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**Letter dated 25 January 2019 from the Panel of Experts on Yemen  
addressed to the President of the Security Council**

The members of the Panel of Experts on Yemen have the honour to transmit herewith the final report of the Panel, prepared in accordance with paragraph 6 of resolution [2402 \(2018\)](#).

The report was provided to the Security Council Committee established pursuant to resolution [2140 \(2014\)](#) on 8 January 2019 and considered by the Committee on 18 January 2019.

We would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

*(Signed)* Ahmed **Himmiche**  
Coordinator

Panel of Experts on Yemen

*(Signed)* Fernando Rosenfeld **Carvajal**  
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\* Reissued for technical reasons on 26 June 2019.



## Final report of the Panel of Experts on Yemen

### *Summary*

Throughout the reporting period, Yemen continued its slide towards humanitarian and economic catastrophe. The country remains deeply fractured, with the growing presence of armed groups and deep-rooted corruption exacerbating the impact of the armed conflict for ordinary Yemenis within both Houthi-held areas and liberated governorates. Although there has been activity on some fronts, notably along the coast of the Red Sea, the ground war remains predominantly confined to relatively small areas. Most Yemenis therefore carry on with their lives within an economy broken by the distortions of conflict.

Talks held in Sweden in December 2018 overseen by the Special Envoy of the Secretary-General for Yemen, Martin Griffiths, between the Government of Yemen and a delegation from Sana'a have raised hopes that a political process may quell the primary conflict in Yemen. Following the talks, and in support of a new initiative to reduce threats to Hudaydah, the international community placed considerable pressure on the Saudi Arabia-led coalition (the coalition) and the Houthis to suspend fighting in Hudaydah, an event that may have escalated the conditions of food insecurity to a state of famine.

The Houthi leadership has continued to consolidate its hold over governmental and non-governmental institutions. In the first months of 2018, the General People's Congress (GPC) leadership in Sana'a was reduced and co-opted, forced to realign under Houthi leadership. Despite that consolidation, Houthis have met with some dissent from communities within Sana'a and its periphery.

Gaining access has continued to be problematic for the Panel. The Panel regrets that the Houthis have thus far been unwilling to allow the Panel to visit Sana'a to meet with victims of air strikes and commodity traders. The coalition has given the Panel access to view captured weapons, but the granting of access frequently takes longer than is desirable.

The lack of common interests within the alliance against the Houthis continued to exacerbate the fragmentation of the country. Although the Government of the President of Yemen, Abdrabuh Mansour Hadi, and its coalition partners have made significant progress on the ground against Houthi forces, the aim of restoring the authority of the Government throughout Yemen is far from being realized. Strong parallel security forces continued to emerge in 2018, while local leaders posed significant challenges to the fulfilment of the duties and obligations held exclusively by government officials and security forces.

The southern transitional council remains the primary source of opposition to the Government of President Hadi throughout the southern governorates. Southern transitional council allies, such as the United Arab Emirates-supported units of the Security Belt Forces, the Hadrami Elite Forces, the Shabwani Elite Forces and local government officials, continue to advance so-called "southern political agendas" while advancing secessionist aspirations. Some of the southern groups regard al-Islah party as a terrorist organization.

Throughout the reporting period, the threat to the safety and security of the shipping lanes in the Red Sea remained high. Although the number of maritime security incidents was not higher than in 2017, the threat to commercial shipping increased, as Houthi forces developed and deployed sophisticated weapons, such as anti-ship cruise missiles and waterborne improvised explosive devices, against

commercial vessels in the Red Sea. The Houthis targeted a vessel carrying wheat to Yemen, which endangered the delivery of humanitarian assistance and led to an increase in transaction costs for imports to Yemen. The Houthis also attacked and damaged two Saudi oil tankers, each carrying 2 million barrels of crude oil. The attacks could have created an environmental catastrophe in the Red Sea. The Houthi forces behind them meet the sanctions designation criteria.

The Panel is not aware of any seizures of arms or weapons-related materiel along the main overland smuggling route from east of Yemen during the reporting period. However, in August 2018, a substantial consignment of assault rifles was seized by a warship of the United States of America from a boat heading towards the southern coast of Yemen, strongly suggesting that the illegal trade of weapons continues in the Gulf of Aden. The Panel noted that Houthi forces continued to use extended-range short-range ballistic missiles, at least until June 2018, against targets in Saudi Arabia, as well as the deployment of anti-ship cruise missiles and waterborne improvised explosive devices. The coalition has given the Panel access to anti-tank guided missiles captured within Yemen that bear manufacturing dates in 2017.

Beginning in August 2018, the Panel began noting the deployment of extended-range unmanned aerial vehicles with a range that would allow the Houthi forces to strike targets deep into Saudi Arabia and the United Arab Emirates. Based on the evidence available, the Panel observed that, unlike in 2015 and 2016 when the Houthi forces used complete or partially assembled weapons systems supplied from abroad, such as extended-range short-range ballistic missiles, they now increasingly rely on imports of high-value components, which are then integrated into locally assembled weapons systems, such as the extended-range unmanned aerial vehicles. The Panel is continuing to investigate whether the Houthis are assisted in the process by foreign experts.

The Panel has found that significant war economies have emerged, as the legitimate Government, local authorities, the Houthis and other militias all collect revenues within their respective areas. They all claim either to provide governance or to be linked to providers of governance, but there is scant evidence that that is the case. A major conflict between the Government and the Houthis persists over the control of strategic resources and their associated rents, including the major ports at Hudaydah, Ra's Isa and Salif, the road checkpoint in Dhamar and the financial systems.

The Panel has identified a small number of companies, both within and outside Yemen, that operated as front companies under false documentation to conceal a donation of fuel for the benefit of a listed individual. The revenue from the sale of that fuel was used to finance the Houthi war effort. The Panel found that the fuel was loaded from ports in the Islamic Republic of Iran under false documentation to avoid detection by inspections of the United Nations Verification and Inspection Mechanism.

The Panel found an increase in the number of forged and counterfeit commercial documents. Although not new to Yemen, such traffic poses a significant challenge to due diligence for international financial institutions, donors and implementing humanitarian agencies involved in assisting the Yemeni people.

In the third quarter of 2018, the scarcity of hard currency in Yemen, which was needed to finance the import of fuel and other commodities, contributed to the rapid fall in value of the Yemeni rial. This prompted the Government of Yemen to establish a new mechanism for the import of certain items through the Central Bank of Yemen in Aden. Decree No. 75 was introduced, with the intention of limiting the role played

by currency exchange businesses, however, the mechanism created a distortion that favoured traders with links to the Government, to the detriment of those traders importing through the major Red Sea ports. The implementation of Decree No. 75 has been partially suspended to enable the import of essential commodities, but it is still used as the basis for blocking fuel importers who fail to comply with it. The Panel noted that the volatile exchange rate appeared to have reduced overall imports of essential commodities, including fuel, to Houthi-controlled areas and to have constrained the delivery of essential humanitarian assistance.

During the reporting period, there have been widespread violations of international humanitarian law and international human rights law by the various parties involved in the conflict. The coalition air strikes and the indiscriminate use of explosive ordnance by Houthi forces continued to disproportionately affect civilians and civilian infrastructure. The patterns of arbitrary arrest and detention, enforced disappearances and the ill-treatment and torture of detainees continued to be widespread throughout Yemen.

The near absence of the rule of law and the pervasive climate of impunity across Yemen are contributing factors to the widespread violations of international humanitarian law and international human rights law, in particular in the context of detention, and constitute a particular threat to journalists and human rights defenders.

The Panel noted that the consistent pressure placed by Houthis on humanitarian actors did not respect the Houthis' obligation to facilitate the rapid and unimpeded passage of humanitarian relief for civilians in need. The Panel observed that the Houthis demonstrated a frequent disrespect for international humanitarian law as applied to the protection of humanitarian relief staff, health-care personnel and health-care infrastructure. In 2018, the Houthis continued to obstruct humanitarian access and assistance, inter alia, by manipulating lists of beneficiaries, denying visas to humanitarian personnel without providing any justification, and in limiting access for humanitarian actors to certain zones and installations.

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\* The annexes are being circulated in the language of submission only and without formal editing.

## I. Introduction

### A. Mandate and introduction

1. By its resolution [2402 \(2018\)](#), the Security Council renewed the sanctions measures in relation to Yemen and further extended the mandate of the Panel of Experts on Yemen until 28 March 2019. The Panel is mandated to:

(a) Assist the Security Council Committee established pursuant to resolution [2140 \(2014\)](#) in carrying out its mandate as specified both in resolutions [2140 \(2014\)](#) and [2216 \(2015\)](#), including by providing the Committee at any time with information relevant to the potential designation at a later stage of individuals and entities who may be engaging in acts that threaten the peace, security or stability of Yemen, as defined in paragraph 18 of resolution [2140 \(2014\)](#) and paragraph 19 of resolution [2216 \(2015\)](#);

(b) Gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the sanctions measures and targeted arms embargo, in particular incidents undermining the political transition;

(c) Provide a midterm update to the Committee no later than 28 July 2018, and a final report to the Security Council no later than 28 January 2019, after discussion with the Committee;

(d) Assist the Committee in refining and updating information on the list of individuals subject to sanctions measures, including through the provision of identifying information and additional information for the publicly available narrative summary of reasons for listing;

(e) Cooperate with other relevant expert groups established by the Security Council, in particular the Analytical Support and Sanctions Monitoring Team established by the Council in its resolution [1526 \(2004\)](#).<sup>1</sup>

2. On 10 August 2018, the Panel presented a midterm update to the Committee,<sup>2</sup> in accordance with paragraph 6 of resolution [2402 \(2018\)](#). On 9 July, the Panel submitted a case study to the Committee concerning the attacks on commercial vessels in the Red Sea using anti-ship missiles on 3 April and 10 May.

3. The present report covers the period from 1 January to 31 December 2018. The Panel has also continued to investigate outstanding issues covered in its previous report, dated 26 January 2018 ([S/2018/594](#)).

### B. Methodology

4. In its investigations, the Panel complied with paragraph 11 of resolution [2402 \(2018\)](#), which pertains to the best practices and methods recommended in the report of the Informal Working Group of the Security Council on General Issues of Sanctions ([S/2006/997](#)). The Panel placed emphasis on adherence to standards regarding transparency and sources, documentary evidence, corroboration of independent verifiable sources and providing the opportunity to reply.<sup>3</sup> The Panel has maintained

<sup>1</sup> The Monitoring Team established by resolution [1526 \(2004\)](#), whose mandate was extended in resolution [2368 \(2017\)](#) until December 2021.

<sup>2</sup> The midterm update and the additional updates provided to the Committee and to the members of the Security Council are confidential (archived in the files of the Secretariat).

<sup>3</sup> Information on methodology and opportunity to reply is contained in annex 1.

transparency, objectivity, impartiality and independence in its investigations and has based its findings on a balance of verifiable evidence.

5. Given the difficulties in gaining access to areas in large part of Yemen, the Panel has been limited to the inspection of weapons systems, components and debris that were recovered by the Saudi Arabia-led coalition (the coalition). These inspections took place at various military installations in Aden, in Saudi Arabia and in the United Arab Emirates. The Panel has also inspected a recovered consignment of weapons on board the guided-missile destroyer USS *Jason Dunham*. In numerous cases, seized and recovered items were not made available to the Panel in a timely manner or critical components were held back by Member States. In some instances, even though items were made available by Member States, timely inspection was delayed owing to administrative and budgetary constraints imposed by the United Nations. This presented a challenge to maintaining the chain of custody, which the Panel has addressed by corroborating the information contained in the present report wherever possible through other sources, including interviews and analyses of photographic images. In order to identify supply networks, as well as potential violations of the targeted arms embargo, the Panel has included information regarding the chain of custody for items such as electric components and engines that were recovered from Houthi weapons systems, even though the items themselves are civilian in nature.

6. Where necessary to provide evidence, the Panel has included the names of the individuals and entities involved in financing the purchase of items, even when they are not in violation of the sanctions measures in relation to Yemen. The Panel has also included the last four digits of bank accounts, to show the relevant level of evidence.

7. The fact that the Panel has been able to undertake missions only in Aden undermined its capacity to gain access to first-hand, reliable evidence of violations of international humanitarian law and international human rights law, to incident sites and to witnesses. The cases investigated and set out in the present report are therefore not the result of selections made by the Panel, but instead are the result of the evidence made available to the Panel.

8. The Panel used satellite imagery of locations in Yemen procured by the United Nations from private providers to support investigations. It also used information from commercial databases that record maritime and aviation data and mobile telephone records. Public statements made by officials, concerning their own actions and made through official media channels, were accepted in corroboration of evidence, unless contrary facts were established. Although the Panel has been as transparent as possible, in situations in which identifying sources would expose them or others to unacceptable safety risks, the Panel decided not to include identifying information in the report and assigned the relevant evidence for safekeeping in United Nations archives.

9. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, in order to meet the highest achievable standard of proof.

10. The spelling of place names within Yemen is often dependent on the ethnicity of the source or quality of translation. The Panel has adopted a consistent approach in the report, with personal names and major place names spelled out as in previous United Nations documents and in accordance with the standard spelling found in the United Nations Terminology Reference System (UNTERM).<sup>4</sup> Dates in documents provided by Member States given according to the Islamic calendar have been

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<sup>4</sup> The names of localities are spelled as on the Geospatial Information Section map of Yemen provided in annex 2.

converted to the corresponding dates according to the Gregorian calendar. A list of abbreviations is provided in annex 44.

### C. Programme of work

11. In the course of their investigations, Panel members travelled to Bahrain, Djibouti, Egypt, France, Germany, Iran (Islamic Republic of), Israel, Italy, Jordan, Lebanon, the Netherlands, Oman, Qatar, Saudi Arabia, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yemen.

12. On 25 July 2018, the Secretary-General notified Member States of the difficult financial situation confronting the Organization and that the Secretariat might need to take measure to reduce expenses. In October 2018, the Panel was informed of cuts to its budget, which resulted in a reduction of its ability to execute its mandated tasks. The present report reflects the work that the Panel was able to accomplish within the reduced budget allocation.

13. The Panel made two requests for official visits to areas of Yemen under the control of the Government, Ta'izz and Ma'rib. The visit to Ta'izz, which was still under evacuation status at the time, was not conducted due to security concerns.<sup>5</sup> Although the logistics for the visit to Ma'rib were agreed upon by the Governments of Yemen and Saudi Arabia, due to the assessment on the United Nations part that there was a lack of suitable security arrangements in place at the scheduled time (November 2018), the visit did not take place.

14. The Panel requested visits to areas controlled by the Houthis (Sana'a, Hudaydah and Sa'dah) on four separate occasions.<sup>6</sup> The Sana'a-based authorities have provided no official response to those requests.<sup>7</sup>

### D. Cooperation with stakeholders and organizations

#### 1. United Nations system

15. The Panel wishes to highlight the productive cooperation with the Office of the Special Envoy of the Secretary-General for Yemen and the United Nations resident coordinators in the neighbouring States visited by the Panel. The United Nations country team and United Nations agencies with a regional mandate remain supportive of the Panel's work. The Panel has consistently had direct access to country team officials in Sana'a, Aden and the wider region to exchange information and expertise.

16. In conformity with paragraph 7 of resolution [2402 \(2018\)](#), the Panel has maintained cooperation with the Analytical Support and Sanctions Monitoring Team of the Security Council Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, the Monitoring Group on Somalia and Eritrea of the Security Council Committee pursuant to resolutions [751 \(1992\)](#) and [1907 \(2009\)](#) concerning Somalia and Eritrea and the Secretariat staff working on the implementation of resolution [2231 \(2015\)](#).

<sup>5</sup> "Evacuation status" was lifted by the Department of Safety and Security on 17 October 2018 for Ta'izz, Lahij, Dali', Bayda', Abyan, Ma'rib, Shabwah, Jawf, Hadramawt and Mahrah.

<sup>6</sup> Requests were communicated on 13 May, 22 June, 13 August and 11 October 2018.

<sup>7</sup> The Panel maintained regular informal contact with the Sana'a-based authorities.

## 2. Communications with Member States

17. The Panel has sent 139 letters to Member States and entities requesting information on specific issues relevant to its mandate. The Panel wishes to affirm that such requests for information do not necessarily imply that those Governments, or individuals or entities in those States, have been violating the sanctions regime. The Panel noted, however, that 16 per cent of requests to Member States for information were still awaiting a response. At the time of submission of the present report, the Panel was still awaiting replies from China, Indonesia, Japan, Malaysia, Oman, Saudi Arabia, Spain, the United Arab Emirates and Yemen. Furthermore, the ministry of foreign affairs, based in Sana'a, and several other entities have not yet replied. A summary of the Panel's correspondence during the reporting period is contained in annex 3 to the present report.

## 3. Government of Yemen

18. The Panel met with the President, Abdrabuh Mansour Hadi, the Prime Minister, Ahmed Bin Dagher, the Minister for Foreign Affairs/Deputy Prime Minister, Khaled Alyemany, and other officials of the Government of Yemen in Aden and Riyadh in June, July and October 2018.<sup>8</sup> The Panel did not have the opportunity to meet with Prime Minister Maeen Abdul Malek Saeed, who replaced Mr. Bin Dagher on 15 October 2018. During those meetings, Yemeni officials expressed their full support to the Panel and its investigations.

## 4. Houthis

19. The Panel maintained telephone contact with representatives of the Houthi Movement. The Panel attempted to coordinate a visit through deputy foreign minister Hussein Al Ezzi and spokesperson Mohammed Abdulalam Salah Fletah, and shared with them letters concerning the Houthi attacks on vessels in the Red Sea using anti-ship missiles (see para. 45 below), affording them an opportunity to reply, and has requested to visit Yemen with regard to the 9 August air strike on Dahyan, Sa'dah (see para. 136 (b) below and appendix E to annex 33). The above-mentioned representatives have indicated that the Sana'a-based authorities are unwilling to cooperate with the Panel on the basis of perceived inaccuracies contained in the previous report of the Panel (S/2018/594).<sup>9</sup>

## II. Threats to the peace, security or stability of Yemen

20. In paragraph 18 of resolution 2140 (2014), the Security Council determined that obstructing or undermining the successful completion of the political transition, as outlined in the Gulf Cooperation Council initiative and the implementation

<sup>8</sup> In order to avoid confusion between the Government of Yemen and Houthi authorities and appointees, for ministries and officials of the Government of Yemen, the Panel will use capitalization: for example, "Minister of Defence" and "Ministry of Defence". The Houthi duplicate administration would then be referred to as, the "Sana'a-based minister of defence and the ministry of defence". Similarly, military ranks and appointments will follow the same format, for example, "General" and "general", "35th Armoured Brigade" and "62nd mechanized brigade" and so forth. The Panel understands that such a distinction may not be clear in some languages.

<sup>9</sup> Among other concerns, the Sana'a-based authorities demanded an official correction of paragraphs 30 and 128 and footnotes 25 and 146 of document S/2018/594, regarding the reported executions or death of three individuals: Major General Mahdy Maqawala, Major General Abdullah al-Dhabaan and Minister of Telecommunications Julaidan Mahmood Julaidan. Subsequent to the issuance of the document, the Panel received information that all three individuals are alive. The Panel has suggested that the Houthi authorities submit an official letter to the Panel specifying their concerns regarding the document.

mechanism agreement, poses a threat to the peace, security or stability of Yemen and can be used as a designation criterion.

## A. Challenges to the authority of the Government of Yemen

21. The authority of the Government of Yemen continued to erode during the reporting period. Although President Hadi remained in Aden for over six weeks in June through August and visited the Governorate of Mahrah, the Panel has yet to observe any indication that he was able to strengthen his Government's authority in liberated areas.

22. The Panel's assessment is based on the following: (a) the proliferation of militia groups and lack of de facto control over proxy military forces armed and funded by the coalition; (b) the challenges posed by the southern transitional council and its affiliates; (c) the apparent lack of control over revenues from natural resources; and (d) the continued control over Sana'a and other northern governorates by the Houthi forces.

### 1. Challenges posed by the coalition and proxy forces

23. Although there has been a thawing in relations between the Government of Yemen and the United Arab Emirates, the Government of President Hadi remains unable to assert the exercise of its authority, duties and responsibilities over liberated areas. The meeting between Crown Prince Mohammed bin Zayed Al Nahyan and President Hadi in June 2018,<sup>10</sup> as military operations to take Hudaydah city commenced,<sup>11</sup> signalled progress in the relationship. It was not just as a consequence of bilateral relations, but also a product of efforts by Saudi Arabia to normalize relations between the Government of Yemen and its coalition partner. In November 2018, Saudi Arabia led efforts to improve relations between the United Arab Emirates and al-Islah party leadership residing in Riyadh.<sup>12</sup>

24. Such efforts to assert the authority of the Government of Yemen on the ground and avert southern elements within the United Arab Emirates sphere of influence from further antagonizing al-Islah have failed.

25. During the reporting period, officials of the Government were targets of hostility from elements allied with the southern transitional council led by former Aden governor Aydarus al-Zubaydi and Salafi leader Hani bin Breik, a former Minister of State.<sup>13</sup> In January 2018, clashes erupted in Aden between Presidential Protection Forces and forces under General Security Director Major General Shallal Ali Shaye,

<sup>10</sup> Gulf News, "Mohammad receives Yemeni President Hadi", 13 June 2018. Available at <https://gulfnews.com/uae/government/mohammad-receives-yemeni-president-hadi-1.2236071>.

<sup>11</sup> Al Jazeera, "Saudi Arabia, UAE, launch attack on Yemen's port city of Hudaida", 13 June 2018. Available at [www.aljazeera.com/news/2018/06/saudi-uae-launch-attack-yemen-port-city-hudaida-180613054921062.html](http://www.aljazeera.com/news/2018/06/saudi-uae-launch-attack-yemen-port-city-hudaida-180613054921062.html); and, Jon Gambrell, "Exiled Yemen president goes to UAE as port attack looms", 12 June 2018. Available at [Error! Hyperlink reference not valid.](#)

<sup>12</sup> The Panel continues to monitor how this rapprochement will play out in Yemen. See: Al Arabiya, "Saudi and UAE leaders meet Yemen Islah party chairman", 14 December 2017. Available at <https://english.alarabiya.net/en/News/gulf/2017/12/14/Saudi-and-UAE-leaders-meet-Yemen-Islah-party-chairman-.html>; Middle East Eye, "UAE crown prince hosts leaders of Yemen's al-Islah party", 14 November 2017. Available at [www.middleeasteye.net/news/uae-crown-prince-hosts-leaders-yemens-al-islam-party-2053065044](http://www.middleeasteye.net/news/uae-crown-prince-hosts-leaders-yemens-al-islam-party-2053065044); and, Erica Stuke, "December 11-17: Coalition offensive continues in Tihamah, Islah Leader meets with UAE", The Yemen Peace Project. Available at [www.yemenpeaceproject.org/blog-x/12172017](http://www.yemenpeaceproject.org/blog-x/12172017).

<sup>13</sup> The leadership of the security structure associated with the southern transitional council is described in annex 4.

including Security Belt Forces.<sup>14</sup> The Prime Minister, Mr. Bin Dagher, remained confined in the Mashik presidential palace, which was surrounded, until he was evacuated to Saudi Arabia.<sup>15</sup>

26. In May 2018, tensions arose between Mr. Bin Dagher and the United Arab Emirates over Socotra.<sup>16</sup> The crisis was again mediated by Saudi Arabia, and Mr. Bin Dagher withdrew to Saudi Arabia (see S/2018/440). In October, a new round of protests against the Government commenced, initially as the result of the rapid devaluation of the Yemeni rial (YER) and the deepening economic crisis, but the southern transitional council leveraged popular discontent and targeted the Prime Minister.<sup>17</sup> The southern transitional council accused Mr. Bin Dagher of corruption and called for his removal.<sup>18</sup> Mr. Bin Dagher was relieved of his post on 15 October.<sup>19</sup>

27. The other source of tension is the persecution of a faction of Salafi clerics who accept the principle of allegiance (*wilayat al-amr*) to the government leader<sup>20</sup> and members of the Sunni Islamist party al-Islah throughout the south. Al-Islah was a signatory to the November 2011 Gulf Cooperation Council initiative that led to Ali Abdullah Saleh (YEi.003) stepping down as President and was therefore vital to the continuing legitimacy of the presidency of President Hadi. Al-Islah is also seen as an affiliate of the Muslim Brotherhood, which the United Arab Emirates listed as a terrorist organization in 2014.<sup>21</sup> Whereas United Arab Emirates forces do not publicly condemn al-Islah, the Southern Movement (Hirak) and the southern transitional council do condemn al-Islah as a terrorist group,<sup>22</sup> which has led to allegations against southern elements<sup>23</sup> under the patronage of the United Arab Emirates as being behind

<sup>14</sup> Susanne Dahlgren, “The Southern Transitional Council and the War in Yemen”, 26 April 2018. Available at <https://reliefweb.int/report/yemen/southern-transitional-council-and-war-yemen>.

<sup>15</sup> Office for the Coordination of Humanitarian Affairs, “Yemen: Escalation of armed clashes in Aden – Flash Update 1”, 29 January 2018. Available at <https://reliefweb.int/report/yemen/yemen-escalation-armed-clashes-aden-flash-update-1-29-january-2018-enar>.

<sup>16</sup> Middle East Eye, “UAE military withdraws from Yemen’s Socotra under Saudi deal”, 18 May 2018. Available at <https://www.middleeasteye.net/news/uae-begins-evacuating-forces-yemen-socotra2088005109>.

<sup>17</sup> See <http://adengd.net/news/340784/>; Aziz El Yaakoubi (Reuters), “Yemen separatists call for uprising as U.N. pursues peace”, U.S. News and World Report, 3 October 2018. Available at [www.usnews.com/news/world/articles/2018-10-03/yemen-separatists-call-for-uprising-as-un-pursues-peace](http://www.usnews.com/news/world/articles/2018-10-03/yemen-separatists-call-for-uprising-as-un-pursues-peace).

<sup>18</sup> See <http://adengad.net/news/340621/>; Sheridan Sullivant, Mohamad El Kari, Tess Frieswick, “Gulf of Aden Security Review”, 3 October 2018. Available at [www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-october-3-2018](http://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-october-3-2018). See the response to the southern transitional council by Mr. Bin Dagher, available at <https://twitter.com/ahmedbindaghar/status/1047134458858606593>.

<sup>19</sup> Mr. Bin Dagher remains in Riyadh while the Government conducts an investigation into allegations of corruption. See Ramadan Al Sherbini, “Yemeni president sacks PM over economic woes”, Gulf News, 16 October 2018. Available at <https://gulfnews.com/world/gulf/yemen/yemeni-president-sacks-pm-over-economic-woes1.2290274>; and, Mohammed Abdul Malik, “What is behind the exemption of the Yemeni Prime Minister and referral to the investigation?”, Al Jazeera, 15 October 2018. Available at [www.tellerreport.com/news/--what-is-behind-the-exemption-of-the-yemeni-prime-minister-and-referral-to-the-investigation--.H1gMf7oGsX.html](http://www.tellerreport.com/news/--what-is-behind-the-exemption-of-the-yemeni-prime-minister-and-referral-to-the-investigation--.H1gMf7oGsX.html).

<sup>20</sup> Annex 5 contains descriptions of the dynamics associated with that faction of Salafi clerics.

<sup>21</sup> Rania El Gamal, “UAE lists Muslim Brotherhood as terrorist group”, Reuters, 15 November 2014. Available at [www.reuters.com/article/us-uae-politics-brotherhood/uae-lists-muslim-brotherhood-as-terrorist-group-idUSKCN0IZ00M20141115](http://www.reuters.com/article/us-uae-politics-brotherhood/uae-lists-muslim-brotherhood-as-terrorist-group-idUSKCN0IZ00M20141115).

<sup>22</sup> See <https://twitter.com/CMuRqWCngnJGOv/status/1074268396018167809>.

<sup>23</sup> Jonathan Rugman, “UAE accused of torture and running secret prisons”, 6 December 2018. Available at <https://www.channel4.com/news/uae-accused-of-torture-and-running-secret-prisons>.

the assassinations of clerics and a number of al-Islah party members and activists (see annex 6).<sup>24</sup>

## 2. Challenges posed by the Houthis

28. During the reporting period, the Panel identified members of the Houthi network, who continue to pose a challenge to the authority of the Government. Houthis have expanded their control over governmental and non-governmental institutions across the northern areas held by their forces, and the Panel noted that the Houthi leadership structure has remained relatively static. Abdulmalik al-Houthi (YEi.004) remains at the top of the leadership structure and its primary voice.<sup>25</sup> Mahdi al-Mashat,<sup>26</sup> a relative of Abdulmalik al-Houthi by marriage and close to Abdulkarim Amir al-Din al-Houthi, continued to serve as president of the supreme political council. Mohammed Ali al-Houthi still heads the supreme revolutionary committee but has attempted to reposition himself as the public face for the Houthis through social media and by reaching out to international audiences through media outlets based in the United States.<sup>27</sup> Other Houthis with prominent roles are indicated in figures I and II below.

Figure I  
Houthis of interest to the Panel



Source: Funeral of Nasser al Qawbary, 21 April 2018 ([www.sahafah24.net/wl406027.html](http://www.sahafah24.net/wl406027.html)).

Note: from left to right: Major General Abdulbaru Shumairi, (inspector general); Major General Hamood al Moushki (deputy chief of staff); Abdullah Yahya al-Hakim (YEi.002); Mohamed Ali al-Houthi; and Abdulkarim al-Houthi.

