to the witnesses, the projectile was fired from an area controlled by Ansar Allah (Houthis) to the east, about half a kilometre from the affected house. Based on remnants of the shell, it was identified as a 120mm mortar shell.



A hole in the wall of the damaged house in Al-Mughal, Hays District, Al-Hudaydah Governorate, photographed on 3 March 2021. © Mwatana.



Tail of a 120mm mortar shell found at the site in Al-Mughal, Hays District, Al-Hudaydah Governorate, photographed on 3 March 2021. © Mwatana.

## 4.9 Hawd Al-Ashraf Neighbourhood, Salah District, Taiz City, 6 March 2021

That day, I was terrified when I received a call and was told that my brother had been injured. At the hospital, I saw my brother bleeding heavily. It was a horrible scene. His mouth was broken in two, I couldn't recognise him.

26-year-old brother of the 16-year-old victim, interviewed on 9 March 2021.

<b>Place:</b>	<b>Hawd Al-Ashraf</b>
<b>Date:</b>	<b>6 March 2021</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>Possibly a 76mm high explosive projectile</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>One civilian injured</b>

On Saturday, 6 March 2021, at around 6:00 p.m., Al-Ashbat market, in Hawd Al-Ashraf area of Salah District in Taiz Governorate, was subjected to a ground attack with a BMP shell. The shell came from Al-Sallal Hill to the east, where the Ansar Allah group (Houthis) militants are stationed, about three kilometres from the site of the incident.

The shell targeted a grocery store on the right side of the edge of Al-Ashbat market to the south. The attack led to the injury of a 16-year-old boy. He was hit by shrapnel, which caused a fracture to his left jaw and crushed some of his upper teeth and part of the gum, as a result of the explosion of only the upper detonator of the projectile, as the projectile did not explode entirely.

The neighbour who was present in the shop described how he felt himself stepping back five steps after the explosion. He saw how the boy had fallen to the ground behind the counter unconscious. He described how he was afraid to approach the victim and see what had happened: "My legs got petrified. I was afraid another shell would fall. I did not know whether to run away or to go to rescue the child. I was

trying to see him from 10 metres away to see if he was still alive. All the people who were on the street or inside the other shops refused to go into the grocery store and rescue him out of fear. I was yelling at them that the child had fallen to the ground and might have died. About ten minutes later, an old man with thick hair went in and took the child, who was covered in blood, with his jaw almost broken.” According to the victim’s family and witnesses, he suffered fractures on the left side of his neck, in which some arteries were ruptured, in addition to a bruise in the left eye and wounds to the chest.

The boy was then taken to Al-Thawra Hospital, about 600 metres from the site of the incident. Due to the lack of the right equipment, after a long period of waiting, estimated by the victim’s family to be approximately two hours, he was transferred to Al-Safwa Hospital, 800 metres from the site. Then he was transferred again to Al-Thawra Hospital to undergo a maxillofacial surgery. Before moving to this area the boy had fled the fighting with his brother as an IDP from Al Hudaydah in 2018. The attack left the family psychologically harmed and the community in grief at what had happened to the child. Based on the remnants of the weapon used it was identified as possible 76mm high explosive projectile.



Weapon remnant, possibly a 76mm high explosive projectile, found at the site in Hawd Al-Ashraf Neighbourhood, Salh District, Taiz City, photographed by an eyewitness whom Mwatana met on 6 March 2021. All rights reserved.



Impact at the site in Hawd Al-Ashraf Neighbourhood, Salh District, Taiz City, photographed on 9 March 2021. © Mwatana.

