

## 'NOWHERE SAFE FOR CIVILIANS': AIRSTRIKES AND GROUND ATTACKS IN YEMEN

### EXECUTIVE SUMMARY

Civilians in Yemen are bearing the brunt in the conflict raging between Huthi militias (and army units loyal to former President Ali Abdullah Saleh), who seized control of the capital and large parts of the country since last September,<sup>1</sup> and anti-Huthi armed groups (and army units loyal to exiled President Abd Rabbu Mansour Hadi),<sup>2</sup> who are supported by a Saudi Arabia-led military coalition.<sup>3</sup>

The conflict has been raging in 20 out of the country's 22 governorate and has killed close to 4,000 people half of them civilians including hundreds of children, and displaced over one million since 25 March 2015.<sup>4</sup> All the parties involved in the conflict have displayed a flagrant disregard for civilian lives and fundamental principles of international humanitarian law. They have killed and injured hundreds of civilians not involved in the conflict, many of them children and women, in unlawful (disproportionate and indiscriminate) ground and air attacks.

In the southern<sup>5</sup> region of the country, Huthi and anti-Huthi armed groups battling for control of Yemen's second and third largest cities, Aden and Ta'iz, and surrounding areas have routinely launched attacks into densely populated residential neighbourhoods, using imprecise weapons which cannot be aimed at specific targets and which should never be used in residential areas, killing and maiming scores of civilians.

Fighters on both sides have been operating in the midst of residential neighbourhoods, launching attacks from or near homes, schools and hospitals, endangering civilians in those areas by exposing them to the risk of reprisal attacks (and at times putting them in the line of fire of their own malfunctioning weapons). In addition to large numbers of civilian casualties resulting from indiscriminate attacks, dozens of civilians returning home after the end of the fighting in the Aden region have been killed and injured from landmines laid by the warring parties.

The Saudi Arabia-led coalition forces have killed and wounded civilians, in unlawful airstrikes which failed to distinguish between military targets and civilian objects in Huthi-controlled areas.

Amnesty International has documented hundreds of cases of civilians, many of them children and women, killed or injured while asleep in their homes or going about their daily activities – fetching water, buying food, visiting relatives. Scores were struck in the very places where they had sought refuge after having been displaced from their homes by the conflict. Some were killed or injured by mortars and crude Grad-type rockets fired by armed groups, and others by MK-type bombs, some weighing up to 900kg (2,000 lbs), launched by coalition forces.

Entire neighbourhoods have virtually emptied as residents fled their homes in fear of attacks or because strikes on civilian infrastructure left the areas without water, electricity and other essential services. In some neighbourhoods, as residents fled the conflict other civilians displaced by the fighting elsewhere moved in for lack of better options. Many have been unable to relocate to safer areas due to lack of resources. With frequently shifting frontlines, residents have struggled to keep out of harm's way, often finding themselves in the line of fire where they thought they would be safe.

The sick and wounded have faced restrictions in accessing medical care due to the shortages and high prices of fuel and medicines and to difficulties in securing safe passage through checkpoints manned by the different

<sup>1</sup> Huthi armed groups are often referred to as "Popular Committees". They are supported by certain units of the armed forces and loyalists of former President Ali Abdullah Saleh

<sup>2</sup> Anti-Huthi armed groups are often referred to as *Muqawama* (resistance in Arabic) or "Popular Resistance Committees" (PRC), and are supported by certain units of the armed forces loyal to President Hadi, and a variety of diverse groups/factions (including members of the Islah party, of al-Qa'eda, allegedly elements of the so-called Islamic State [IS or ISIS], and in the Aden area by supporters of the southern separatist *Hirak* group, who had long been fighting against central government forces).

<sup>3</sup> Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan and the United Arab Emirates (UAE) are participating in the Saudi Arabia-led Coalition which had carried out airstrikes as well as ground operations in Yemen. Somalia has made its airspace, territorial waters and military bases available to the coalition, Senegal promised troops, and the United States and United Kingdom have been providing intelligence and logistical support to the coalition.

<sup>4</sup> Millions need relief from 'terrifying' violence in Yemen – top UN humanitarian official, 15 July 2015:

<http://www.un.org/apps/news/story.asp?NewsID=51430> Yemen: UN releases emergency funding for relief efforts in crisis-torn country, 25 July 2015: <http://www.un.org/apps/news/story.asp?NewsID=51249>

Press briefing notes on Burundi and Yemen, 4 August 2015

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16286&LangID=E>

<sup>5</sup> In this report, the term "southern Yemen" will be used to refer to where the cities of Ta'iz and Aden are located geographically.

armed groups. The parties to the conflict have hindered the delivery of humanitarian aid to areas controlled by their opponents, causing a sharp deterioration in the humanitarian situation.

## **METHODOLOGY**

Amnesty International carried out field research in Yemen in May, June and July 2015, during which time the organization's delegates visited the sites of scores of air strikes and ground attacks in Ta'iz, Sana'a, Aden and Sa'da. Amnesty International visited multiple air strike locations and investigated the circumstances and impact of the attacks. Fragments from munitions used in the attacks were documented by Amnesty International delegates and analysed by weapons experts. The organizations' delegates interviewed survivors, families of victims, witnesses, medical and NGO personnel and activists on the ground. All interviews were conducted in Arabic and the interviewees were informed of the purpose of the interviews, which they consented to.

Some names of the victims and others have been omitted from or changed in the report to safeguard them against possible reprisals.

Amnesty International has written to the Saudi Arabian Ministry of Defense requesting information about the choice of targets and decision making process, reasons and rationale behind the airstrikes and about the findings of an investigations that may have been carried out so far.

## **INTERNATIONAL LAW APPLICABLE TO THE CONFLICT**

### **INTERNATIONAL HUMANITARIAN LAW**

Yemen is a state party to principal instruments of international humanitarian law - the four Geneva Conventions of 1949 and their Additional Protocol relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).<sup>6</sup>

International humanitarian law, contains the rules and principles that seek to protect primarily those who are not participating in hostilities, notably civilians. It applies only in situations of armed conflict and its rules are binding on all parties to a conflict, whether state forces or non-state armed groups. A fundamental rule of international humanitarian law is that parties to any conflict must at all times "distinguish between civilians and combatants", especially in that "attacks may only be directed against combatants" and "must not be directed against civilians."<sup>7</sup> A similar rule requires parties to distinguish between "civilian objects" and "military objectives." These rules are part of the fundamental principle of distinction.

Intentionally directing attacks against civilians not taking direct part in hostilities or against civilian objects is a war crime.<sup>8</sup> The corollary of the rule of distinction is that "indiscriminate attacks are prohibited."<sup>9</sup> Indiscriminate attacks are those that are of a nature to strike military objectives and civilians or civilian objects without distinction, either because the attack is not directed at a specific military objective, or because it employs a method or means of combat that cannot be directed at a specific military objective or has effects that cannot be limited as required by international humanitarian law.<sup>10</sup>

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<sup>6</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol II), 8 June 1977

<https://www.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/d67c3971bcff1c10c125641e0052b545>

The involvement of forces from other states in the conflict in Yemen does not make the conflict an international conflict, as it is taking place at the request/with the agreement of the Yemeni government.

<sup>7</sup> ICRC Customary IHL Study, Rule 1. See also Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 48, and Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Article 12(2).

<sup>8</sup> ICRC Customary IHL Study, Rule 156, pp. 591,593,595-598. See also Rome Statute of the ICC, articles 8(2)(b)(i) and (ii) and 8(2)(e)(i)(ii)(iv) and (xii). See also discussion in ICRC Customary IHL Study, p. 27.

<sup>9</sup> ICRC Customary IHL Study, Rule 11; Protocol I, Article 51(4).

<sup>10</sup> ICRC Customary IHL Study, Rule 12; Protocol I, Article 51(4)(a).

The protection of the civilian population and civilian objects is further underpinned by the requirement that all parties to a conflict take precautions in attack. In the conduct of military operations, then, “constant care must be taken to spare the civilian population, civilians and civilian objects”; “all feasible precautions” must be taken to avoid and minimize incidental loss of civilian life, injury to civilians and damage to civilian objects.<sup>11</sup> The parties must choose means and methods of warfare with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects.<sup>12</sup> Everything feasible must be done to verify that targets are military objectives, to assess the proportionality of attacks, and to halt attacks if it becomes apparent they are wrongly directed or disproportionate.<sup>13</sup> Where circumstances permit, parties must give effective advance warning of attacks which may affect the civilian population.<sup>14</sup>

Parties must choose appropriate means and methods of attack when military targets are located within residential areas. This requirement rules out the use of certain types of weapons and tactics. The use of means of combat that cannot be directed at a specific military objective – such as using imprecise explosive weapons on targets located in densely populated civilian areas – may result in indiscriminate attacks and is prohibited. Choosing methods of attack that do not minimize the risk to civilians – for example, attacking objectives at times when many civilians are most likely to be present – also violates international humanitarian law.

Attacks by both government forces and armed groups that are carried out in the knowledge that they will cause massive civilian casualties and destruction of civilian objects flagrantly violate the prohibition of indiscriminate attack and constitute war crimes. Shelling and air strikes on residential areas in which there are no fighters, soldiers or military objectives constitute direct attacks on civilians and are war crimes.

Warring parties have obligations to take precautions to protect civilians and civilian objects under their control against the effects of attacks by the adversary. As with precautions in attack, these rules are particularly important when fighting is taking place in areas with large numbers of civilians. Each party to the conflict must, to the extent feasible, avoid locating military objectives within or near densely populated areas.

### **INTERNATIONAL HUMAN RIGHTS LAW**

International human rights law - including civil and political, and economic, social and cultural rights – applies during times of peace and during periods of armed conflict, and is legally binding on all states, their armed forces and other agents. It establishes the right of victims of serious human rights violations to remedy, including justice, truth and reparations. Yemen is a party to several key International treaties: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Rights of the Child (CRC). Yemen is legally bound by its obligations under these international treaties, as well as by relevant customary international law. The International Court of Justice as well as the UN Human Rights Committee (the body established to oversee application of and to interpret the provisions of the ICCPR) have affirmed that international human rights law applies in times of armed conflict as well as in peacetime.

### **INTERNATIONAL CRIMINAL LAW**

International criminal law establishes individual criminal responsibility for certain violations of international humanitarian law and serious violations and abuses of human rights law, such as war crimes, crimes against humanity and genocide, as well as torture, extrajudicial executions and enforced disappearance.

Individuals, including civilians and military personnel, can be held criminally responsible for certain violations of international human rights law and international humanitarian law. International law imposes the obligation to investigate and prosecute alleged perpetrators of crimes under international law and serious violations and abuses of human rights.<sup>15</sup>

<sup>11</sup> ICRC Customary IHL Study, Rule 15. See also Protocol II, Article 13(1).

<sup>12</sup> ICRC Customary IHL Study, Rule 17.

<sup>13</sup> ICRC Customary IHL Study, Rules 16-19.

<sup>14</sup> ICRC Customary IHL Study, Rule 20.

<sup>15</sup> International humanitarian law contains a duty to prosecute war crimes (ICRC Customary IHL Study, Rules 157 and 158). See also the International Covenant on Civil and Political Rights; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and Amnesty International, *United Kingdom: The Pinochet case - universal jurisdiction and absence of immunity for crimes against humanity* (Index: EUR 45/01/99), January 1999.

Under the principle of universal jurisdiction, all states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute crimes under international law, including genocide, crimes against humanity, war crimes, torture, extrajudicial executions and enforced disappearances.<sup>16</sup> War crimes are serious violations of international humanitarian law and engage individual criminal responsibility on the part of the perpetrators.

### **VIOLATIONS OF INTERNATIONAL LAW: HUNDREDS OF CIVILIANS KILLED IN COALITION AIRSTRIKES**

Since thousands of airstrikes by Saudi Arabia-led coalition forces have killed hundreds of civilians all over Yemen. The eight strikes investigated by Amnesty International for this briefing killed at least 141 civilians and injured 101, most of them children and women, in southern region of Yemen.