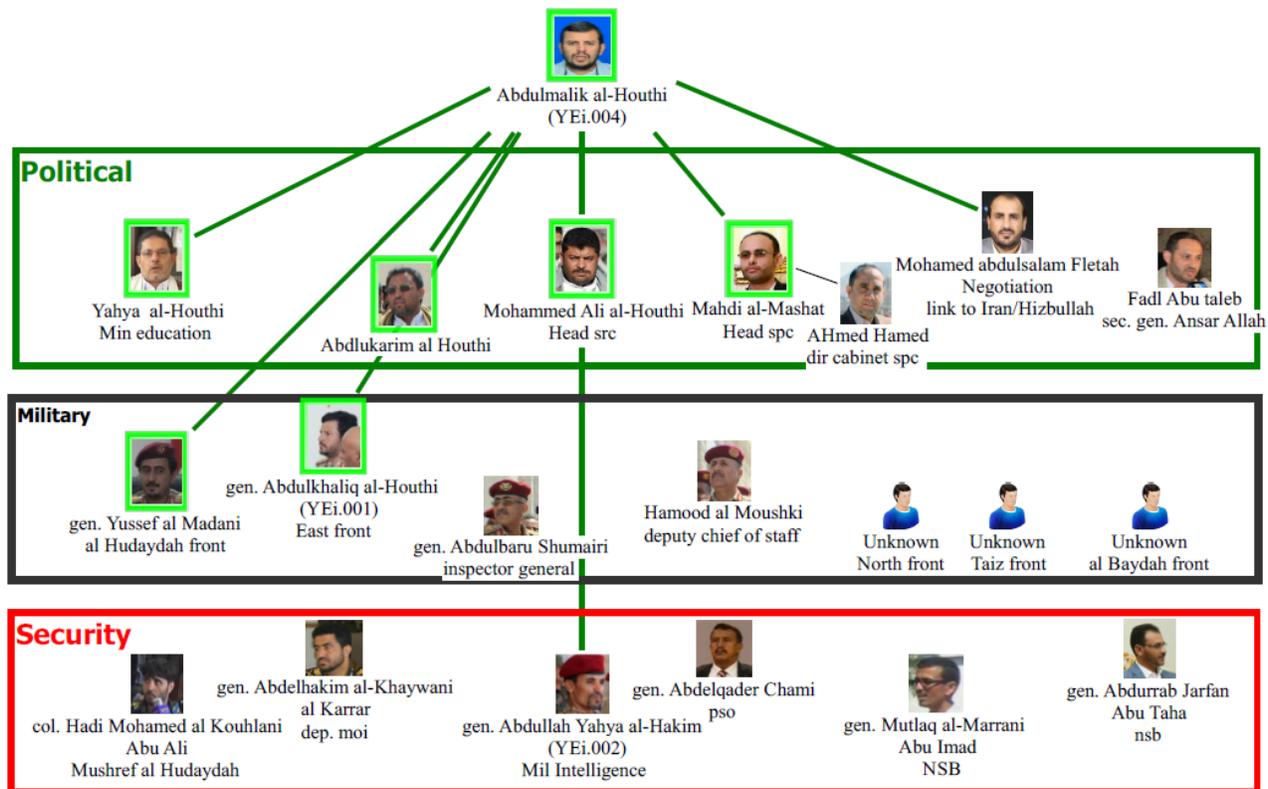
<sup>24</sup> The Panel conducted interviews with a number of al-Islah party officials, including Ansa Mayu, and activists who shared information about attempts on their lives and the conditions of detention in the counter-terrorism unit headquartered in Tawahi, Aden, adjacent to the residence of the Governor, which today serves as the headquarters of the southern transitional council. Some of them indicated that they were held at the Criminal Investigations Directorate in Khor Makser, under orders from Major General Shallal Ali Shaye. See also: Aram Roston, “A Middle East monarchy hired American ex-soldiers to kill its political enemies. This could be the future of war”, BuzzFeed News, 16 October 2018. Available at [www.buzzfeednews.com/article/aramroston/mercenaries-assassination-us-yemen-uae-spear-golan-dahlan](http://www.buzzfeednews.com/article/aramroston/mercenaries-assassination-us-yemen-uae-spear-golan-dahlan).

<sup>25</sup> Abdul Malik al Houthi, “Our surrender is impossible”, video, 27 October 2017. Available at <https://www.youtube.com/watch?v=sp9YFt1mOfk>; and, PressTV, “Houthi: Saudis blocked Ansarullah delegation”, video, 9 September 2018. Available at <https://www.youtube.com/watch?v=V6w9pXyjn8>.

<sup>26</sup> Mahdi Mohammed Hussein al Mashat with a last name also transliterated as “al Mshat” or “al Mashaad” was born in Sa’dah on 1 January 1986 (from personal identification in the Panel’s archives).

<sup>27</sup> Mohammed Ali al-Houthi, “Houthi leader: we want peace for Yemen, but Saudi airstrikes must stop”, *Washington Post*, 9 November 2018. Available at [https://www.washingtonpost.com/news/global-opinions/wp/2018/11/09/houthi-leader-we-want-peace-for-yemen-but-saudi-airstrikes-must-stop/?noredirect=on&utm\\_term=.53d563a12e35](https://www.washingtonpost.com/news/global-opinions/wp/2018/11/09/houthi-leader-we-want-peace-for-yemen-but-saudi-airstrikes-must-stop/?noredirect=on&utm_term=.53d563a12e35); and see also Naseh Shaker and Faisal Edroos, “Mohammed al-Houthi: We want a united and democratic Yemen”, Al Jazeera, 25 December 2018. Available at [www.aljazeera.com/indepth/features/houthis-mohammed-al-houthi-united-democratic-yemen-181225104212165.html](http://www.aljazeera.com/indepth/features/houthis-mohammed-al-houthi-united-democratic-yemen-181225104212165.html).

Figure II  
Houthi network of interest to the Panel



Source: Panel.

29. The Houthis are facing slightly increasing levels of dissent. During the reporting period, the Panel noted an uptick in the number of local protests and the level of dissent. Incidents included a protest at Sana'a University on 6 October and dissent in a village in rural Dhamar on 26 October.<sup>28</sup> More critically perhaps, some tribes within Sufyan and Khawlan have begun to show signs of rejecting Houthi control.<sup>29</sup>

### 3. Potential challenges from the Sana'a-based General People's Congress

30. Since the death of Ali Abdullah Saleh in December 2017, the General People's Congress (GPC) has been co-opted by the Houthi leadership. The Panel noted that GPC has fragmented into four loosely defined factions: one in Sana'a, one in Riyadh allied with President Hadi,<sup>30</sup> one led by Sultan al-Barakani (assistant secretary-

<sup>28</sup> On Friday, 26 October, Al-Wefaq news website reported that a Houthi militia burned a mosque in the village of Haqar in Dhamar after villagers refused to repeat the Houthi *sarkhah*. Villagers were quoted as saying that Houthi militants from a neighbouring village had arrived with Houthi gunmen and burned their mosque.

<sup>29</sup> See Al Arabiya, "Treachery accusations lead to killings of two Houthi group leaders", 27 November 2018. Available at <https://english.alarabiya.net/en/News/gulf/2018/11/27/Treachery-accusations-lead-to-killings-of-two-Houthi-group-leaders-.html>.

<sup>30</sup> Rashad al-Alimi and Hafedh Ma'yad are GPC officials residing outside Yemen, and the so-called "Southern General People's Congress" which held a meeting in Aden on 2 December 2018. See <https://www.youtube.com/watch?reload=9&v=3EkgJKe5AfM&feature=youtu.be>; <http://adengad.net/news/352467/>.

general of GPC) and one gravitating towards Ahmed Ali Abdullah Saleh (YEi.005).<sup>31</sup> The attempts by President Hadi in early December 2018 to call for a meeting of the parliament in Riyadh to elect a new speaker clearly signal that he is striving to coalesce political control.<sup>32</sup>

#### 4. Southern transitional council

31. Throughout the reporting period, the southern transitional council continued to challenge the Government of Yemen across liberated areas. From its headquarters in Tawahi, Aden,<sup>33</sup> the southern transitional council leadership orchestrated the January offensive and numerous protests against the Government. The Panel recalls the letter dated 22 March 2018 from the Permanent Representative of Yemen to the United Nations addressed to the President of the Security Council (S/2018/242), transmitting the comments of the Government of Yemen on the status of the southern transitional council and its non-peaceful activities. Since February 2018, southern transitional council president Mr. Al-Zubaydi has spent the majority of the time residing in Abu Dhabi, United Arab Emirates, with short visits to Aden to make public appearances.<sup>34</sup>

32. During the reporting period, officials of the Government were targets of hostility from elements allied with the southern transitional council led by former Aden governor Mr. Al-Zubaydi and Salafi leader Mr. Bin Breik. In January 2018, clashes erupted in Aden between Presidential Protection Forces and forces under General Security Director Major General Shaye, including Security Belt Forces.<sup>35</sup>

33. The southern transitional council has also called or claimed responsibility for public demonstrations held across southern governorates. The Panel noted that, in September, when street protests against the currency crisis commenced, the southern transitional council withheld statements condemning the public outrage, even as people burned images of Gulf Cooperation Council leaders. Security forces allied to the southern transitional council responded in Aden to control the protests.<sup>36</sup> A week later, Mr. Al-Zubaydi launched verbal attacks on the Government of Yemen, and the southern transitional council declared its support for the protests.<sup>37</sup>

34. The Panel also noted that units of the Security Belt Forces, Elite Forces of Hadramawt and Shabwah were seen displaying People's Democratic Republic of Yemen flags and southern transitional council logos at military academy graduations and during their deployments in Abyan, Aden, Dali', Lahij, Shabwah and Hadramawt. Tensions remain between tribal elements and the southern transitional council in Mahrah Governorate that stymie similar demonstrations of support.

<sup>31</sup> These observations extend from interviews with a number of GPC members and officials of the Government of Yemen.

<sup>32</sup> President Hadi has yet to call for a meeting of the parliament, given the absence of a quorum, but gathered a number of parliamentarians on 27 December 2018. See <https://presidenthadi-gov-ye.info/ar/archives/الرئيس-الجمهورية-خلال-لقائه-بأعضاء-البرلمان>

<sup>33</sup> The southern transitional council continued to hold the Aden Governor's residence as its headquarters.

<sup>34</sup> See <http://alyoum8.net/news/30624>; <https://www.aljazeera.net/services/fullimagearticle/f6451603-4dff-4ca1-9c10-122741d17432/a12c56f3-1272-45f9-97dd-068aea06b905>; [https://marebpress.net/news\\_details.php?lng=arabic&sid=134311](https://marebpress.net/news_details.php?lng=arabic&sid=134311); <https://news.un.org/ar/story/2018/08/1015742>.

<sup>35</sup> Dahlgren, "The Southern Transitional Council and the War in Yemen". **Error! Hyperlink reference not valid.**

<sup>36</sup> The protests initially occurred relatively organically and were led for the most part by local workers' syndicates in areas such as Ade.

<sup>37</sup> See <http://adengad.net/news/340621/>; <http://adengd.net/news/340784/>; and, Debiefer, "Hadramout governor threatens to halt oil exports amid escalating Yemen protests", 6 September 2018, available at <https://debiefer.net/en/news-3157.html>.

## B. Impediments to the cessation of hostilities and to the resumption of the political process

35. Following the collapse of the talks scheduled to be held in Geneva in September 2018, the Special Envoy of the Secretary-General for Yemen, Martin Griffiths, successfully launched a new round of talks between the Government of Yemen and the Houthis, held in Sweden in December.<sup>38</sup> The talks resulted in three agreements concerning de-escalation of the conflict around Hudaydah and its port, opening access to Ta'izz and a prisoner exchange. A United Nations team arrived in Hudaydah city on 23 December amid reports of ongoing clashes and air strikes throughout the governorate. The Panel is monitoring the situation in order to identify potential spoilers that could meet the designation criteria.

## C. Security and regional dynamics

### 1. Regional dynamics

36. The crisis relating to States severing diplomatic ties with Qatar and the tensions between Bahrain, Saudi Arabia and the United Arab Emirates, on the one side, and the Islamic Republic of Iran, on the other, continue to have an impact on the conflict in Yemen. The recent meeting of the Gulf Cooperation Council<sup>39</sup> delivered some positive outcomes towards a solution to the political conflict with Qatar, which may lead to a new coordinated approach for Yemen, minimizing fragmentation among anti-Houthi elements within Yemen.

37. In contrast, new sanctions imposed by the United States on the Islamic Republic of Iran and the degree of support from States of the Gulf Cooperation Council for United States policies have introduced uncertainty into the conflict. The Islamic Republic of Iran has repeatedly suggested that it is willing to play a positive role in the ongoing political process, a suggestion that has been rejected by the Government of Yemen, the coalition and the United States.

38. The Panel took note of a video alleging that Fadhi Ba'Oum was receiving financial support from the Islamic Republic of Iran and Qatar in order to build non-violent opposition capacity against the coalition presence in the southern governorates of Yemen.<sup>40</sup> The Panel is monitoring whether allegations that al-Islah

<sup>38</sup> The New Arab, "Houthi rebels refuse to withdraw from Yemen's Hodeida during landmark UN talks", 7 December 2018. Available at [www.alaraby.co.uk/english/news/2018/12/7/houthi-rebels-refuse-to-withdraw-from-yemens-hodeida?utm\\_source=twitter&utm\\_medium=sf/](http://www.alaraby.co.uk/english/news/2018/12/7/houthi-rebels-refuse-to-withdraw-from-yemens-hodeida?utm_source=twitter&utm_medium=sf/); and, Aziz El Yaakoubi, "Houthis reject government proposals over Sanaa airport in Yemen peace talks", Reuters, 7 December 2018. Available at <https://www.reuters.com/article/us-yemen-security/yemen-government-proposes-re-opening-of-sanaa-airport-in-peace-talks-idUSKBN1O61FE>.

<sup>39</sup> *The National*, "GCC summit to be attended by all six Gulf countries", 19 November 2018. Available at <https://www.thenational.ae/world/gcc/gcc-summit-to-be-attended-by-all-six-gulf-countries-1.793571>.

<sup>40</sup> One HIRAK Southern Movement faction in Hadramawt is led by Hassan Ba'Oum, whose son Fadhi Ba'Oum now maintains residences in both Lebanon and Oman. See [https://twitter.com/Ahmedalsaleh\\_SY/status/1074011016210599936](https://twitter.com/Ahmedalsaleh_SY/status/1074011016210599936). The Panel continues to investigate allegations by coalition members of contact between Fadhi Ba'Oum's close allies and the Islamic Republic of Iran; a video of such allegations can be found at <https://twitter.com/skynewsarabia/status/1045701203496239104>.

received money in Yemen from Qatar could constitute a potential threat to peace and security.<sup>41</sup>

39. The Panel noted the creation of the new six-country strategic political alliance for maritime security in the Red Sea and the Gulf of Aden, comprising Djibouti, Egypt, Jordan, Somalia, the Sudan and Yemen. The Panel will continue to observe the effects that that body may have on the conflict in Yemen.

## 2. Areas under the control of forces allied to the Government of Yemen

40. During the reporting period, the Panel noted that, beyond the ongoing military operations in Hudaydah Governorate, the Government of Yemen had not made much progress in the liberation of further territory outside the eight southern governorates. Security forces allied with the southern transitional council and under the direct patronage of the United Arab Emirates continued to represent the primary instruments of authority throughout the southern areas of Yemen and to marginalize the forces of the Government of Yemen across widespread sections of the liberated territories (see map 1).

41. The Panel noted that troops within forces under the direct patronage of the United Arab Emirates, namely the Security Belt and Elite Forces, received their salaries and bonuses on time, whereas, as the salaries of government troops in the south go unpaid month after month, it has diminished morale among them. Intelligence-gathering by the Government of Yemen is hindered by the marginalization of legacy institutions such as the National Security Bureau and the Political Security Organization by United Arab Emirates-supported counter-terrorism units, local security elements and Elite Forces.<sup>42</sup>

## 3. Involvement of the coalition forces

42. It is the assessment of the Panel that recent progress along battle fronts in Jawf, Sa‘dah and Hudaydah have strengthened the coalition’s view that the Houthis can be forced into peace talks.<sup>43</sup> The air campaign continued but has yet to deliver any major success in removing the significant players in Houthi leadership or its field commanders. The campaign’s most significant success was the air strike on supreme political council president Saleh al-Samad in April 2018,<sup>44</sup> whose death served to coalesce control over the supreme political council under the Houthi family rather than creating a schism between the Houthi political and military wings. The coalition continued to provide financial, political, military and logistics support to the Yemeni armed forces, as well as to a number of proxy armed groups.

43. The main areas of operations for coalition forces are at northern Yemeni borders, in Hajjah, Ma‘rib and Mahrah Governorates, with a minimal military presence in

<sup>41</sup> The Panel noted the arrest of Qatari national Mohsen Saleh Saadoun Al-Karbi, reportedly an intelligence officer, by the coalition at the Shahn border crossing point on 21 April 2018, on the basis of allegations that he was involved in providing financial support to political agents inside Yemen. The Panel sent a letter to the Governments of Yemen and Qatar requesting information on the case, and are awaiting the reply from Yemen. Qatar informed the Panel that the individual had not worked as an intelligence officer and that he had regularly travelled between Oman and Yemen to visit his relatives in Yemen. Qatar has information that Mr. Al-Karbi boarded an aircraft bound for Saudi Arabia after his arrest and that he has remained incommunicado since then.

<sup>42</sup> The Panel held interviews in Yemen and other countries in the region with officials familiar with such matters.

<sup>43</sup> See [https://twitter.com/AlArabiya\\_Brk/status/1073234059399184385](https://twitter.com/AlArabiya_Brk/status/1073234059399184385); and [https://twitter.com/AlArabiya\\_Brk/status/1073189923321188352](https://twitter.com/AlArabiya_Brk/status/1073189923321188352).

<sup>44</sup> Gulf News, “40 leaders, members of Al Houthi militant group listed by Saudi Arabia”, 6 November 2017. Available at <https://gulfnews.com/world/gulf/saudi/40-leaders-members-of-al-houthi-militant-group-listed-by-saudi-arabia-1.2119394>.

Socotra, whereas United Arab Emirates forces operate largely in Aden, Abyan, Hadramawt, Hudaydah, Shabwah and Ta'izz Governorates, excluding Ta'izz city.

Map 1  
Deployment of coalition forces in Yemen



Map No. 4588.1 UNITED NATIONS December 2018. Geospatial Information Section, Department of Field Support. Data and location source: Panel of Experts for Yemen, United Nations Security Council Sanctions Committee

44. The Panel continued to observe the pattern of emerging geographical centres of influence belonging to specific actors, as illustrated in map 1 above.

#### D. Maritime security

45. In 2018, the level of threat to maritime security in the Red Sea remained very high. Although the overall number of incidents was not higher than in the previous year, the threat for commercial shipping increased, as the Houthi forces were using increasingly sophisticated weapons systems to attack oil tankers flying the flag of Saudi Arabia. Map 2 illustrates the number the distribution of maritime security incidents in the region, including:

(a) Attacks using anti-ship missiles against very large crude carrier *Abqaiq* flying the flag of Saudi Arabia, on 3 April 2018, and against Turkish-flagged bulk carrier *Ince Inebolu*, on 10 May (see para. 80 below);

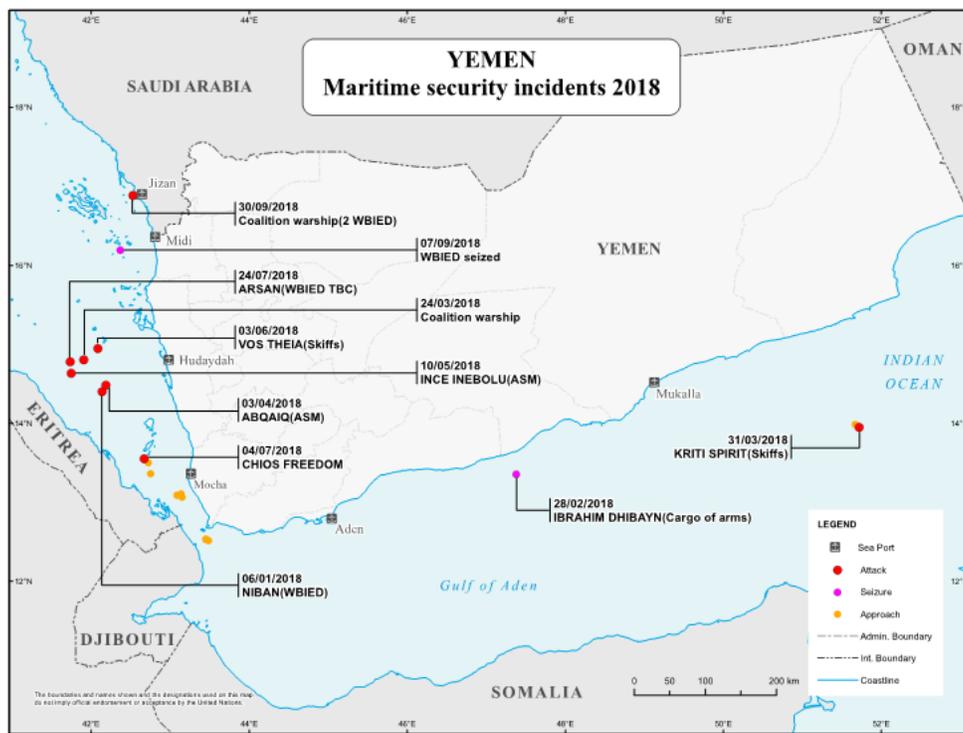
(b) An attempted attack against very large crude carrier *Niban* on 6 January and a successful attack against very large crude carrier *Arsan* on 24 July 2018 using a combination of skiffs and waterborne improvised explosive devices. Both vessels were flying the flag of Saudi Arabia (see para. 92 below);

(c) An attempted attack on 3 June by three skiffs carrying armed men against the Gibraltar-flagged offshore supply vessel *VOS Theia* operating a charter on behalf of the World Food Programme;

(d) An attempted attack against a coalition warship on 24 March allegedly through use of a rocket and a successful attack against a coalition warship using two waterborne improvised explosive devices on 30 September in Jazan port in Saudi Arabia;

(e) Two attempted attacks, as well as numerous suspicious approaches, involving skiffs carrying armed men, which were possibly not related to the conflict in Yemen.

Map 2  
Maritime security incidents, 2018



UNITED NATIONS December 2018. Geospatial Information Section, Department of Field Support. Data and location source: Panel of Experts for Yemen, United Nations Security Council Sanctions Committee

46. There have been repeated attacks by Houthi forces against oil tankers carrying up to 2.2 million barrels of crude oil. Any of those attacks could have led to an environmental and economic disaster for Yemen and the region. Furthermore, attacks against commercial vessels carrying humanitarian workers or food could seriously impede the delivery of humanitarian assistance in Yemen. The Panel considered those attacks to be violations of international humanitarian law.<sup>45</sup>

### III. Military units and armed groups

47. Pursuant to paragraph 17 of resolution 2140 (2014), as reaffirmed by the Security Council in its resolution 2216 (2015), the Panel continued to investigate

<sup>45</sup> See International Committee of the Red Cross (ICRC), Customary International Humanitarian Law database, attack against civilian object (rules 7–10) and attack against object indispensable to the survival of the civilian population (rule 54). Available at <https://ihl-databases.icrc.org/customary-ihl>. See also article 14 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of non-international armed conflicts (Protocol II), of 8 June 1977.

individuals and entities associated with armed groups who may be engaging in or providing support for acts that threaten the peace, security or stability of Yemen.

48. Pursuant to its mandate, the Panel focused on larger and more organized groups with identifiable political agendas.

## **A. Government of Yemen and coalition regular forces**

### **1. Government forces**

49. On 8 November, President Hadi appointed Mohammed al-Maqdashi as Minister of Defence. As with other branches of government, the Yemeni national army was highly constrained by a lack of funds. The army was present and playing an active role in some theatres, notably Ta'izz and north-western Shabwah, yet remained underresourced.

50. The Panel has attempted to identify the order of battle for the national army. Official documents suggest the presence of 136,930 troops of the national army and security forces stationed in Dali', Bayda', Jawf, Mahrah, Hadramawt, Hajjah, Ibb, Ma'rib, Sana'a, Shabwah and Ta'izz (see annex 8).

### **2. Coalition proxy forces**

51. The brigades currently fighting under coalition support in Yemen reportedly comprise a total of 100,000 irregular troops.<sup>46</sup> The brigades are composed of squads dominated by communities, often a village or even a single family.

52. The United Arab Emirates military clearly indicated that the control of proxy forces rested with the national Government and that it only provided support to the national army.<sup>47</sup> In practice, it closely supported the Security Belt Forces, the Amaliqah Brigades, the Hadrami and Shabwani Elite Forces and the guards of the republic.

#### **(a) Security Belt Forces**

53. Although the Government of Yemen indicated that the Security Belt Forces fell under the purview of the Ministry of the Interior,<sup>48</sup> the Panel continued to regard the Abyan, Aden, Dhali' and Lahij-based Security Belt Forces (see para. 23) as operating outside the Government's command-and-control structure (see S/2018/594).<sup>49</sup> The Panel noted that many senior officials of the Government of Yemen have stated that they had no control over units of Security Belt Forces and that the units continued to receive training and salaries from the United Arab Emirates. Those elements remained the spearhead for counter-terrorism operations in Abyan,<sup>50</sup> Aden and Lahij.<sup>51</sup>

54. Units of the Security Belt Forces, rather than the police, remain the de facto providers of security in Abyan, Aden, Dhali' and Lahij Governorates. While Major General Shaye was Director of General Security in Aden commanding the police elements under the Ministry of the Interior, he remained the main interlocutor between

<sup>46</sup> Figure recorded in an interview with official sources in Aden on 9 October 2018. This rounded figure appears inflated. On the major front in Tihama there are between 16 and 19 brigades – and therefore around 7,500 on the Hudaydah front. Developing the figure to include known forces in Aden, Bayda', Hadramawt, Hajjah, Jawf, Mar'ib, Shabwah and Ta'izz would suggest that the total figure is closer to 50,000.

<sup>47</sup> Interviews with United Arab Emirates military staff in Bureiqah on 10 October 2018.

<sup>48</sup> See <http://adengad.net/news/337814/>.

<sup>49</sup> Confirmed to the Panel during interviews conducted in Aden with various sources and officials from the Ministry of the Interior.

<sup>50</sup> See <http://adengad.net/news/338333/>.

<sup>51</sup> See <http://adengad.net/news/337817/>.

the United Arab Emirates military command and security forces in Aden. He also remained a staunch ally of Mr. Al-Zubaydi and the southern transitional council. The Panel noted the widespread deployment of units of the Security Belt Forces in Aden, where those elements played a role in combating common and organized crime.<sup>52</sup> In addition, their role in counter-terrorism operations<sup>53</sup> provided the cover for advancing a pro-southern agenda focused on persecuting their rivals in al-Islah party,<sup>54</sup> who are labelled as terrorists and linked to Al-Qaida in the Arabian Peninsula.<sup>55</sup>

55. The Panel noted that, whereas Security Belt Forces have consolidated their role in the above-mentioned areas, there remained substantial opposition among some southern elements to the expansion of their role and influence, such as in Dali<sup>56</sup> Governorate, where their intention to staff checkpoints posed a threat to the local security commanders.<sup>57</sup>

#### (b) Forces in Ta'izz Governorate

56. The city of Ta'izz remained engulfed by armed conflict at multiple levels. Although often described as a city under siege with only one open road in and out and a few dangerous footpaths, the reality is more nuanced. The main access roads are held by militias who prohibit certain kinds of traffic or demand high prices to allow traffic to pass. Surrounding that overall pattern of criminal activity, there are clashes between Houthi forces and their rivals, clashes between rival government military units and clashes between pro-Islah elements and Abu al-Abbas Brigades, all of which are vying for control over sections of Ta'izz or its periphery in order to extract rents.<sup>58</sup> The dynamics of the war economy prevent effective governance and constrain access for the delivery of essential humanitarian assistance.

57. Since the assassination of International Committee of the Red Cross staff member Hanna Lahoud in April 2018,<sup>59</sup> tension continued to rise between governor Amin Ahmed Mahmoud,<sup>60</sup> militant groups such as Abu al-Abbas Brigades, elements of al-Islah party and government military units such as the 22nd and 35th Brigades.<sup>61</sup> The Panel observed that groups continued to position themselves to fill the security vacuum across areas within the city of Ta'izz, often creating shifts in alliances and

<sup>52</sup> See <http://adengad.net/news/338032/>.

<sup>53</sup> See <https://arabic.euronews.com/2018/03/12/military-operation-mighty-torrent-crushes-alqaeda-forces-in-abyan-governorate-in-yemen>; and [www.alittihad.ae/article/63849/2018/م-عملية-اطلاق-أبين-في-القاعدة-ظول-لتعقب-المعارك](http://www.alittihad.ae/article/63849/2018/م-عملية-اطلاق-أبين-في-القاعدة-ظول-لتعقب-المعارك).

<sup>54</sup> See <http://adengad.net/news/338014/>.

<sup>55</sup> The Panel interviewed a number of al-Islah members who were detained in Aden, they provided evidence of their detention, conditions at detention facilities and confirmed assassinations of party members or affiliates. See annex 6.

<sup>56</sup> See [https://arabic.sputniknews.com/arab\\_world/201804071031414457/اليمن-في-عنفة-اشتباكات](https://arabic.sputniknews.com/arab_world/201804071031414457/اليمن-في-عنفة-اشتباكات).

<sup>57</sup> See [https://arabic.sputniknews.com/arab\\_world/201804101031486476/الضالع-مسلح-هجوم-اليمن](https://arabic.sputniknews.com/arab_world/201804101031486476/الضالع-مسلح-هجوم-اليمن).

<sup>58</sup> DeepRoot Consulting, "Caught in the Middle: A Conflict Mapping of Taiz Governorate", 16 August 2018. Available at [www.deeproot.consulting/single-post/2018/08/16/Caught-in-the-Middle-A-Conflict-Mapping-of-Taiz-Governorate](http://www.deeproot.consulting/single-post/2018/08/16/Caught-in-the-Middle-A-Conflict-Mapping-of-Taiz-Governorate).

<sup>59</sup> International Committee of the Red Cross, "Yemen: ICRC staff member shot and killed in Taiz", 21 April 2018. Available at <https://www.icrc.org/en/document/yemen-icrc-staff-member-shot-and-killed-taiz>.

<sup>60</sup> The governor was targeted while visiting Aden. The governor spent some time from September to October outside Yemen. Middle East Monitor, "Yemen: Taiz Governor escapes assassination attempt", 15 August 2018. Available at <https://www.middleeastmonitor.com/20180815-yemen-taiz-governor-escapes-assassination-attempt/>.