## 4.10 Al-Ma'ash Area in Hays District, Hudaydah Governorate, 16 March 2021

**Suddenly, I heard an explosion that shook the entire house. Smoke and dust were everywhere. The dust got into my eyes and so much smoke got into my nose that I can still smell the explosion smoke.**

Neighbour interviewed on 17 March 2021

<b>Place:</b>	<b>Al Ma-ash</b>
<b>Date:</b>	<b>16 March 2021</b>
<b>Type of attack:</b>	<b>Ground-launched attack</b>
<b>Munition used:</b>	<b>120mm mortar shell</b>
<b>Actor:</b>	<b>Ansar Allah forces (Houthis)</b>
<b>Casualties:</b>	<b>Two civilians killed, five civilians injured</b>

On Tuesday, 16 March 2021 at around 6:30 p.m., a mortar shell fell on a residential house in the densely populated Osais neighbourhood in Al-Ma'ash, Hays District in Al-Hudaydah Governorate. The incident resulted in seven casualties, comprising four children, one man and two women. One of the women and one of the children died later in the hospital from their severe injuries. 200 meters from the eastern incident site, there were barricades that belonged to the Salafi 7<sup>th</sup> Giant Division, affiliated with the Emirati-led Forces. About 800 metres north-east of the site there were barricades belonging to Ansar Allah (the Houthis). According to interviews, the projectile that caused the incident was a mortar, which reportedly originated from areas where Ansar Allah (the Houthis) are stationed, about one kilometre from the house.

The head of the household, as well as his wife, children and nephews, were at home preparing dinner and doing household chores, when he heard a mortar coming in, which exploded in their yard. "When the mortar exploded, smoke and dust spread everywhere and everything turned black," he explained. His sons and his nephews had shrapnel piercing through their bodies. His wife, who was making dinner, was pushed by the pressure of the explosion and was injured by shrapnel in her chest, entering her respiratory system. She also suffered internal bleeding because of the

force of the explosion. One of his daughters, who was sweeping the floor at the time of the attack, flew about two metres from the explosion. "When I saw them, I was shocked. I looked to the right and I saw blood. I looked to the left and I saw blood, and I looked in front of me and I saw blood. Everywhere I looked I saw blood and body parts. Everywhere I looked I saw a tragedy," he explained. After his injured family members were taken to the hospital, he stayed in the house in a state of shock, when he found the leg of one of his daughters: "I took it and carried it. My friend and neighbour was next to me. He took me on his motorbike to bring my daughter's leg to the Al-Kunaini Hospital (the medical point for the 7<sup>th</sup> Giants Brigades). I gave them my daughter's leg, then I got lost in my thoughts and did not come to until one of the young men there slapped me to snap me out of it. Then I felt that my back was hurting me. I moved my hands over my back and I felt blood coming out of my back and the young men who were with me saw the blood. One of the nurses started to treat me and remove the shrapnel that was in my back." Based on remnants of the shell, it was identified it as a 120mm mortar shell.



Children standing in front of a damaged wall at the site in Al-Ma'ash Area, Hays District, Hudaydah Governorate, photographed on 17 March 2021. © Mwatana.



Tail of a 120mm mortar shell found at the site in Al-Ma'ash Area, Hays District, Hudaydah Governorate, photographed on 17 March 2021. © Mwatana.

# 5 Conclusions and Recommendations

The conflict in Yemen has taken a tremendous toll on its population. In addition to the collapsing economy, the lack of food security and the death and injury from the conflict, the psychological impact on the people of Yemen is huge.

Mwatana for Human Rights and Dutch peace organisation PAX teamed up to write this report, based on field research conducted by Mwatana.

This report documents ten incidents of harm resulting from attacks by the Saudi and United Arab Emirates led Coalition and the Ansar Allah armed group ( Houthis). In all the incidents explosive weapons were used in populated areas, most notably unguided shells and air-launched missiles. In some incidents, evidence suggests acts in breach of IHL. In other incidents the evidence is less straightforward. What all the incidents have in common, however, is that they show a pattern of grave human harm that goes beyond the direct injuries and deaths, and extends to grave psychological suffering, loss of income and loss of homes.

The incidents demonstrate the urgent need for all parties to the conflict to respect international humanitarian law and international human rights law, and better protect civilians, including by avoiding the use of explosive weapons in populated areas.