While the scope of this briefing is limited to the specific geographic area of southern Yemen, Amnesty International has investigated civilian casualties resulting from unlawful coalition airstrikes in other parts of the country, notably in and around the capital and the northern city of Sa'da, the most frequent target of such strikes.<sup>17</sup>

Coalition strikes which killed and injured civilians and destroyed civilian property and infrastructure investigated by Amnesty International have been found to be frequently disproportionate or indiscriminate. In some instances Amnesty International found that strikes appeared to have apparently directly targeted civilians or civilian objects. International humanitarian law prohibits deliberate attacks on civilians and civilian objects, and attacks which do not discriminate between civilians/civilian objects and combatants/military objectives, or which cause disproportionate harm to civilians/civilian objects in relation to the anticipated military advantage which may be gained by such attack. Such attacks constitute war crimes.

The pattern of attacks which since the beginning of the coalition air bombardment campaign on 25 March 2015 have continued to cause civilian casualties and the lack of investigations to date into such incidents raise serious concerns about an apparent disregard for civilian life and for fundamental principles of international humanitarian law not only by those planning and executing the strikes but also by the exiled Yemeni government, at whose behest Saudi Arabia-led coalition forces are acting.

### **CASES OF AIRSTRIKES RESULTING IN CIVILIAN CASUALITIES**

#### **Steam Power Plant Residential Compound, Mokha – 24 July**

Coalition forces bombed a residential compound housing workers of the Steam Power Plant and their families in the south-western port city of Mokha on 24 July at approximately 10.00pm, killing at least 63 civilians and injuring 50 others.<sup>18</sup>

Amnesty International visited the site three days after the airstrike and interviewed 21 residents and plant workers at the site and in five hospitals in Mokha and Hodeida (on the north-western coast). One resident, Amal Sabri, described the incident as “something out of judgement day. Corpses and heads scattered, engulfed by fire and ashes”. According to residents and plant workers, at least six consecutive strikes pounded the housing compound, several targeting the compound cafeteria and maintenance equipment store. Eyewitnesses said that prior to the

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<sup>16</sup> See for example ICJ, Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium), Judgment, I.C.J. Reports 2002, p. 3, where the majority of the court confirmed the right of all states to exercise universal jurisdiction. Amnesty International, Universal jurisdiction: The duty of states to enact and implement legislation, (Index: IOR 53/003/2001), September 2001.

<sup>17</sup> See for example, Yemen: airstrike and weapon analysis shows Saudi Arabia-led forces killed scores of civilian <https://www.amnesty.org/en/latest/news/2015/07/yemen-airstrike-analysis-shows-saudi-arabia-killed-scores-of-civilians/>

<sup>18</sup> Amnesty International received a list of 63 fatalities from the health authorities. The director of the Steam Power Plant told Amnesty International that 65 people had been killed in the attack. He [provided](#) Human Rights Watch with a list containing 65 names, including those of two people who were missing whom he believed were dead and still buried in the rubble. The Office of the UN High Commissioner for Human Rights (OCHR) [put the number of fatalities at 73](#).

multiple strikes on the main residential compound an airstrike had targeted a small residential compound 700m to the north of the steam power plant also used to house plant workers.

Amnesty International delegates at the site found no evidence that the residential compounds were being used for any military purposes. According to scores of residents interviewed by Amnesty International, no Huthi fighters were present in the compound, which also housed several families displaced by the conflicts in Ta'iz, Aden and surrounding areas. The nearest military objective, an air force base, is located approximately 800m south east of the residential compounds. It is unclear whether it was also targeted.

55-year-old Qaed Mohamed Abdelqader al-Sabri , a technician at the plant who lost most of his family in the airstrike, told Amnesty International that they were celebrating the birth of his 10-day-old granddaughter when their home was bombed:

*"We were all at home celebrating the birth of my granddaughter Alaa', with neighbours and family. I was about to enter the house when suddenly the door came off as the whole house shook. It was like an earthquake. The first bomb hit the maintenance equipment store, the second bomb hit the cafeteria. There was a moment of silence, which I took advantage of to rescue my family. That is when the third bomb landed. The electricity had gone off, I tried to go inside the house to look for a torch and for my family. I was screaming for my daughters, I could hear others screaming in search of their families. But all I saw was my wife and daughters drowning in their blood. Only my daughters Lina (16) and Samar (26) survived as they had run away to the coast when the strikes happened. Three of my daughters, my wife, my daughter's husband and my granddaughter Alaa' were killed."*

Another resident 24-year-old, Alaa Abdeljaber Thabet, recounted the ordeal to Amnesty International:

*"The residence streets were bustling, men and children were standing in front of the cafeteria playing billiards. Suddenly I saw a light in the sky, and then an explosion in the residential camp [700m north of the main residential camp] that shook our whole compound. Fear and alarm permeated the whole city... suddenly after two minutes, the first bomb hit our residency targeting the maintenance equipment store. I could hear the plane circling above. I fell down due to the pressure of the explosion. After two minutes I got up to go help move the women and children to the coast where it was safer. After four minutes, the second bomb fell on the cafeteria, around 20 meters away from the first strike on the store. That second strike killed the most... I walked amongst pools of blood and severed limbs, there were over 20 bodies. There were four more explosions after that, people trying to escape. I have still not come to terms with what happened that day until now. I can still see the bodies and the injured and I can hear the screaming all the time."*

Among those displaced by the conflict who were sheltering at the plant housing complex was Redha Mohamed Qaed, a father of six. His relative Abdu Naji al-Bu'dani, an engineer at the plant and a local resident told Amnesty International:

*"Redha has come here with his family from Aden, to escape the fighting there. He had planned to go back to Aden the next day (as the Huthis had just been forced out of Aden). When the explosion happened he was sitting next to a window at his sister's house. He hugged his wife and children to protect them and his back was ripped by shrapnel and he passed away on the spot."*

### **Tahrur, Lahj - 9 July**

On 9 July coalition forces killed 10 members of the Faraa family, including four children and five women, and injured 10 others when they bombed the Mus'ab ben Omar school where a dozen families displaced by the conflict were sheltering in Tahrur village, north of Aden in Lahj governorate on 9 July at about 1pm. The displaced people who were sheltering in the school are members of the "muhammashin" (marginalised) community – Yemeni citizens of African origins, one of the country's poorest and most vulnerable communities in the country.

Salama, who lost three daughters, Yusra, 21, Shadia, 19, and Naama, 20 months, in the bombing, told Amnesty International:

*"We came here to escape the war in Huta (a 1km west of Tahrur). We had nowhere else to go. We have nothing. How could I imagine that we were going to be killed here? My girls were killed and I wish I had died with them. I have nothing else in life".*

Mehdi Salah Mohammed a bus driver in the army was based in Hodeida but has not worked since the beginning of the conflict after his commanding officer stopped reporting to work. To supplement his salary he would make deliveries with his motorcycle. Mehdi told Amnesty International that on 9 July he was out on an errand when an airstrike hit his home, killing his wife, Naama, a mother of seven, and whose 5-year-old daughter Rahma was seriously wounded, said:

*“We are just poor people and don’t have anything to do with anything. We have no relations with the Huthis. We fled our homes with nothing and when we tried to go back home to collect some of our clothes the Huthis didn’t even allow us to go. I lost my wife and now our seven children have no mother. What do I tell them? My wife’s sister and niece were killed and their children too are now orphans. May God help us.”*

Neighbours told Amnesty International that the last time they saw any Huthis was four days before the strike, when two Huthis passed by the school but did not stop. They said that before the airstrike Huthis used to stay in a school and nearby building in another part of the village, less than a kilometre away. However, that location was never targeted by coalition forces and neighbours said that Huthi/Saleh loyalists armed groups stopped gathering there after the strike on the Mus’ab Ben Omar school, which killed members of the Faraa family. Amnesty International found no evidence indicating that the Mus’ab Ben Omar school was being used for military purposes. All that was visible in the ruins of the school were remains of the meagre possession of the displaced families who had been sheltering there – blankets, cooking pots, children’s clothes - as well as a fin of a bomb from the Mark 80 series US-designed general purpose bombs, similar to those found at many other locations of coalition strikes.

### **Waht, Lahj – 7 July**

Two days earlier, on 7 July, just after mid-afternoon (*asr*) prayers, a coalition strike killed 11 worshippers and injured several others in a mosque in Waht, a village north of Aden in Lahj governorate. Wi’am Ahmad Salah, a 29-year-old labourer, who sustained a broken leg and shrapnel injuries all over his body, told Amnesty International:

*“That morning at about 2 or 3am a bomb hit the mosque but did not explode; it went through the roof and the outer wall and landed in the courtyard. All the residents of the neighbourhood went to look at it. It is still there, everyone is too scared to touch it. Maybe the bomb was meant to hit a house nearby where the Huthis used to stay? They [Huthis] never went to the mosque; only local people went to the mosque. There were no other strikes against the mosque or anything else nearby so people thought that the Saudis realized their mistake (in striking the mosque) and that there was no danger any more, and in the morning people went back to the mosque as usual. I went to the mosque in the afternoon planning to stay there until before Iftar.<sup>19</sup> After a while there was another airstrike and this time it exploded the mosque. It was just after *asr* prayers, about 4pm; some people had left after the prayers and me and others had stayed. There was thick dust; I couldn’t see anything and I was terrified and in pain. A wall collapsed on me and broke my leg and I was bleeding from cuts and wounds everywhere. I lay there until residents who came to our rescue cleared the debris around me and carried me outside”.*

Among those killed in the strike were brothers Mohammed and Fadhel Yahia Sayed and their cousin Yassin Abdallah Sayed; an elderly man of about 80, Abu Bakr Ali, a Somali refugee who according to residents spent most of his time at the mosque. Gita Aidarus (F), who lives very near the mosque and whose brother Kamal, was among those killed in the strike, told Amnesty International:

*“My brother went to the mosque every morning at about 10am and stayed there all day reading Qur’an until late afternoon, as is customary during Ramadhan. Also now because of the war we can’t even go to work. The plane bombed the mosque just after *Asr* prayers, just at the time when my brother would usually come home. People say that the plane meant to strike the house near the mosque where the Huthis were staying but made a mistake”.*

Abdullah Amer Ahmed, a resident who was injured in the strike, told Amnesty International:

*“It was 3.30pm when I was about to enter the mosque door. I saw everybody praying before me. Then I heard the whistling sound of the bomb. I shouted to warn everybody “BOMB!” Within seconds, the mosque door fell on my right hand side, breaking three of ribs, injuring my right ear and breaking my right hand.”*

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<sup>19</sup> The breaking of the fast at sunset, during the holy month of Ramadhan

Near the ruins of the mosque Amnesty International found the unexploded bomb which had struck the mosque earlier that morning. The bomb MK 83, was fitted with a delay fuse, appeared to have malfunctioned, as it failed to explode. It is not clear whether the bombs used in this attack and in the attack against the school described above were fitted with precision guiding devices or not. Weapons that are by nature indiscriminate are prohibited under international humanitarian law and cannot be used in populated areas.

Both attacks appear to have missed their intended targets – nearby sites where members of the Huthi/Saleh loyalist armed groups gathered - or to have wrongly targeted civilian objects, a school and a mosque full of civilians not involved in the conflict for unknown reasons; possibly they were supplied the wrong coordinates by their operatives/informants on the ground. Whatever the case may be, coalition forces clearly failed to take the necessary precautions “to spare the civilian population, civilians and civilian objects.” as required by Article 57(2) of the Protocol Additional to the Geneva Conventions of 12 August 1949, which stipulates that those who plan or decide upon an attack shall:

“(i) *do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects...*” and “(ii) *take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects*”.<sup>20</sup>

### **Fayush, Lahj – 6 July**

On 6 July, a day prior to the airstrikes on the mosque in Waht, coalition forces bombed the livestock market in Fayush, north of Aden in Lahj governorate. The strike, the deadliest hitherto reported, killed some 40 people and injured scores. Adam Hassan Omar, a 52-year-old father of 11 who was injured in the strike told Amnesty International:

*“I went to the market to see if I could sell three goats for a better price than I bought them. I used to work as daily labourer mostly in construction in Crater (Aden), but since the war I have not gone there. It’s difficult to get there now and there is no work there anyway. I try to earn a little money buying and selling goats and sheep. I heard a plane above but did not worry; I did not think they would bomb a market. The plane was going around above for quite a while. Then the explosion happened. I remember feeling as if a strong wind pushed me, transported me and a strong pain as if I had been cut in half. Then I fainted and woke up here [in the hospital]. I don’t know who brought me here”*. Shrapnel slashed through Adam’s abdomen, causing damage to his internal organs. Doctors who treated him said they had to remove some 15 cm of intestine and his spleen.