<sup>61</sup> Middle East Eye, "Tensions heighten between pro-Hadi groups in Yemen's Taiz", 30 August 2018. Available at <https://www.middleeasteye.net/news/yemen-tensions-heighten-between-pro-hadi-groups-taiz-abu-abbas-islah-taiz-578236891>; Garda News, "Yemen: Fighting in Taiz leaves 18 dead as of August 14", 15 August 2018. Available at <https://www.garda.com/crisis24/news-alerts/146016/yemen-fighting-in-taiz-leaves-18-dead-as-of-august-14>.

creating space for new, smaller militant groups primarily engaged in criminal activity such as extortion and assassinations for hire (see annex 9).

58. Al-Islah party made some gains in its attempts to become the dominant group in the city,<sup>62</sup> yet tensions remained between the party and the governor over control of local police elements, the military police and other security forces.<sup>63</sup>

**(c) Forces along the west coast**

59. Military operations against the Houthis by pro-Government forces along the west coast, in Hudaydah Governorate, remained a top priority for the Government of Yemen and the coalition. Given that fighting resumed in November 2018,<sup>64</sup> the Panel is of the view that pro-Government forces were unlikely to stop short of completely removing the Houthi presence in the city and port of Hudaydah.<sup>65</sup>

60. The Amaliqah Brigades and the guards of the republic remained the dominant armed forces leading military operations against the Houthis along the Red Sea coastal front in Tihama. The Amaliqah Brigades,<sup>66</sup> led by southern Salafi commanders, maintained a well-coordinated media campaign presenting themselves as the spearhead of military operations, while media emanating from the guards of the republic attempted to ensure that their forces obtained equal credit for successes, through posting videos of commander Tariq Mohammed Saleh visiting the front lines.<sup>67</sup> Although both armed forces shared the common goal to defeat the Houthi forces, they were far from being allies espousing common long-term goals. Tensions existed between the two groups as they competed for support from coalition members and over who would control Hudaydah following a Houthi defeat. While the Amaliqah Brigades declared their support for President Hadi, the guards of the republic commander Saleh had yet to receive an official appointment by the President.

61. The Panel noted the difficulty in reporting on the structure of those forces. The Amaliqah Brigades tended to contract and expand the number of units deployed as a consequence of changes in command structure, including in response to casualties among field commanders or incentives provided to soldiers. Overall, the apparent

<sup>62</sup> Sana'a Center for Strategic Studies, "Islah's political and military ascent in Taiz", 12 November 2018. Available at <http://sanaacenter.org/publications/the-yemen-review/6634>.

<sup>63</sup> The Panel conducted interviews with current and former officials from Ta'izz in-country and outside Yemen, as well as with residents of the city and the governorate.

<sup>64</sup> Murad Abdu, "Spotlight: Fresh fighting resumes in Yemen's Hodeidah, shattering UN-led peace efforts", Xinhua, 25 November 2018. Available at [www.xinhuanet.com/english/2018-11/25/c\\_137629034.htm](http://www.xinhuanet.com/english/2018-11/25/c_137629034.htm); and The New Arab, "Fighting resumes in flash point Yemen city despite peace push", 20 November 2018. Available at <https://www.alaraby.co.uk/english/news/2018/11/20/fighting-resumes-in-troubled-yemen-city-despite-peace-push>.

<sup>65</sup> *Japan Times*, "Fierce fighting resumes in Yemen's Hodeida after Houthis say they're open to truce", Reuters, 20 November 2018. Available at <https://www.japantimes.co.jp/news/2018/11/20/world/fierce-fighting-resumes-yemens-hodeida-houthis-say-theyre-open-truce/#.XBTgUSOZOgQ>.

<sup>66</sup> The leadership of the Amaliqah Brigades is drawn primarily from Subayhi district in Lahij, whereas their soldiers come from throughout the southern governorates. Pro-southern transitional council and pro-Hirak Southern Movement media outlets have launched a campaign to illustrate the role of southern fighters in the liberation of Hudaydah, with images of soldiers displaying the People's Democratic Republic of Yemen flag; (see <https://www.youtube.com/watch?reload=9&v=h-0ixoqm5jA>); See also Aziz El Yaakoubi, "Yemen separatist leader says Hodeidah offensive will not stop", Reuters, 20 September 2018. Available at <https://www.reuters.com/article/us-yemen-security-interview/yemen-separatist-leader-says-hodeidah-offensive-will-not-stop-idUSKCN1M01XW>.

<sup>67</sup> Tariq Mohammed Saleh is the nephew of Ali Abdullah Saleh (Yei.005), the latter of whom was killed on 4 December 2017, and served as a senior military commander based in Sana'a. In a previous report, the Panel reported the unconfirmed reports of the former's death during the clashes in December 2017 (see S/2018/594, para. 29); he was confirmed to be alive, and the Panel reported that fact in its midterm update (see <https://www.youtube.com/watch?v=yt7we4voK28>).

organizational plasticity would appear to benefit the forces at the brigade level and below, but it remains challenging for the higher levels of command.

**(d) Hadrami and Shabwani Elite Forces**

62. The Hadrami Elite Forces and the Shabwani Elite Forces are based in Hadramawt and Shabwah, respectively, and supported by tribal levies from those governorates. They are both closely supported by United Arab Emirates forces from Mukalla.

63. The Panel continued to monitor the presence of the Shabwani Elite Forces in the Belhaf area. The Panel understands that, in the past, lucrative contracts were available for military leaders in both Ma'rib and Shabwah for providing protection services to the oil and gas industry.<sup>68</sup>

**B. Armed groups**

**1. Houthi forces**

64. The Houthi leadership continued to hold the top levels of political and military power within a family-dominated structure, a trust circle formed primarily on the basis of loyalty, with key members being from the Houthi family or their relatives by marriage. The leading cadres are predominantly, but not all, drawn from Hashemite (*sayyid*) families. In the past, the Houthi leadership sought to be politically inclusive and sought support from across the political, religious and social spectra; more recently, there have been signs of decreasing diversity within the Houthi leadership.

65. The Panel is of the view that the “most wanted list” of Houthi officials issued by the Saudi authorities in November 2017 has resulted in only one death. Following the death of Mr. Al-Samad, president of the supreme political council, in April 2018, the coalition ceased its attempts to remove the major players among the Houthi leadership.<sup>69</sup> The Panel noted that the Houthi leadership had ceased to be visible in public and that Houthi missile launches directed at Riyadh had ceased in June 2018.

66. The Houthi military structure is organized in four segments: (a) one group fighting in Ta'izz; (b) one group holding Hudaydah; (c) one group fighting along the border with Saudi Arabia; and (d) a common force in charge of missiles and unmanned aerial vehicles. The Panel had yet to receive evidence of the presence of any formal military units, except possibly of formations fighting in Hudaydah, and dismissed the claim by the Houthis that they had the capacity to function as a working government.

67. Houthi recruiting is primarily performed by *mushrefeen* (supervisors) at the community level, who persuade young men, some as young as 16 years of age but most of them between 18 and 22 years of age, to join the Houthi forces. The Panel observed that most recruits from rural areas had not completed primary education and that the majority were not functionally literate (see annex 10).

<sup>68</sup> Military commanders will be aware of the substantial rents raised by the military commanders responsible for protecting the oilfields in Hadramawt and Shabwa in the period 2000–2014.

<sup>69</sup> The New Arab, “Wanted: Saudi Arabia slaps bounties on Houthi leaders with millions on their heads”, 6 November 2017. Available at <https://www.alaraby.co.uk/english/news/2017/11/6/wanted-saudi-arabia-slaps-bounties-on-houthi-leaders>.

## 2. Al-Qaida in the Arabian Peninsula

68. Al-Qaida in the Arabian Peninsula<sup>70</sup> remained active throughout a number of governorates in southern Yemen and Ta‘izz Governorate, although the Panel considered that, in comparison with previous years, its capacity had diminished in 2018.<sup>71</sup> United States-led strikes on Al-Qaida in the Arabian Peninsula elements had “decreased significantly from 2017 to 2018”. Al-Qaida in the Arabian Peninsula remained the target of United States-led forces in Bayda’ and Shabwah.<sup>72</sup>

69. Counter-terrorism operations continued across the southern governorates. In Abyan, Security Belt Forces launched Operation Crushing Revenge on 12 December 2018 in Mudiyah district,<sup>73</sup> while United Arab Emirates-supported Shabwani and Hadhrami Elite Forces operated around Sa‘id, Shabwah and western Hadramawt, respectively.<sup>74</sup>

70. The Panel also observed trends that provided a glimpse of the ongoing versatility of Al-Qaida in the Arabian Peninsula.<sup>75</sup> Despite its slowdown in media output, the *Al Medad* bulletins and *Al-Malahim* media output slowed to a trickle compared with 2017,<sup>76</sup> Al-Qaida in the Arabian Peninsula continued its attempts to lead the global

<sup>70</sup> Counter-Extremism Project, “Al-Qaeda in the Arabian Peninsula”. Available at <https://www.counterextremism.com/threat/al-qaeda-arabian-peninsula-aqap>; and, Critical Threats, “Al Qaeda in the Arabian Peninsula”. Available at <https://www.criticalthreats.org/organizations/al-qaeda-in-the-arabian-peninsula>.

<sup>71</sup> Bureau of Investigative Journalism, “Yemen: reported US covert actions 2018”. Available at <https://www.thebureauinvestigates.com/drone-war/data/yemen-reported-us-covert-actions-2018>; Peter Bergen and others, “America’s Counterterrorism Wars. Drone Strikes: Yemen”, New America. Available at <https://www.newamerica.org/in-depth/americas-counterterrorism-wars/us-targeted-killing-program-yemen/>; and, Bill Rogio and Alexandra Gutowski, “Yemen strikes wane, but AQAP still poses ‘significant threat’”, Threat Matrix, 7 November 2018. Available at <https://www.longwarjournal.org/archives/2018/11/yemen-strikes.php>.

<sup>72</sup> A number of Al-Qaida in the Arabian Peninsula elements escaped from a prison under Houthi control in Bayda’ Governorate. The Panel continues to investigate the incident, and the identities of every militant involved (see <https://7adramout.net/alyamanalarab/1821877/على-للقاعدة-هجوم-1821877-بأبين-الوضيع-في-الأمني-للحزام-نقطة.html>). On the leadership, see <https://www.state.gov/r/pa/prs/ps/2018/10/286750.htm>; Thomas Joscelyn, “US offers reward for information on 2 senior AQAP leaders”, FDD’s Long War Journal, 18 October 2018. Available at <https://www.longwarjournal.org/archives/2018/10/us-offers-reward-for-information-on-2-senior-aqap-leaders.php>; and, Courtney Kube, Robert Windrem and William M. Arkin, “U.S. airstrikes in Yemen have increased sixfold under Trump”, CBS News, 1 February 2018. Available at <https://www.nbcnews.com/news/mideast/u-s-air-strikes-yemen-have-increased-sixfold-under-trump-n843886>.

<sup>73</sup> Maher Farrukh (@MaherFarrukh), “CT efforts are still underway in #Yemen. #UAE-backed Yemeni forces began the wonderfully named ‘Operation Crushing Revenge’ to clear pockets of #AQAP from Abyan governorate in southern Yemen on 09 DEC. Efforts are currently concentrated in northern valleys and mountains of Mudia”, 12 December 2018. Available at <https://twitter.com/MaherFarrukh/status/1072913281445175297>; see also [www.aden.gov.net/news/353716/](http://www.aden.gov.net/news/353716/).

<sup>74</sup> Emily Estelle, Miranda Morton and Tomás Padgett Perez, “Gulf of Aden Security Review”, Critical Threats, 11 April 2018. Available at <https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-april-30-2018>; and Miranda Morton and others, “Gulf of Aden Security Review”, Critical Threats, 30 April 2018. Available at <https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-april-30-2018>; <https://www.criticalthreats.org/briefs/gulf-of-aden-security-review/gulf-of-aden-security-review-april-11-2018>.

<sup>75</sup> Elisabeth Kendall, “Contemporary Jihadi Militancy in Yemen. How is the threat evolving?”, Middle East Institute, July 2018. Policy Paper 2018-7. Available at [https://www.mei.edu/sites/default/files/publications/MEI%20Policy%20Paper\\_Kendall\\_7.pdf](https://www.mei.edu/sites/default/files/publications/MEI%20Policy%20Paper_Kendall_7.pdf).

<sup>76</sup> An annotated and chronological collection may be found at <https://jihadology.net/category/al-malahim-media>.

jihadist movement through online platforms,<sup>77</sup> with publications relating to the conflict in Yemen and global jihad.

71. In mid-2015, Ansar al-Sharia resurfaced as an unintended ally of the Government of Yemen<sup>78</sup> and the coalition against the Houthis in areas such as Ta‘izz, even though its military capacity was greatly reduced and leadership of the group remained unclear.<sup>79</sup> Ansar al-Sharia has fractured into fragments only loosely linked to the central leadership of Al-Qaida in the Arabian Peninsula under Qasim al-Raymi and Kahled Batarfi.<sup>80</sup> Each small group, often referred to as a brigade, today falls under the command of a young local leader. The brigades are primarily perpetrating criminal activity, such as extortion and assassinations, often for hire.

72. In areas such as Abyan, where Security Belt Forces led counter-terrorism operations with support from the United Arab Emirates, militants were identified as “Al-Qaida organization operatives and leaders” and rarely directly as part of Ansar al-Sharia,<sup>81</sup> possibly due to the narrative priorities of southern security officials, rather than to direct affiliation with the organization of those detained or killed. Al-Qaida in the Arabian Peninsula appeared to be a disparate network of individuals for whom mobile telecommunications had become a significant threat.

### 3. Islamic State in Iraq and the Levant

73. The affiliate of Islamic State in Iraq and the Levant (ISIL) in Yemen remained much smaller in numbers than that of Al-Qaida in the Arabian Peninsula and appeared to be less capable of carrying out large-scale attacks beyond its bases in Qayfah and Humaydah districts in Bayda’ Governorate. The last major attack claimed by ISIL in Yemen was in February 2018 in Aden.<sup>82</sup>

74. The Panel observed during the reporting period that ISIL had failed to attract significant numbers of fighters, unlike Al-Qaida in the Arabian Peninsula. There may be a number of reasons for that, including the October 2017 strike by the United States on two training camps in Bayda’, their lack of access to the financial resources of

<sup>77</sup> Although it remains to be seen how militants are affected by recent decisions from social media companies aimed at curtailing the use of their platforms by militant groups. See Alon Ben-Meir (@alonbenmeir) “The messaging app #Telegram, the platform of choice or necessity for #jihadists, has announced that it suspended over 3,000 “terrorist” accounts on 6 December alone”, 9 December 2018. Available at <https://twitter.com/AlonBenMeir/status/1071885136424300549>; and, Scott Terban, “An assessment of violent extremist use of social media technologies”, Real Clear Defense, 5 February 2018. Available at [https://www.realcleardefense.com/articles/2018/02/05/an\\_assessment\\_of\\_violent\\_extremist\\_use\\_of\\_social\\_media\\_technologies\\_113015.html](https://www.realcleardefense.com/articles/2018/02/05/an_assessment_of_violent_extremist_use_of_social_media_technologies_113015.html).

<sup>78</sup> Upon taking power in 2012, President Hadi launched military operations against Ansar al-Sharia in Abyan Governorate, with financial support from Saudi Arabia and military support from the United States. See Katherine Zimmerman, “Al Qaeda in Yemen: Countering the threat from the Arabian Peninsula”, Critical Threats, 19 October 2012. Available at <https://www.criticalthreats.org/analysis/al-qaeda-in-yemen-countering-the-threat-from-the-arabian-peninsula>; and, Yemen Times “Yemen’s counter-terrorism unit to fight Ansar Al-Sharia”, 16 April 2012. Available at <https://reliefweb.int/report/yemen/yemen’s-counter-terrorism-unit-fight-ansar-al-sharia>.

<sup>79</sup> This comes from interviews by the Panel with current and former government officials from Ta‘izz and residents of the city of Ta‘izz.

<sup>80</sup> Joscelyn, “US offers reward for information on 2 senior AQAP leaders”. Available at <https://www.longwarjournal.org/archives/2018/10/us-offers-reward-for-information-on-2-senior-aqap-leaders.php>.

<sup>81</sup> Warning: the following link leads to a page containing a graphic image: <https://almasdaronline.com/cache/blitz/www.almasdaronline.com/articles/158545/index.html>; <https://www.almashhad-alyemeni.com/123020>.

<sup>82</sup> See <https://almasdaronline.com/cache/blitz/www.almasdaronline.com/articles/158545/index.html>; see also <https://www.almashhad-alyemeni.com/123020>.

Al-Qaida in the Arabian Peninsula and clashes with Al-Qaida in the Arabian Peninsula, which has a much longer history of relations with some tribes in the area.<sup>83</sup>

75. ISIL and Al-Qaida in the Arabian Peninsula have escalated their conflict over recruits.<sup>84</sup> This particular aspect of the rivalry has gone global, as both organizations continued to publish videos and newsletters demonizing each other. Such attacks focused on crimes committed against Muslims and accusations of spies for one side having infiltrated the other.<sup>85</sup> Unlike with Al-Qaida in the Arabian Peninsula, there is no clear evidence that ISIL is attempting to rebrand itself or fragment into smaller factions.

#### IV. Arms and implementation of the targeted arms embargo

76. Pursuant to paragraphs 14 to 17 of resolution 2216 (2015), the Panel continued to focus on a range of monitoring and investigative activities in order to identify whether there have been any violations of the targeted arms embargo involving the direct or indirect supply, sale or transfer to, or for the benefit of individuals and entities listed by the Committee and the Security Council.

77. The Panel was not aware of any seizure of arms-related material along the main supply routes from the east of Yemen. The Panel was monitoring whether the recent deployment of Saudi forces to Mahrah Governorate had affected the supply chains for the delivery of weapons and ammunition previously reported by the Panel (S/2017/81, para. 60 and table 1). On 28 August, one significant consignment of arms was seized by the United States Navy from a skiff close to the coast of Yemen. The Panel continued to investigate to whom those weapons were to be delivered.

78. The Houthi forces continued to project power beyond the battlefield in Yemen through the use of extended-range short-range ballistic missiles, at least until June 2018, against targets in Saudi Arabia (see para. 80 below), as well as through the deployment of anti-ship missiles and waterborne improvised explosive devices against military and civilian vessels in the Red Sea. A new trend was the deployment of a new type of longer-range unmanned aerial vehicle, the use of which has been observed since August 2018, which might allow the Houthi forces to attack targets as far afield as Abu Dhabi and Dubai. Crucially, the new weapons serve both a military and political purpose as a bargaining chip during peace negotiations.

79. Despite the aerial and naval superiority of the coalition, and the fact that all land borders are, at least in theory, under the control of forces affiliated with the Government of Yemen, the Panel found that the Houthi forces showed a capacity to innovate and deploy more sophisticated weapons systems. However, based on the evidence available to the Panel, it seemed that, whereas in 2015 and 2016, complete or partially assembled weapons systems such as extended-range short-range ballistic

<sup>83</sup> The current focus of most counter-terrorism and anti-Al-Qaida in the Arabian Peninsula activity is in Bedia, Bayda' Governorate, consisting of operations against a small tribe and extended family. The Dhahab family came to prominence around the time that Al-Qaida in the Arabian Peninsula had established a foothold in the Abyan delta. The Dhahab family and their followers briefly held Rada' town itself but were fairly quickly rejected by the townspeople in what appears to have been an intertribal disagreement. Since 2012, the family has been hunted down, with the most recent attack occurring in mid-November 2018.

<sup>84</sup> Jason Burke, "Al-Qaida moves in to recruit from Islamic State and its affiliates", *Guardian*, 19 January 2018. Available at <https://www.theguardian.com/world/2018/jan/19/al-qaida-recruit-from-islamic-state-affiliates-isis>.

<sup>85</sup> Jihadology, "New video message from al-Qaidah in the Arabian Peninsula: 'Of Their Crimes'", 5 December 2018. Available at <https://jihadology.net/2018/12/05/new-video-message-from-al-qaidah-in-the-arabian-peninsula-of-their-crimes/>.

missiles were supplied to the Houthi forces from abroad, they are now increasingly relying on the import of high-value components, which are then integrated into locally assembled systems such as extended-range unmanned aerial vehicles. The Panel continued to investigate whether the Houthi forces were assisted by foreign experts in that process.

### A. Anti-ship cruise missiles

80. With reference to its July 2018 case study concerning the attacks against commercial vessels in the Red Sea, the Panel received further information and was updating its investigation thereon. The Panel is of the view that Houthi forces were responsible for the attacks on the *Abqaiq* on 3 April and against the *Ince Inebolu* on 10 May. The Panel interviewed crew members, representatives of the shipping companies and naval experts and analysed the debris from both vessels, as well as radar images (see annex 11). On the basis of an assessment of the available data, the Panel has concluded that both vessels were hit by anti-ship missiles launched from land. In the case of the attack on Turkish-flagged *Ince Inebolu*, which carried a cargo of grain bound for Yemen, it seems very likely that the intended target was Saudi-flagged very large crude carrier *Manifa*, which at the time of the incident was passing in the proximity of the *Ince Inebolu*. In both cases, a major loss of life was only narrowly averted.

81. On 7 November 2017, the Houthis posted in the media images of five anti-ship missiles, named Al-Mandab-1, which showed external characteristics similar to the C-801 and C-802 anti-ship missiles produced by China.<sup>86</sup> The Panel inspected projectile debris from both targeted vessels and found the following: (a) items with characteristics similar to the C-802;<sup>87</sup> (b) markings indicating serial numbers C-802; and (c) items from a French-made TRI-60 Microturbo engines (see figure III). The Panel sent letters to the Governments of China, France and Yemen, with a view to identifying the exact type of missile used. The Panel received confirmation from the Government of Yemen that C-802 anti-ship missiles were part of the country's arsenal prior to the imposition of the targeted arms embargo, which implied that the missiles fell under the control of the Houthis in 2015. However, the confirmation letter from the Government of Yemen did not specify which version of the C-802 missile family had been imported. The Panel received information that the Microturbo engine identified in the attack on the *Abqaiq* had been supplied to SODIS SA in Barcelona, Spain, with part number 200-01-20 and serial number 122. The Panel sent a letter to Spain requesting information on the last known custodian of the engine. The Panel is awaiting a reply from Spain, as well as additional information from France. The Panel has received information from China that no C-802 missiles were exported to Yemen.

82. At the time of the attack, the vessels were at a distance of 88 km and 123.8 km from land. The C-802 family of missiles was produced in many variants, including a land-launched version with a range of 190 km. The use of such missiles was a demonstration of the capacity of the Houthi forces to effectively threaten commercial navigation across the Red Sea. The Panel is of the view that the Houthi forces have used a combination of visual observation, from land and skiffs, and mobile land-based radar for target acquisition.

<sup>86</sup> See <https://www.youtube.com/watch?v=k4xiknMgDTY&feature=youtu.be>.

<sup>87</sup> The Panel was only given access to the item in December 2018.

Figure III  
Anti-ship missiles debris

Actuator with tapered leading and trailing edge, which is a characteristic of a C-802



Debris from the *Ince Inebolu* showing “C-802” marking



Junctions of folding wings



Compressor of a TRI-60 Microturbo engine



Source: Panel.

## B. Unmanned aerial vehicles

83. The Houthi forces continue to deploy small- and medium-sized unmanned aerial vehicles in various roles, ranging from reconnaissance use to their use as loitering munitions, i.e. as so-called “suicide or kamikaze drones”. There were also reports, including video footage, of a Houthi unmanned aerial vehicle capable of deploying grenade-sized munitions, but to date, the Panel was unable to independently verify those claims. The most common types of unmanned aerial vehicles in the Houthi arsenal included the Qasef-1, which showed characteristics similar to the Iranian-made Ababil-2/T loitering munition and which had been used in Yemen at least since 2016 (S/2018/594, paras. 98–101 and annex 38), as well as the smaller Rased reconnaissance drone, which was based on the Chinese-made Skywalker 8-X (ibid., annex 39), and the Hudhud-1 reconnaissance unmanned aerial vehicle, which might have been developed in Yemen. The unmanned aerial vehicles continued to be used in significant numbers in Yemen, implying that the Houthi forces retained access to the critical components, such as engines, guidance systems, from abroad that are necessary to assemble and deploy them. The Panel continued to investigate the chain of custody for components recovered from crashed or seized Houthi unmanned aerial vehicles to better understand the supply networks (see annex 12).

Figure IV  
**Rased reconnaissance unmanned aerial vehicle based on the civilian Skywalker 8-X**



Source: Panel.

Figure V  
**Qasef-1 loitering munition based on the Ababil-2/T**



Source: Panel.

*Note:* Unmanned aerial vehicle, with a range of 100–150 km and a warhead of 5 kg of explosives mixed with ball bearings, that targeted a United Arab Emirates compound in Aden.

Figure VI  
**Hudhud-1 reconnaissance unmanned aerial vehicle, possibly developed in Yemen**



Source: Panel.

Note: The Hudhud-1 has a range of 30 km.

84. Until mid-2018, the ability of the Houthi forces to use loitering munitions against targets beyond the immediate battlefield was restricted by the limited range of the Qasef-1, which, given its maximum range of 150 km, did not allow for strikes beyond Yemen and the southern border regions of Saudi Arabia. In September 2018, the Panel inspected a new type of unmanned aerial vehicle, referred to in the present report as UAV-X, which was characterized by distinctive V-shaped tail fins and a more powerful engine (see annex 12), and which might correspond to what Houthi-affiliated media outlets have referred to as the Samad-2/3 unmanned aerial vehicle. Since then, the Panel has inspected five unmanned aerial vehicles of that type, which had been operated either in reconnaissance or attack roles. In the latter case, they carried a warhead of 18 kg of explosives mixed with ball bearings, which would be an increase in lethality compared with the Qasef-1.

85. The most distinctive feature of the UAV-X is its significantly increased endurance and range. Powered by the Chinese-made DLE 170 or the German-made 3W110i B2 engine, with a top speed of between 200 km/h and 250 km/h, the unmanned aerial vehicle may have a maximum range of between 1,200 km and 1,500 km, depending on wind conditions. It would give credence to the claims by the Houthis that they have the capability to hit targets such as Riyadh, Abu Dhabi and Dubai. The Panel received information that one UAV-X had crashed within 30 km of Riyadh after having run out of fuel, although Saudi Arabia publicly denied that the attack took place.

86. The Panel is of the view that the deployment of loitering munitions against civilian targets, such as the confirmed attacks by Qasef-1 unmanned aerial vehicles on 11 April and 26 May against the civilian airport of Abha in Saudi Arabia and the unconfirmed attack of loitering munitions against the civilian airports in Abu Dhabi and Dubai in the second half of 2018 may constitute a violation of international humanitarian law.<sup>88</sup>

<sup>88</sup> See common article 3; article 4 of Protocol II to the Geneva Conventions of 12 August 1949; and ICRC Customary International Humanitarian Law database, rules 1, 14 and 15.

Figure VII  
UAV-X inspected by the Panel in Saudi Arabia



Source: Panel.

87. Despite repeated requests sent to Saudi Arabia and the United Arab Emirates, the Panel was not permitted to inspect the guidance systems of the UAV-X, which could provide clues to identify the supply network, as well as an indication of possible violations of the targeted arms embargo. However, the Panel is investigating the chain of custody for two 3W110i B2 engines inspected in Abu Dhabi with the serial numbers 1561517 B and 1561528 B, which were manufactured by 3W-Modellmotoren Weinhold GmbH in Hanau, Germany. According to documents obtained by the Panel, the two engines belonged to a shipment of 21 such engines exported in June 2015 to Eurowings Aviation and Consultancy in Athens. The Panel did not consider that to be a violation of the targeted arms embargo on Yemen.

## C. Missiles and rocket artillery

### 1. Ballistic missiles

88. The Houthi forces continued their ballistic missile campaign against targets in Saudi Arabia throughout the first half of 2018. There were at least 11 confirmed launches of extended-range short-range ballistic missiles between 5 January and 24 June (see table 1), compared with only 4 confirmed launches in 2017. However, there were no launches in the second half of 2018. It was not clear why the attacks did not continue during that period, given the heightened tensions around Hudaydah. It is possible that either the Houthi forces expended their limited supply of ballistic missiles or that the coalition succeeded in destroying the facilities where the missiles were assembled and/or the launching infrastructure.

Table 1  
Reported launches of ER-SRBM in 2018<sup>89</sup>

<i>Date</i>	<i>Event</i>	<i>Number of missiles</i>	<i>Remarks</i>
5 Jan.	Missile presumably launched towards Riyadh	1	Missile made impact 100 km north of the Yemeni border
30 Jan.	Missile presumably launched towards Riyadh	1	Missile made impact 300 km south-west of Riyadh
25 Mar.	Missiles launched towards Riyadh	3	Third anniversary of the outbreak of the conflict in Yemen, Houthis reported the launch of seven missiles on that day
11 Apr.	Missile launched towards Riyadh	1	Intercepted by air defence system
9 May	Missiles launched towards Riyadh	2	Intercepted by air defence system
5 Jun.	Missile launched towards Yanbu	1	Intercepted by air defence system
24 Jun.	Missiles launched towards Riyadh	2	Intercepted by air defence system

*Source:* Panel, based on media reports.

89. During visits to Saudi Arabia in June and September 2018, the Panel inspected the debris of approximately 10 extended-range short-range ballistic missiles of the type referred to as Borkhan-2H by the Houthi-affiliated media. The inspections indicated no significant differences between the missiles launched in 2017 and the ones targeted at Saudi Arabia in the first half of 2018. The Panel continued to investigate the chain of custody for various electronic components, in particular a number of ZUS25 2405 and ZUW25 2415 power converters produced in Japan, which were part of the inertial navigation system of the missile, in order to identify potential violations of the targeted arms embargo (see annex 13).