Mwatana and PAX call upon the conflicting parties in Yemen to:

- ◆ Adhere to international humanitarian law, including the fundamental principles of distinction, proportionality and precaution;
- ◆ Immediately cease unlawful attacks on civilian objects, including on hospitals, schools, and residential homes in densely populated areas;
- ◆ Stop the use of explosive weapons with wide area effects in populated areas to better protect civilians;
- ◆ Respect international human rights law, including economic and social rights;
- ◆ Support, cooperate fully with, and contribute to efforts to ensure accountability for violations of international humanitarian law and international human rights law, and prompt, effective and adequate reparations, as well as other forms of amends, for impacted civilians;
- ◆ Investigate all the incidents in this report, as well as all other attacks alleged to have violated the laws of war, in a credible, impartial, and transparent manner;

- ◆ Support efforts to end hostilities, reach a sustainable and inclusive peace and ensure accountability and redress for serious violations and crimes.

We furthermore call upon all states to:

- ◆ Condemn the widespread use of explosive weapons in towns and villages in Yemen and accede to the international political declaration on strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas;
- ◆ Immediately cease the sale or transfer of weapons to all parties to the conflict, whether states or non-state actors;
- ◆ Suspend sales until the Coalition has concretely demonstrated full respect for international humanitarian law and international human rights law in Coalition operations in Yemen, and undertaken comprehensive efforts towards effective accountability and redress for all alleged crimes and violations committed throughout the conflict;
- ◆ Support and contribute to efforts to ensure accountability for international crimes and prompt, effective and adequate reparations, as well as other forms of amends, for impacted civilians, for example by the establishment of an independent international criminal accountability mechanism for Yemen or referring Yemen's situation to the International Criminal Court to hold the perpetrators accountable;
- ◆ Join the Arms Trade Treaty without delay;
- ◆ Join the Rome Statute, the founding treaty of the International Criminal Court, without delay.

Lastly, we call upon arms producing companies to:

- ◆ Investigate allegations of IHL violations - including the incidents in this report - committed by the states involved in the armed conflict in Yemen.
- ◆ Commit to and implement the UN Guiding Principles and OECD Guidelines on responsible business conduct
- ◆ Develop strong due diligence processes to prevent the military goods they produce and/or sell from being used in violations of human rights and/or international humanitarian law.