Local residents and sellers in the adjacent food market told Amnesty International that at the time of the airstrike there were no unusual gatherings or activities in the market. “People were buying and selling goats and sheep and a few cows. They were normal people, some desperate people who had reluctantly come to sell their animals because they have no other income to feed their children,” a market seller said. “There was no fighting around here and there were no Huthis, just some unlucky people. If the bomb had fallen few meters away I could have been killed, just like they were killed. This is what God decided,” a local resident said. Another resident described the bloodshed after the explosion: “It was a massacre, body parts and blood of humans and animals were mixed together. It was a very painful sight and it was difficult to make sense of what was happening and to deal with it”.

Yet another resident said that his cousin was missing since the market bombing and he feared that he had been killed there. “After *suhur*<sup>21</sup> he stayed up for an hour or so and then went to the market and never came back. Maybe he was injured and is in a hospital somewhere and cannot contact us [his family] or maybe he was killed and buried with the unidentified bodies.” Relatives and witnesses told Amnesty International some of the victims had been blown apart in the blast but there were no adequate systems available to allow for post-burial ID of unclaimed bodies or remains. Hospital workers told Amnesty International that they had received a large number of civilian injured from the strike.

<sup>20</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol II), 8 June 1977  
<https://www.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/d67c3971bcff1c10c125641e0052b545>

<sup>21</sup> The last meal of the night, just before sunrise during the month of Ramadan

The sandy soil at the site of the strike absorbed the impact and likely lessened the spread of shrapnel in the area. No remains were found from the bomb dropped by the coalition plane, but the crater – some three meters deep and four meters in diameter – indicates a likely 500-1,000 lbs (200 – 450 +Kg) bomb (similar to the ones used in many other attacks). Remains of animal carcasses were still strewn around when Amnesty International visited the site several days later.

Amnesty International could not trace most of the victims and families of victims of the attack, as most were not local residents but people who were visiting the market from surrounding areas. Amnesty International could not establish with certainty whether any members of the Huthi armed group were present at the livestock market at the time of the airstrike. However, information obtained from multiple sources, including witnesses and residents, indicate there was no combat or other military activity at the time of the attack and that most if not all the victims were civilian bystanders not involved in the conflict.

The attack violated the principle of distinction, a cornerstone of international humanitarian law, which requires all parties to a conflict to: “...at all times distinguish between the civilian population and combatants and between civilian objects and military objectives...”,<sup>22</sup> and which defines military objective as “those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.” Military advantage may not be interpreted so broadly as to render the rule ineffective.<sup>23</sup>

Even if some combatants had been present at the site this would not have justified launching an attack on a market, which was sure to cause large scale civilian casualties and fatalities and which was not only disproportionate but also indiscriminate.

#### **Al-Mujaliyya neighbourhood, Ta'iz (Ta'iz governorate), 16 June 2015**

Forty-eight-year old Jamila and four of her children were killed when an airstrike destroyed their home in al-Mujaliyya neighbourhood at 3.45am on 16 June. Jamila's daughter Leila Hayel, who lives 600 metres away from her parents' house, lost her mother and siblings Suha (10), Amal (14), Samah (23), and Hani (25). She told Amnesty International:

*“The whole family had been staying in the Hawban neighbourhood [east side of Ta'iz city] for the last two months because of the continuous fighting [between armed groups] in al-Mujaliyya [south side of Ta'iz city]. In fact, the majority of the residents have left the neighbourhood. They had only returned home one week before the strike, in time for Ramadan. On that night, a bomb struck al-Arwa school, located 30 metres away from our house. Fearing for their lives, my family rushed to leave the house after the explosion. While my sisters and mother were putting on their abayas and my brother Hani was locking up the house, a bomb struck the house. The force of the explosion sent my sisters and mother flying five metres, killing them instantly. Hani's body was not dug out until 12 hours later. My father Faisal (60) was the only survivor.”*

On that night, three airstrikes targeted al-Mujaliyya neighbourhood for the first time, minutes apart. The first targeted al-Arwa School, which was reportedly being used as a detention centre by the Huthi/Saleh loyalists. The second struck the Hayel home and the third landed in the courtyard of al-Ahdal family, where 13 relatives (10 women, three men) were sheltering in the basement of the house after hearing the first two strikes. The bomb at al-Ahdal house, only a couple of doors down from the Hayel family, failed to detonate, limiting what could have been even greater destruction and likely more civilian casualties.

#### **Ta'iz city – 30 June**

In the city of Ta'iz, on 30 June, coalition forces launched two airstrikes against the home of Fahmi Qa'id al-Najdan, a 39-year property dealer, killing him, his wife Khulud, 35, and their two daughters Rinad and Malak, aged two and five. The couple's two young boys survived because they had gone to play at a relatives' house nearby.

<sup>22</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 48 <https://www.icrc.org/ihl/WebART/470-750067>

<sup>23</sup> Ibid, Articles 50 to 52



Fahmi's brother told Amnesty International;

*"The house was bombed twice, about 20 minutes apart, at about 1 -1.15pm. The house was destroyed, leaving no chance of survival for anyone in the house. Some people say that the Saudis said in the media that there was an arms cache in the house and others say that 30 Huthis were killed in the house. None of this is true. They killed a father, a mother and their two little girls. Anyone who wants can dig in the ruins of the house to check if there are weapons or Huthis. Only God knows why they bombed this home. May God do justice".*

The house, a large and solid structure, collapsed onto itself. It is not possible to fully assess what lies under the debris, but no evidence is visible that the house contained a weapon store or that combatants had been at the house. There were also no remains of weapons in the rubble, no signs of secondary explosions, no information that bodies were recovered other than the four family members, putting into question the justification and legality of the strike.

### **Dar Saber Village, Ta'iz – 26 May**

Eight members of the Sayed family, six of them children, were killed and seven others, including two children, were injured when coalition forces bombed their home in Dar Saber village, outside Ta'iz city on 26 May at 5am.

One of the remaining residents and neighbours from the village, Ali Qaed al-Hakm, told Amnesty International:

*"On that day, we were surprised to hear the plane loudly at 5am. There was an explosion and we felt an immense pressure, so we opened the windows. After that, my daughter and I headed to the kitchen and said 'alhamdulillah' [thanks be to God] and then we saw a second explosion that you could not imagine. The village was collapsing over our heads and all we tried to do was to find out the source of the explosion. But suddenly we heard a man screaming 'Save us! Save us!' and we found out that it was Khaled Sayed's house that was struck. Everyone thought this village was safe before this incident, it was full of displaced people who had come here to escape the conflict in the city. But everyone left after this airstrike."*

It is unclear whether Khaled Sayed's home was the intended target of the airstrike, According to neighbours he is not associated with the Huthis and he was in fact not at home at the time of the strike, but several members of his family, including his children were. Dar Saber village has a common trait with other airstrikes: it is close to a Huthi/Saleh-loyalist-controlled military camp which has been repeatedly targeted by coalition airstrikes. This was the first and only airstrike on the village of Dar Sabr, which encompasses a cluster of 80 houses. Khaled Sayed's house is 150-200 meters south of Muntazah Zayed, a park which has been repeatedly targeted by airstrikes and which had been used by the anti-Huthi Popular Resistance Committees (PRCs) and then by the Huthis for a short time after. It appears possible that the intended target of this strike was the nearby military camp (further up the mountain, hundreds of meters away) but that coalition forces failed to take the necessary precautions to minimize potential harm to civilians in the area.

### **Al-Akma, Ta'iz - 14 April**

On 14 April at approximately 12.30am, a coalition airstrike killed ten civilians, including seven children and two women, and injured 14 others in al-Akma village. The airstrike struck a residential area of the village where members of the "muhamashin" (marginalized) community live in dwellings made of corrugated iron and cardboard. Al-Akma Village, 20km north-east of the city of Ta'iz, falls between two Huthi/Saleh loyalist-controlled military installations, both belonging to 22 May Brigade, around 500m to 1km from the east and west of the village. Wadhha, a resident of the village, described to Amnesty International the airstrike and its aftermath:

*"I was inside the house and the plane was flying at 12:30 at night. My neighbour came to me and told me that the plane is flying and that I should get up and wear my abaya.<sup>24</sup> I told her that I wear the abaya all the time and I also sleep wearing it [to be ready to flee at a moment's notice]. Then I heard the explosion. I thought that the*

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<sup>24</sup> Long black dress worn by women outside the house

*house was going to collapse on my head. I was at home on my own. I kept reciting the shahada,<sup>25</sup> and waited for death. We had been warned not to go out if a rocket lands in order to avoid shrapnel... Then after it was quiet again I went out to see. It was as if tires were burning. I no longer understood what was going on. I fainted and fell to the ground... We are now all displaced. We only come back here for quick visits but we do not sleep in our homes for fear of the airstrikes."*

According to the information obtained by Amnesty International, no combatants or military objectives were in the vicinity of the house, and the nearest military objective was the 22 May Military Camp, which is several hundreds of meters away.

#### **GROUND FIGHTING CHARACTERISED BY INDISCRIMINATE ATTACKS, RECKLESS CONDUCT**

Huthi/Saleh-loyalists and anti-Huthi PRC armed groups involved in ground fighting in Aden and Ta'iz have killed, harmed and endangered civilian residents as they battled each other for control of the two cities.

Huthi/Saleh-loyalists armed groups attacked and gained control of parts of Ta'iz and Aden in late March and early April 2015, prompting fierce resistance from local anti-Huthi PRC armed groups. In the second half of July 2015 anti-Huthi PRC fighters, backed by ground forces from the United Arab Emirates,<sup>26</sup> pushed Huthi/Saleh loyalists armed groups out of Aden. At the time of writing (early August) fighting continued between the two sides in areas north of Aden, Lahj, Al-Dhale' and in the city of Ta'iz, where fighters from both sides controlled different neighbourhoods.

At least 68 civilians were killed and 99 others injured (most of whom were women and children) in 30 attacks investigated by Amnesty International in Aden and Ta'iz.

Attacks by both sides routinely failed to distinguish between fighters and civilian residents and appeared to be frequently directed at neighbourhoods because they are under the de-facto control of one side or the other and/or because fighters are based or operate from there, rather than at specific military objects. Fighters from both sides have used battlefield weapons and munitions - such as imprecise Grad-type rocket artillery and mortars, which cannot be accurately aimed at specific targets and which can kill and maim people tens of meters from their points of impact. These weapons are used on a daily basis in residential areas, causing civilian casualties and showing disregard for civilian lives. Such indiscriminate attacks violate fundamental provisions of international humanitarian law, as they fail to distinguish between military targets and civilian objects.<sup>27</sup>

Amnesty International delegates witnessed fighters from both sides operating in the midst of densely populated residential neighbourhoods in Aden and Ta'iz, including in and around schools and hospitals. Residents told the organization of instances when fighters launched attacks from their neighbourhoods despite civilians being present nearby, exposing residents to the risk of retaliatory attacks from the opposite side.

In the conduct of military operations all parties to a conflict must take "all feasible precautions" to avoid and minimize incidental loss of civilian life, injury to civilians and damage to civilian objects. This must be reflected in the choice of means and methods of warfare, and includes verifying that targets are military objectives, that attacks are not disproportionate or indiscriminate, and where possible effective advance warning is given of attacks which may affect the civilian population.<sup>28</sup>

In the context of urban warfare, the presence of fighters/military positions in civilian residential areas from one side does not relieve the opposing side of its obligation under international humanitarian law to take the necessary precautions to minimize harm to civilians and damage to civilian objects. Civilians present do not lose their

<sup>25</sup> *Qur'anic profession of faith which Muslims should recite before dying*

<sup>26</sup> The participation of forces from coalition member states in ground combat in Yemen has never been officially announced but it was confirmed in July 2015, when UAE media reported the death in combat in Yemen of three members of the UEA armed forces.