## 2. Rocket artillery

90. The Houthi forces continued to deploy the Badr-1 “missile” in significant numbers against targets in Yemen and in the southern border regions of Saudi Arabia. Although the Houthi-affiliated media outlets continued to refer to the Badr-1 as a “short-range ballistic missile”, the Panel has inspected the remnants of dozens of Badr-1 rockets in Jazan and Riyadh and found that the weapon was, at least in its basic version, an unguided solid fuel artillery rocket produced locally from steel tubing very likely sourced from the oil industry. The Badr-1 has been in use in Yemen since at least March 2018, with a variety of launchers. However, in October, the Houthis posted in the media about a modified version, which they called the Badr-1P, featuring added guidance fins mounted behind the warhead.<sup>90</sup> During the presentation, the Houthis claimed that it had a range of 130 km and an accuracy of three metres, which would present a

<sup>89</sup> See S/2018/266, S/2018/337, S/2018/448 and S/2018/636; and the statement by the spokesperson of the coalition, quoted in Al Arabiya, “Saudi air defense forces destroy Houthi ballistic missile targeting Yanbu”, 5 June 2018. Available at <https://english.alarabiya.net/en/News/gulf/2018/06/05/Saudi-air-defence-forces-destroy-Houthi-ballistic-missile-targeting-Yanbu.html>.

<sup>90</sup> Tasnim News Agency, “Yemeni Army unveils new ‘Badr-P-1’ Ballistic Missile”, 28 October 2018. Available at [www.tasnimnews.com/en/news/2018/10/28/1863829/yemeni-army-unveils-new-badr-p-1-ballistic-missile-video](http://www.tasnimnews.com/en/news/2018/10/28/1863829/yemeni-army-unveils-new-badr-p-1-ballistic-missile-video).

significant improvement compared with the basic version of the Badr-1. The Panel has not yet been able to inspect any debris from a Badr-1P missile.

Figure VIII

**Houthi-affiliated media showing Badr-1 missile with added guidance fins**



Source: Tasnim News Agency, “Yemeni Army unveils new ‘Badr-P-1’ Ballistic Missile”, 28 October 2018.

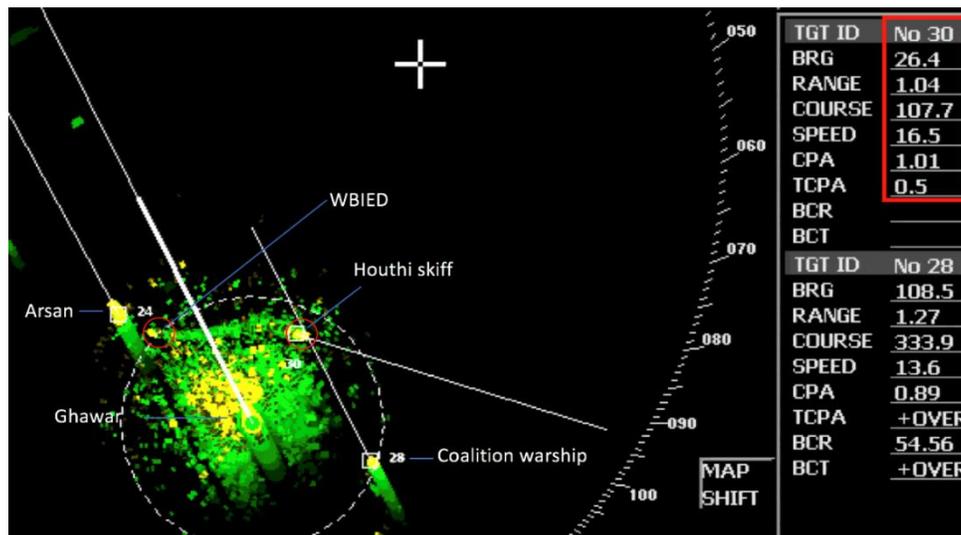
91. The Panel continued to investigate the purpose of the industrial mixing equipment seized by the coalition in Ma’rib in February 2017 (see [S/2018/594](#), paras. 92–96). The Panel established that at least one of the two storage containers was filled with a kerosene mix, which had chemical characteristics consistent with TM-185, a liquid missile fuel used as a propellant in Scud-B missiles. One of the valves of the autoclave had retained a reddish-brown residue, which could indicate the presence of red fuming nitric acid. It might mean that the equipment was used to produce oxidizer for the Houthi ballistic missile programme (see annex 14).

#### **D. Waterborne improvised explosive devices**

92. The Houthi forces have increased their deployment of waterborne improvised explosive devices against both civilian and military vessels operating in the Red Sea. Compared with 2017, when there were two recorded attacks and exclusively against military targets, in 2018 there were at least five incidents where the use of waterborne improvised explosive devices was either confirmed or suspected, including the attempted attack on 6 January on the Saudi-flagged *Niban*, in which a suspected waterborne improvised explosive device was sunk by a coalition warship, as well as the attack on the Saudi-flagged *Arsan*, which was severely damaged as a result of the attack on 24 July. The Panel interviewed crew members, representatives of the shipping company and naval experts and analysed the debris from the *Arsan*, as well as radar images (see annex 15). Based on radar images seen by the Panel, an attack by a remote-controlled waterborne improvised explosive device, accompanied by Houthi skiffs, was the most likely scenario, although questions remained (see figure IX).<sup>91</sup> The attack on the *Niban* followed a similar modus operandi.

<sup>91</sup> The questions concern the height of the impact above the waterline (more than 1.5 m from the waterline) and the presence of one alien object among the debris shown to the Panel.

Figure IX  
Radar image showing the moment of the attack



Source: Confidential.

93. On 30 September, two Houthi waterborne improvised explosive devices carried out an attack on Jazan port in Saudi Arabia, which resulted in severe damage to a Saudi warship. The attack showed that the Houthis retained the capacity to attack with waterborne improvised explosive devices using a radio-controlled computerized guidance system over a significant distance, threatening both civilian and military vessels in the Red Sea. The economic impact of those threats should not be underestimated. Following the *Arsan* incident in July, the State shipping line of Saudi Arabia, Bahri, suspended shipping through Bab al-Mandeb for a few days, a decision which would have incurred significant costs had it been sustained for a longer period.

94. In December, the Panel had the opportunity to inspect a Houthi waterborne improvised explosive device in Saudi Arabia that had been seized in September in Fasht (N 16°11'54.0", E 42°22'18.0"), an uninhabited island in the Red Sea.<sup>92</sup> Compared with the waterborne improvised explosive device that had been documented in 2017 and was based on the Shark-33 10-metre patrol boat, the waterborne improvised explosive device was significantly smaller, with a length of 580 cm and a width of approximately 230 cm. Despite repeated requests sent to Saudi Arabia, the Panel was not been able to inspect its guidance systems. Nevertheless, the Panel is investigating the chain of custody of various components of the device, including the engine, which was produced by the Japanese manufacturer Yamaha, and a servomotor made by the United States company SeaStar Solutions (see annex 15).

<sup>92</sup> See <https://sahafahnet.net/news5870629.html>.

Figure X  
**Waterborne improvised explosive devices inspected by the Panel in Riyadh and Abu Dhabi, June 2018**

*Unknown*



*Shark-33*



Source: Panel.

### E. Illegal trade in assault rifles

95. The Panel investigated a consignment of assault rifles that had been seized from a skiff in the Gulf of Aden. On 27 August, a helicopter deployed by the *Jason Dunham* observed the transloading of suspicious packages from a dhow (*Al Shibouti*) to a skiff (*Ibrahim Dhibayn*) at a position approximately 110 km north of the Somali coast (see annex 16, map). Subsequently, the skiff headed towards Yemen and was intercepted on 28 August approximately 22 km off the Yemeni coast, close to the town of Irqah. A party from the *Jason Dunham* boarded the skiff and seized 2,522 weapons. An unknown number of additional rifles (possibly several hundred) could not be recovered due to the unseaworthy condition of the skiff. Given the position and size of the skiff, as well as the fact that the skiff was heavily overloaded and taking on water at the time of the intercept, it seemed very likely that the consignment of weapons had been intended for Yemen.

Figure XI  
**Seized assault rifles inspected by the Panel on board the *Jason Dunham***



Source: Panel.

96. The Panel inspected the seized weapons in October and established that they had characteristics consistent with type 56-1 assault rifles produced in China. The rifles were sighted at 800 m and featured an underfolding steel shoulder stock (see images in annex 16). The weapons were reportedly in new, factory condition at the time of seizure and featured the production stamp “Factory 26” and the markings “17-CN” and “18-CN”. The Panel is of the view that the markings indicate a production date of 2017 and 2018, respectively. The Panel also noted that all recorded serial numbers were between 63000005 and 63090647, which seemed to indicate that they came from the same production run.

97. Despite repeated requests sent to the United States, the Panel has yet to receive the names and interview transcripts of the crew of the skiff, who were handed over to the coastguard of Yemen, nor has the Panel received the numbers of the mobile and satellite telephones that were seized on the skiff, which might allow the Panel to establish the intended recipient of the weapons in Yemen. The weapons could potentially have been destined for the Houthi forces, which would have been a violation of the targeted arms embargo, or they could have been destined for non-State armed groups such as Al-Qaida in the Arabian Peninsula or ISIL, which would constitute a threat to peace and security in Yemen.

## **V. Economic context and overview of finance**

98. In accordance with its mandate, the Panel continued to investigate the economic context in which individuals designated pursuant to resolutions [2140 \(2014\)](#) and [2216 \(2015\)](#) and their networks have continued to operate in violation of sanctions measures.

### **A. Revenue obtained by the Houthis**

#### **1. Control of State resources and revenue by the Houthis**

99. As indicated in the previous report of the Panel ([S/2018/594](#), para. 127), a minimum of YER 407 billion might be under Houthi control as a result of the regular collection of rents from corporations and telecommunications, tobacco and various licensing fees.

100. The Houthis continued to collect customs rents in the ports under their control at Hudaydah and Salif. They also continued to apply a second collection of customs revenues through Dhamar on the main road through which nearly all imports pass after arriving in Yemen from land crossings and ports not under Houthi control.

#### **2. Revenue collected by the Houthis from fuel imports**

101. The Panel used estimates of rent collection from imports of fuel in order to illustrate Houthi rents from the port of Hudaydah. Data available to the Panel revealed that more than 4.73 million metric tons of fuel was imported through the Red Sea ports between September 2016 and October 2018 at an average volume of 169,019 metric tons per month.

102. The data produced by the Panel helps to illustrate the significance of the port for Houthi forces. The Panel based its evaluations on information taken from a contract between the Kamaran Investment Company and the Extra Petroleum company that had been leaked to the media. The contract document indicated that the Houthis were collecting YER 48.19 for each litre of fuel imported (see table 2). Based on the monthly average for imports of fuel, the Houthis have collected YER 10,995 million (\$24.4 million) including YER 1,140 million (\$2.5 million) as support for the war efforts (see annex 17).

Table 2  
**Revenue collected by the Houthis for a transaction on import of fuel in Hudaydah**

Remarks	Total (YER)	YER/litre	Item
ملاحظات	إجمالي / ريال	المبلغ / ريال يمني	البيان
مقابل أجور جمارك باللترا الواحد	348,080,400	31.19	Custom expenses
مقابل عمولة شركة النفط اليمنية	108,000,000	10	YPC expense
مقابل مجهود حربي	54,000,000	5	War effort expense
* مقابل أجور متفرقة	21,600,000	2	Miscellaneous expense
الإجمالي مقابل اللتير الواحد (٨,٠٠٠ طن * ١,٣٥٠ ليترا = ١٠,٨٠٠,٠٠٠ ليترا)	531,680,400	48.19	

Source: Contract for imports by Kamaran Investment Company through Extra Petroleum, dated 19 June 2016 (Panel archive).

### 3. Potential external financing

#### (a) Financing through fuel imports

103. In paragraph 11 of resolution 2140 (2014), the Security Council decided that Member States should ensure that any funds, financial assets or economic resources were prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities designated by the Committee. The Panel therefore investigated the donation of fuel products exported to Yemen which might comprise potential financial assistance to listed individuals, where the proceeds were allegedly recovered by intermediaries acting on behalf of those listed individuals after the sales of the fuel on the black market in areas under the control of the Houthis.

104. Prior to 2015, only a few companies held licences to import fuel in parallel with the Yemen Petroleum Company, however, since gaining power in 2015, the Houthis have issued import licences to various companies. According to the traders, each licence cost the equivalent of \$800, including fees. From September 2016<sup>93</sup> to October 2018, 52 companies have acted as consignees in the import of fuel (see annex 18).

105. The Panel noted the suspected murder, on 20 December 2016, of Mohamed Abdo al-Absi, a Sana'a-based journalist who was investigating the involvement of Houthi leaders in the import of fuel to finance the conflict. The Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) pushed for a thorough independent inquiry into the death of Mr. Al-Absi in a statement issued in line with UNESCO resolution 29 (1997).<sup>94</sup> The Panel noted that, according to several media outlets, Mr. Al-Absi had mentioned three companies involved in such activities: Yemen Life, owned by Mohammed Abdusalam Salah Fletah (Houthi official spokesperson and chair of the board of the Houthi Masirah TV channels);<sup>95</sup> Oil Primer, owned by Daghsan Mohamed Daghsan; and Black Gold, owned by Ali

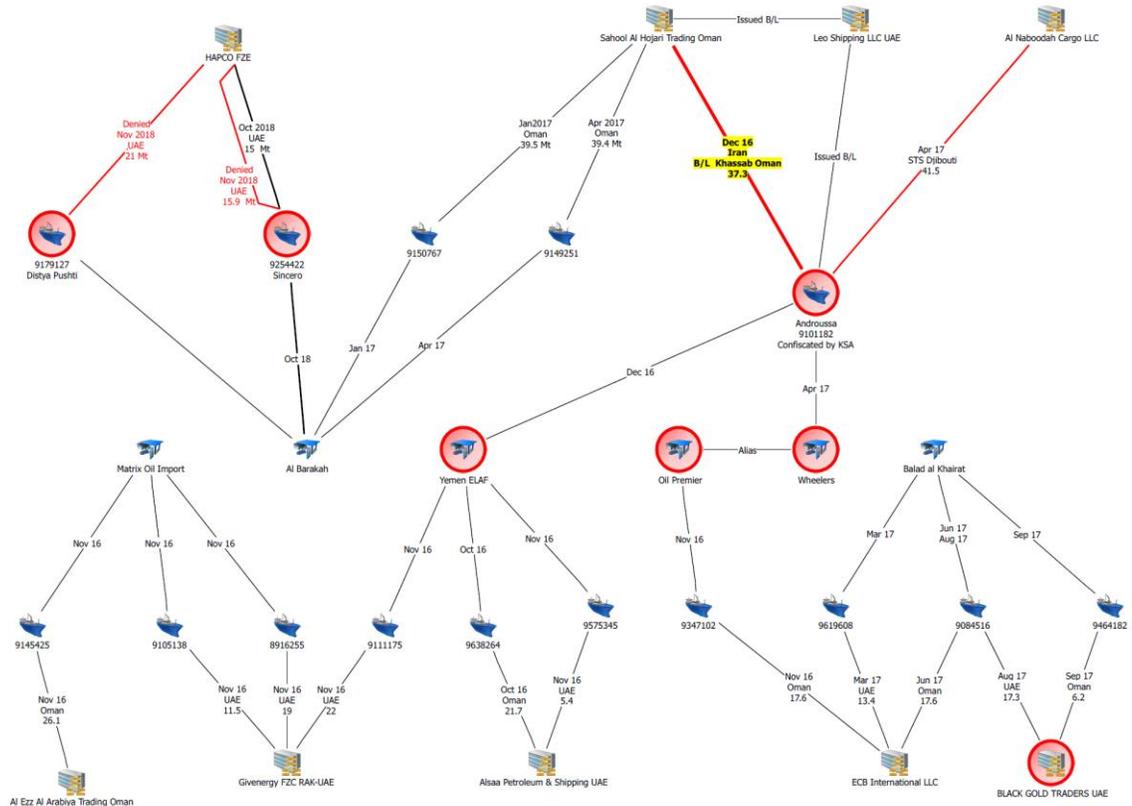
<sup>93</sup> The Government of Yemen announced the United Nations Verification and Inspection Mechanism on 5 May 2016 (see <https://vimye.org/doc/GoY%20Announcement%20of%20UNVIM%20Launch.pdf>). The Panel analysed Mechanism data beginning in September 2016.

<sup>94</sup> UNESCO, "Director-General calls for investigation into death of journalist Mohammed al-Absi in Yemen" 10 February 2017. Available at <https://en.unesco.org/news/director-general-calls-investigation-death-journalist-mohammed-al-absi-yemen>; Women Journalists without Chains, "Journalist Mohammed al-Absi dies of poisoning, forensic medicine report reveals", 5 February 2017. Available at <https://womenpress.org/en/womenpress-news/journalist-mohammed-al-absi-dies-of-poisoning-forensic-medicine-report-reveals.html>.

<sup>95</sup> See [www.almasirah.net](http://www.almasirah.net) and [www.ansarollah.com/archives/205772](http://www.ansarollah.com/archives/205772).

Qarsha.<sup>96</sup> The Panel subsequently identified three similarly named companies, namely, Yemen Elaf, Oil Premier (note the change in transliteration) and Black Gold, as well as two additional companies, Wheelers as a front for Oil Premier and Balad al Khairat acting as consignee for Black Gold. A network associated with those companies is at figure XII.

Figure XII  
**Network of fuel importers associated with the Houthis**

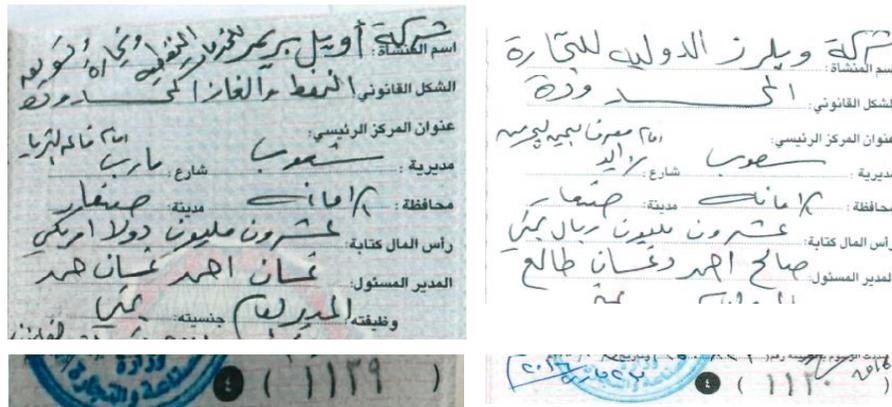


Source: Panel.

106. The Panel found that Oil Premier and Wheelers (see trade licence in figure XIII) were associated with Mr. Daghsan and a front for the same business interest with links to the Houthis on the basis of the information contained in annex 19.

<sup>96</sup> See [www.freedom-ye.com/news56383.html](http://www.freedom-ye.com/news56383.html).

Figure XIII  
 Inconsistencies noted between the Oil Premier and Wheelers trade certificates



Source: Confidential.

Note: Left: Oil Premier's trading licence No. 1139 dated 12 October 2015 for Ghassan Ahmed Ghassan Hamad; right: Wheelers trader's licence No. 1120 dated 22 March 2016 for Saleh Ahmed Daghsan Tale'a.

107. In paragraph 150 and annex 55 of its previous report (S/2018/594), the Panel reported the case of the confiscation of the marine tanker *Androussa* by Saudi Arabia on 4 April 2017. The *Androussa* was intercepted, inspected and then confiscated by Saudi Arabian authorities while en route to Ra's Isa in Yemen. The Panel found that the fuel, which was destined for Mr. Daghsan, was very likely a donation from a third party and that Swaidan had acted as a broker (see annex 20 for an update to that case). While the Panel continued to investigate that case, it also found that the confiscation of the tanker might have been ordered by Saudi Arabia on the basis of its previous voyage. The Panel noted from the vessel's documents that it had loaded fuel from Bandar Abbas, Islamic Republic of Iran, between 11 and 14 December 2016 and discharged it in Ra's Isa, Yemen, between 7 and 27 January 2017. The Panel also obtained a copy of a bill of lading issued by Leo Shipping LLC in the United Arab Emirates falsely indicating that the vessel had been loaded in Khasab, Oman, on 14 December 2016 with Yemen Elaf designated as consignee. Furthermore, the Panel found that Leo Shipping issued other bills of lading that seemed to have falsely indicated that the fuel was loaded from ports in Oman (see table 3 and annex 21). The Panel sent a letter to Leo Shipping concerning those observations and is awaiting its reply.

Table 3  
**Bills of lading falsely stating that the tanker was loaded in Oman**

<i>Tanker</i>	<i>Shipper</i>	<i>Issue date</i>	<i>Consignee</i>	<i>Findings</i>
<i>PVT Eagle</i>	Al Ezz Al Arabiya	8 November 2016	Matrix Oil	Stated as loaded in Khasab, Oman, but automatic identification system (maritime) off near Abadan, Islamic Republic of Iran, on 7 November 2016
<i>Androussa</i>	Sahool al Hojari Trading (Oman)	14 December 2016	Yemen Elaf	Stated as loaded in Khasab, but fuel shipped in Bandar Abbas by the National Iranian Oil Company on 13 December 2016; vessel confiscated by Saudi Arabia
<i>Nautilus</i>	Sahool al Hojari Trading (Oman)	10 January 2017	Albarakah	Stated as loaded in Khasab, but automatic identification system (maritime) indicated that it was near Busher, Islamic Republic of Iran, on 8 January 2017
<i>Safe Sino</i>	Sahool al Hojari Trading (Oman)	27 March 2017	Albarakah	Stated as loaded in Khasab, but automatic identification system (maritime) indicated that it was near Busher on 15 March 2017

*Source:* Panel, based on information from confidential sources and automatic identification system (maritime) tracking.

**(b) Financing through foreign individuals and entities**

108. The Panel has traced the supply to the Houthis of unmanned aerial vehicles and a mixing machine for rocket fuel and found that individuals and entities of Iranian origin have funded the purchase (see table 4 and annex 22 for more details).

Table 4  
**Individuals and entities traced for funding items for military equipment found in Yemen**

<i>Funding individual/entity</i>	<i>Last custodian in the Islamic Republic of Iran</i>
1 M.G. <sup>97</sup> of Bekkestua, Norway	Shipped on 29 August 2014, equipment for rocket fuel mixing machine found in Yemen to:  Noran Sanat Daryaye Chalous Company No. 257 South Lalehzar Street 11447 Tehran
2 Succor General Trading <sup>98</sup> No 206 North Iranshahr Avenue, 1584636634, Tehran, Islamic Republic of Iran  Using account xxxxxxxx6102 at Emirates Islamic Bank, United Arab Emirates	Shipped on since 2015 equipment for UAVQasef found in Yemen to:  Eastern Suite, 1st Floor, No.1 Espinas Building, Mirzababaei Boulevard Pounak Square, Tehran

<sup>97</sup> The Panel sent a letter to the Islamic Republic of Iran sharing the personal identification of the individual and requesting information; the Islamic Republic of Iran denied any connection.

<sup>98</sup> The Panel sent a letter to the Islamic Republic of Iran and the United Arab Emirates sharing the evidence concerning the company; the Islamic Republic of Iran denied any involvement, and the United Arab Emirates has yet to reply.

## B. Revenue available to local authorities affiliated with the Government

109. The Panel continued to investigate how the sources of revenues are collected by local forces outside the control of the Government of Yemen. The Governor of the Central Bank of Yemen in Aden informed the Panel that the Ma'rib branch of the Bank continued to operate outside State control.<sup>99</sup> After the visit to Ma'rib was cancelled in November, the Panel held a teleconference with Governor Sultan Aradah, who informed the Panel that the Ma'rib branch of the Bank was connected administratively with the Aden branch, but that the conditions and guarantees for the Central Bank of Yemen to act as a national bank for Yemen have not yet materialized.<sup>100</sup> The Governor stated that the Ma'rib branch was following the 2014 budget as a guideline and provided many public services, as well as the salaries and food rations for the Ministry of the Interior security forces in the neighbouring governorates under Government of Yemen control and the salaries of the guards in charge of providing security for oil installations within Houthi areas (see annex 23).<sup>101</sup> The Governor also denied any role in supporting the national army under the Ministry of Defence. Although the Governor denied there was any significant theft or smuggling of crude oil for export, the Panel continued to investigate such allegations and the potential impacts on the control of State resources.

## C. Corruption

110. The Panel investigated allegations of corruption by all parties to the conflict in Yemen. The seriousness of problems and threats posed by corruption to the stability and security of societies was recognized under the United Nations Convention against Corruption, which was ratified by Yemen on 7 November 2005.

### 1. Corruption in areas controlled by the Houthis

111. Following Houthi suggestions for the replacement of distributed humanitarian goods in kind with cash,<sup>102</sup> the Panel investigated whether the Houthi intended to create both mechanisms to divert humanitarian assistance in support of the war effort.<sup>103</sup> The Panel interacted with the relevant humanitarian actors raising the risks of non-compliance with sanctions measures as a result of the diversion of funds for

<sup>99</sup> Panel meeting with Mohammed Zeman, the Governor of the Central Bank of Yemen in Riyadh, in September 2018.

<sup>100</sup> Panel teleconference with Governor of Ma'rib, 26 November 2018.

<sup>101</sup> Sultan Aradah also stated that, while the 2014 budget served as a baseline, he responds to instructions from President Hadi. The office of the Governor shared with the Panel accounting documents indicating the revenues from oil and liquid petroleum gas from January to November 2018 totalled YER 83.91 billion (\$186.4 million) with an expenditure of YER 84.78 billion (\$188.4 million).

<sup>102</sup> Letter to the United Nations by Mohamed Ali al-Houthi dated 1 October 2018 (see annex 24).

<sup>103</sup> Maggie Michael, "UN suspends crucial cash aid to 9 million Yemenis", 3 October 2018, Associated Press. Available at [www.apnews.com/ad579b337fe84023af1716d4e406cf03/UN-suspends-crucial-cash-aid-to-9-million-Yemenis](http://www.apnews.com/ad579b337fe84023af1716d4e406cf03/UN-suspends-crucial-cash-aid-to-9-million-Yemenis). The Panel notes that the article indicates that the United Nations Children's Fund (UNICEF) suspended cash transfers to Yemen under pressure from the Houthis. The article claimed that the UNICEF decision came after it was unable to set up a call centre to receive feedback directly from beneficiaries. The UNICEF project manages payment of about \$30 million delivered on a quarterly basis; the programme is likely to be implemented. According to annex 3 of report No. PAD2402 (footnote 117), an average benefit amount of YER 5,000 (equivalent to \$20 at an exchange rate of \$1 = YER 250.05) is transferred per household per month, however, the planning assumption that the amount would remain fixed in Yemeni rial may be challenging.

the benefit of listed individuals. The Panel was aware of the following three main cash flows through humanitarian actors to areas under Houthi control:

(a) Labour intensive works and community services: \$250 million funded by the International Development Association under the special crisis response window by the additional financing for the emergency crisis response project additional financing;<sup>104</sup>

(b) Emergency cash transfers: \$200 million funded by the International Development Association under the crisis response window by the second additional financing for the emergency crisis response project, targeting 1.5 million households under the Social Welfare Fund throughout 22 governorates in Yemen, during the reporting period;<sup>105</sup>

(c) Cash transfers to cover humanitarian operations and purchases of humanitarian goods from local suppliers in Yemen, such as wheat flour.

112. The Panel has identified that, whereas cash transfers by humanitarian actors are done through Yemeni banks and their respective correspondents, but outside Central Bank of Yemen supervision, other transfers, such as remittances from Yemeni expatriates, are transferred through currency exchange businesses outside any official oversight. This flow of hard currency is used to cover the import of goods needed in Yemen.<sup>106</sup>

## 2. Corruption by all parties as a barrier to the import of commercial goods

113. On several occasions in 2018, the Governments of Yemen and Saudi Arabia blamed the Houthis for obstructing the entry of marine tankers<sup>107</sup> for the purposes of using them as a barrier against a naval invasion, or as a means to extort the traders willing to pay large commissions in order to avoid demurrage costs or as a means to create an artificial scarcity of fuel that would force a rise in the domestic price of fuel, which would thereby benefit the black market in Houthi-held areas, which are allegedly dominated by a cartel created around Mohamed Ali al-Houthi. In his social media posts, Mohamed Ali al-Houthi has mentioned several cases of delays or obstruction of entry for tankers by the coalition.<sup>108</sup>

114. The Panel tracked four tankers cleared by the United Nations verification and inspection mechanism. Both the *Sincero* and the *Distya Pushti* were subsequently denied clearance by the coalition, due to Decree No. 75 on imports, and the *Biendong Melody* and the *Carpe Diem II* were delayed by the Houthis.

115. The Panel identified other delays that occurred as a result of diversion into Saudi ports by the coalition. They included the *Ince Atantic* and the *Faisal M* being diverted for inspection and the *Ince Inebolu* being diverted for repairs after being attacked by the Houthis. The *Crystal Sambu* was diverted for inspection and seemed to have been

<sup>104</sup> United Nations Development Programme project ID: P161806, approved by the World Bank on 17 January 2017.

<sup>105</sup> UNICEF project ID: P163729, approved by the World Bank on 19 May 2017 with an international development assistance grant of a sum equivalent to \$200 million; details of the project are available from the report of the World Bank available at <http://documents.worldbank.org/curated/en/682921495418453668/pdf/Ry-ECRP-AF2-Project-Paper-5-8-17-05122017.pdf>.

<sup>106</sup> On the basis of United Nations Verification and Inspection Mechanism statistics, the Panel estimated that Houthi-controlled areas need \$163 million per month in hard currency to cover the import of fuel and essential commodities through Red Sea ports and additional amounts to cover freight, insurance and financial transactions. Annex 25 contains an analysis of cash flow to and from Yemen.

<sup>107</sup> The latest were the tankers *Biendong Melody* and *Carpe Diem II*.

<sup>108</sup> Mohammed Ali al-Houthi's recent Twitter posts concerned the *Distya Pushti* and the *Sincero* on 3 November 2018 (see [https://twitter.com/Moh\\_Alhouthi/status/1058809356156915712?s=19](https://twitter.com/Moh_Alhouthi/status/1058809356156915712?s=19)).

seized by Saudi Arabia in an incident similar to what occurred with the *Androussa*. The Panel identified that, in 2018, the coalition delayed general cargo vessels for a total of 877 days, whereas the Houthis delayed vessels in the Hudaydah anchorage area for 293 days (see annex 26). The demurrage costs for these delays would be \$26.31 million and \$8.79 million, respectively.