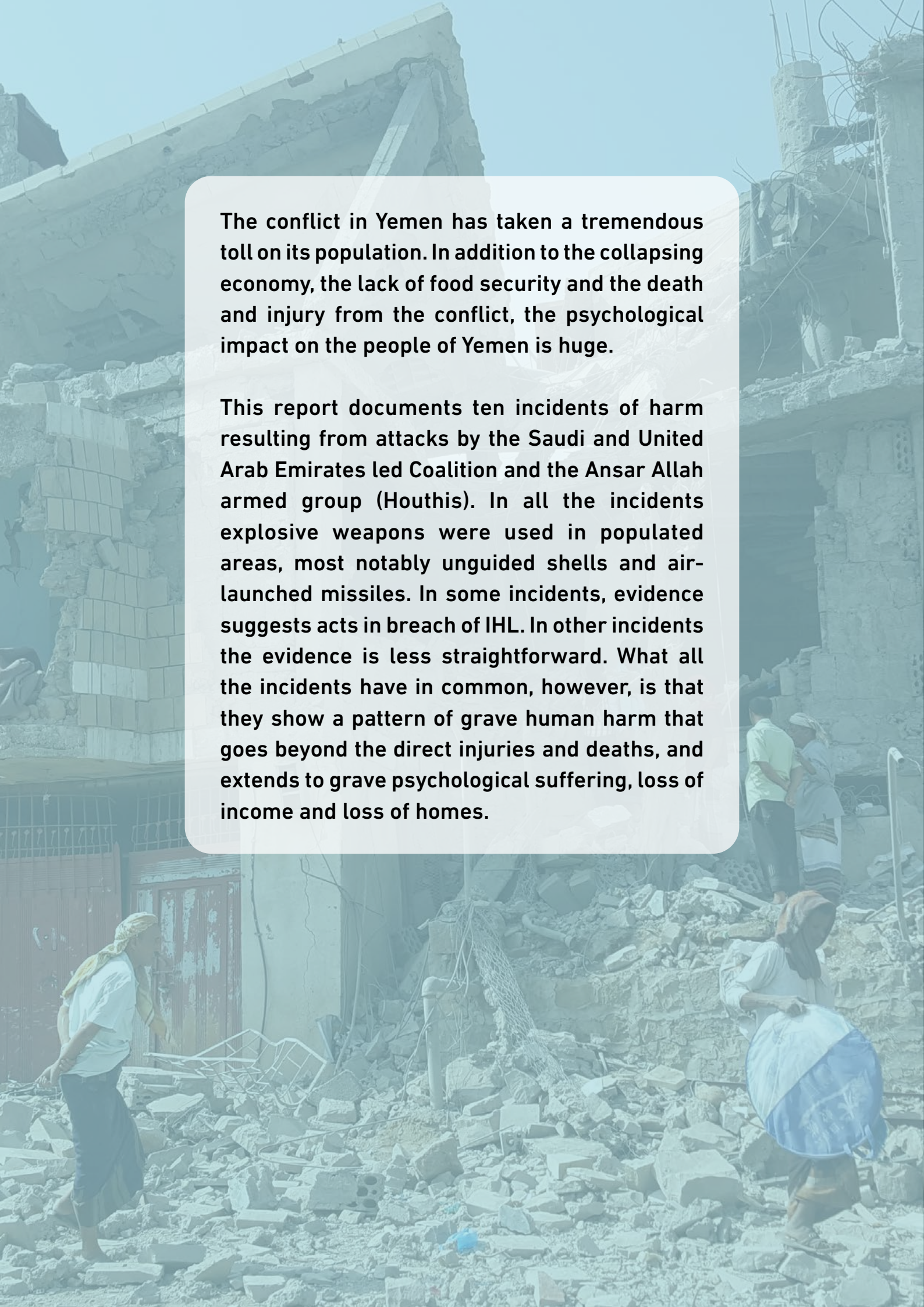


Mwatana for Human Rights

**Mwatana for Human Rights ([mwatana.org](http://mwatana.org)) is an independent Yemeni organisation that advocates for human rights through the documentation of violations, provision of legal support to victims, lobbying, awareness raising and capacity building.**



**PAX ([paxforpeace.nl](http://paxforpeace.nl)) is a Dutch peace organisation that works with committed citizens and partners to protect civilians in conflict, end armed violence and build peace. PAX operates independently of political interests.**

The background image shows a scene of significant destruction in a conflict zone. A large, multi-story building has been severely damaged, with its upper floors partially collapsed and its structure exposed. Debris, including bricks, concrete blocks, and twisted metal, is scattered across the ground. In the foreground, several people are seen navigating the rubble. A woman on the left is walking away from the camera, while another woman on the right is carrying a large, light-colored bag. The overall atmosphere is one of devastation and the aftermath of violence.

**The conflict in Yemen has taken a tremendous toll on its population. In addition to the collapsing economy, the lack of food security and the death and injury from the conflict, the psychological impact on the people of Yemen is huge.**

**This report documents ten incidents of harm resulting from attacks by the Saudi and United Arab Emirates led Coalition and the Ansar Allah armed group (Houthis). In all the incidents explosive weapons were used in populated areas, most notably unguided shells and air-launched missiles. In some incidents, evidence suggests acts in breach of IHL. In other incidents the evidence is less straightforward. What all the incidents have in common, however, is that they show a pattern of grave human harm that goes beyond the direct injuries and deaths, and extends to grave psychological suffering, loss of income and loss of homes.**