<sup>27</sup> Notably the Principle of Distinction. For example see: [https://www.icrc.org/customary-ihl/eng/docs/v2\\_rul\\_rule1](https://www.icrc.org/customary-ihl/eng/docs/v2_rul_rule1)

<sup>28</sup> See [ICRC Customary IHL Study](#), Rules 15, 16, 17, 19 and 20. See also [Protocol II, Article 13\(1\)](#).

immunity from attack and their presence in large numbers must be taken into account before any attack or counter-attack is launched by the warring parties.

Attacks launched by fighters from both sides from and into densely populated civilian residential areas in Aden and Ta'iz using imprecise munitions which cannot be accurately aimed at specific targets, are in violation of international law and may amount to war crimes.

The incidents examined below are illustrative of patterns which have become increasingly entrenched over the past months of fighting, with many of the areas repeatedly subjected to such attacks over a period of weeks or months.

In most cases it is difficult or impossible to establish with absolute certainty the exact source of the attacks because the weapons used are "indirect fire" weapons, which do not rely on a direct line of sight between the point of launch and the target. The weapons' trajectory is affected by multiple factors, including velocity, angle, difference in altitude between launch site and point of impact, and atmospheric conditions. The weapons' range can provide an indication of the likely source, especially in cases of multiple/repeat strikes. However weapons can malfunction and land/explode far short of their intended target, even very close to the point of launch. For example a mortar/rocket with a range of 4/40 km may malfunction and land/explode few hundred meters or few meters from where it was launched, making it more difficult to assess the precise point of launch of a weapon, especially in cases of single strikes.

## **ADEN**

Neighbourhoods controlled by anti-Huthi PRC armed groups in central Aden have repeatedly come under attack from Huthi/Saleh-loyalists position to the north and south of the area, using both mortars and 122m Grad-type rockets. Anti-Huthi PRC fighters for their part have been frequently launching mortars from the neighbourhoods they control, presumably towards areas controlled by Huthi/Saleh-loyalists.

The impact of ground fighting on civilians has been the greatest in neighbourhoods controlled by anti-Huthi PRC armed groups as these areas are the most densely populated, hosting tens of thousands civilians who fled the areas controlled by Huthi/Saleh-loyalists for fear of coalition airstrikes and because of the lack of water, electricity and health and other essential services in those areas. In Aden ground fighting continued until the end of July, when Huthi/Saleh-loyalist armed groups were forced out of Aden, whereas in Ta'iz ground fighting between the two sides continues at the time of writing.

### **Rocket attacks**

#### **Block 4 and 5, al-Mansoura, Aden, 1 July**

A barrage of rockets fired into the heavily populated areas of Block 4 and 5 on 1 July between midnight and 6am killed 13 people, most of them civilians, and injured 56 others (including five children). Residents told Amnesty International that the first and second rockets struck shortly after midnight near Mansoura central prison on the stretch of Prison Street between two anti-Huthi PRCs checkpoints located some 150 meters apart. At least one PRC fighter, 40-year-old Abdu Ahmad Abdali Subaihi, was killed at the PRC checkpoint, and several other fighters were injured.

Some of the victims were killed or injured as they tried to help rescue the victims, among them 17-year-old Ayman Abdallah, a third-year high school student who lived in the neighbourhood. His mother, Siham, told Amnesty International:

*"We were at home watching TV when the first strike happened, just after midnight. Ayman went to help and another rocket struck the main road and Ayman was badly injured by shrapnel all over. He was in hospital for three days and died on 4 July. He was the eldest of my children, he always wanted to help others".*

A third rocket struck the roof of the nearby Infinity Hotel and a fourth rocket struck the fourth floor of the Royal Concorde Hotel, injuring six members of the Ali family, including two children and three women. Both hotels were being used to accommodate hundreds of people displaced by the conflict.

The Ali family had fled their home in the Huthi-controlled area of Ma'llah because of the fighting and airstrikes there. Hafedh Nasser Abdallah Ali, 18-months-old, and his mother Amal, 25, sustained the most serious injuries. Amal, who suffered multiple shrapnel injuries to her face, chest, arm and leg, told Amnesty International:

*“We heard two rockets strike nearby and we run to the stairs, because the stairs are in the centre of the building, away from the outer walls. After a while we went back to the room as it was quiet. But then the rocket hit the building. Most of the shrapnel hit me and Hafedh, who was on my lap. Shrapnel penetrated his head and went through to his left eye, causing internal damage. He lost his eye and is in a coma. My baby Bara’, who is only three months, my husband, my mother and her mother-in-law were also all injured by shrapnel but luckily less seriously”.*

Anhar Najeeb, a 55-year-old mother of two, had moved two weeks prior to the attack from her house in the Huthi-controlled Crater neighbourhood, where basic services such water and electricity were virtually non-existent, to Block 4 with her brother, son and daughter to escape the fighting. She spoke to Amnesty International about the attack which left her paralysed:

*“At around midnight on 1 July, I was standing in the kitchen when I heard an explosion. Suddenly all I felt was something in my neck... I am now quadriplegic, paralysed from the neck down. That night, shrapnel entered my neck and exited through my seventh vertebrae. We had just moved to our new house, we thought we were safe. Who will take care of my family now? I was already taking care of my 58 year old brother Khaled, who is intellectually disabled and my 27 year old son Ahmed who is dumb and mute. Meanwhile, my 28 year old daughter Walla’ is sixty percent deaf.”*

Islam Ibrahim, 8, was playing outside his house in Block 4 at approximately midnight, when he was injured by the same barrage of rockets. As he lay in his hospital bed, his mother described his injuries to Amnesty International: *“He was just outside in the neighbourhood with his friends when the explosion happened, they always play after iftar [meal breaking the fast]. A shrapnel entered his neck and remains lodged in there. He is wearing a neck brace as a short term solution. Doctors are currently too afraid to remove the shrapnel for fear that he could be left paralysed.”*

Friends Said Nassir Said, 15, and Badr Hilal Thabet, 22, are also local residents of Block 4. They were in the vicinity of the second anti-Huthi PRCs position, when another rocket struck the heavily populated area. Shrapnel entered Said’s throat, causing him to lose his voice. He was also injured in his head, upper right chest and right leg. Meanwhile, Badr, also unable to speak, sustained more serious injuries, including multiple facial fractures, shrapnel wounds in the abdomen, broken nose and teeth and requires cartilage replacement in his cheekbones and left shoulder.

Between 05.30am and 06.00am, several rockets again targeted the Block 4/5 neighbourhood. One struck the home of the al-Junaidi family, killing 16-month-old Qasem Mohammed and injuring his father Mohammed as they slept, relatives told Amnesty International.

Nearby, a rocket struck an empty room on the third floor of a six-storey building. Shrapnel from the rocket smashed through the roof of Najat Abdullah Ahmed’s home, right below, where she and her five children were fast asleep, with tragic consequences. Najat’s seven-year-old daughter Samia, was badly injured; her right leg had to be amputated and her left leg was broken. Her brother Abdullah (10) and sister Nahla (14) sustained light injuries. Najat told Amnesty International:

*“There was an explosion and the roof came crushing down on us as we slept. I thought we were all going to die. The rocket destroyed Samia’s legs. How will she live now? We don’t have anywhere to go for safety, no one to help us.”*

#### **Wadi Haddad, al-Mansoura, Aden, 7 July**

Another salvo of rockets fired by Huthi/Saleh loyalist groups between 10pm on 7 July and the early hours of the following morning killed at least seven civilians, including two children and two women, and injured several others in an area of the neighbourhood known as “Army Buildings” (Buyut al-Jaysh) – because it used to house army officers in the past. Many civilians who have been displaced by the conflict were sheltering in the neighbourhood.

Among the victims were a woman and four men who were distributing humanitarian aid to displaced and needy people in the area. Shrapnel from one of the rockets killed Khulud Mohammed Abdallah al-Tayes, a 45-year-old mother of three, and Amr Hakam, who was driving the vehicle they used to transport the food and other aid. Three fellow relief volunteers were injured, one of them, 26-year-old Mohammed Khaled Said Ali, sustained serious head injuries and remains in a coma. Khulud's sister, Kifa', told Amnesty International:

*"The strike happened at about 11 or 12 at night. Earlier we had been to Bureiqa to search for cooking gas for some families displaced by the conflict who had no gas to cook with. We were in two separate cars. After Bureiqa we came back to al-Mansoura and went to the Rayan Hotel, which is used to house displaced families, and Khulud went to get the stretcher back from people in the Buyut al-Jaysh area who had borrowed it to carry the bodies of those killed in a previous attack and after that she was going to distribute food nearby. But their car was hit and Khulud was killed. Her left arms was severed and she had many other injuries. Amr Hakam, the driver, was also killed. Hamza and two other young men who were in the car with her were injured. She always helped others and she died helping others, but she left three children. Her son is only 12 and her youngest daughter is only 15".*

At one of the city's hospitals Amnesty International found Mohammed Khaled Said Ali, who sustained serious head injuries and remains in the coma. Doctors do not yet know the extent of lasting damage he may have suffered. His uncle told Amnesty International that since the beginning of the conflict he had been very active in collecting and distributing food and humanitarian relief to people affected by the conflict.

At around the same time other rockets struck the top floor of a nearby building where the al-Hilali family was staying. Fawzia Ahmad Zein, her 15-month-old son Sultan Khaled Saleh al-Hilali, and her six-year-old nephew Ibrahim Khalil were all killed and Fawzia's 10-year-old daughter was injured. Khaled Saleh al-Hilali told Amnesty International:

*"We left our home in Houta, in Lahj governorate more than two months ago because of the conflict. We first came to Block 22 for one month and then went to Wadi Haddad. I was not at home when the rocket hit the building. I got a call telling me to go to the hospital. It was terrible. My wife, my son and my grandson were killed. My daughter Lina was injured in her eye but thank God she is better now. Some other people were also killed in the neighbourhood in another strike that night".*

Al-Hilali's neighbours told Amnesty International that two other men, 32-year-old Jumblat Saleh Fadhel and Najib al-Shu'aib, in his late 20s, were killed in another strike nearby.

The impact on the roof of the building and the apartment below, and the description of remains which neighbours told Amnesty International they had recovered indicate that the strike were consistent with 122mm Grad-type rockets, similar to those fragment of which have been found elsewhere.

Two weeks earlier, on 24 June, a rocket struck the apartment of the Saleh family on the top floor of a four-story building in the Madinat Inma neighbourhood at 1am, killing Shayaa Mohammed, a passer-by, and injuring nine members of the Saleh family. Video footage taken shortly after the strike shows remains of a 122 Grad-type rocket,<sup>29</sup> which struck the south side of the building and was likely launched from Huthi/Saleh-loyalists position in the Tawahi neighbourhood under their control, 5-6km to the south.

## **Mortar attacks**

### **Al-Sharqia and Al-Gharbia Neighbourhoods, Dar Saad, Aden, 5 and 7 July**

Dar Saad, under the control of anti-Huthi PRC armed groups, was frequently targeted by Huthi/Saleh-loyalist armed groups located to the north and west of the area. The last and deadliest attack took place on 19 July 2015,

<sup>29</sup> Remains of the rocket in the apartment immediately after the strike visible in this video: <http://www.skynewsarabia.com/web/article/755143/%D8%AC%D8%B1%D8%AD%D9%89-%D8%A8%D9%82%D8%B5%D9%81-%D8%AD%D9%88%D8%AB%D9%8A-%D8%B9%D8%B4%D9%88%D8%A7%D9%8A%D9%94%D9%8A-%D8%B9%D8%AF%D9%86>

in what appears as a “last stand” as the two sides were involved in fierce fighting, which culminated with the Huthi/Saleh-loyalists losing control of the areas of Aden they had held since April 2015. According to Dr al-Khadhr al-Aswar, the director of the Health Ministry office in Aden, 45 people were killed and 123 were injured, most of them civilians and including dozens of children.<sup>30</sup>

A mortar struck Ahmed Salem Hasan’s house at 2am on 7 July, killing 11-year-old Ayat Ahmad Hassan, her 18-year-old sister A’ayad and their aunt Amna Hassan Salem, and injuring seven relatives, most of them women and children. Inas Ahmad, 27, who lost her eye and suffered multiple other injuries, told Amnesty International:

*“We were sleeping when we heard shelling nearby. My brother told us to put on our abayas that we would go to our relatives who live further (away from the frontline). We were by the front door, on our way out, when the shell landed. We got very scared by the fighting and the explosions, but we don’t have another place to go. We are very poor”.*

One block away in al-Gharbia neighbourhood, 23 year old Saleh Anees Ayash Naseem was killed, and two of his neighbours Hasan Saleh (45) and Zaher Ezz el-Din Ahmed (27) were injured when a mortar landed in the middle of the alleyway where they were standing on 7 July.