### 3. Preferences for financing imports through letters of credit

116. The Panel investigated the effects of the import mechanism under Decree No. 75 introduced by the Central Bank of Yemen on 21 June 2018. The financial mechanism introduced pre-reimbursement for the issuance of documentary credit before letters of credit are raised in United States dollars. The letters of credit were for traders wishing to import specific basic commodities, such as wheat, rice, sugar, milk and cooking oil.<sup>109</sup>

117. The Panel is investigating whether the new import mechanism, which involved a delay in issuing the letters of credit, and the denial of entry of goods coming into Yemen by companies unable to comply with the terms of the decree constituted a contributing factor to the obstruction of humanitarian assistance to Yemen or a breach of international human rights norms.

118. The Panel analysed a document containing the status of issuance of letters of credit and found the dominant presence of traders with business associations in the south and east of Yemen.<sup>110</sup> The Panel sent a letter to the Government of Yemen requesting information on the effect of the new import mechanism. In its reply to the Panel, the Government indicated that the Central Bank of Yemen was issuing documentary credit for traders that were able to transfer funds, but the Houthis issued a circular on 4 November 2018 requiring all banks and their branches in Yemen not to cover the issuance of letters of credit in cash, threatening to sanction those who failed to comply (see annex 27).

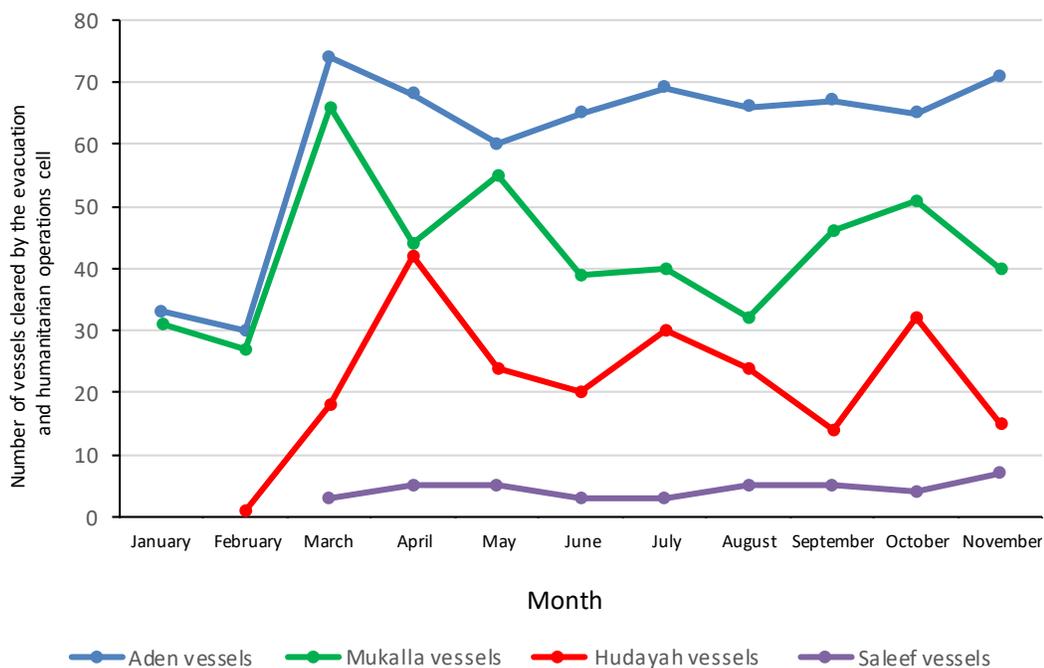
119. The Panel noted that the new import mechanisms, combined with a very volatile exchange rate, might have created additional uncertainty and friction for importers, some of whom were reluctant to take the risk of importing commodities during October and November 2018, which is confirmed in the United Nations verification and inspection mechanism records for those months.<sup>111</sup> Figure XIV illustrates the decrease in the flow of vessels carrying food and fuel through Red Sea ports, in particular compared with the Aden port.

<sup>109</sup> Under Decree No. 75 of 3 September 2018, the Central Bank of Yemen will cover, in hard currency, all issued letters of credit for imports of basic commodities.

<sup>110</sup> Only 22 of 89 requests had been cleared by the relevant services in Yemen and Saudi Arabia as at the end of September 2018.

<sup>111</sup> The Panel communicated with four major food importers or their agents during 2018.

Figure XIV  
Food imports through ports in Yemen, January–November 2018



Source: Panel, based on data from the evacuation and humanitarian operations cell based in Riyadh that is tasked with issuing clearance for port entry into Yemen, provided by Saudi Arabia.

Note: The number of vessels cleared comprises tankers carrying fuel.

#### 4. Corruption and diversion of funds by officials affiliated with the Government

120. The Panel is investigating three cases of corruption<sup>112</sup> affecting the delivery of public services.

##### (a) Diversion of public funds

121. The Panel is investigating potential cases of corruption and diversion of public funds allocated for the production of electricity in Aden, Abyan and Lahij.

122. The Panel received an invoice indicating payments due for more than \$3 million issued by Aden Refinery Company to ASA Shipping Company FZCO, a subsidiary of the Overseas Shipping and Stevedoring Company OSSCO of Alessi Group,<sup>113</sup> for the hiring and demurrage of the crude oil tanker *M Spirit*. The Panel could not understand the reasons for the long delay at anchorage in the port of Aden, from 4 September to 6 October, that accounted for the demurrage, nor the reasons for the duplication of days with additional demurrage charges on the invoice (see annex 28). In its reply to the Panel's letter on the subject, the Government of Yemen informed the Panel that the tanker was contracted through Alessi Group to carry crude oil from Hadramawt to the Aden refinery and that only a small portion of the contract had been paid. The Panel continues to investigate.

<sup>112</sup> A report on corruption in Yemen may be found at [www.business-anti-corruption.com/country-profiles/yemen/](http://www.business-anti-corruption.com/country-profiles/yemen/).

<sup>113</sup> The Panel also met with Ahmed Al Essi, Chair of the Alessi Group, who denied having any involvement in corruption or influence over the management of the port of Aden, as is widely reported in the media. He informed the Panel that he stood ready to have the accounts of his business in Aden scrutinized by United Nations experts if needed.

123. The Panel received documents showing a large disparity between the volume of fuel indicated in the tender documents and the amount of fuel subsequently distributed to electricity power stations in 2017 (see annex 29). The Panel shared the information with the Government of Yemen in a letter indicating that clauses in the tender documents seemed to favour one local bidder, who has a monopoly in Aden. In its reply, the Government informed the Panel that, in 2018: (a) the economic and financial situation obliged Yemen to change the clauses in calls to bid for fuel, making it difficult for other bidders to comply; (b) the Central Organization for Control and Auditing had been reactivated<sup>114</sup> and began auditing the import of fuel to Aden for the period 2015–2018; and (c) beginning in November 2018, fuel had been donated in kind by Saudi Arabia for the production of electricity.

**(b) Manipulation of contractual arrangements for food rations for the military**

124. The Panel is investigating a case of potential corruption within the military for food supplies. The Yemeni armed forces signed a contract on 24 May 2017 with Ahmed Assoufi for Trade for the supply of food rations for 137,000 troops, covering the period from 1 June 2017 to 31 May 2018 (see annex 30). Ahmed Assoufi for Trade executed the contract at a monthly price of Saudi Arabian riyal (SRI) 41.1 million (\$10.95 million) until it was ordered to cease in an official letter from the military logistics support division dated 10 October 2017, well before the agreed terms. Ahmed Assoufi for Trade was replaced by another company, Anhar Al Khaleej for Trade, a company allegedly with close ties to senior Yemeni officials. The Panel shared the relevant documents with the Government of Yemen for confirmation and comment.

**D. Counterfeiting and trafficking**

125. With reference to paragraphs 142 to 144 and annex 53 of its previous report (S/2018/594), the Panel continued to gather information on potential networks associated with the printing of YER 5,000 notes and passports. The Panel received information concerning Reza Heidari.<sup>115</sup> Mr. Heidari is an Iranian national who was listed by the United States Treasury for his role in providing, inter alia, technological support for Al Quds Force of the Islamic Revolutionary Guard Corps of the Islamic Republic of Iran by counterfeiting the above notes through his German-registered company. He was convicted by a federal court in Frankfurt, Germany, on 1 March 2018 and sentenced to seven years' imprisonment.<sup>116</sup> The Panel is awaiting a reply from the Government of Germany to its letter requesting information on the individual.

126. The Panel gathered information on suspicious activity by a potentially fraudulent financial network involved in facilitating the migration of Yemeni nationals residing outside their country to Canada as refugees. The network, operating from Saudi Arabia and Turkey, has claimed to facilitate the issuance of refugee status to Yemenis for a service fee of about \$5,000 per person and \$10,000 per family (see annex 31). The Turkish authorities seized one counterfeit Spanish passport, which was about to be sent abroad by the person who was arrested, three Spanish passport holograms and one Italian identity card.

<sup>114</sup> The Government also reactivated the Supreme National Anti-Corruption Commission in late 2018.

<sup>115</sup> Date of birth, 10 January 1977. Passports No. A37899489 (Islamic Republic of Iran) with the expiration date 26 Jul 2021 and No. R24530943 (Islamic Republic of Iran) with the expiration date 23 Jun 2017; see <https://www.federalregister.gov/documents/2017/11/30/2017-25792/notice-of-ofac-sanctions-actions>.

<sup>116</sup> See [www.welt.de/regional/hessen/article174075140/Haft-fuer-Geldfaelschung-50-Millionen-Blueten-hergestellt.html](http://www.welt.de/regional/hessen/article174075140/Haft-fuer-Geldfaelschung-50-Millionen-Blueten-hergestellt.html).

127. The Panel also continued to gather information on the following cases of smuggling of cash and cultural artefacts allegedly for the benefit of the Houthis in Aden and Ma'rib Governorates (see annex 32):

(a) Ma'alla' port, Aden, on 16 August 2018: seizure of 12 artefacts smuggled in a merchant vessel bound for Djibouti for the benefit of a Yemeni trader from Sana'a living in Djibouti;

(b) Ma'rib on 6 November 2018: seizure of artefacts and items smuggled on board a vehicle coming from Dhamar;

(c) Ma'rib on 7 November 2018: seizure of cash comprising \$2,610,000 and SRI 9 million smuggled in two vehicles en route to Sana'a.

128. In Aden on 4 July, the Panel met with Abu al-Abbas, who confirmed that he had in his custody about two-thirds of the objects that were part of the Urdu National Museum in Ta'izz. He indicated that he had held discussions with the Ministry of Culture to identify mechanisms for handing over the objects to the Government of Yemen. The Panel was informed, in October 2018, that the parties were unable to reach an agreement and that the objects remain in Mr. Al-Abbas' custody.

## **VI. Monitoring of the assets freeze and the travel ban**

129. Pursuant to paragraphs 11 and 21 (b) of resolution 2140 (2014), and as extended by paragraph 5 of resolution 2342 (2017), the Panel continued to gather, examine and analyse information regarding the implementation by Member States of assets freeze measures. The Panel continued to focus on the five listed individuals and on identifying and investigating other individuals and entities that might be acting on their behalf, or under their direction, and entities owned or controlled by them.

130. Following a decision by the Committee to update the list by noting the reported death of Ali Abdullah Saleh, the Panel disregarded the observation made in its previous report (S/2018/594) that the resultant inherited wealth would no longer be within the scope of the Panel's mandate.

131. The Panel has yet to receive any confirmation from the United Arab Emirates as to whether it has frozen the concerned assets of Khalid Ali Abdullah Saleh, whom the Panel believed was managing the wealth of his brother and father, both of whom are listed.

## **VII. Acts that violate international humanitarian law and international human rights law**

132. In paragraph 9 of resolution 2140 (2014), the Security Council called upon all parties to comply with their obligations under international law, including applicable international humanitarian law and human rights law. Paragraphs 17, 18 and 21 of resolution 2140 (2014), read together with paragraph 19 of resolution 2216 (2015), further clarify the Panel's responsibility with regard to investigations of violations of international humanitarian law and international human rights law and human rights abuses and investigations into obstruction of the delivery of humanitarian assistance.

133. Although international human rights law is primarily binding on States, it is generally accepted that, when non-State armed groups exercise government-like functions over a given territory and population, they shall respect fundamental human rights standards (see Security Council resolutions 1193 (1998) and 1479 (2003) and resolution 1894 (2009), para. 1; and A/HRC/2/7 (2006), para. 19). The norms of

international human rights law should therefore be respected by the Houthi forces and monitored by the Panel.

134. The Panel has been in contact with individuals, including journalists, members of the media and human rights defenders, most of whom reported fears for their personal safety and the safety of their families. Several have received direct threats because of the nature of their work and some have been arrested, both in areas under the control of the Houthi forces and areas under the control of the Government of Yemen. Some fled Yemen to ensure their safety. The Panel is concerned about the safety of people working in those fields and finds that the quasi-absence of the rule of law and the pervasive climate of impunity prevailing in Yemen is a constant threat to journalists, members of the media and human rights defenders (see General Assembly resolutions [72/175](#), [72/247](#) and [53/144](#)).

## A. Acts and incidents attributed to the coalition

### 1. Violations of international humanitarian law associated with air strikes

135. The Panel investigated five air strikes that affected civilians and civilian objects in 2018 in Houthi-controlled areas. The air strikes reportedly led to approximately 78 deaths, with 153 wounded, and caused significant damage to civilian objects. The Panel also investigated one case of shelling in a populated area, an incident attributed to either the coalition or the Houthi forces, which reportedly led to 55 deaths, with 170 wounded (see table 5). The Panel sent letters to the coalition asking for information on the five air strikes and met with the Joint Incident Assessment Team. The Panel shared that information with Saudi officials in June and December 2018 during its visits to Riyadh. The Saudi Arabian authorities provided a written reply to the Panel with regard to case A. The coalition has made public statements on cases B, C and F (see table 5).

Table 5  
Reported air strikes and use of explosive ordnance, 2018

Case	Date	Location	Impact point	Ordnance	Victims/damage
A	2 April	N 14°49'01.6", E 42°59'39.0"	Civilian buildings in Hali district, Hudaydah	Aircraft bomb	14 killed, including 7 children and 4 women
B	22 April	N 15°41'24", E 43°21'07"	Wedding party in Raqah village of Bani Qays in Hajjah	Aircraft bomb	21 killed, including 11 children, and approximately 90 wounded, including several children
C	27 May	N 14°49'53.5", E 42°56'02.2"	Wharf at Hudaydah port	Aircraft bomb	Damage to the wharf
D	23 July	N 17°2'25.09", E 43°55'6.58"	Water supply system, Nashur, in Sa'dah	Aircraft bomb	Damage to borehole, pipe and solar panels
E	2 August	N 14°46'46.08", E 42°57'03.92"/ N 14°46'53.01", E 42°56'51.74"	Hospital and fish market, Hudaydah Athawra	120 mm mortar bomb	55 persons killed and 170 wounded
F	9 August	N 17°03'51.2", E 43°36'05.8"	Bus in Dayhan, Sa'dah	Aircraft bomb	Approximately 43 killed and 63 wounded, the majority of whom were children

136. In the six incidents investigated, the Panel found the following:

(a) The coalition was responsible in cases B, C, D and F and was likely responsible in case A. For case E, the Panel was unable to attribute responsibility on the basis of the evidence gathered.<sup>117</sup> In cases E and F, the Panel requested authorization to visit the relevant sites, but the Houthi authorities did not provide an official response (see para. 19). Details on the case studies of incidents A, B, D, E and F are contained in annex 33.<sup>118</sup> Details of incident E are included in annex 34;

(b) In case E, there was no evidence that civilians in or near the target area, who were prima facie immune from attack, had lost their protection. In case D, there was no evidence at or near the target that civilian objects had been turned into a military objective. In case F, evidence gathered by the Panel confirmed the incident and the significant number of victims, including children. However, the Panel noted some inconsistencies in parts of the narrative surrounding the incident, such as the direction of the bus, as shown after the incident, which was the opposite of what was described in the official narrative (see figures XV and XVI and appendix F to annex 33). The Panel is continuing to investigate cases A, E and F;

(c) Even if in some cases, the coalition targeted military objectives and civilians lost their protection, as claimed in cases B and F, the Panel found that it was highly unlikely that the principles of international humanitarian law of proportionality and precaution were respected in the attacks. In case C, the Panel found that it was a priori likely that the attack respected the applicable rules of international humanitarian law continued to investigate the case.

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<sup>117</sup> The Panel found that the mortar used for that attack had characteristics of those produced either by Rheinmetall in Germany or by its South African subsidiary Rheinmetall Denel Munitions, which reportedly also produces mortar shells in a factory in Saudi Arabia (see annex 34). However, the Panel noted that many weapons from Saudi Arabia have been found in the hands of various groups in Yemen. Deutsche Welle, “Yemen and the global arms trade”, video, 4 December 2018. Available at [www.youtube.com/watch?v=tkUv2R97I-Y](http://www.youtube.com/watch?v=tkUv2R97I-Y) and Rod Austin, “Yemen: Inquiry finds Saudis diverting arms to factions loyal to their cause”, *Guardian*, 28 November 2018. Available at [www.theguardian.com/global-development/2018/nov/28/arms-yemen-militia-were-supplied-by-west-find-analysts](http://www.theguardian.com/global-development/2018/nov/28/arms-yemen-militia-were-supplied-by-west-find-analysts).

<sup>118</sup> Appendix G to annex 32 contains additional information made available to the Panel on an air strike of 9 June 2017 in Sana’a mentioned in the previous report of the Panel (S/2018/594).

Figure XV  
Itinerary according to the Houthi authorities ministry of human rights report



Source: Confidential.

Figure XVI  
Bus after the incident



15

Source: Confidential.

137. Taken as a whole, the cumulative effects on civilians and civilian objects demonstrated that, even where precautionary measures were taken, they were largely inadequate and ineffective.

138. The Panel noted that, in cases B and F, the Joint Incident Assessment Team found errors in compliance with the rules of engagement, which led to a high number

of civilian casualties. Under international humanitarian law, parties to a conflict must take all feasible precautions to avoid, and in any event minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects (see table 6).<sup>119</sup>

139. The Panel noted that, in cases B and F, the coalition recommended that legal measures be taken to hold perpetrators accountable and provide assistance to victims for damages and losses resulting from those operations.<sup>120</sup>

140. The Panel was informed orally during its visit to Riyadh in December 2018 that legal procedures could be undertaken with regard to case F, under the Military Code of Justice of Saudi Arabia.<sup>121</sup> Under international humanitarian law, States must investigate war crimes allegedly committed by their nationals or armed forces or in territory over which they have jurisdiction and, if appropriate, prosecute the perpetrators.<sup>122</sup> The Panel was unaware of any prosecution for war crimes committed in relation to the conduct of hostilities in Yemen by any State and welcomed any information in that regard.

141. Individuals responsible for planning, authorizing and/or executing attacks that disproportionately affect civilians and civilian objects are likely to fall under the designation criteria contained in paragraphs 17 and 18 of resolution 2140 (2014).

Table 6

**Communications from the coalition and the Joint Incident Assessment Team**

<i>Date</i>	<i>Incident</i>	<i>Official response from the coalition</i>
2 April	Civilian buildings in Hali district, Hudaydah	The coalition did not carry out an air strike on that location, but 3,288 m from the site
<i>Date</i>	<i>Incident</i>	<i>Statement from the Joint Incident Assessment Team</i>
22 April	Wedding party in Raqah village of Bani Qays in Hajjah	The coalition carried out an air strike on that location; the Joint Incident Assessment Team found errors indicating non-compliance with the rules of engagement procedures to minimize civilian collateral damage
27 May	Wharf at Hudaydah port	The coalition carried out an air strike on that location and claims it hit a military objective
9 August	Bus in Dahyan market, Sa'dah	The coalition carried out an air strike on that location; the Joint Incident Assessment Team indicated mistakes in compliance with the rules of engagement, resulting in unjustified civilian damage

<sup>119</sup> ICRC Customary International Humanitarian Law database, rule 15.

<sup>120</sup> Saudi Press Agency, "Counselor Al-Mansour: JIAT is Independent and stands at same distance from all parties to Yemeni conflict", 12 September 2018. Available at [www.spa.gov.sa/view\\_story.php?lang=en&newsid=1812903](http://www.spa.gov.sa/view_story.php?lang=en&newsid=1812903); and Saudi Press Agency, "Statement by the Joint Forces Command of the Coalition 'Coalition to Restore Legitimacy in Yemen'", 1 September 2018. Available at [www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423](http://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423).

<sup>121</sup> The Panel was informed that legal procedures could be undertaken on the basis of article 130 of the Code of Military Justice. See [www.ksa-employers.com/showthread.php?t=134450&fbclid=IwAR06kjsZfo86OCeCqWfp62DqiGxBjm44yu-jLyeR1YcKdv9LjTjexnjaZY](http://www.ksa-employers.com/showthread.php?t=134450&fbclid=IwAR06kjsZfo86OCeCqWfp62DqiGxBjm44yu-jLyeR1YcKdv9LjTjexnjaZY).

<sup>122</sup> ICRC Customary International Humanitarian Law database, rule 158.

## 2. Violations of international humanitarian law and international human rights law associated with detention

142. In 2018, the Panel received information on four individual cases of allegations of violations of international humanitarian law and international human rights law associated with detention by the United Arab Emirates.<sup>123</sup> Owing to the difficulties in gaining access to evidence, the Panel continues to investigate. The information received by the Panel confirmed that the pattern of violations described in its previous report (S/2018/594, paras. 166–172) continued to occur. In none of the cases under investigation by the Panel were families of the detainees informed of their fate. The Panel received an official letter dated 13 December 2018 from the United Arab Emirates regarding its efforts to renovate Bin Ahmed, Mansurah and Mukalla prisons and to support the judicial system and denying involvement in violations of international humanitarian law or international human rights law violations. The Panel continues to investigate. The Panel is also investigating the case of a Qatari national arrested in April 2018 in Yemen by forces of the coalition and detained since then in an unknown place.<sup>124</sup>

143. Under international humanitarian law, States must investigate war crimes allegedly committed by their nationals or armed forces or in territory over which they have jurisdiction, and, if appropriate, prosecute the perpetrators.<sup>125</sup> The Panel was unaware of any prosecution for war crimes committed in relation to detention in the context of the armed conflict in Yemen by any State and welcomed any information in that regard.

144. Individuals responsible for violations of international humanitarian law and international human rights law in the context of detention likely fall under the designation criteria contained in paragraphs 17 and 18 of resolution 2140 (2014). The Panel continues to investigate the issue.

## B. Acts and incidents attributed to the Houthis forces

### 1. Indiscriminate use of explosive ordnance against civilians in populated areas

145. The Panel investigated four incidents showing, almost certainly, cases of indiscriminate use of explosive ordnance in densely populated areas in Ta‘izz and Ma‘rib, which resulted in the death of 13 civilians and injury to 43 others (see table 7).<sup>126</sup> In addition, the use of unguided explosive ordnance in populated areas raised issues with regard to compliance with the applicable rules of international humanitarian law. Mortar bombs and artillery shells have an inherent level of inaccuracy, and the likelihood of indiscriminate effects increases when used at long range at targets in proximity to civilians and civilian objects.<sup>127</sup> Detailed case studies of three incidents (A, C and D) are provided in annex 35.

<sup>123</sup> The Panel interviewed one former detainee and relatives and/or organizations with regard to the other three detainees.

<sup>124</sup> See footnote 41 above.

<sup>125</sup> ICRC Customary International Humanitarian Law database, rule 158.

<sup>126</sup> Indiscriminate use of explosive ordnance is a violation of international humanitarian law. See article 3 common to the Geneva Conventions of 1949 (common article 3) and ICRC Customary International Humanitarian Law database, rule 1.

<sup>127</sup> International Committee of the Red Cross, *Explosive weapons in populated areas. Humanitarian, legal, technical and military aspects*. Expert meeting, 24 and 25 February 2015. (Switzerland, June 2015). Available at [https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?\\_\\_store=default](https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?__store=default), e-book.

146. The Panel investigated three cases of indiscriminate shelling by Houthi forces at targets in Saudi Arabia on 5 January, 30 January and 25 March. The Panel requested information from Saudi Arabia with respect to impacts on civilian and/or civilian objects as a result of those incidents. The Panel has yet to receive information from Saudi Arabia.

Table 7  
**Cases of shelling in Yemen investigated in 2018**

<i>Case</i>	<i>Date</i>	<i>Location</i>	<i>Impact point</i>	<i>Ordnance</i>	<i>Victims/damage</i>
A	11 Jan	N 13°31'51.35", E 43°57'11.07"	Road in Sabir al-Mawadim district, Shaykhit village, Ta'izz	2 mortar bombs	4 killed: 2 women and 2 children
B	2 May	N 15°29'34.9", E 45°18'58.6"	Building on northern outskirts of Ma'rib used as a reintegration centre for child soldiers	Mortar bomb	Damage to the building
C	22 May	N 15°27'41.22", E 45°19'16.33"	Marketplace near Adhban mosque in Ma'rib	Katyusha rocket type	5 killed and 22 wounded
D	17 July	N 13°34'9.51", E 44° 0'0.01"	Residential building, Sinah area, Ta'izz	82 mm mortar bomb	3 killed, 16 wounded

## 2. Direct targeting of civilians by snipers

147. The Panel received information about civilians killed by snipers in the Governorate of Ta'izz. The Panel was able to investigate two cases which resulted in three civilian deaths, one woman and two children, and one injured person.<sup>128</sup> Targeting civilians who are not directly participating in hostilities is prohibited under international humanitarian law.<sup>129</sup> Human rights norms also protect the right to life.<sup>130</sup> The Panel found that the continued targeting of civilians falls within the scope of paragraphs 17 and 18 of resolution 2140 (2014).

## 3. Attack on a hospital and a medical unit

148. The Panel investigated an attack against an ambulance, clearly marked with the red crescent emblem, carrying unarmed Sudanese soldiers on 11 November by Houthi forces, in violation of international humanitarian law.<sup>131</sup> On 12 November, the Houthi deputy minister for foreign affairs, Hussein al Ezzi, posted a video of the attack on social media in which he praised the attack (see figure XVII).<sup>132</sup>

<sup>128</sup> See confidential annex 36.

<sup>129</sup> Common article 3; article 4 of Protocol II to the Geneva Conventions of 12 August 1949; and ICRC Customary International Humanitarian Law database, rules 1 and 89.

<sup>130</sup> Article 3 of the Universal Declaration of Human Rights; and article 6 of the International Covenant on Civil and Political Rights.

<sup>131</sup> See common article 3 and articles 7 and 11 of Protocol II to the Geneva Conventions of 12 August 1949.

<sup>132</sup> Video and Twitter post by Hussein al Ezzi on file with the Panel.

Figure XVII  
 Tweet by Hussein al Ezzi praising the attack on an ambulance



149. The Panel also investigated the case of Houthi forces entering the 22 May Hospital in Hudaydah, forcing patients and medical personnel to evacuate and causing damage to the hospital, between 1 and 7 November<sup>133</sup> in violation of international humanitarian law (see annex 37).<sup>134</sup>

#### 4. Violations associated with the deprivation of liberty

150. The Panel investigated 25 cases of violations of international humanitarian law and international human rights law in association with deprivation of liberty committed by the Houthi forces, including arbitrary arrest and deprivation of liberty, torture, ill-treatment, enforced disappearance and lack of due legal process (see confidential annex 38).

151. The Panel documented eight cases enforced disappearances, in which detainees were kept in places unknown to their relatives for a period of between three months and four years. In five of those cases, the fate of the detainees is still unknown to their relatives. International humanitarian law specifically requires the detaining authorities to record the details of the persons detained<sup>135</sup> and to allow them to correspond with their family.<sup>136</sup>

152. The Panel continued to document cases of individuals who were held captive by Houthi forces for the purpose of being exchanged for Houthi fighters detained by the Government of Yemen or its associated forces. The Panel reasserts that any detention of civilians solely as leverage for future prisoner exchanges amounts to hostage-

<sup>133</sup> For example, Amnesty International, “Yemen: Huthi gunmen raid hospital as Hodeidah’s civilians face imminent onslaught”, 7 November 2018. Available at [www.amnesty.org/en/latest/news/2018/11/yemen-huthi-gunmen-raid-hospital-as-hodeidahs-civilians-face-imminent-onslaught/](http://www.amnesty.org/en/latest/news/2018/11/yemen-huthi-gunmen-raid-hospital-as-hodeidahs-civilians-face-imminent-onslaught/); and, Bethan McKernan, “Battle rages in Yemen’s vital port as showdown looms”, *Guardian*, 7 November 2018. Available at [www.theguardian.com/world/2018/nov/07/yemen-hodeidah-airstrikes-saudi-led-coalition-ceasefire-calls](http://www.theguardian.com/world/2018/nov/07/yemen-hodeidah-airstrikes-saudi-led-coalition-ceasefire-calls). The Panel received pictures from confidential sources of the damages to the hospital.

<sup>134</sup> See common article 3 and articles 7 and 11 of Protocol II to the Geneva Conventions of 12 August 1949.

<sup>135</sup> ICRC Customary International Humanitarian Law database, rule 123.

<sup>136</sup> Subject to reasonable conditions relating to frequency and the need for censorship by the authorities; see ICRC Customary International Humanitarian Law database, rule 125.

taking, which is prohibited under international humanitarian law.<sup>137</sup> The Panel also continued to document cases in which the detaining authorities were profiting from detentions.

#### 5. Violations against journalists

153. The Panel investigated 12 cases in which journalists and members of the media were arbitrarily arrested and detained in Sana'a (11) and Ta'izz (1). Information relating to those cases is included in confidential annex 39. The Panel found that, in the cases investigated, the Houthi authorities committed several violations of international humanitarian law and human rights norms, including arbitrary arrest and deprivation of liberty, ill-treatment and violations of the right to correspond with family and receive visits, the right to a fair trial and the right to freedom of expression.<sup>138</sup>

#### 6. Intolerance and discrimination against religious minority groups

154. Since 2016 (S/2018/193, para. 149), many Baha'i followers have been deprived of their liberty or arrested in a manner that did not respect due legal process.<sup>139</sup> In 2018, the Panel continued to investigate cases relating to persons of the Baha'i faith who were deprived of their liberty, arrested and/or saw their property seized in a manner that did not respect due process (see annex 40). The deprivation of liberty or seizure of property from a group of individuals on account of their faith-based activities violates human rights norms.<sup>140</sup>

### C. Violations of international humanitarian law and international human rights law attributed to the Government of Yemen

155. The Panel investigated cases of arbitrary detention and extrajudicial killing by forces affiliated to the Government of Yemen in Ma'rib and Ta'izz. Further information on the cases investigated by the Panel is provided in confidential annex 41.