Fragments of mortar shells were found at the location of both attacks. Residents of the two neighbourhoods told Amnesty International that strikes are very frequent in the area. Amnesty International observed anti-Huthi PRC fighters based in the Omar Ben Khattab School in the neighbourhood, and residents said that fighters frequently launch attacks from near the school and elsewhere in the neighbourhood towards Huthi/Saleh loyalist positions few kilometres away – thereby endangering local residents and exposing them to response and reprisal attacks. “They fight and we are caught in the middle, but we don’t have anywhere else to go,” a resident told Amnesty International.

On 5 July 52-year-old Su’ud Amer was tragically wounded by a mortar as she fetched water from a faucet a few meters from the Omar Ben Khattab School (south side). She lost both her legs. She told Amnesty International: *“I was filling the jerry can when I heard an explosion nearby. I instinctively went to stand by the school wall for protection, because it is a higher wall. There was another explosion which sent me flying up. My right leg flew off and my left leg was almost completely severed; it was holding by the skin only. I fainted and when I woke up I was at the hospital. I have nightmares all the time; I wake up shaking”.*

Weeks earlier, on 12 June, 12-year-old Hamada Adnan Yahya lost his right leg after a mortar shell struck a wall near his house in the Sandaqa neighbourhood in Dar Saad. Hamada’s father, Adnan, told Amnesty International: *“At 8AM that morning he went to fetch some water from the neighbourhood tank. Suddenly a mortar struck a wall next to the tank and a shrapnel entered his upper right thigh. The doctors had to amputate his whole leg. His back was also covered with cuts. After that attack, we were forced to leave the neighbourhood and move to Insha’at [West of Dar Saad]. However, there are attacks here too.”*

Residents of the area are mostly poor and live in small, flimsy one-storey houses which offer no protection against mortars and rockets attacks from Huthi/Saleh-loyalists fighters, which – even if intended to strike anti-Huthis PRC fighters’ positions - are too imprecise to be aimed at specific targets, and which appear to be often launched indiscriminately. Moreover, residents in these areas are also at risk from the weapons used by the anti-Huthi PRC fighters, which are mostly very old and thus more likely to misfire.

### **Block 6, al-Mansoura, 6 July**

Several Somali refugees, who had been displaced from their homes by the conflict and were sheltering in a school in the south-east of Block 6 neighbourhood, were killed and injured in an attack on the school at about 2am on 6 July.

Eight-year-old Aasab Mokhtar Mohammed was killed in the attack and her 11-year-old brother Mehdi, sustained a head injury from shrapnel. The children’s father told Amnesty International that three other children, Bahja and

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<sup>30</sup> Doctors without Borders (MSF) told Amnesty International that they received 206 patients on 19 July following the attack on Dar Saad, 42 of which were dead.

Samia Nouraldin, aged seven and 11, and 15-year-old Fares Mohammed, were killed and several others were injured:

*“There were often attacks in the area but they never reached us, but that night the school was struck directly. It was panic, there was blood everywhere. My little girl sustained a massive head injury; she could not be saved.”*

Fatima Gailani, 17, who lost her left eye in the attack, does not speak Arabic and recounted mostly through gestures the sudden strike on the school which left her badly injured; Doctors at the hospital told Amnesty International that the damage to her left eye was so extensive that the eye had to be completely removed.

Survivors of the attack told Amnesty International that at least six and possibly nine refugees, all of them women and children were killed in the attack. They did not know whether some of those they saw unconscious in a pool of blood immediately after the strike were alive or dead. Some of the survivors left Aden altogether. *“We work as daily labourers and now with the war there is no work and we receive no help. So people try to go to a safer place away from this war here in Aden,”* a friend of one of the survivors told Amnesty International. Though no remains of the projectile from the attack were found at the site, the damage suggest that it was likely a mortar. When Amnesty International visited the school fighting mortar fire could be heard nearby. Survivors of the attacks said that they could hear fighting quite near the school frequently, and that anti-Huthi PRC fighters operated from the area.

Other areas which became frontlines in the fighting between the two sides include al-Basateen (North Sheikh Othman), where three-year-old Hanadi Ahmed Mohamed Hareb was killed by a mortar while playing outside her house with her four-year-old sister Safaa in the afternoon of 10 June. Her mother, Jumaa Ali, told Amnesty International that had been the first of many mortar strikes in the neighbourhood and that it had caused many residents to leave the area. She recalled the strike:

*“That day at approximately 5pm, a mortar landed next to al-Rahma mosque, for the first time ever in our neighbourhood. Hanadi and Safaa were holding hands. While Safaa did not suffer any injury, Hanadi’s body was cut in half.”*

## **VIOLATIONS IN TA'IZ**

The dynamics of the ground fighting in the city of Ta'iz are in many respects similar to those in Aden, with anti-Huthi PRC armed groups controlling neighbourhoods in the city centre and Huthi/Saleh-loyalists armed groups controlling the city's outskirts and the countryside around it. However, in Ta'iz Amnesty International documented greater use of tanks by both sides within the city, including the firing of tank rounds into residential neighbourhoods. In both the city and surrounding villages residents told Amnesty International of instances when fighters from both sides launched attacks from their neighbourhoods despite civilians being present in the area, exposing residents to the risk of attacks from the opposing side.

### **Al-Kawthar District, behind al-Rawdha Mosque, 10 May**

Two consecutive mortar strikes killed six civilians, three of them children, Heba (17) and brothers Mohamed (17) and Hamza (11), and injured two women in Al-Kawthar district. Maryam, whose mother and sister died in the attack, recalled the incident to Amnesty International:

*“When we heard the sound of the mortars on late Sunday morning 10 May, we all ran to the ground floor of the building to hide-out with our neighbours. That is when the first shell hit the second floor of our building, killing my mother Sabah and sister Heba (17), while the second mortar landed in the courtyard. My other sister and I were injured.”*

Maryam's neighbour, Ali, who also lost his mother and four of his siblings, confirmed the incident:

*“The mortars fell on our house, which is behind al-Rawdha Mosque, at approximately 11.30. They came from the direction of the financial area [350m south of al-Kawthar district] where there are Huthi/Saleh soldiers with their military equipment. It killed my mother Najeeba, my brothers Mohamed (17) and Hamza (11), and my sisters Rihab (19) and Rana (16). Our neighbours Sabah and her daughter were also killed as they were seeking shelter in our home...the muqawama are stationed on the main road.”*

Amnesty International researchers saw a PRC checkpoint stationed on the main road (at al-Sha'b School) some 150m south-east of al-Kawthar neighbourhood. Amnesty International could not establish that the attack originated from the specific locations mentioned by the above witness.

#### **Qat Market, al-Osifra Neighbourhood, 19 May**

A 14-year-old girl was killed and her 35-year-old sister was injured in al-Osifra neighbourhood (100m east of Qat Market) at a time of reported clashes between PRC and Huthi/Saleh-loyalists fighters in the area. The brother of the victims spoke to Amnesty International about the night leading up to the incident:

*“On the night of 18 May, armed men belonging to Hamoud Saeed Mikhlafi [PRC leader] came to our neighbourhood and Forty Street neighbourhood [next door] with a tank, vehicles and gunmen who were firing from between our homes. I and a number of neighbours asked them to leave the area but they refused. They continued firing all night amidst our homes.”*

He continued:

*“The following day [19 May] at 1pm, they [PRC] returned with tanks to al-Muqwat [Qat Market] and fired towards al-Hojala, which is another residential area [controlled by Huthis] meaning they were firing on other civilians. Clashes occurred at that time and vehicles came loaded with armed men [PRC] with RPGs and LAW rockets. They were firing from between our homes towards Mount al-Wa’sh and elsewhere. The Huthis responded with anti-aircraft weapons that hit the third floor of our house, specifically the kitchen. My two sisters were in the kitchen, Sara<sup>31</sup> was close to the window so she was struck by shrapnel all over her body and she died. My other sister was about to leave the kitchen, but she was also hit and is in a bad condition. She is now in hospital. She does not know that her sister died. Many residents of the neighbourhood have been displaced due to the presence of the [PRC] militants. More people left the area after the strike at my house. The militants should have fought in a remote place away from civilians. Instead, they chose to fight and hide between the residential neighbourhoods to use people as shields to protect themselves and expose civilians to danger.”*

#### **Al-Muroor Neighbourhood, 13 May**

Twenty-five-year-old Ahmed lost his right foot when a shell struck his neighbour’s house Mohamed, whilst he was visiting him. Mohamed, who witnessed the incident, told Amnesty International:

*“On 13 May 2015, while we were sitting in the house, the Huthis were firing bazookas on us because the muqawama [PRC] was present in the neighbourhood. The muqawama had a tank under my building, I live on the third floor. When I asked them to leave, they told me that they will destroy the house over my head and they had a tank, so I kept silent and I didn’t argue with them. They were about 20 armed civilians and they were not from the neighbourhood. They made several barricades and occupied the building across from ours, which was already empty and locked. That night, my neighbour Ahmed and I were chewing qat at 11.30pm in the living room when we heard the sound of an explosion. I was fine but I heard Ahmed screaming ‘my foot... My foot’. The next day, when I went home I saw that the shell had passed through three walls. It was from the direction of the Huthi tank that was parked in front of September 26 School [200m North West of house], in front of the Technical Institute.”*

#### **Harit al-Saffar, al-Rawdha District, 9, 11 and 20 May**

The al-Rawdha district, north-east of the city centre, is under PRC control while surrounding neighbourhoods are under the control of Huthi/Saleh loyalists groups. Amnesty International delegates visiting the area in May 2015 witnessed PRC fighters firing from (alleyways) between houses full of civilians in the neighbourhood towards the area to the north where Huthi/Saleh loyalists armed groups were located.

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Amnesty International documented three separate incidents in which civilians were killed and injured in al-Saffar neighbourhood<sup>32</sup> of al-Rawdha district. Fragments of RPGs and mortars were found at the sites of the attacks. Eyewitnesses told Amnesty International that at the time of the incidents, there were no fighters or armed clashes in the areas where the attacks occurred.

Harit al-Saffar is controlled by PRC fighters and is surrounded by areas controlled by Huthi/Saleh loyalist armed groups (some 2-3km away). From the residents' description of events, the three attacks below seems likely to have been launched from Huthi/Saleh loyalist positions. Al-Saffar neighbourhood is sandwiched between Huthi/Saleh armed group positions on and around 60 Street (Ring road) (1-3.5km away from 60 Street) to the north and PRC positions near the al-Rawdha Hospital 200-500m to the south of al-Rawdha Hospital.