156. The Panel investigated cases of violations of international human rights law with regard to the conditions of detention and treatment of around 650–700 migrants at an improvised confinement centre in Bureiqa, Aden, operated under the authority of the Ministry of the Interior. The Panel received confirmation that the centre was closed in April 2018. The Government of Yemen ordered the arrest of Khaled al-Awani, who was in charge of the centre, along with five other persons, prohibited Mr. Al-Awani from travelling out of Yemen and suspended his salary. Mr. Al-Awani and three of the suspects remain at large.<sup>141</sup>

157. As mentioned in paragraph 116 above, the Panel investigated delays in issuing the letters of credit and denial of entry of goods coming into Yemen by companies

<sup>137</sup> Common article 3 and ICRC Customary International Humanitarian Law database, rule 96. See also ICRC, *Commentary on the Geneva Conventions of August 12 1949 (2016)*, para. 651.

<sup>138</sup> See article 4 of Protocol II to the Geneva Conventions of 12 August 1949; ICRC Customary International Humanitarian Law database, rules 87, 90, 99, 100, 125, 126; article 19 of the International Covenant on Civil and Political Rights; and article 19 of the Universal Declaration of Human Rights.

<sup>139</sup> See [www.amnesty.org/en/latest/news/2018/09/yemen-24-bahai-people-including-a-child-facing-possible-death-penalty](http://www.amnesty.org/en/latest/news/2018/09/yemen-24-bahai-people-including-a-child-facing-possible-death-penalty).

<sup>140</sup> See article 4 of Protocol II to the Geneva Conventions of 12 August 1949 and ICRC Customary International Humanitarian Law database, rule 88. See also articles 2, 7 and 17–20 of the Universal Declaration of Human Rights.

<sup>141</sup> Letter to the Panel of Experts from the United Arab Emirates dated, 2 October 2018.

unable to comply with the terms of Decree 75, in October and November 2018. Under article 11 of the International Covenant on Economic, Social and Cultural Rights, the Government of Yemen must take appropriate measures to ensure that the civilian population of Yemen has access to adequate food supplies.<sup>142</sup>

#### **D. Violations of international human rights law attributed to proxy forces**

158. The Panel investigated violations of international human rights law relating to arbitrary arrest and detention, enforced disappearances and extrajudicial killings by the Security Belt Forces in Aden and the Shabwani Elite Forces. Further information on the cases investigated by the Panel is provided in confidential annex 41.

159. As noted in paragraph 23, the Panel found evidence that the Government of Yemen had no effective control over those forces. Rather, those forces, which were created by the United Arab Emirates in 2016, were being paid, armed and trained by the latter. The Panel also received information that the United Arab Emirates was, in fact, in charge of organizing and coordinating the operations of those forces. The Panel continued to investigate whether the specific violations committed by those forces should be attributed to the United Arab Emirates or to the Government of Yemen. In any case, they both had an obligation to exercise due diligence to prevent, investigate, hold perpetrators accountable for, and provide remedies against, the harm caused by the conduct of their agents and third parties which can affect human rights.<sup>143</sup>

#### **E. Recruitment and use of children in armed conflict**

160. The Panel received information about two specific cases of recruitment of children by Houthi forces and a list of 31 children who were allegedly recruited by forces associated with the Government of Yemen.<sup>144</sup> Due to the difficulties in gaining access to first-hand evidence, the necessity to protect the victims and the reluctance of families to communicate with the Panel or non-governmental organizations on the issue of child recruitment, the Panel has not been able to compile case studies and continues to investigate. The lack of specific case studies in the present report should not be taken as evidence that child recruitment is not widespread in Yemen.<sup>145</sup>

<sup>142</sup> International Covenant on Economic, Social and Cultural Rights. On the issue of the right to food in armed conflict see, inter alia, [A/72/188](#). On the applicability of the Covenant in armed conflict, see, inter alia, [E/2015/59](#).

<sup>143</sup> The State obligation to exercise due diligence to prevent violation of international law by private actors is a long-established principle. See, for instance: *Alabama case (United States v. Great Britain)*, arbitral award, 14 September 1872. With respect to human rights violations, see, among others, the Human Rights Committee's general comment No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the Covenant, para. 8. See also the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Yemen has been a party to the International Covenant on Civil and Political Rights since 1987 and the United Arab Emirates has been a party to the Convention against Torture since 2012.

<sup>144</sup> Reports and list on file with the Panel. The Panel also intended to visit a rehabilitation centre in Ma'rib, but the mission was cancelled.

<sup>145</sup> See [S/2018/465](#), in which 842 verified cases of recruitment and use of children in the armed conflict in Yemen was reported.

## F. Destruction and theft of cultural property

161. The Panel investigated three cases of theft of cultural artefacts (see para. 127; see also S/2018/594, paras. 137–139). Under international humanitarian law, any form of theft, pillage or misappropriation of property of importance to the cultural heritage of any and every people is prohibited.<sup>146</sup>

162. The Panel investigated the destruction of the historical Mosque and Mausoleum of Ahmed Al-Faz, in Fazzah area, Hudaydah Governorate, on 22 October 2018 (see annex 42).<sup>147</sup> The Panel has not been able to independently identify the specific group responsible for the attack and continues to investigate. Under applicable rules of international humanitarian law, and in addition to the general protection against direct attack,<sup>148</sup> cultural property also enjoys additional and specific protections.<sup>149</sup>

## VIII. Obstruction of humanitarian assistance

163. Pursuant to paragraph 19 of resolution 2216 (2015), the Panel continued to investigate the obstruction of the delivery of humanitarian assistance to Yemen, including access to, and the distribution of, humanitarian assistance in Yemen.

### A. Obstruction of the delivery of humanitarian assistance

164. The Panel found that, in 2018, the coalition continued to obstruct commercial flights from Sana'a airport that could have been used by Yemeni civilians to gain access to medical treatment outside the country. The option for people in Houthi-held areas to seek medical assistance outside Yemen requires travel to Say'un or Aden airports, which takes several hours by road, and they are at risk of harassment at multiple checkpoints. The Panel noted that, on 3 December 2018, coalition allowed the medical evacuation of 50 members of the Houthi forces from Sana'a airport.

165. The Panel has also analysed import data, through 2018, from Yemeni ports which showed that imports had gradually shifted away from Red Sea ports towards the ports under the control of the Government of Yemen. The Panel is investigating whether the shift was a result of a deliberate policy aimed at constraining the Houthi economy or if the shift occurred as a result of influence by business lobbies associated with the Government that wanted to increase their share of the import market.

166. Statistics available to the Panel indicated a significant increase in port activity in Aden and Mukalla, at the cost of Hudaydah (see para. 119 above). There was a disparity between the perception that Hudaydah covered 70 per cent of imports to Yemen and the reality. All containerized goods have run through the port of Aden since November 2017, when Saudi Arabian authorities temporarily closed the ports

<sup>146</sup> See articles 4 and 19 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict and ICRC Customary International Humanitarian Law database, rule 40 (b).

<sup>147</sup> The destruction of the site was condemned by UNESCO. UNESCO, "UNESCO condemns the intentional destruction of a historical mosque and mausoleum in the Hodeida Governorate of Yemen", 30 October 2018. Available at <http://whc.unesco.org/en/news/1895>.

<sup>148</sup> ICRC Customary International Humanitarian Law database, rule 7.

<sup>149</sup> See article 16 of Protocol II to the Geneva Conventions of 12 August 1949. See also ICRC Customary International Humanitarian Law database, rule 38, and articles 4 and 19, Convention for the Protection of Cultural Property in the Event of Armed Conflict.

under Houthi control.<sup>150</sup> Moreover, since April 2018, major container carriers have expressed concerns about the military operations approaching Hudaydah.<sup>151</sup>

167. One importer lost over \$800,000 as a result of demurrage, delay penalties to buyers and higher insurance costs for one vessel. Through October and November 2018, that importer ceased to trade in animal feed, which negatively affected poultry production capacity within Yemen. The Panel continues to investigate the matter.

## B. Obstruction of the distribution of humanitarian assistance

168. In 2018, the Panel investigated obstruction of the distribution of humanitarian assistance by the Houthi forces, which included: (a) arrest and intimidation of aid workers; (b) non-respect of the independence of humanitarian organizations; (c) denial, delay or cancellation of visas; and (d) interference in the selection of beneficiaries and areas of operation. The Panel received information that, in order to continue functioning, some international organizations were obliged to adapt to pressure from the Houthi authorities.

169. The Panel found that, in 2018, Motlaq Amer al-Marrani (also known as Abu Emad), deputy head of the Sana'a-based national security bureau, continued to create obstructions to the delivery of humanitarian assistance (see S/2018/594, para. 193, and confidential annex 72).

170. At the request of humanitarian stakeholders, information and analysis relating to the present section is provided in confidential annex 43.

## IX. Recommendations

171. The Panel recommends that the Security Council:

(a) Consider including in a resolution or presidential statement language reminding the Government of Yemen, Member States and other parties that corruption poses a significant threat to peace and security in Yemen and that the perpetrators involved may meet the designation criteria under resolution 2140 (2014);

(b) Consider including in a resolution or presidential statement language urging the Houthis to ensure respect for the principles of neutrality, impartiality and independence with regard to humanitarian actors;

(c) Consider including in a resolution or presidential statement language reminding the Government of Yemen of its obligations under article 11 of the International Covenant on Economic, Social and Cultural Rights, which remains applicable in the situation of armed conflict, that recognizes the right to everyone to adequate standards of living, including, inter alia, adequate food, to uphold the Government's obligations under the Covenant in ensuring that import mechanisms in place facilitate the entry of goods, especially food, to all areas of Yemen.

<sup>150</sup> The only container vessels that berthed in Hudaydah in 2018 were for humanitarian assistance, the *Spero* on 18 February 2018, the *Buxcontact* on 24 February, the *Venus* on 26 May and the *Ym Wellbeing* on 12 August, based on data obtained from <https://maritime.ihs.com>.

<sup>151</sup> The Panel attended a meeting between the United Nations Verification and Inspection Mechanism, traders and shippers, held in Djibouti on 14 May 2018, at which representatives declared their unwillingness to begin importing containers to Hudaydah without guaranties that Hudaydah would not be impacted by the conflict.

172. The Panel recommends that the Committee:

(a) Consider engaging with the Office of the Secretary-General and suggesting engagement with both the Government of Yemen and donors to enhance the United Nations Verification and Inspection Mechanism, with the aim of introducing the analytical capacity to identify networks using false documentation to evade inspection of vessels and facilitate breaches of sanctions mandated in resolution 2140 (2014);

(b) Consider engaging with the Office of the Secretary-General and suggesting the organization of a conference in coordination with the World Bank, the International Monetary Fund and key actors to support the Government in implementing due diligence mechanisms for best managing cash flow and imports of goods, under the principles of the United Nations Global Compact;

(c) Consider engaging with the Office of the Secretary-General and requesting that the United Nations Verification and Inspection Mechanism and the monitoring mechanism in Hudaydah establish a protocol with the Panel for sharing information on potential cases of acts that threaten the peace, stability and security of Yemen, including violations of international humanitarian law, international human rights law, the targeted arms embargo and obstructions of humanitarian assistance;

(d) Consider sending a letter to the Government of Yemen encouraging it to conclude a special agreement under article 19 of the Convention for the Protection of Cultural Property in the Event of Armed Conflict with Abu al-Abbas, who has custody of pieces and artefacts from the Urdu National Museum, in order to proceed with the safe transfer of custody of those pieces and artefacts to the Government of Yemen, and requesting that the latter report to the Committee on any steps taken and potential need of assistance that could be provided by international actors;

(e) Consider sending a letter to the International Maritime Organization to alert it of the risks posed by anti-ship cruise missiles and waterborne improvised explosive devices in the Red Sea and to encourage it to discuss those threats with the commercial shipping industry, with the aim of developing suitable precautions and countermeasures;

(f) Consider sending a letter to the International Civil Aviation Organization to alert it of the risks posed by unmanned aerial vehicles and loitering munitions to civil aviation, in particular in the vicinity of busy international airports on the Arabian Peninsula, and to encourage it to discuss those threats with airport operators and airlines, with the aim of developing suitable precautions and countermeasures.

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## Annex 1. Methodology

1. The Panel used satellite imagery of areas of Yemen procured by the United Nations from private providers to support its investigations. It also used commercial databases recording maritime and aviation data and mobile phone records. Public statements by officials through their official media channels were accepted as factual unless contrary facts were established. While the Panel strived to be as transparent as possible, in situations in which identifying sources would have exposed them or others to unacceptable personal security risks, the Panel decided not to include identifying information in the present report and instead placed the relevant evidence in United Nations archives.
2. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, to appropriately meet the highest achievable standard of proof.
3. The spelling of toponyms within Yemen often depends on the ethnicity of the source or the quality of transliteration. The Panel has adopted a consistent approach in the present report.
4. The Panel has placed importance on the rule of consensus among the Panel members and agreed that, if differences and/or reservations arise during the development of the report, it would only adopt the text, conclusions and recommendations by a majority of four out of the five members. In the event of a recommendation for designation of an individual or a group, such recommendation would be done on the basis of unanimity.
5. The Panel has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this report. Their response has been taken into consideration in the Panel's findings. The methodology for this is provided in appendix A.

## Appendix A to Annex 1: ‘The opportunity to reply’ methodology used by the Panel

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity<sup>1</sup> in a Panel’s report, could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/material in support of their narrative. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
  - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
  - (b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:
    - (i) Result in the individual moving assets if they get warning of a possible recommendation for designation;
    - (ii) Restrict further access of the Panel to vital sources;
    - (iii) Endanger Panel sources or Panel members;
    - (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or
    - (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.
3. If the circumstances set forth in 2(b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.
4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.
5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.
6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.
7. The individual, on the other hand, in making their determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representative or his government) to communicate on his/her behalf on subsequent interactions with the Panel.

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<sup>1</sup> Hereinafter just the term individual will be used to reflect both.

## Appendix B to Annex 1: Violations relating to IHL, IHRL, and acts that constitute human rights abuses investigative methodology

1. The Panel adopted the following stringent methodology to ensure that its investigations met the highest possible evidentiary standards, despite it being prevented from visiting places in Yemen other than Aden. In doing so it has paid particular attention to the “Informal Working Group on General Issues of Sanctions Reports”, [S/2006/997](#), on best practices and methods, including paragraphs 21, 22 and 23, as requested by paragraph 11 of resolution [2402 \(2018\)](#).

2. The Panel’s methodology in relation to its investigations concerning IHL, IHRL and human rights abuses is set out as below:

(a) All Panel investigations are initiated based on verifiable information being made available to the Panel, either directly from sources or from media reports.

(b) In carrying out its investigations on the use of explosive ordnance, the Panel relies on at least three or more of the following sources of information:

(i) At least two eye-witnesses or victims;

(ii) At least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) If there are casualties associated with the incident, and if the casualties are less than ten in number, the Panel obtains copies of death certificates and medical certificates. In incidents relating to mass casualties, the Panel relies on published information from the United Nations and other organizations;

(iv) Technical evidence, which includes imagery of explosive events such as the impact damage, blast effects, and recovered fragmentation. In all cases, the Panel collects imagery from at least two different and unrelated sources. In the rare cases where the Panel has had to rely on open source imagery, the Panel verifies that imagery by referring it to eyewitnesses or by checking for pixilation distortion;

a. In relation to airstrikes, the Panel often identifies the responsible party through crater analysis or by the identification of components from imagery of fragmentation; and

b. The Panel also analyses imagery of the ground splatter pattern at the point of impact from mortar, artillery, or free flight rocket fire to identify the direction from which the incoming ordnance originated. This is one indicator to assist in the identification of the perpetrator for ground fire when combined with other source information.

(v) The utilisation of open source or purchased satellite imagery wherever possible, to identify the exact location of an incident, and to support analysis of the type and extent of destruction. Such imagery may also assist in the confirmation of timelines of the incident;

(vi) Access to investigation reports and other documentation of local and international organizations that have independently investigated the incident;

(vii) Other documentation that supports the narrative of sources, for example, factory manuals that may prove that the said factory is technically incapable of producing weapons of the type it is alleged to have produced;

(viii) In rare instances where the Panel has doubt as to the veracity of available facts from other sources, local sources are relied on to collect specific and verifiable information from the

ground. (For example, if the Panel wished to confirm the presence of an armed group in a particular area);

(ix) Statements issued by or on behalf of a party to the conflict responsible for the incident; and/or

(x) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(c) In carrying out its investigations on deprivation of liberty and associated violations the Panel relies on the following sources of information:

(i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;

(ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;

(iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iv) Medical documentation and, where applicable, death certificates;

(v) Documentation issued by prison authorities;

(vi) Interviews with medical personnel who treated the victim, wherever possible;

(vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;

(viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;

(ix) Statements issued by the party to the conflict responsible for the incident; and/or

(xx) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(d) In carrying out its investigations on other violations, including forced displacement and threats against medical workers, the Panel relies on information that includes:

(i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;

(ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) Documentation relevant to verify information obtained;

(iv) Statements issued by the party to the conflict responsible for the incident; and/or

(v) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(e) The standard of proof is met when the Panel has reasonable grounds to believe that the incidents had occurred as described and, based on multiple corroboratory sources, that the responsibility for the incident lies with the identified perpetrator. The standard of proof is “beyond a reasonable doubt”.

(f) Upon completion of its investigation, wherever possible, the Panel provides those responsible with an opportunity to respond to the Panel’s findings in so far as it relates to the attribution of responsibility. This is undertaken in accordance with the Panel’s standard methodology on the opportunity to reply. Generally, the Panel would provide detailed information in any opportunity to respond, including geo-locations. However, detailed information on incidents are not provided when there is a credible threat that it would threaten Panel sources, for example, in violations related to deprivation of liberty, violations associated with ground strikes on a civilian home, or in violations associated with children.

(g) If a party does not provide the Panel with the information requested, the Panel will consider whether this is of sufficient gravity to be considered as non-compliance with paragraph 8 of resolution 2402 (2018), and thus consideration for reporting to the Committee.

3. The Panel will not include information in its reports that may identify or endanger its sources. Where it is necessary to bring such information to the attention of the Council or the Committee, the Panel may include more source information in confidential annexes.

4. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: 1) with the specific permission of the sources; and 2) where the Panel is, based on its own assessment, certain that these individuals would not suffer any danger as a result. The Panel stands ready to provide the Council or the Committee, on request, with any additional imagery and documentation to supports the Panel’s findings beyond that included in its report. Appropriate precautions will be taken though to protect the anonymity of its sources.

## Annex 2. UN Geographic Information Systems (GIS) map (place name identification)



Map No. 3847 Rev. 3 UNITED NATIONS  
January 2004

Department of Peacekeeping Operations  
Cartographic Section

### Annex 3. Summary of Panel correspondence (2018)

Table 3.1  
Correspondence with Member States

<i>Ser.</i>	<i>Member State</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by Member State</i>	<i>Remarks</i>
1	Belgium	1		
2	Canada	1		
3	China	6	2	
4	Djibouti	2		
5	Egypt	1		
6	France	2		
7	Germany	2		Note 1
8	Greece	1		Note 1
9	Honduras	1		
10	Indonesia	1	1	
11	Islamic Republic of Iran	4		Note 1
12	Italy	3		
13	Japan	2	1	
14	Jordan	1		
15	Malaysia	1	1	
16	Norway	2		
17	Oman	2	1	
18	Qatar	1		
19	Russian Federation	2		
20	Kingdom of Saudi Arabia	29	4	
21	Spain	1	1	
22	Tanzania	1		
23	Turkey	1		Note 1
24	United Arab Emirates	12	1	
25	United States of America	2		
26	Yemen	25	5	
<b>26</b>		<b>107</b>	<b>17</b>	

Note 1: Additional information still awaited.

Table 3.2  
Correspondence with Sana'a based authorities

<i>Entity</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by entity</i>	<i>Remarks</i>
Sana'a based ministry of foreign affairs	5	5	
<b>Total</b>	<b>5</b>	<b>5</b>	

Table 3.3  
Correspondence with international and regional organizations

<i>Ser.</i>	<i>Organization</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters</i>	<i>Remarks</i>
1	Combined Maritime Force (CMF)	2		
2	UNICEF	1		
3	WFP	1		
<b>3</b>		<b>4</b>		

Table 3.4  
Correspondence with Companies

<i>Ser.</i>	<i>Company</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters</i>	<i>Remarks</i>
1	3W	1		
2	Bahri	3		
3	Component Distributers	1	1	
4	Digi	1	1	
5	Dileton	2		
6	Hengstler	1		
7	Houthis	5		
8	Ince Shipping	1		
9	Leo Shipping	1	1	
10	MIRA	1		
11	R.shipping	1		
12	raytheon	1		
13	Safran	2		
14	seastar	1	1	
15	Steyr	1	1	
<b>3</b>		<b>23</b>	<b>5</b>	

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**Annex 4. Leadership and structure of provincial security and security belt forces**

<i>Serial</i>	<i>Name</i>	<i>Position</i>	<i>Location</i>	<i>Remarks</i>
1	Colonel Khader al-Nub	Director of General Security	Abyan	
2	Colonel Abd al-Latif al-Sayed	Commander Security Belt Forces	Abyan	
3	Lieutenant Colonel Mohammed al-Oban	Deputy Commander Security Belt Forces	Abyan	
5	Major General Shallal Ali Shaye	Director of General Security	Aden	
6	Brigadier General Wadha Omar Abdulaziz	Commander Security Belt and 3 <sup>rd</sup> Support Brigade	Aden	
7	Brigadier General Munir Mahmoud Ahmed al-Mashali	Commander 1 <sup>st</sup> Support Brigade Emergency Forces	Abyan/Aden	
8	Colonel Nabil al-Mashwashi	Commander 2 <sup>nd</sup> Support Brigade	Aden	
9	Colonel Hader al-Shukhaty	Commander 4 <sup>th</sup> Support Brigade	Lahij	
10	Colonel Mukhtar al-Nubi	Commander 5 <sup>th</sup> Support Brigade	Radfan/Lahij	

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## Annex 5. Salafiyya in Yemen: arrival, fragmentation and conflict

### I. Background

1. Fragmentation of the Salafi establishment in Yemen is not new, but the current conflict has exacerbated rivalries and influenced the approach to fundamental doctrinal principles. The schism present today involves factions previously identified as quietists/apolitical, political and jihadist.<sup>2</sup>

2. The emergence and proliferation of Salafi-led armed groups since July 2015 occurred outside the control of the Government of Yemen and the Coalition. The Panel has observed how each group gravitated to a source of financial support, and then deployed to a specific battle front against Houthis, such as the city of Ta'izz and the West Coast. Threats to peace and security emerge from loose command and control and growing rivalries.<sup>3</sup>

3. Since the arrival of Yemeni Salafi shaykh Moqbil bin Hadi al-Wada'i in Dammaj, Sa'dah governorate<sup>4</sup> in the 1970s Salafiyya has expanded and evolved. The establishment of Dar al-Hadith Institutes eventually led to a network of Salafi centers throughout Yemen's north and south. Shaykh Moqbil's pupils became directors of Salafi centers in Ibb, Ma'rib, Lahij, Sana'a, al-Shahir, and Ta'izz to name a few, and sparked a movement that attracted many Yemeni youth as well as foreigner students.<sup>5</sup>

4. As the Salafi movement grew, shaykh Moqbil saw the establishment of 'associations' as a departure from his teachings. These associations were seen by Moqbil as driven by profits and political activism. He also engaged the emerging role of the Muslim Brotherhood in Yemeni politics and the religious sphere.<sup>6</sup> These views were aligned with shaykhs like Mohammed Aman al-Jami of Ethiopia. This criticism by Moqbil extended to his own former pupils, like Mohammed al-Adeni of al-Fiyush Institute in Lahj. As well as criticism of his former companions like Mohammed Mohammed al-Mahdi, co-founder of *Dawiyyat al-Khayriyya al-Hikma al-Yamaniyya* (al-Hikma),<sup>7</sup> which would eventually ally with *al-Tajammu'u al-Yamani lil-Islah* (al-Islah Party).

5. Following shaykh Moqbil's death in 2001, his deputy Yahya al-Hajuri, became his successor. This move led to further tension between Moqbil's pupils across Yemen. Conflict also intensified with figures such as shaykh Abd al-Majid al-Zindani (spiritual leader in al-Islah Party and founder of al-Iman University in Sana'a) shaykh Mohammed al-Qadhi in Sana'a and Shaykh Abdullah al-Ahdal of Hadhramawt. Rivalries and fragmentation was exacerbated by events following the Arab Spring, as Dammaj and other Salafi centers became targets of Houthis or other anti-Salafi elements.<sup>8</sup>

6. The necessity to defend Salafi centers against Houthis, for example, led to a shift in views on political participation and armed conflict by various students of shaykh Moqbil. This sparked new rivalries among his former students and a re-alignment of alliances with entities such as al-Hikma Association and al-Islah Party, including

<sup>2</sup> For an in-depth look into the history of Salafis in Yemen, see Bonnefoy, Laurent. *Salafism in Yemen: Transnationalism and Religious Identity*. London, Hurst & Company, 2011.

<https://journals.openedition.org/cy/1945>

<sup>3</sup> <https://theintercept.com/2018/06/07/yemen-hodeidah-uac-saudi-arabia-houthis/>

<sup>4</sup> Sa'dah is regarded as the traditional seat of Zaydis since their arrival in the late 800s AD. See Dresch, Paul. *A History of Modern Yemen*. Cambridge University Press, 2001; Haykel, Bernard. *Revival and Reform in Islam: The Legacy of Muhammad al-Shawqani*. Cambridge University Press, 2003. P5-6.

<sup>5</sup> For presence of foreign students see <https://ctc.usma.edu/deconstructing-salafism-in-yemen-2/>

<sup>6</sup> *Salafism in Yemen*, p56, 64,76.

<sup>7</sup> *Ibid*, pxiv, 63, 65.

<sup>8</sup> Fighting broke out in August 2013 between Houthis and Salafis in Dammaj, leading to a mobilization of Salafi elements from across Yemen to support Shaykh Yahya al-Hajuri. Dammaj was eventually evacuated by order of President Abdo Rabbo Mansour Hadi in December 2013, see <https://reliefweb.int/report/yemen/salafis-forced-flee-dammaj-government-forces-unable-protect-them-they-say>

the emerging alliance between shaykh Hani bin Breik and pro-secessionist elements based in Aden, and the alliance between Abu al-Abbas and the UAE in Ta'izz.<sup>9</sup>

7. The level of tension has led to direct confrontation between Salafi factions and assassinations of prominent clerics. This level of conflict has been primarily driven by views on the Salafi principle of *Wilayat al-Amr* (based on allegiance to the ruler) and the engagement of armed conflict as a duty in *Jihad*.

8. We see two factions of Salafis, one upholds the principle of *Wali al-Amr*, and the other has engaged dissent without calling for *Jihad*.

## II. Wilayat al-Amr

9. Allegiance to the contemporary ruler is a principle of the Quietist/apolitical Salafi current. Dammaj Salafis under shaykh al-Hajuri remained at the margins during the Arab Spring, even through the period of the National Dialogue Conference in Sana'a.<sup>10</sup> Unlike the Salafi al-Rashad party,<sup>11</sup> established in 2012, Dammaj Salafis rejected taking sides during the popular uprising against Ali Abdullah Saleh (Yei.003) and political participation in the transition process under Abdo Rabbo Mansour Hadi.

10. Eventually, shaykh al-Hajuri illustrated his commitment to *wali al-amr* (the ruler) by complying with president Hadi's evacuation from Dammaj in December 2013. Al-Hajuri displayed loyalty to the ruler, president Hadi, even if it cost him his base in Dammaj. Shaykh Abu al-Abbas, another former pupil of shaykh Moqbil, has also justified his role in the conflict in Ta'izz against the Houthis as support for president Hadi. Interestingly enough, Abu al-Abbas has yet to frame his role in the armed conflict as revenge or *jihad* against Houthis, claimed as his primary foes in Ta'izz.<sup>12</sup>

11. In Ta'izz, Salafi elements leveraged work conducted by charity organizations like al-Hikma since 1991 to attract followers at the start of hostilities in 2015. Abu al-Abbas, for example, entered Ta'izz city from al-Turba and gained strength from local recruits, as have other militias in the area. Such Salafi groups then claimed their activities would turn to providing social services to the population, including security and courts. Salafi leaders claimed this was only to fill the vacuum in the absence of government authority. These were activities far beyond those engaged by Salafi associations in the past.

12. In Aden governorate, the environment involved a number of rivalries and new conflicts. Salafi clerics and leaders of Resistance elements in Aden no longer face Houthi elements after July 2015,<sup>13</sup> now they encountered increasing hostility from secessionist elements, themselves in a political conflict with president Hadi, seen as *wali al-amr*.

13. Southern elements believed Salafi clerics from Dammaj and those affiliated with al-Islah party would promote dissent among their congregations and promote opposition to secessionist agendas. While many of Salafi leaders have been killed (see Annex 10) since the liberation of Aden, a number of them have shifted their views, along with newly emerging leaders, and have become leaders of armed groups fighting Houthis along various fronts with UAE support.

## III. Dissent without Jihad

14. Tension between Salafi factions has not only led to violence but also has fragmented the front against Houthis. In both Aden and Ta'izz the secondary armed conflict involves Salafis and elements of al-Islah party. In Aden, shaykh Hashem al-Saeed was an early voice antagonizing al-Islah following liberation of Aden.<sup>14</sup> He publicly

<sup>9</sup> See paragraph 43, S/2018/594; <https://www.yemenpeaceproject.org/blog-x/2017/10/5/militant-salafism-in-taiz-three-clusters-and-many-differences>

<sup>10</sup> See <https://www.usip.org/publications/2013/03/yemens-national-dialogue>

<sup>11</sup> <https://journals.openedition.org/cy/2811>

<sup>12</sup> Abu al-Abbas has made such claims during interviews with the Panel.