Sami Abdu Mohamed, described to Amnesty International the attack which killed and injured his relatives and neighbours on the afternoon of 9 May at 5pm:

*"My brother's wife and my wife were preparing to bake biscuits, when a mortar landed on the house and killed my brother's wife Samia Thabet Abdu Mohamed (30), and injured my wife Ramzia Rajeh Abdullah Said (29), my daughter Nora (6), and my niece Amira Ammar Abdu Mohamed (9), and our neighbours' daughter Lamis Ahmed Marish (4), and son Iqbal Qa'ed (28). All were injured by shrapnel."*

Lina al-Saqqaf, told Amnesty International how her seven-year-old daughter Reem and husband Ibrahim were killed in, a similar attack on 11 May. She said that after the incident the whole neighbourhood left, even the young men who usually stay behind to guard the families' homes:

*"On Monday 11 May, around 5.30pm, there were random mortars being fired and three landed here. We live behind al-Rawdha Hospital. When I opened the door for my husband, the first mortar came in our direction [killing her husband and daughter]. The neighbours rushed to help us when the second mortar landed, but thank god it did not hit anyone. The third mortar followed us all the way to al-Rawdha Hospital at the emergency room. It landed in front of the hospital. The neighbours first took us to al-Rawdha Hospital and then to Yemen International Hospital... the area is controlled by the armed men of Hamoud Said (PRC leader), and they are stationed at the al-Rawdha Main Street, two blocks away. When the mortars started hitting us, we didn't know from what direction they had come. People say from Jarra Mountain or Sabra or from al-Qahira Castle [3-5km to the south]. I feel like I live in a state of worry the whole time, even when I hear fighting and I am inside the hospital, I go out to the corridor to cry, my little girl and husband are dead."*

Fifteen-year-old Turki Fouad al-Kamil was killed while he was playing near his home on 20 May at 5pm. His uncle Abdelbaset Mohsin, 40, was injured in the same attack, which appears to have been launched by Huthi/Saleh loyalist groups possibly positioned at 60 Street. Um Yousef, Turki's aunt, described the incident to Amnesty International:

*"Turki was playing when the first shell landed far away from us, so he ran home, but a second one struck our home whilst he was standing by the door. The shell struck our house while we were inside. We suddenly saw smoke and dust in the house. There were children hanging around on the stairs, so I went to look for my children. I opened the door and I saw Turki in front of me; he was bleeding. Shrapnel had entered his heart, he was shaking uncontrollably. His uncle Abdelbaset had fallen a few steps away from him but he was conscious. Turki was still alive when he was taken away, but I knew that death was near, he was bleeding from his head and chest. He never woke up."*

She added:

*"It is normal for us to hear shelling in the distance. The neighbourhood is now empty, no one is left except for us and a couple more houses because another shell fell in the neighbourhood two weeks ago which killed Samia Thabet our neighbour, a mother of three girls, one of whom was injured by shrapnel. After the first attack, there were three or four families left. Now we are going to leave too."*

According to eyewitnesses and local residents, the attack came from the direction of Huthi/Saleh loyalist-controlled 60 Street, approximately 1-2km to the north of the strike. Fragments of the weapon which struck the al-

<sup>32</sup> Al-Saffar neighbourhood is sandwiched between Huthi/Saleh armed group positions on and around 60 Street (Ring road) (1-3.5km away from 60 Street) to the north and PRC positions near the al-Rawdha Hospital 200-500m to the south of al-Rawdha Hospital.

Kamil family home were identified by Amnesty International as part of a soviet-era projectile with a range of up to six kilometres, suggesting that it was likely fired from one of the Huthi/Saleh loyalist-controlled areas.

#### **Aqabat al-Thawra Neighbourhood, 26 April**

Two children, two-year-old Mohamed Sinan and his seven-year-old cousin Mohamed Murshid, were killed and three of their cousins - Suleiman Sinan (8), Abdelaziz Faisal (5) and Maria (4 months old) - were injured in the afternoon of 26 April at 4.30pm while playing on the third floor of their house by shrapnel from a mortar that landed in the narrow alleyway outside the house,<sup>33</sup> sending shrapnel flying all around. Khaled Sinan, the children's uncle, told Amnesty International:

*"I saw three children lying on the floor. They had been playing on the third floor of the building. Mohamed Murshid's had only a third of his head left attached to his body. We took them to the nearest hospital, al-Thawra. Then to al-Safwa Hospital, then to al-Rawdha Hospital and then to the Yemen International Hospital. It was an arduous journey because of the lack of petrol and because hospitals couldn't assist with first aid. Mohamed Sinan passed away in the Yemen International Hospital three hours after the strike... Until today, every time I close my eyes, I see the terrifying scene before my eyes. We never expected the shells to reach our houses and for that reason we never left. We just saw the armed men [PRC] located far from our house."*

#### **7 July Neighbourhood, 12 May**

On 12 May at approximately 10.30am, a mortar struck a shop in the middle of the 7 July neighbourhood killing five civilians, including 14-year-old Islam, and injuring four others, including 10-week-old baby girl. The shop is 300-400m away from a PRC position at al-Rawdha Hospital. A resident who witnessed the incident and helped to take the victims to Hospital told Amnesty International:

*"I live in the neighbourhood myself and I was in fact sitting in front of the place where the mortar landed in the communications computer shop opposite me. At the time, Khulood (25) and Islam (14), as I came to know their names later, were buying something from the kitchen utensils stall next to the shop. Suddenly, the mortar landed and all the people ran away, as did I. But I came back straight away and I saw how the utensils stall was destroyed and I saw the two girls bleeding between the mounds of utensils. I saw that the upper half of the body of the owner of the stall had burned while the bottom half had separated. I rushed along with another man who had a private Hilux car and the owner of the grocery store, Abdel'alim, to pick up the bodies and put them in the back of the car to take them to al-Rawdha Hospital. Islam's feet had been cut off completely but she was still alive and passed away that evening in the hospital. Meanwhile, her sister Khulood's body had been cut into two halves and she had died on the spot. The owner of the utensils stall, his internal organs and his severed body parts were amongst the utensils. I picked him up and he too had died on the spot. There were some other victims, the owner of the women's clothing shop next to the utensils stall had been sitting in front of his shop and was injured by shrapnel in his neck and died immediately. I also rescued the driver of a motorcycle who had been standing nearby and had been injured by shrapnel to the abdomen and had died immediately. I also witnessed a woman and some girls being helped and I also saw Dr. al-Kamali being helped from in front of the grocer's where he had been sitting. We took all these people in the same car to al-Rawdha Hospital. The mortar, based on the place where it fell, it either came from the direction of the Central Security Forces camp or Sabr Mountain [to the east and south, both locations under Huthi/Saleh loyalist control]."*

#### **Agricultural Neighbourhood, al-Shamasi, 15 May 2015**

A mortar killed two children, Ayham Anees (12) and Mohamed Mazen al-Maqtari (7), and injured two other children and a woman. Ten-year-old Amjad al-Wasabi lost an eye and Mohamed al-Kamali, 12, and Asmahan Abdulrahim, 25, both sustained shrapnel injuries. When a mortar landed in a narrow alleyway between houses where the children were playing in the afternoon of 15 May. The alleyway is 200m south-west of a PRC checkpoint by the National Institute for Administrative Sciences on Osifra Street. Munther Mohamed Abdulghani, uncle Ayham's and Mohamed Mazen described the incident to Amnesty International:

*"We heard an explosion in the neighbourhood at about 3.00pm (on Friday 15 May). I heard screams and I came to the scene and saw my brother Mazen, holding the body of his son Mohamed. His leg was cut off and he had died. I also saw my nephew Ayham, whose head had separated from his body. My brother's wife, Asmahan had*

<sup>33</sup> Remains of the mortar examined by Amnesty International.

*been injured by shrapnel. She had been standing next to the door watching the children play. It was a horrible scene; I did not know what to do. Before the strike I had told the children to play in the middle of the alley because it was the safest place, but it was not."*

A neighbour Antar Abdo Ali al-Sabri described the aftermath of the attack:

*"My friends and I were at that time somehow far from the neighbourhood when the explosion occurred after the afternoon prayers. A child, Mohammed al-Badawi, came running, looking horrified. Blood was running down his neck and there was a hole in his head, from the shrapnel. The children had been playing before the explosion. They especially play on Fridays. When we went to the alleyway to find out what happened, we saw Mohamed and Ayham on the ground. The blood was everywhere. Pieces of brains were smeared on the walls and windows of the house. Mohamed al-Maqtari died in the car while we were trying to rescue him. As for Ayham, he died on the spot in the alleyway. His body parts were blown all over the place. Mohamed's mother, Asmahan, was also injured. She was hit in her legs because she was standing in front of the door of her house where the shell fell. There was another child, Amjad al-Wosabi, who was playing with them. Amjad's left eye fell out of his head and he was later given an artificial eye at Yemen International Hospital where he was treated."*

He added:

*"I do not know why our neighbourhood was targeted. It was random shelling with mortars. Three shells fell in three adjacent neighbourhoods subsequently. After this incident, the majority of people later left the area to escape to villages, out of fear that another shelling might happen. No government or a private body investigated or asked about the incident."*

Other eyewitnesses and residents told Amnesty International that the mortars came from the direction of the Huthi-controlled Radio Station buildings, on the eastern side of the city. At the site of the attack Amnesty International delegates found fragments of a 1973/1974 U.S.-produced 81mm mortar round – an imprecise munition which cannot be accurately aimed at a specific target and should therefore not be used in civilian residential areas.

#### **Dhirat al-Qardhayn Village (10km south of Ta'iz), 16 May**

Seven civilians were killed, including one five-year-old boy and one 13-year-old boy, and eleven civilians were injured (including four women and four children, one of whom was eight months old) when three tank rounds landed outside a house in Dhirat al-Qurdayn village minutes apart in the afternoon of 16 May.

*"The village is almost 10 kilometres south of Ta'iz, separated by Mount Sabr," said Abdulhamid, a local resident. "We heard an explosion at 5.45PM on Saturday. The first shell fell in front of Anwar Said's house, killing his wife Doa'a. The villagers rushed to the place and another shell fell about five minutes later, killing six more people. When I arrived at the scene, the bodies were scattered everywhere. Eight-month-old Asrar was underneath her [dead] mother and when we tried to pull her out, we noticed that her left leg had been severed... [my neighbour] Ramzi's body was headless. The two shells fell in the same place with about three meters between them. The third shell landed on the outskirts of the villages, about 200 meters away, but it did not hit anyone. When the shells landed and we began to collect the body parts and help the wounded, I felt like I was going to die. It was a horrific scene."*

Wazira, a local resident, who was present at the scene during the attack, described how she tried to help the injured when the second shell landed:

*"I was sitting on the street with my neighbour [Fakhriya Abdullah], the mother of the two boys [Azzam and Ahid] who died, and some women from the village. We heard a whistle and we saw something black and behind it something red like fire. [The women and] I jumped and started running and shouting 'Doa'a... Doa'a!' because she was the first one who was hit when a shell fell in front of her house. We arrived and saw her heaped onto herself. She had been at the door cutting potatoes... Then Ramzi [local resident] came with his brothers Wajdi and Amjad to help as well as Abdullah Abdul Ghani [local resident]. I was looking for my children when Abdullah shouted: "Lie down on the ground everybody!" Ramzi had a blanket in his arms with Doa'a inside it. The second shell fell and Ramzi shouted 'Allahu Akbar' and then it exploded on him. I ran to rescue people and I heard Ahid calling me: "Auntie help me I am injured". I approached Ramzi and I noticed that his head was not there. I went towards Azzam and he was calling for his mother and saying "Mother rescue me". I was still looking for my children while*

*I was trying to save people... Sina Haza' [local resident] was on her face and injured in the neck... A piece of shrapnel had hit Ahlam's back and went out from her chest, while her baby girl Asrar had lost her leg."*

Yousef, a relative of those killed, spoke of his shock and reaction when he reached the scene after the second shell landed:

*"When I saw the bodies and body parts, I just started screaming and I didn't know what to do. The villagers had rushed to the scene to save who could be saved and collect the body parts and bodies. Two of my nephews were killed, 'Ahid (13) and 'Azzam (5). Their father, my brother Abdullah, was wounded and he is in the hospital. He only knows that his son 'Ahid was killed in the incident because he was killed while he was lying by his side, he doesn't know that 'Azzam was also killed, we have not told him yet out of fear for his health."*

At the site of the attack Amnesty delegates found fragments of a Soviet-era 125mm high explosive tank round, which could have a range of 5-8km. According to residents' testimonies, there were no armed men present or any kind of armed clashes in the village at the time of the attack. Amnesty International could not establish which side fired the shell or from where, as both sides have tanks.