<sup>13</sup> <https://www.bbc.com/news/world-middle-east-33563190>

<sup>14</sup> Comments made by leaders of al-Islah to the Panel during interviews November 2018.

called for supporters to fight al-Islah, even though he is not a southern secessionist. In Ta'izz, Abu al-Abbas remains a staunch opponent of al-Islah party, even though the Salafi shaykhs claims to support president Hadi, whose government is heavily supported by al-Islah from Riyadh, Saudi Arabia.<sup>15</sup>

15. The principles of *Wilayat al-Amr* and *Jihad* intersect where Salafis aim at ascending as a center of influence (over al-Islah) and defeating Houthis along all fronts (Hudayda, Ta'izz and Sa'dah). Hashem al-Saeed (Aden), Abd al-Rahman 'Abu Zurah' (Subaiha, Lahij), Abu al-Abbas (Ta'izz) and Hani Bin Breik (Aden), each have their own aspirations and approach to the armed conflict. All count with substantial support from southern recruits and UAE training and/or financial support.

16. Abd al-Rahman 'Abu Zurah', leader of al-Amalaqa (Giants) Brigades, claims allegiance to president Hadi, even as he receives support from the UAE to fight against Houthis in Hudayda. Hani bin Breik, vice president of the Southern Transitional Council (STC), supports a secessionist agenda while claiming to recognize president Hadi.<sup>16</sup> Bin Breik, and some STC elements, claim their support for security forces against government troops in January 2018 focused on corrupt individuals like former Prime Minister Ahmed bin Dagher, commanders of Presidential Protection Brigades and al-Islah elements.

17. While nearly all Salafi factions agreed on joining the fight against Houthis since 2015, differences remain among leaders as to their role in the wider conflict and future political roles. Some clerics like Samhan al-Rawi,<sup>17</sup> of al-Buraiqa, were allegedly killed for their links to al-Qaeda elements. Others like Mohammed al-Adeni,<sup>18</sup> are said to have opposed an expanded role beyond the fight against Houthis in Aden in 2015.

18. Without a doubt, Salafi elements have nearly abandoned the quietist approach, but a substantial faction has also rejected a political role or a wider definition of *jihad* during the ongoing conflict. It is highly doubtful that Salafis who have received training, financial support and weapons since July 2015 will eventually disarm and return to their mosques and learning centres. Al-Islah and the latecomer al-Rashad Party will certainly be challenged in the near future in their respective spheres of influence. This may come in form of political opposition or armed conflict.

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<sup>15</sup> See S/2018/594 and <http://sanaacenter.org/publications/the-yemen-review/6634>

<sup>16</sup> <https://www.sadaalwakea.com/show/790058/>

<sup>17</sup> <https://english.alarabiya.net/en/News/middle-east/2016/01/31/Yemeni-resistance-commander-assassinated-in-Aden.html>

<sup>18</sup> <https://www.youtube.com/watch?v=SPgeVaJX8os>

## Annex 6. Clerics Targeted / Assassinated in Aden

**Table 6.1**  
List of Salafi clerics targeted / assassinated in Aden

<i>Ser</i>	<i>Name</i>	<i>Title</i>	<i>Location</i>	<i>Remarks</i>
1	Ali Uthman al-Jaylani <sup>19</sup>	Imam of al-Qa'drya Mosque		4 January 2016
2	Samhan al-Rawi	Imam of Ibn al-Qaym Mosque		31 January 2016
3	Abd al-Rahman al-Adeni	Shaykh at Fayush Institute		28 February 2016
4	Marwan Abu Shawqy			29 April 2016
5	Abid Majmal	Imam of al-Faruq Mosque		5 July 2016
6	Fayz al-Dhubiani			21 July 2016 <sup>20</sup>
7	Abd al-Rahman al-Zahry <sup>21</sup>	Imam of al-Rahman Mosque		23 July 2016
8	Salah Khalys	Imam of al-Radha Mosque		15 August 2016
9	Yaseen al-Hushaybi	Imam of Zayd Mosque		10 October 2017 / Mansoura, Aden
10	Fahd al-Yunsy	Imam of al-Sahaba Mosque		18 October 2017 /
11	Adel al-Shahiry	Imam of Sa'ad bin Abi Waqass Mosque		28 October 2017/
12	Abd al-Rahman al-'Amrani	Imam of al-Sahaba Mosque /Fayush Institue		5 December 2017
13	Fayz Fuad	Imam and preacher of Abd al-Rahman bin Awaf Mosque		12 December 2017
14	Saleh al-Shaybani	Imam of al-Qirqa'n Mosque		5 January 2018
15	Ameen Ba'Yamin <sup>22</sup>	Imam of al-'Adl Mosque		18 January 2018
16	Aref al-Subeihi	Imam of al-Rahman Mosque		24 January 2018
17	Shawqi Kamadi	Imam of al-Thawar Mosque		13 February 2018
18	Jalal al-Marmy	Imam of Al Bayt Mosque		14 February 2018
19	Yasser al-Azzy	Imam of Sahat al-Shuhada Mosque		28 March 2018
20	Nadhal Ba'Hawyrith	Imam of al-Dhahybi Mosque		28 March 2018

<sup>19</sup> Confirmed by al-Islah party leaders interviews by the Panel in November 2018.

<sup>20</sup> Al-Islah party leaders provided 24 July 2016 as the date.

<sup>21</sup> Confirmed by al-Islah party leaders interviews by the Panel in November 2018.

<sup>22</sup> Ibid

**Table 6.2**  
**List of other Salafi clerics targeted / assassinated<sup>23</sup>**

<i>Serial</i>	<i>Name</i>	<i>Position</i>	<i>Location</i>	<i>Remarks</i>
1	Shaykh Ali Othman al-Jaylani <sup>24</sup>	Imam and preacher at al-Qa'drya mosque	Crater, Aden	Killed 04 Jan. 2016
2	Shaykh Wahhad Awn	Salafi, Resistance leader and Director of Mansoura Prison	Mansoura, Aden	06 May 2016
3	Yasser al-Hamudy	Resistance leader	Abyan	15 June 2016
4	Shaykh Thabet al-Khalaly	Imam and preacher of al-Habilayn mosque	al-Habilayn	Killed on 03 Aug. 2016
5	Yasser 'Azzy <sup>25</sup>	Imam and preacher Omar bin al-Hitab	Mansoura, Aden	04 April 2018
6	Muhammed Ragheb Ba'Zara'	Imam and preacher at Abdallah Azzam mosque	Mua'lla, Aden	21 July 2018
7	Hamid al-Athwary	Imam at al-Farqa'n	Khor Makser, Aden	23 Oct. 2018

**Table 6.3**  
**List Members of al-Islah Party assassinated<sup>26</sup>**

<i>Serial</i>	<i>Name</i>	<i>Title</i>	<i>Location</i>	<i>Remarks</i>
1	Shaykh Salah Khalis <sup>27</sup>	Former Head of Islah Branch in Ade	Aden	Killed in Mansoura/ 15 Aug. 2015
2	Shaykh Fayz Fuad <sup>28</sup>	Imam and preacher of Abd al-Rahman bin Awaf Mosque	Aden	Killed in Mansoura/ 12 Dec. 2017
3	Shaykh Shawqi Muhammed Muqbil Kamady <sup>29</sup>	Member of Islah Executive Committee - Aden	Aden	Killed in Mu'alla near Mareb school/14 Feb. 2018
4	Safwan Abd al-Mawleh al-Sharjabi	Lawyer, Human Rights Activist/Islah member	Aden	Killed in Mu'alla/ 9 May 2018

<sup>23</sup> Names highlighted during interviews with Aden leaders of al-Islah, November 2018.

<sup>24</sup> See No. 1 in list above.

<sup>25</sup> He is No. 19 on list above. News article on footnote 1 gives date of assassination as 28 March 2018, but he died on 4 April 2018.

<sup>26</sup> Names highlighted during interviews with Aden leaders of al-Islah, November 2018.

<sup>27</sup> See No. 8 in list above.

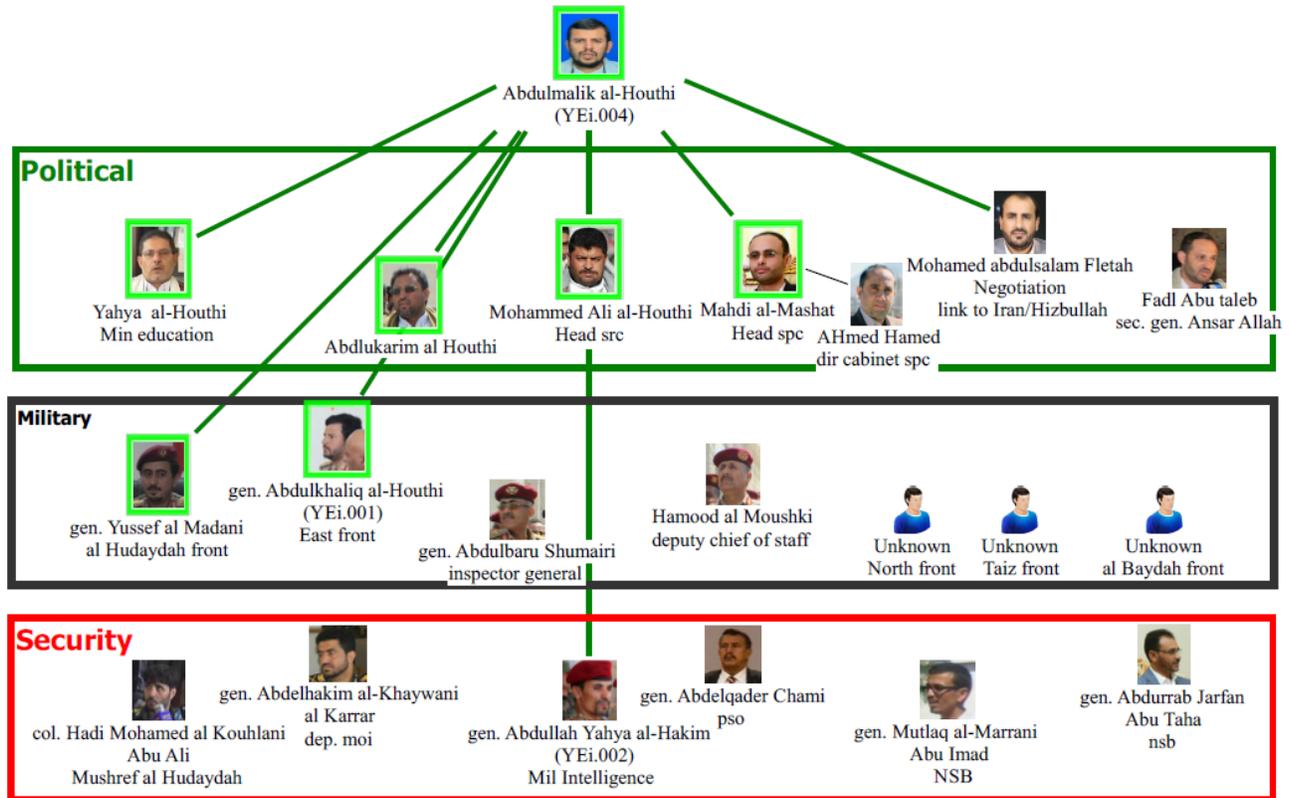
<sup>28</sup> See No. 13 in list above

<sup>29</sup> See No. 17 in list above. News article on footnote 1 gives date of assassination as 13 February 2018.

**Table 6.4**  
**List of members of 'Resistance' (al-Muqawma) assassinated**

<i>Serial</i>	<i>Name</i>	<i>Position</i>	<i>Location</i>	<i>Remarks</i>
1	Hamdi Zayd al-Shatiry	Resistance leader	Khur Makser	Killed on 30 Aug. 2015
2	Ahmed al-Idrisy	Resistance leader	Mansoura	30 Aug. 2015
3	Makhfuth Jamal Muhammed	Resistance member	Mansoura	27 Jan. 2016
5	Sjhaykh Mazen al-Aqraby	Resistance leader	Mansoura	20 Feb. 2016
6	Brg. Gen. Hariz al-Halimy	Resistance leader	Mansoura	28 June 2016
7	Saleh Aydarous al-Janidy	Resistance leader	Abyan	31 July 2016

**Annex 7. Houthis network of interest to the Panel**



**Annex 8. The Order of Battle of the National forces based on official documents**

<i>Ser</i>	<i>Governorate</i>	<i>Unit name</i>	<i>Location</i>	<i>Strength</i>
	<b>Ad Dali'</b>			<b>1,570</b>
1		Assadrein Brigade	Mryes	800
2		Camp 30 Hamk	Mryes	770
	<b>Al Baydah</b>			<b>1,880</b>
3		al Awadh Groups	Al Baydah	30
4		Al Baydah Axis	Al Baydah	290
5		Al Baydah Resistance	Al Baydah	450
6		Al Baydah Security	Al Baydah	410
7		Governorate Police and Special Security	Al Baydah	600
8		Qania Resistance	Al Baydah	100
	<b>Al Jawf</b>			<b>18,942</b>
9		101 Brigade	Al Jawf	2,840
10		123 Brigade	Al Jawf	504
11		137 Brigade	Al Jawf	840
12		139th Infantry Brigade	Mafag al Jawf	1,300
13		37th Brigade al Khsha'ha	Al Khasha'ha	3,378
14		4th Border Protection Brigade	Al Jawf	300
15		6th Military District and Recruits	Al Jawf	3,140
16		9th Brigade	Al Jawf	600
17		al Amal Brigade	Al Jawf	1,000
18		Al Fath Brigade	Al Jawf	480
19		Al Jawf Axis HQ	Al Jawf	720
20		Al Jawf Hospital	Al Jawf	320
21		Annasr Brigade	Al Jawf	2,970
22		Khaled Ben Al Waleed Brigade	Al Jawf	300
23		Special Forces Battalion Allabanat	Al Jawf	250
	<b>Al Mahrah</b>			<b>6,538</b>
24		11th Border Protection Brigade Tays	Rimah	2,918
25		123 Brigade	Al Ghaydah	1,710
26		137th Brigade	Al Mahrah	1,090
27		2nd Military District HQ & al Mahrah Axis	Al Mahrah	820
	<b>Hadramawt</b>			<b>16,340</b>
28		135th Brigade	Saywun	3,360
29		1st Military district Command HQ	Saywun	2,330
30		24th Mechanized Brigade	Al Abr	2,780
31		2nd Residential Protection Brigade	Al Wadea	1,350
32		315th Brigade	Thamud	2,450
33		5th Border Protection Brigade	Al Wadea	500
34		63rd Infantry Brigade	Al Wadea	850

<i>Ser</i>	<i>Governorate</i>	<i>Unit name</i>	<i>Location</i>	<i>Strength</i>
35		7th Brigade	Al Abr	1,300
36		83rd Infantry Brigade	Al Wadea	300
37		Artillery Brigade	Al Wadea	300
38		Shwitter Brigade	Al Wadea	500
39		Special Forces Units	Al Wadea	200
40		Thamud axis	Thamud	120
	<b>Hajjah</b>			<b>7,060</b>
41		5th Military District	Midi	7,060
	<b>Ibb</b>			<b>2,850</b>
42		Al Qafr Resistance 6th Military District	Al Qafr	30
43		General Security	Ibb	700
44		General Security + Reception Camp	Qa'taba	1,500
45		Ibb Security Axis Reception	Al Sha'ir	620
	<b>Ma'rib</b>			<b>49,610</b>
46		103rd Infantry Brigade	Sirwah	2,210
47		107th Brigade safe	Safer	2,520
48		125th Infantry Brigade	al Mass	1,484
49		13 Brigade	Ma'rib	2,470
50		14 Armored Brigade	Sahn al Watan	2,820
51		180th Air Defense Brigade	Sahn al Watan	660
52		1st Shaddadi Brigade	Ma'rib	600
53		203 Infantry Brigade	Sahn al Watan	2,270
54		26th Infantry Brigade	Harib	3,060
55		29 Brigade Amaleqa	Unknown	600
56		2nd Shaddadi Brigade	Ma'rib	300
57		310th Armoured Brigade	al Mass	1,300
58		312nd Armored Brigade	Serouah	2,440
59		314 Brigade and Recruits	al Mass	2,330
60		3rd Military District Branches	Ma'rib	2,560
61		3rd Military District Command HQ	Ma'rib	1,270
62		3rd Mountain Infantry Brigade	Sirwah	800
63		63rd Infantry Brigade	Sahn al Watan	500
64		Al Bashaer Camp	Al Jouba	495
65		Al Hashd Camp	Al Mass	500
66		Al Hazm Battalion	Harib	820
67		Al Mass camp	Al Mass	400
68		Annasr Training Camp	Al Mil	750
69		Bani Dabyan Resistance	Sirwah	276
70		Bani Dabyan Tribes	Sirwah	95
71		El Kara Hospital	Ma'rib	150
72		General Security Ma'rib	Ma'rib	1,000
73		Headquarters	Ma'rib	1,430

<i>Ser</i>	<i>Governorate</i>	<i>Unit name</i>	<i>Location</i>	<i>Strength</i>
74		Ibb Axis 55 Artillery	Unknown	1,320
75		Infrastructure Guard	Ma'rib	400
76		Madghal Hospital	Ma'rib	40
77		Military Hospital Ma'rib	Ma'rib	50
78		Patrol Police	Ma'rib	300
79		Peacekeeping Brigade	Sahn al Watan	1,170
80		Personal Security	Ma'rib	1,300
81		Prisons Services	Ma'rib	250
82		Reception Camp	Al Mil	1,300
83		Recruit al Abdiyah	Al Abdiyah	1,000
84		Recruit Ma'rib	Ma'rib	3,660
85		Special Batalion- Hazm 2	Sahn al Watan	550
86		Special Forces Batallion	Ma'rib	400
87		133rd Infantry Brigade	Naq'a	150
88		Special Forces school	Ma'rib	60
89		Tihama Camp	Al Mil	1,550
	<b>Sana'a</b>			<b>15,220</b>
90		117 Infantry Brigade	Fardat Nehem	1,590
91		121 Infantry Brigade	Fardat Nehem	1,420
92		131fst Infantry Brigade	Fardat Nehem	6,000
93		133rd Infantry Brigade	Fardat Nehem	1,850
94		1st Mountain Infantry Brigade	Fardat Nehem	1,100
95		72 Infantry Brigade	Fardat Nehem	2,160
96		7th Military District HQ	Fardat Nehem	30
97		81st Brigade	Fardat Nehem	670
98		Athama Resistance 7th Military District	Athama	200
99		Sana'a Police	Fardat Nehem	200
	<b>Shabwah</b>			<b>16,420</b>
100		19 Infantry Brigade	Bayhan	2,540
101		21st Brigade	Bayhan	3,810
102		2nd Marine Infantry Brigade	Ateq	1,170
103		2nd Mountain Infantry Brigade	Ateq	2,150
104		30th Brigade + Ateq Axis HQ	Ateq	3,750
105		Recruit Bayhan	Bayhan	3,000
	<b>Ta'izz</b>			<b>500</b>
106		Ta'izz Resistance	Ta'izz	500
	<b>Total</b>			<b>136,930</b>

**Annex 9. Ta'izz Militants**<sup>30</sup>

<i>Serial</i>	<i>Name</i>	<i>Position</i>	<i>Location</i>	<i>Remarks</i>
1	Shabab al-Dawla al-Khilafah al-Islamiyyah	Group	Ta'izz city	Panel is investigating its relations to groups outside Yemen
2	Abd al-Mo'omen al-Zaylai	Commander of Shabab al-Dawla al-Khilafah al-Islamiyyah	Ta'izz city	
3	Hasm Batallion	Group	Ta'izz City	This group may also be known as 'Hassan Battalion'
4	Ammar al-Jandubi	Field commander	Ta'izz city	Hasm Battalion
5	Al-Qa'qah Brigade	Group	Ta'izz city	Leadership appears to be from outside Ta'izz governorate
6	Al-Kuthr Batallion	Group	Al-Kuthr & al-Sharaf neighborhoods of Ta'izz city	Number of militants in the low hundreds
7	Waleed al-Rahyf	Al-Kuthr Batallion	Al-Kuthr & al-Sharaf neighborhoods of Ta'izz city	Regarded as leader of Al-Kuthr Batallion
8	Al-Tulab Brigade	Group	Al-Hisab/Bir Basha areas of Ta'izz city	The Panel is investigating the group's relations with other actors
9	Majid Mah'yub al-Sha'rabi	Spiritual Leader		Relations with al-Sa'lik Brigade
10	Sa'ad al-Qumairi	Al-Sa'lik Brigade member	Ta'izz city	
11	Al-Hussein Ben Ali	Al-Sa'lik Brigade field commander	Ta'izz	Relations with the Lone Wolves Group
12	'Usbat al-Haq Brigade	Group	Al-Jumhuri area, City of Ta'izz	A splinter group from Abu al-Abbas Brigade

<sup>30</sup> Information was provided through interviews conducted by the Panel in Yemen and outside the country during the reported period.

<i>Serial</i>	<i>Name</i>	<i>Position</i>	<i>Location</i>	<i>Remarks</i>
13	Abu al-Walid Battalion	Group	Al-Qahira area, city of Ta'izz	
14	Lone Wolves Battalion	Group	Bab Musa/al- Nasariyya areas of city of Ta'izz	
15	Mujmua'a al-Malithmeen	Group	Ta'izz city	The Masked Group
16	'Usu'd al-Sunnah	Group	Ta'izz city	The Panel is investigating its relation to ISIS
17	Naji Muhammad al-Khuli	Spiritual leader of 'Usu'd al-Sunnah	Ta'izz city	
18	Bilal Ali Muhammad al-Wafi'	Ansar al-Sharia	Ta'izz city	The group remains present in: al-Jumhuri/al- Samil Market and other neighborhoods of Ta'izz city

## Annex 10. Recruiting into the Houthi forces

1. Houthi recruiting is primarily performed at community level. Houthi supervisors (known as *Mushrifeen* pl.) persuade young men some as young as 16, but mostly in the 18 – 22 range, to join the Houthi forces.<sup>31</sup> Most recruits from rural areas have not completed primary education, and the majority are not functionally literate. Young men do not join as individuals, they go in groups – brothers or cousins, or people from a close-knit community. Hunger is a common reason for joining, people know that recruits will have access to food. Recruits tend to come from the poorest families in any community.<sup>32</sup>

2. The recruitment messages that the Houthi supervisors project are based on loyalty to community and addressing grievances: young people are told that they have a chance to address the wrongs wrought upon Yemen by fighting to repel an invading force that directly impacts on their communities and may overrun them if it is not repelled. Once the young men arrive for formal training in the Houthi training camps they are shown videos in which Abdulmalik al-Houthi (YEi.004) talks to them directly and motivates them to fight together.<sup>33</sup>

3. The young men know that the men fighting for the Coalition are paid 1,000 SAR a month plus a combat bonus, while the Houthis might only pay 30,000 – 40,000YER a month, and many recruits may have to buy some of their own food. The recent devaluation of the Yemeni Riyal and rising food prices increased the hardship on the Houthi fighters since it has made it hard for many of them to save any money.

4. Houthi fighters fight for one ‘tour’ of six to eight months, some of them go home and do not return to the ranks. Over their six months’ duty, they may not save even 30,000YER; this, given the rising price of food, means that their incentives to serve longer are decreasing.<sup>34</sup> ‘Promotion’ simply means taking a fighting position with a very high mortality rate. i.e. recruits are promoted into martyrdom. Unlike in previous periods of conflict, when fighters return home, they are not allowed to keep their weapon - even if the weapon was provided by the fighter or his family.

5. In communities where people fear losing a generation of young men, the communities now pool money to pay for teachers to work and keep their children and young people in school, in order to keep them away from Houthi recruiters and improve their chances of taking roles other than fighting.<sup>35</sup>

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<sup>31</sup> See: [https://www.youtube.com/watch?time\\_continue=31&v=PorUt9Bzc6E](https://www.youtube.com/watch?time_continue=31&v=PorUt9Bzc6E)

<sup>32</sup> Panel interviews with sources in Sana’a, November-December 2018.

<sup>33</sup> See for instance <https://www.youtube.com/watch?v=sp9YFt1mOfk>. In a telephone interview with sources in Sana’a in November it was reported to the Panel that – for instance -the Houthi recruiters point out that prior to 2015 Aden had two prisons, it is now reported to have twenty-seven prisons (as reported on Al Jazeera in June 2018).

<sup>34</sup> Panel interviews with sources in Sana’a, November-December 2018.

<sup>35</sup> Panel interviews with sources in Sana’a, November-December 2018.

## Annex 11. Anti-ship cruise missiles

1. The Panel continues to investigate the use of anti-ship cruise missiles by the Houthi forces against civilian and military vessels in the Red Sea. Based on the available data, the Panel has come to the conclusion that both the crude carrier *Abqaiq* on 3 April 2018 and the bulk carrier *Ince Inebolu* on 10 May 2018 were hit by anti-ship cruise missiles launched from territories of Yemen under the control of the Houthi forces. In November 2017, the Houthis showed in their media images of five anti-ship cruise missiles, which they called *Al Mandab 1*.

**Figure 11.1**

**Anti-ship cruise missiles *Al-Mandab-1* shown in the Houthi media**



Source: <https://www.youtube.com/watch?v=k4xiknMgDTY&feature=youtu.be>

2. In their media, the Houthis had declared their intention to block the Red Sea shipping lanes in early January 2018<sup>36</sup> and this announcement coincided with the first recorded, unsuccessful attack, most likely using a WBIED, against the crude carrier *Niban* on 6 January 2018. The stated intention was to bring the Coalition to the negotiation table and to ease the military pressure on the West Coast by threatening the vital oil exports through the Red Sea.

3. The crew of the *Ince Inebolu* reported that an unidentified skiff passed in the proximity of the bulk carrier before the attack and the crews of numerous other commercial vessels have also reported suspicious approaches by small boats preceding attempted or successful attacks. The Panel believes that the Houthi forces use the AIS of vessels operating in the Red Sea to track their movements<sup>37</sup>, and then deploy small vessels to confirm their identity and to relay their positions to the launch stations in Yemen. Mobile radars are then used to acquire the targets. The Panel has no information regarding the launching platforms used but given the trajectory of the missiles and the fact that the Houthi forces do not have access to larger naval ships, it assumes that mobile, land-based launchers are used.

<sup>36</sup> See interview with the chief of the Houthi's political council, Saleh al-Samad, with SABA News Agency, quoted in: <https://www.reuters.com/article/us-yemen-security/yemens-houthis-threaten-to-block-red-sea-shipping-lane-idUSKBN1EY2AP>

<sup>37</sup> Crude carriers flying the flag of the Kingdom of Saudi Arabia are known to have a policy to turn off their AIS transponders while operating close to territories under the control of the Houthi forces. However, as the AIS is always turned off and turned back on at the same positions, it is comparatively easy to calculate when the vessels are in range for an attack.

**Figure 11.2**  
Radar image from *Abqaiq* showing the trajectory of the missile



Source: Confidential

4. At the time of the attack, the *Abqaiq* was 88km and the *Ince Inebolu* was about 124km away from the nearest coastal area in Yemen. Prior to these attacks, the Houthi forces were known to be in possession of Chinese-made Chinese C801 anti-ship cruise missiles, which they captured in 2015 from the Yemeni Navy, but those missiles have a published range of 42 kilometres, which would put both vessels outside of the attack range. The Panel therefore is investigating whether the Houthi forces obtained longer-range missiles.

**Figure 11.3**  
Positions and headings of *Abqaiq* and *Ince Inebolu* at the time of the attack



Source: Panel

5. The Panel has inspected projectile debris from both *Abqaiq* and *Ince Inebolu* at military installations in the Kingdom of Saudi Arabia in June, September and December 2018 and found technical characteristics consistent

with the Chinese-made C802 anti-ship cruise missile or its Iranian-made variant *Noor*. These systems are using a turbo-engine, which significantly increases their effective range (to 120 to 190km) compared with the earlier C801 missile, which would have allowed for attacks on the two civilian vessels.

6. Among the projectile debris from both vessels (see figure 11.5 below), the Panel recovered components, which show technical characteristics consistent with French-manufactured Microturbo TRI-60-2 engines<sup>38</sup>. One of the pieces also shows the Commercial-and-Government-Entity (CAGE) code F1989, which has been allocated to **Microturbo SA** in Toulouse/France. The company has confirmed the technical analysis of the Panel and has traced one component found on the *Abqaiq* to an engine manufactured in November 1992 in France and exported in December 1992 to **SODIS SA** in Barcelona/Spain. The Panel has contacted the Government of Spain in order to trace the chain of custody for this engine and is waiting for a response. The Panel notes that in addition to the factory markings, several components of the Microturbo engines identified among the debris, show additional, post-production markings. The Panel is investigating whether these markings were added by an unknown party, for example while the engines were being refurbished.

**Figure 11.4**

**Significant debris of the two Microturbos with characteristics similar to TRI-60-2**



Left: Debris of Missile#2 (Ince Inebolu)

Right: Debris of Missile#1 (Abqaiq)

<sup>38</sup> The TRI-60-2 Microturbo engine is a small turbojet engine, which is designed to power cruise missiles and aerial targets. It has no known civilian application.

**Figure 11.5**  
**Features of TRI-60-2**



Source: <http://www.leteckemotory.cz/motory/microturbo/>

**Figures 11.6**  
**Microturbo components showing markings**



**Missile #1 (Abqaiq)**  
**071-01-102/1**  
**F1989 92 B2801500**  
**DN28**  
**K44489**



**Missile #2 (Ince Inebolu)**  
**067-01-034-06 (A)**  
**M 16 126 "126 new marking"**  
**F1989**



**Missile #1 (Abqaiq)**  
**453077.002 N973**



**Missile #1 (Abqaiq)**  
 ?ESPA 12/91 **F1989** 077-01-015-b  
 824 (stamp 05)

Source for all pictures: Panel

7. During an inspection in the Kingdom of Saudi Arabia in December 2018, the Panel was able to access additional debris from the *Ince Inebolu*, which contained what appears to be markings from a C802 anti-ship cruise missile, as well as other markings showing Chinese characters (see figure 11.7 below). However, the chain of custody for those items remains unclear and the Panel does not understand why these items were only made available six months later than the rest of the debris. The Panel has received information from China that the country's authorities are unable to confirm whether the markings are authentic. Therefore, the Panel cannot conclude with certainty that the missiles were developed or manufactured in China.