### **Al-Sawani, 24 May**

Neighbours Khaled Ali Said, 40, and Adel Ahmed Abdullah Ali, 45, were killed outside their homes, and three of their neighbours – Mujeeb al-Dumaini (40), Abdelmalik Mohamed Awfan (42) and Eissa Ali Said (31) - were injured when a shell struck the second floor of Adel's two-storey house on 24 May on 6.40AM. Eissa, who lost his brother Khaled in the attack and was himself injured, told Amnesty International:

*"On the morning of 24 May, an explosion shook the house at around 6.30AM. We went out with the neighbours to inspect the source of the explosion to see that a tank round had hit a neighbour's wall. Ten minutes later, as we were standing in the courtyard, a second round struck the [northward facing] window of the second floor of our neighbour's house, Adel. The tank shell came from the direction of [anti-Huthi PRCs controlled] Jabal Jarra [Approximately 3km North West of al-Sawani neighbourhood]. My brother Khaled and Adel were killed and our neighbour Mujeeb sustained a serious back injury and he is now in Jordan getting treatment. Our neighbour Abdelmalik and I were both injured in the legs. Adel was a father to five children, and my brother Khaled left behind a four-year-old little girl and his wife was seven months pregnant."*

He added:

*"It was the first time a shell landed in our neighbourhood and it led to local residents leaving the area in fear of further strikes. Indeed, four more shells landed in the area in the weeks that followed, two struck al-Iryani home, one hit Mohamed Taresh's home and one landed in the Jewish cemetery. Thankfully, no one was injured or killed in those incidents."*

Amnesty International could not confirm that the attack originated from the specific locations mentioned by the witness. The neighbourhood, which falls under Huthi/Saleh control, is sandwiched between anti-Huthi PRCs controlled Jabal Jarra 3km to North West and a Huthi/Saleh permanent position where a tank is based and frequently fired into al-Maghraba neighbourhood (300m south of al-Sawani neighbourhood). Fragments found at the site of the attack, the direction of the impact and the pattern of destruction suggest that a tank round was likely fired from Jabal Jarra, where an anti-Huthi PRCs tank position was located at the time.

### **Al-Damgha, 3 June**

Abdelrahman Said al-Wahsh, 55, was killed and his son Fares, 20, was injured along with four other neighbours whilst attending a funeral in his neighbourhood. Fares, who sustained a broken leg, told Amnesty International:

*"We had been visiting our relative, Abdelrahman Abdelwahid, to attend a funeral and offer our condolences. At around 5PM, five shells landed in the doorway of the house. My father Abdelrahman was killed and I was injured. Four other mourners who had been attending the funeral were also injured, but I do not know their names. The Huthis regularly fire at the muqawama [anti-Huthi PRCs] from our neighbourhood, which leads to the other side retaliating."*

Fares' cousin, Hamdi Ahmed Ali, was also present at the funeral and helped take the injured to the hospital told Amnesty International:

*“We had been at our relative’s house in al-Damgha to offer our condolences, because his three year old son Abdelrahman Rabi’ has previously been killed in an airstrike on Al-Qahira Castle. The Huthis have a permanent position by al-Ihsan Mosque 300m west of our relative’s house. At around 5PM, we saw a Huthi tank passing by the house heading downhill towards the city. It was stationed approximately 15 meters away from the house when it began firing southwards in the direction of al-Jamhuri Hospital, where the muqawama are stationed [2km north-west of al-Damgha, al-Damgha being slightly elevated]. When we saw the tank pass by, we were in a hurry to get home before the fighting intensified. We made the mistake of leaving the house right after the tank fired six shells. A couple of minutes later, the muqawama replied with five mortars in a row. We saw the first mortar land close to the tank, which then started to retreat and move back up the hill southwards towards its position. It was moving in our directions and the mortars were still falling. There were seven of us standing in the doorway of the house when the fourth mortar landed close to us, killing my uncle Abdelrahman, and injuring my cousin Fares and another 12-year old relative, Mohamed Mujeeb Abdelwahid. Mohamed is currently in hospital, paralysed as a result of a head injury caused by shrapnel. After that incident, we were forced to move to Sana’a”.*

## **WORSENING HUMANITARIAN SITUATION**

The conflict has exacerbated an already acute humanitarian situation resulting from years of poverty, poor governance and instability. Prior to the conflict, 60 per cent of Yemen’s population required some kind of assistance to meet their basic needs, whether it was food, water, healthcare or shelters. As it stands now, 80 per cent – or 4 in 5 Yemenis - need some form of humanitarian assistance, prompting UN agencies to declare a Level 3 (most severe) emergency response for Yemen.<sup>34</sup>

The crisis has severely disrupted the provision of essential service in cities and rural areas alike. Schools in conflict-affected areas have been closed since March, disrupting education. Many are being used as shelters for internally displaced people (IDPs), while armed groups use some as bases, training or detention centres and others have been targeted and destroyed by coalition airstrikes. Ministry of Education officials in Sana’a told Amnesty International that 600,000 students have been unable to sit their final high school exams because schools are being used to house IDPs.

Damage to power stations and electricity networks have left parts of Aden and Ta’iz without electricity for prolonged periods, disrupting vital services such as water supply and health care, and impacting every aspect of life for the civilian population. Without electricity or fuel, even bakeries had to close<sup>35</sup> and already scarce food was wasted because it could not be refrigerated.

Access to water, already limited before the conflict due to dwindling resources and poor infrastructure,<sup>36</sup> has been further hindered by the lack of electricity and fuel needed to operate the pumps and by damage caused to water and sanitation infrastructure.<sup>37</sup> The scarcity and high cost of fuel needed to pump and transport water caused a multi-fold increase in the price of water, making it unaffordable for many. As a result a growing percentage of the population resorted to using unsafe water from contaminated sources.

Lack of water and electricity, as well as fear of coalition airstrikes, forced residents of then Huthi-controlled neighbourhoods of Crater, Khor Maksar, Ma’allah and other parts of Aden to leave their homes. During a visit to Crater in early July, the few beleaguered residents who remained there told Amnesty International that they had not had any electricity or running water for more than two months. “We are being forced to live like rats, in the

<sup>34</sup> Yemen: highest emergency response level declared for six months, 1 July 2015 <http://www.unocha.org/top-stories/all-stories/yemen-highest-emergency-response-level-declared-six-months>

Statement to the UN Security Council by Under-Secretary-General for Humanitarian Affairs Stephen O’Brien, 28 July 2015 <https://docs.unocha.org/sites/dms/Documents/UNSC-%20Yemen%20-%2028%20July%2015%20-%20USG%20%27Brien%20as%20delivered.pdf>

<sup>35</sup> UNDP, 5 May 2015 [https://www.facebook.com/permalink.php?story\\_fbid=10152985802827830&id=44015482829](https://www.facebook.com/permalink.php?story_fbid=10152985802827830&id=44015482829) ; Yemen Humanitarian Situation Overview: Aden & Sana’a, MSF (Doctors Without Borders), 30 June 2015 [http://www.msf.ie/sites/ireland/files/yemen\\_-\\_update\\_situation\\_and\\_msf\\_activities\\_30.06.15.pdf](http://www.msf.ie/sites/ireland/files/yemen_-_update_situation_and_msf_activities_30.06.15.pdf)

<sup>36</sup> See for example: Groundwater management and agricultural development in Yemen, 2009 [http://www.un.org/esa/dsd/dsd\\_aofw\\_wat/wat\\_pdfs/meetings/ws0109/2\\_Yemen\\_Salem.pdf](http://www.un.org/esa/dsd/dsd_aofw_wat/wat_pdfs/meetings/ws0109/2_Yemen_Salem.pdf)

<sup>37</sup> Two-thirds of people in conflict-hit Yemen without clean water, 26 May 2015 <https://www.oxfam.org/en/pressroom/pressreleases/2015-05-26/two-thirds-people-conflict-hit-yemen-without-clean-water>

darkness and stifling heat, and all this while we are fasting in Ramadhan. Life is unbearable.” said a resident, Abu Ibrahim.

A paramedic working in a health centre said: “What is electricity? It’s been so long that we have forgotten what it is. We had some water intermittently until 10 days ago but since then we have none, and there is no telephone network coverage here. It is very difficult to run a hospital in these conditions, the lack of electricity and water was making life unbearable, especially with the high temperatures and while fasting during Ramadan.”

While the impact of the damage to infrastructure is all too evident, establishing responsibility for the damage is often difficult due to competing narratives by the warring parties and their supporters. Damage in April, May and June to Aden’s electricity power stations and to the Barzakh Water Reservoir in Jabal Hadid, which cut off electricity and water supplies to various areas, including Ma’allah, Crater, Khor Maksar and Tawahi, has been blamed on both coalition airstrikes and shelling by armed groups.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported the following damage in one single Week in Aden: *“The water tanks in Al Jumhouria Hospital and Al Maala Health Complex in Aden were damaged by fighting last night, and both health facilities have no water today. Plans by partners to replace the tanks were unsuccessful today because of insecurity. Meanwhile, one employee from the local electricity company was reportedly shot dead by a sniper, and four other employees injured as they carried out repairs in Al Maala District. An employee of the water company was also injured”*.<sup>38</sup>

Shortage-induced price increases have put available food beyond the reach of a growing number of people who have lost their job or are no longer receiving their salaries. Public sector workers have not received salaries since the beginning of the conflict and many private sector businesses have been paralysed by the conflict and the blockade imposed on the import of commercial goods by the coalition. Lack of electricity and gas to refrigerate and cook food causes food waste at a time of increasing needs.

Government services are paralysed and humanitarian assistance woefully inadequate even in the capital and other major cities, and are all but inexistent in rural areas, where most of the population lives, and in conflict-affected areas, where civilians are most vulnerable. Most of the displaced families sheltering in schools, hotels and empty buildings told Amnesty International that the only assistance they had received was from local charities and neighbours.

The targeting of key logistic infrastructure - such as airports, seaports, bridges and main roads – by all parties in the conflict has had far-reaching consequences. Some have been damaged or destroyed by coalition airstrikes and shelling by armed groups and other have been closed or their use restricted by the parties. The damage caused to two bridges between Ta’iz and Aden, and to the Qaloo’a tunnel in Aden have further hindered the movement of civilians, food and essential goods and medical supplies – while causing little disruption to the movement of fighters. Aden has been affected both by the blockade imposed by the coalition on the import of commercial goods, including fuel, and by the restrictions imposed by Huthi/Saleh-loyalist armed groups on the passage of goods into areas controlled by anti-Huthi/PRC armed groups, which became the most densely populated areas since the outbreak of the conflict (as residents of Huthi-controlled areas sought shelter there). Even though Aden seaport has been partially functional since the start of the conflict, humanitarian supplies were diverted to the Huthi-controlled seaport of Hodeida,<sup>39</sup> restricting the flow to Aden of the little humanitarian aid which reached the country. Different factions have hindered or prevented the passage of humanitarian aid and medical supplies on the roads under their control. Amnesty International delegates saw dozens of trucks prevented from entering Aden by Huthi/Saleh-loyalist armed groups.

Under international humanitarian law, civilian humanitarian relief personnel must be granted freedom of movement by all parties to the conflict, and be protected from attack, harassment, intimidation, and arbitrary detention. The parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need.

<sup>38</sup> Yemen: Escalating Conflict Flash Update, OCHA, 17-23 April 2015 <http://reliefweb.int/report/yemen/yemen-escalating-conflict-flash-update-17-23-april-2015-1000>

<sup>39</sup> <http://www.theguardian.com/global-development/2015/jun/01/fighting-yemen-blocks-delivery-thousands-tonnes-food-aid>

## Health facilities

The conflict has caused a major health crisis, disrupting essential primary and secondary health care services. At least 160 health care facilities have been closed down across the country.<sup>40</sup> Those most in need of humanitarian assistance or medical care are often unable to access it due to a combination of lack of resources and fear. In June the medical charity MSF (Doctors without Borders) reported: *“Difficulties in accessing the hospital are caused by blockages to roads, movement being very risky due to fighting and snipers, and ambulances having been attacked and hijacked. 7 MoH ambulances have gone missing by the beginning of April. 2 Yemeni Red Crescent volunteers were killed on Friday 3rd April while in an ambulance. Our staff is still finding difficulties going to and from the hospital, and we have some staff who have been living at the hospital”*.<sup>41</sup>

A man who lost a finger and sustained other injuries as a result of a coalition airstrike on a Mosque in Lahj governorate told Amnesty International that he was unable to obtain the necessary medical care locally and had not been able to go to hospital in Aden, due to lack of fuel and fear of insecurity on the road.

The continued ground fighting and coalition airstrikes have placed enormous pressures on the capacity of hospitals and their remaining supplies. In Aden, directors and doctors at several hospitals in areas controlled by anti-Huthi/PRC groups (there were no functioning hospitals Huthi-controlled areas by July) told Amnesty International that their facilities lacked surgeons and specialists like ophthalmologists and neurologists. Many experienced doctors and nurses have fled due to the conflict. They also complained that staff had not received their salaries since March because the Huthi-controlled Ministry for Health in Sana'a had stopped transferring salaries to Aden, leaving health personnel with no choice but to go to Sana'a to receive their salaries – impossible for most as the journey is long, dangerous and expensive – and that the Ministry of Health has ceased to transfer money for the everyday running of hospitals. Doctors and hospital directors said they lack certain essential supplies, such as surgical strings, chest tubes, central lines, external fixators, anaesthetic drugs and laboratory solutions.

Patients in and outside hospitals told Amnesty International that they were unable to find or to afford the medical supplies they needed.

At a field hospital caring for post-surgery patients in Aden, Su'ud Amer, who lost both her legs in a mortar attack near her home on 5 July told Amnesty International that she felt unable to eat because there was no toilet chair she could use and going to the bathroom was too difficult. *“Please, she needs a toilet chair; she does not eat because of the difficulties of going to the bathroom and she is wasting away”*, her relative said. Nurses at the hospital said that they did not have access to such basic medical equipment.

In the same facility, nurses told Amnesty International that the wound of 50-year-old Fatima Ali, who sustained a shrapnel injury to the abdomen from a mortar strike on her home on 12 June, was infected because the colostomy bags she was using were poor quality and inadequate, but neither her family nor the hospital could afford better ones.

In the Gharbia neighbourhood of Dar Saad a resident who had sustained an abdomen injury from a stray bullet in May showed Amnesty International his infected open wound which needed colostomy bags, which he could not afford to buy.

Attacks on medical staff and property by fighters on both sides have been frequent. In Aden several doctors told Amnesty International that they had been victims of attacks and threat at gunpoint by anti-Huthi PRCs fighters as they were going to work. Amnesty International witnessed armed groups positions, including anti-aircraft machine guns, at several hospitals in Aden and Ta'iz. In Aden anti-Huthi PRCs fighters were observed firing assault rifles inside the al-Sadaqa hospital compound and launching mortars from next to the hospital, exposing patients and medics to the risk of retaliatory attacks from Huthi/Saleh-loyalist groups.<sup>42</sup>

<sup>40</sup> [https://www.humanitarianresponse.info/en/system/files/documents/files/yemen\\_hrp\\_revised\\_2015.pdf](https://www.humanitarianresponse.info/en/system/files/documents/files/yemen_hrp_revised_2015.pdf)

<sup>41</sup> Yemen: Crisis update – 2 June 2015 <http://www.msf.org/article/yemen-crisis-update-%E2%80%932-june-2015>

<sup>42</sup> The incidents witnessed by Amnesty International took place on 12, 13 and 14 July. On 14 July heavy fighting was taking place between the two sides, which resulted in the capture of the city in the following days by the anti-Huthi/PRC armed groups and the United Arab Emirates ground forces.

Similar conduct by fighters and their utter disregard for the protection of civilians forced hospitals such as al-Jumhouria Hospital in Aden to suspend its operations in late April.<sup>43</sup>

In the city of Ta'iz, al-Rawdha, al-Jamhouri and al-Thawra Hospitals are under the control of anti-Huthi PRC armed groups, and the Yemen International Hospital, one of the better equipped hospitals in the city, is under the control of Huthi/Saleh-loyalist armed groups. Amnesty International observed checkpoints manned by fighters outside these hospitals. It was noted that outside al-Rawdha hospital for example, anti-Huthi PRCs' machine guns mounted vehicles were stationed in front of the hospital entrance. Several victims of attacks who had needed urgent medical care told Amnesty International that al-Rawdha Hospital only admits fighters and civilians aligned with anti-Huthi PRCs, and the Yemen International Hospital only admits fighters from the Huthi/Saleh-loyalists armed groups and civilians aligned with them. In an interview with Amnesty International, the Director of al-Rawdha Hospital denied the allegations. Meanwhile, during Amnesty International delegates' visits to Yemen International Hospital, it was noted that soldiers in official military uniforms were stationed in in their tents at the entrance of the hospital and cars mounted with anti-craft weaponry belonging to the Huthi armed group/Saleh loyalists were stationed in the car park of the hospital.

In Ta'iz many of the doctors interviewed by Amnesty International also complained about their already weak capacity for receiving cases, worsened by the lack of electricity, water, fuel, medication, surgical equipment and staff. Many private and public hospitals have been forced to close, consequently increasing pressure on the few hospitals that have remained open, especially as new cases continue to arrive daily as a result of the ongoing fighting in the city. Meanwhile, the mounting deaths from the on-going fighting is resulting in hospital fridges reaching capacity and has forced hospitals to use ice cream fridges to store bodies. Al-Jamhouri Hospital has been forced to suspend its operations due to insecurity, having found itself surrounded by fighters from both sides - who repeatedly launched attacks in the direction of each other, hitting the hospital several times. A doctor at the hospital told Amnesty International of the everyday challenges they're facing due to a lack of staff and how the ongoing fighting and lack of fuel often prevent patients from reaching the hospitals:

*"Half the staff is working, the other half is absent due to... lack of transport, while others live in conflict areas that are closed off, and so they cannot leave. During the last few days, we had a big capacity to receive victims of the fighting but the numbers that do arrive are few. Humanitarian organisations are quasi-absent, only UNICEF offered us some basic medication for basic first aid that do not suffice for the needs of al-Jamhouri, while the Red Cross provided the dialysis department with water. Meanwhile, the guarding of the hospital is under the muqawama [anti-Huthi PRCs], who have taken the only remaining hospital cars five days ago."*

Doctors working in the Dialysis Department said that while they have been able to maintain the running of the department, some patients have not been able to come for their weekly sessions due to lack of fuel, which resulted in the death of three patients in their own homes.

Staff in the emergency unit of al-Thawra hospital told Amnesty International that daily clashes have been taking place around the hospital between opposing armed groups, despite the staff's appeal to the armed groups that the hospital is a civilian facility seeking to provide assistance to the sick and wounded. Moreover, like many other hospitals, al-Thawra has suffered from fuel shortages. On 6 May, a medic said that the Renal Department had to stop functioning for four days due to lack of fuel, which led to the death of three patients due to renal failure.

On 20 April, paramedic Abdelhalim al-Asbahi was shot in the head outside the hospital, while the ambulance driver Jamal Qudsi was shot in the shoulder. On 10 (12.30 pm) and 14 May (4pm), relatives accompanying patients were shot and injured in the hospital compound.

Al-Thawra Hospital staff provided Amnesty International with information about dozens of incidents of mortar and shelling between 26 April and 1 June, which have led to the injury of staff, killing of patients and the destruction of the hospital. Fragments of 60mm mortars and RPGs, both commonly used by all armed groups were seen by Amnesty International at the hospital, and cartridges of 7.62 bullets were found in the hospital yard in early July. Staff said that days earlier a nurse from the hospital who was also a member of an armed group had forcibly taken the newest ambulance, shooting open the door of the garage where the ambulance was kept.

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<sup>43</sup> <http://www.theguardian.com/world/2015/may/01/yemen-people-suffer-lack-food-power-medical-aid-battles-rage-on>



## RECOMMENDATIONS

### **To states members of the Saudi Arabia-led Coalition, and to states participating in in the coalition operation through intelligence, logistic or other support - including the United States and United Kingdom**

Fully comply with the relevant provisions of international humanitarian law in the planning and execution of any strikes by ensuring that civilians and civilian objects are not targeted; and that no attacks are carried out which do not discriminate between civilians and combatants, or which may cause civilian loss disproportionate to the anticipated military advantage;

Take all feasible precautions to minimize harm to civilians, including giving advance effective warnings of impending attacks when possible to the civilian population in the concerned areas;

Immediately cease the use of weapons which are unguided or which have a wide radius and which risk harming civilians in surrounding areas. Consistent with the prohibition on indiscriminate attacks, end the use of explosive weapons with wide area effect in populated areas;

Set up a concrete judicial mechanism to independently and impartially investigate the cases detailed in this report and any others where there is credible information that violations of international humanitarian law have been committed, make public the findings of the investigations, and bring those suspected of criminal responsibility to trial;

Provide prompt and adequate reparation to victims and families of victims of unlawful attacks which resulted in human and material damage, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition;

Make public information on intended military targets of strikes which resulted in civilian casualties, and on the parties involved in the planning and execution of such strikes;

Instruct all allied forces to respect and protect humanitarian workers and humanitarian aid facilities, supplies, and transportation. Allow full and unfettered access to humanitarian agencies to conduct humanitarian activities in all parts of the country and receive necessary aid supplies without interference;

Refrain from targeting key logistic infrastructure even if used for military purposes, if the incidental short-term and long-term consequences for civilians would be disproportionate to the concrete and direct military advantage sought in the specific attack.

### **To the government of President Abd Rabbu Mansour Hadi**

Demand that the states members of the Coalition take the actions listed below and provide assistance to victims and families of victims of unlawful attacks to seek and obtain justice and reparation;

Ensure that all groups under the command of the government abide by international humanitarian law and those fighters and groups found to be violating international humanitarian law and human rights law are brought to trial;

Ensure that fighters under the control of the Government immediately cease attacks on civilians and indiscriminate attacks, as required by international humanitarian law and respect the principle of distinction as set out under international humanitarian law;

Immediately order government forces and those allied to them to cease to launch attacks from areas populated by civilians, including from/near hospitals, schools and civilian homes, and remove and desist placing military objects and facilities from/in civilian areas, and where possible give warning and sufficient time to civilians to evacuate areas likely to come under attack;

Allow full and unfettered access to organizations providing humanitarian aid, including ensuring the safety of their staff and safe passage of all humanitarian equipment and supplies;

Provide prompt and adequate reparation to victims and families of victims of unlawful attacks which resulted in human and material damage, including through compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.

#### **To Huthi/Saleh-loyalist armed groups and anti-Huthi/PRC armed groups**

Immediately cease attacks on civilians and indiscriminate attacks as required by international humanitarian law and respect the principle of distinction as set out under international humanitarian law;

Immediately cease to launch attacks from areas populated by civilians, including from/near hospitals, schools and civilian homes, and remove and desist placing military objects and facilities from/in civilian areas, and where possible give warning and sufficient time to civilians to evacuate areas likely to come under attack;

End the use of imprecise explosive weapons with wide area effect such as artillery, mortars and unguided rockets in populated areas;

Hold to account all those who - including commanders and other superiors - give orders or violate international humanitarian law and international human rights law;

Allow full and unfettered access to organizations providing humanitarian aid, including ensuring the safety of their staff and safe passage of all humanitarian equipment and supplies;

Allow free and unrestricted movement of civilians into and from Ta'iz, Aden and surrounding areas, and allows civilians who wish to leave the area freedom to do so without threat or constraint.

#### **To the UN Human Rights Council**

The UN Human Rights Council create an international commission of inquiry to investigate alleged serious violations of international humanitarian law and international human rights law by all parties to the conflict since the beginning of hostilities in September 2014;

The Human Rights Council urges the parties to the conflict to abide by their legal obligations and implement the recommendations set out in this report;

Ensure that prompt and full reparation is provided to victims and families of victims of unlawful attacks which resulted in human and material damage.

#### **To the international community**

Halt arms transfers to any parties to the conflict where there is a risk that they could be used to commit or facilitate serious violations of human rights or international humanitarian law;

Recognize and condemn the violations and war crimes being committed in Aden and Ta'iz and in Yemen more broadly, as failure to act opens the way for intolerable human suffering and poses a challenge to the universality of international law;

Support the establishment of an international commission of inquiry to investigate alleged serious violations of international humanitarian law and international human rights law by all parties to the conflict since the beginning of hostilities in September 2014.

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