**Figure 11.7**  
**Pieces of debris allegedly from Missile #2 (Ince Inebolu)**



Source: Panel

8. The Panel has received confidential information, including photographic evidence regarding the attack on the Israeli corvette INS *Hanit*, which was attacked by two anti-ship cruise missiles on 14 July 2006 off the coast of Lebanon. These missiles were deployed by the non-state Lebanese armed group Hezbollah and are believed to have also been C802 missiles. The photographic evidence presented to the Panel included components similar to those inspected by the Panel in the Kingdom of Saudi Arabia, some of which were clearly marked with **Microturbo's F1989** cage code. This is a further indication that at least some of the C802 missiles are indeed powered by Microturbo TRI-60-2 engines.

9. In late November 2018, the Panel was informed by the Government of Yemen that both C801 and C802 anti-ship cruise missiles were part of the Yemeni Navy's arsenal prior to the imposition of the targeted arms embargo in 2015. The Government of Yemen stated that the missiles were captured by the Houthi forces and modified, allegedly with the assistance of Iranian or Hezbollah technical experts with the aim to increase their range. The Panel continues to investigate these allegations.

## Annex 12. Unmanned aerial vehicles

1. The Panel continues to investigate the use of unmanned aerial vehicles in reconnaissance and attack roles both in Yemen and against targets in the Kingdom of Saudi Arabia, and possibly, in the United Arab Emirates. The Panel has inspected the debris of UAVs of different types at military facilities in Yemen (Aden), in the KSA and in the UAE. The debris of the UAV had been recovered by Coalition forces after the UAVs were either shot down or crash-landed.

2. Since August 2018, the Houthi forces have begun to deploy a new type of UAV, here called the *UAV-X*, which has a length of 280cm, a wingspan of 450cm and a circumference of 84cm. It features distinctive V-shaped tail fins and is powered by a rear-mounted pusher-engine. The two *UAV-X*, which were inspected by the Panel in the UAE were powered by German-made 3W110i B2 engines (see below), while the three *UAV-X*, which were inspected by the Panel in the KSA were powered by Chinese-made DLE 170 engines.

**Figure 12.1**  
Debris of a “UAV-X” inspected in KSA



Source: Panel

**Figure 12.2**  
DLE 170 engine



Source: Panel

**Figure 12.3**  
3W110i B2 engine



Source: Panel

3. The *UAV-X* is being used by Houthi forces both in reconnaissance roles (featuring a *Nikon D810* digital camera) and in attack roles. In the latter case, the *UAV-X* is used as a loitering munition carrying a warhead of 18kg of explosives mixed with ball bearings.

**Figure 12.4**  
Lens of *Nikon D810* digital camera recovered from *UAV-X* debris



Source: Panel

**Figure 12.5**  
Warhead of explosives mixed with ball bearings recovered from *UAV-X* debris



Source: Panel

4. Based on information received from the engine manufacturer, the 3W110i B2 engine has a fuel consumption of 3.5 liters per hour. The fuel tank of the *UAV-X*, in the main fuselage, has a capacity of approximately 21 liters, which would allow for an endurance of six hours without the need to re-fuel. In KSA, the Panel has also inspected what appears to be additional external fuel tanks for the *UAV-X*, which would increase the endurance further. The engine manufacturer estimates that, depending on prevailing wind conditions, an airspeed of 200 to 250km per hour and a maximum range of 1,200 to 1,500km could be achievable for the *UAV-X*.

**Figure 12.6**  
Possible external fuel tanks for the *UAV-X*



Source: Panel

1. The Panel has documented the serial numbers for the engines powering the *UAV-X*, in order to identify the supply networks as well as potential violations of the targeted arms embargo. While a reply from the People's Republic of China regarding the DLE 170 engines is still pending, the Panel has received information that the two 3W110i B2 engines were part of a shipment of 21 engines, which were exported in June 2015 to **Eurowings Aviation & Consultancy Ltd.** in Athens/Greece (see documentation below). The Panel has contacted Greece to identify to which company the two engines were re-exported. A reply is still pending.

**Figure 12.7**  
**Delivery note from 3W-International GmbH**

# 3W-International GmbH



3W-International GmbH · Hollersfr. 12 · D-61350 Bad Homburg

Eurowings Aviation & Consulting Ltd.  
 12 Ventouri Street

15561 Holargos Athen  
 Greece



KUNDE

**Delivery Note No. 2015-128**

Customer No.: 60175  
 Processed by: cw

Delivery date: 22.06.2015  
 Date: 22.06.2015

Item	Qty.	Unit	Art.-No.	Weight kg	Description
1	21,0	pcs	10.001.420		3W-110i B2, tractor, counter clockwise gasoline engine incl. ignition
2	21,0	pcs	10.001.500		3W-112i B4, tractor, counter clockwise gasoline engine incl. ignition

Source: Confidential

**Figure 12.8**  
**Packing list from 3W-International GmbH**

**-753.1 Packliste / Packing list\***

Kunde / Customer: EUROWINGS

Datum/Date: 23.06.15

AB-2248

Karton Nr. / Box no.	Menge / Qty.	Einheit / Unit	Artikelnummer / Art.-No.	Bezeichnung / Description	Bestellnummer / Ref. No.	Kartongröße / Box Size	Gewicht / Weight (kg)	verpackt / packed
16	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561518B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561526B			
17	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561519B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561525B			
18	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561523B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561529B			
19	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561510B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561511B			
20	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561527B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561521B			
21	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561528B	H124	9,3	UW
	1	Stk. / pcs. <input checked="" type="checkbox"/> / Paar / pair <input type="checkbox"/>	10.001.420	3W.110iB2+ Twinignition 35cm	1561509B			



## 753.1 Packliste / Packing list

Kunde /  
Customer: EUROWINGSDatum/Date: 23.06.15

AB-2248

Karton Nr. / Box no.	Menge / Qty.	Einheit / Unit	Artikelnummer / Article number:	Seitennummer / Serial number	Kartongröße / Box Size	Gewicht / Weight (kg)	verpackt / packed
8	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.000.200	3W.112IB4 + 2 x Twinignition 35+45cm	1506271L		
9	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.000.200	3W.112IB4 + 2 x Twinignition 35+45cm	1506283L	H124	11,1 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.000.200	3W.112IB4 + 2 x Twinignition 35+45cm	1506272L		
10	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.000.200	3W.112IB4 + 2 x Twinignition 35+45cm	1506285L	H124	11,1 UW
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11	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.000.200	3W.112IB4 + 2 x Twinignition 35+45cm	1506270L	H124	10,1 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561517B		
12	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561515B	H124	9,3 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561522B		
13	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561524B	H124	9,3 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561514B		
14	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561513B	H124	9,3 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561520B		
15	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561516B	H124	9,3 UW
	1	Stück / pcs. <input checked="" type="checkbox"/> Paar / pair <input type="checkbox"/>	10.001.420	3W.110IB2+ Twinignition 35cm	1561512B		

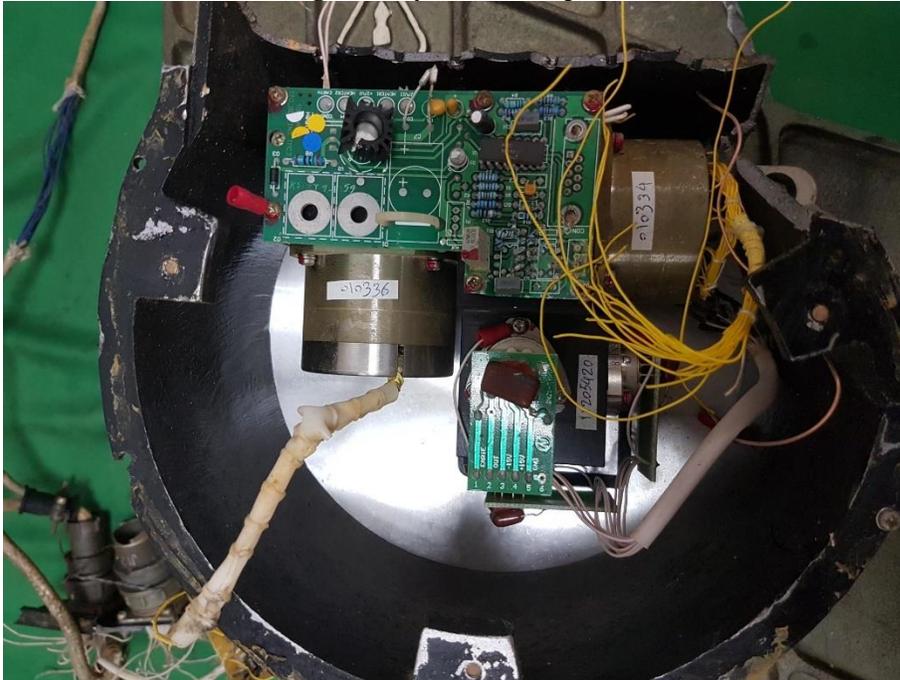
Copyright Qualitätsmanagement 3W, Revision 1, Seite 1 von 2, Gültig ab 10.12.2012

Source: 3W-International GmbH

## Annex 13. Components of extended-range short-range ballistic missiles

1. The Panel continues to investigate whether the ER-SRBMs in 2017 and 2018 deployed by the Houthi forces against targets in the Kingdom of Saudi Arabia were supplied in violation of the targeted arms embargo. The Panel has inspected the debris of approximately ten ER-SRBMs at different locations in KSA in June, September and December 2018. The Panel is investigating the chain of custody of the components of the inertial navigation system (INS) of the ER-SRBM.

**Figure 13.1**  
**Debris of the inertial navigation system on its platform**



Source: Panel

2. Among the debris, the Panel has identified several DC-DC 24V to 5V 4A **ZUS25 2405** and **ZUW25 2415** power converters, which were produced by **COSEL Co.**<sup>39</sup> in Japan. The Panel has been able to identify the following LOT numbers:

- 2362463CR;
- 2374022CR;
- 2374023CR;
- 2382930CR.

<sup>39</sup> <https://en.cosel.co.jp/>

**Figure 13.2**  
ZUS25 2415 and ZUS25 2405 DC-DC power converters



Source: Panel

3. The Panel continues to investigate the chain of custody of the power converters in order to identify supply networks and possible violations of the targeted arms embargo, even though the converters are civilian in nature. Converters with the serial numbers above were exported to the following customers of the People's Republic of China, the United States and Norway:

a. **ZUS252405 converter**

- i. 157 converters with LOT No. 2374022CR and 57 converters with LOT No. 2374023CR were shipped on 24 September 2012 to **Shanghai Manwa Electronics Co. LTD.** in Shanghai/ People's Republic of China. The company declared that it will deliver them to **Sikexun Technology (Shenzen) Co., LTD.**
- ii. 60 converters with LOT No. 23744023CR were shipped on 24 September 2012 to Component Distributors, Inc. in Denver/USA. The company declared that it would deliver them to **IDEXX Laboratories, Inc.**

b. **ZUS252415 converter**

- i. 57 converters with LOT No. 2362463CR and 120 converters with LOT No. 2382930CR were shipped to **Shanghai Manwa Electronics CO., LTD.** in Shanghai/People's Republic of China on 26 September 2012. The company declared that it would deliver them to **Sikexun Technology (Shenzen) Co., LTD.** or **Beijing Huaheng Nengda Dianyuan Techniwque CO., LTD.**
- ii. 2 converters with LOT No. 2362463CR were shipped to **Powerbox Norway** (formerly Crafter) in **Osteras/Norway** on 19 September 2012.

4. The Panel has requested information regarding the chain of custody of those items from the authorities of the People's Republic of China, the United States and Norway. Replies are still pending and the Panel will update this case as additional information becomes available.

## Annex 14. Industrial Equipment

1. The Panel continues to investigate the purpose of the industrial ‘mixing’ equipment, which was seized by the Coalition in Ma’rib in February 2017 and which the Panel first reported on in its last report (see S/2018/594, paragraphs 92 to 96). The Panel has inspected the equipment at a military facility in the United Arab Emirates in June, September and December 2018. The Panel has discussed the purpose of the equipment with independent scientists and has also arranged for the chemical analysis of the content of one of the storage tanks. The results of the chemical analysis of the reddish-brown residue which was discovered by the Panel during the inspection is still pending.
2. The equipment consists of different components, including an industrial-sized autoclave (see figure 14.1), a large vertical kneading machine (see figure 14.2), two storage containers for liquids (see figure 14.3), a control desk (see figure 14.3) and a container containing a metal mesh screen (see figure 14.4), presumably for the kneading machine. With the exception of the autoclave, the equipment seems to have been in factory-fresh condition. Chemical analysis has shown that one of the storage tanks contains a kerosene-gasoline mix, which is known as a missile fuel under the name TM-185 (see figure 14.5).
3. The Panel believes that the equipment could be used to produce a mix of 73-80% nitric acid ( $\text{HNO}_3$ ) and 20-27% nitrogen tetroxide ( $\text{N}_2\text{O}_2$ ), which under the name AK27I is used as a storable oxidizer in rocket propellant. The mix of TM-185 fuel and AK27I oxidizer is used as the propellant for the *SCUD-C* short-range ballistic missile and presumably also to propel the *Qiam/Borkhan-2HER-SRBM*. The Panel continues to investigate the purpose of the equipment and will update the case as additional information becomes available.

**Figure 14.1**  
**Autoclave**



Source: Panel

**Figure 14.2**

Vertical kneading machine, comparison between equipment found in Yemen (left) and equipment used to produce rocket fuel in a scientific context (right)



Source: Panel

**Figure 14.3**

Control desk (left) and storage tank (right)



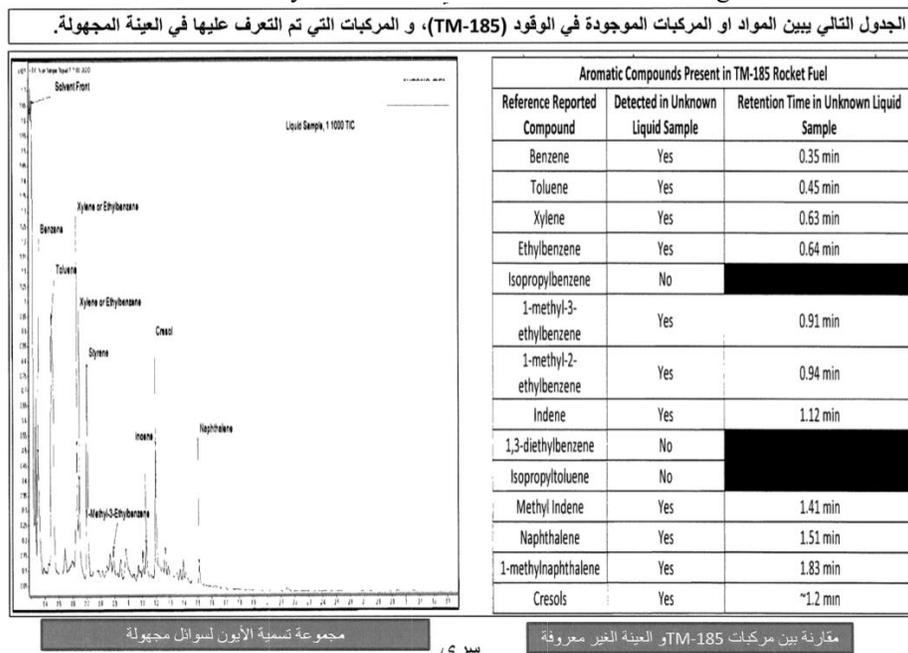
Source: Panel

**Figure 14.4**  
**Metal container with a metal mesh screen**



**Source:** Panel

**Figure 14.5**  
Results of the chemical analysis of the content of one of the storage tanks



Source: Confidential

## Annex 15. Water-borne improvised explosive devices (WBIEDs)

1. The Panel continues to investigate the deployment of water-borne improvised explosive devices (WBIEDs) by Houthi forces against military and civilian vessels in the Red Sea. During the reporting period, WBIEDs are suspected to have been the weapon system in two attacks against commercial vessels: the thwarted attack against the Saudi-flagged crude carrier *Niban* on 6 January 2018, and the successful attack against the Saudi-flagged crude carrier *Arsan* on 24 July 2018. The Panel believes that the Houthi forces use the same approach to identify suitable targets, which is discussed in Annex Arms 1 for the deployment of anti-ship cruise missiles, i.e. the tracking of AIS signals (until the transponders are turned off), the use of mobile, land-based radar equipment and visual confirmation from small boats.

2. The Panel has reviewed radar images from the *Arsan* and from the crude carrier *Ghawar*, which was part of the same convoy at the incident. The Panel has also interviewed the crew of the *Arsan*, as well as representatives of the shipping line and a number of independent naval experts. During visits to the Kingdom of Saudi Arabia in September and December 2018, the Panel has visited the vessel and has inspected the damage, as well as the debris of the weapon system. It should be noted that, despite several requests, the debris of the weapons system was only made available to the Panel in December 2018, five months after the attack, which raises concerns regarding the chain of custody of the evidence.

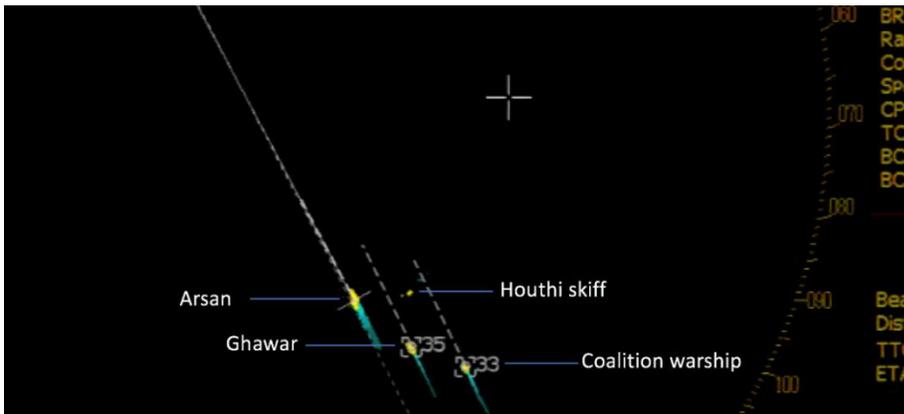
**Figure 15.1**

**Radar image from the *Arsan* showing the convoy and the approaching Houthi skiff**



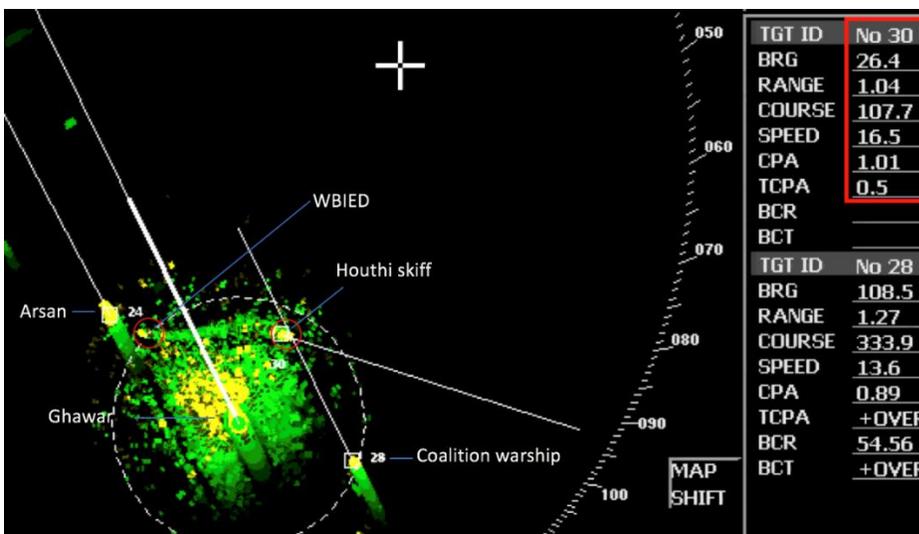
Source: Confidential

**Figure 15.2**  
Radar image from the *Arsan* showing the Houthi skiff approaching from 4 o'clock



Source: Confidential

**Figure 15.3**  
Radar image from the *Ghawar* showing the WBIED approaching *Arsan* and the Houthi skiff speeding away towards the Yemeni coast shortly before the explosion



Source: Confidential

3. The radar images show that the convoy, consisting of the *Arsan* (in front), *Ghawar* (in the center) and an unknown Coalition warship was traveling in a North-Westerly direction through the Red Sea, when it was approached by an unknown small boat from an Easterly direction. That vessel, presumably a Houthi skiff, then proceeded to cut between the *Arsan* and the *Ghawar*, but then made a sudden turn and sped towards a South-Easterly direction, i.e. towards the Yemeni coastline. The *Ghawar* radar, which unlike the one on the *Arsan*, was set to capture not only the vessels, but also the bow waves, then shows another contact, which seems to detach from the Houthi vessel and which approaches the *Arsan* from behind, ultimately contacting with the stern of the vessel. At that moment, an audio recording from the voyage data recorder, i.e. the 'black box', of the *Arsan*, which has been analysed by the Panel records the detonation, followed by the ship's alarm as well as the reaction of the bridge crew.

**Figure 15.4**  
**Damage on the *Arsan***



**Source:** Upper left-hand side – Confidential, all other images - Panel

4. The explosion occurred at the stern of the *Arsan*, between 100 and 150cm above the waterline and cut a rectangular hole of approximately 2 meters x 1 meter into the hull. The projectile then drilled through a steering ram and damaged a second, temporarily disabling the vessel. A pressure blast followed the impact, destroying doors in the engine room, but otherwise damage was limited to a local fire, which was extinguished by the crew. No injuries were sustained by the crew.

5. The damage documented by the Panel is consistent with a shaped charge, which is reported to be used by the Houthi forces on their *Shark-33* WBIEDs. The Houthis use the warhead of the P-15 ‘Termit’ anti-ship missile, also known by its NATO reporting name as ‘Styx’, of which they captured an unknown number from the arsenal of the Yemeni Navy in 2015. This warhead features a hollow charge of 454kg of explosives, which would explain the damage to the steering ram, which is made of massive steel, as well as the pressure wave. Whereas the ‘Styx’ warhead is mounted on the missile in such a way that the trajectory of the charge is angled downwards, with the aim to perforate the hull upon exit and to sink the attacked vessel, it has been hypothesized that this is not the case for the WBIED, which would explain the vertical blast angle.

**Figure 15.5**  
**Projectile debris recovered from the *Arsan***



**Source:** Panel

6. The Panel has inspected the debris from the *Arsan* and noted that it looks very different from the debris recovered from the *Abqaiq* and the *Ince Inbebolu*, which were hit by anti-ship cruise missiles. The debris did not contain any turbo-engine components; however it did contain pieces of fibreglass, which is consistent with the *Shark-33* patrol boat, which forms the platform for Houthi WBIED. This would also be consistent with the radar images from the *Ghawar*, which show the water displaced by the WBIED, but only a faint echo of the vessel itself, which is typical for small boats made of fiberglass.

**Figure 15.6**

Unknown object, made of aluminium found among the debris



**Source:** Panel

7. While an attack by a Houthi WBIED seems to be the most likely scenario, some questions remain unresolved. These include the height of the impact, between 100cm and 150cm above the waterline, as well as the presence of an unidentified object (see figure 15.6 above) among the debris. The Panel will continue to investigate and update this case as new information becomes available.

## Annex 16 Seizure of assault rifles

### I. Background

1. On 28 August 2018, the guided-missile destroyer USS *Jason Dunham* (DDG 109) seized a shipment of illicit weapons found aboard a stateless skiff in the international waters of the Gulf of Aden. The hailing was part of a flag verification. According to media reports, 2,521 AK-type automatic rifles were seized.<sup>40</sup>

2. In October 2018, the Panel was able to inspect the seized weapons onboard the USS *Jason Dunham* and also received a briefing by the captain of the vessel and members of the boarding party regarding the circumstances of the seizure. The Panel is still waiting for the official report from the United States on the seizure.

### II. Circumstances of the seizure

3. On 27 August 2018, the crew of the USS *Jason Dunham* received information about suspicious activities by a dhow outside of Somalia's territorial waters, which had been loitering in the same area for three to four days. The *Jason Dunham*'s helicopter, operating outside of the visual and audio range of the dhow's crew, first observed the transfer of packages from the dhow to a skiff on 27 August 2018 at 1446 local time (1146 Zulu time) at 11°57.761' N and 047°50.802' E (see map at figure 16.12) and continued to observe the transloading until 1629 local time (1329 Zulu time), when it had to return to the *Jason Dunham*. Video images and stills of the transloading have been released by the United States Navy to the news media.

**Figure 16.1**

**Still image from US Navy video showing the transloading of packages**



Source: [https://www.navy.mil/viewVideoDVIDS.asp?id=90&story\\_id=106907](https://www.navy.mil/viewVideoDVIDS.asp?id=90&story_id=106907)

<sup>40</sup> <http://www.cusnc.navy.mil/Media/News/Display/Article/1621512/jason-dunham-counts-2521-ak-47s-seized/>.

**Figure 16.2**  
**Map showing the positions of the dhow and the skiff on 27 and 28 August 2018**



4. On 28 August 2018, the dhow was intercepted by the *Jason Dunham* at 0614 local time (0314 Zulu time) in the vicinity 12°07' N and 047°44' E. A United States Navy boarding party searched the dhow, which had a crew of five and carried no cargo, other than a bag of flour. According to information provided by the United States Navy, the dhow was stateless and its name was given as *Al Shibouti*. Even though the crew was interviewed and navigation and communication devices (mobile and satellite phones) onboard the vessels analysed by authorities of the United States, no information regarding the home port of the dhow, the nationality of its crew or its journey prior to the intercept were released to the Panel. According to the United States Navy, the crew denied the transloading of goods to a skiff on the previous day. The crew was released after the interview and the whereabouts of the vessel and its crew are unknown.

5. Following the inspection of the dhow, the *Jason Dunham*, using its helicopter, searched for the skiff and intercepted it on 28 August 2018 at 1020 local time (1320 Zulu time) in the vicinity of 13°21.5' N and 047°22.7' E, close to Yemeni territorial waters. The skiff was heavily overloaded and sat very low in the water. When its crew noted the approach of the helicopter, they tried to accelerate, but suffered a failure of their outboard motors. A boarding party from the *Jason Dunham* hailed the skiff, performed a flag verification boarding and discovered a large quantity of weapons. The three crew members of the skiff were then taken onboard the *Jason Dunham* and the boarding party began transferring the weapons, a process which had to be interrupted when the skiff continued to take on water and was no longer safe for the boarding party. The *Jason Dunham* then scuttled the skiff to avoid it becoming a hazard to navigation. The boarding party estimated that between 100 and 200 weapons could not be retrieved from the vessel.

**Figure 16.3**

Image showing the boarding of the skiff by a boarding party from the *Jason Dunham*



Source: [https://www.navy.mil/submit/display.asp?story\\_id=106959](https://www.navy.mil/submit/display.asp?story_id=106959)

6. The crew of the skiff was interviewed and claimed to have come from western Yemen, according to their interviewers; they also spoke Yemeni Arabic. The master of the skiff admitted to loading between 2,600 and 2,700 rifles from the dhow on the previous day. He claimed that he did not know the master of the dhow, but rather received the coordinates of the *rendez-vous* point by satellite phone. Pictures provided by the United States Navy show the followings markings on the skiff: *Ibrahim Dhibayn*, presumably the name of the vessel, as well as Khayr Fibreglass Factory and the number 733873. The skiff was powered by two 75hp outboard motors and carried a number of fuel drums, as well as a handheld GPS navigation device and a Thuraya satellite phone. Despite repeated requests, the data from these devices was not made available to the Panel. The three members of the crew were later handed over to the Yemeni coast guard, operating out of Aden.

**Figure 16.4**

Details of markings on the skiff



Source: [https://www.navy.mil/list\\_all.asp?id=106907](https://www.navy.mil/list_all.asp?id=106907).

### III. Technical analysis of the seized weapons

7. According to photographs and other information provided by the United States Navy, the rifles were wrapped in foam sheets, packaged in green plastic bags and tied with zip ties. Each bag contained four rifles. As no packaging has been retained, the Panel is unable to independently verify this information. The Panel also received a list of serial numbers from the United States with 2,521 complete and one partial serial number for the weapons recovered. The serial numbers all had eight digits and all started with 6300xxxx.

8. The Panel inspected the seized weapons onboard the *USS Jason Dunham* in one of the vessel's open helicopter hangars. A selection of weapons was presented on two tables, with the rest being stacked in four rows. The Panel took samples from each row and documented the markings; it also disassembled one rifle completely and documented the markings on each component. All the rifles inspected (108 weapons, or about 4.3 percent of the total number), as well as those clearly visible in the stacks (at least 400) were of the same make and model, namely Chinese Type 56-1 7.62x39mm assault rifles with wood fittings and underfolding steel shoulder stocks. The features of the rifles were consistent with the make and model type (stamped receiver, enclosed front sight, rear sight zero marked "D" and sighted at 800 metres, "L" and "D" fire selector. The rifles appeared to be in factory-fresh condition, but showed traces of, in some cases significant, erosion, due to exposure to salt water during storage on the *Jason Dunham*.

**Figure 16.5**

**Close-up Type 56-1 assault rifle, showing the underfolding steel shoulder stock**



**Source:** Panel

9. The rifles all showed markings consistent with production in factory number 26 ("26" in a triangle, **Jianshe Machine Tool Factory** in Chongqing/People's Republic of China) and with production dates between 2017 and 2018 ("17-CN" for lower serial numbers, "18-CN" for higher serial numbers). The 8-digit serial numbers were engraved on the left front section of the receiver, below the rear sight. Some markings were emphasized in white. The last five digits of the number were also located on the right side of the bolt carrier assembly, rear of the bolt cocking handle, as well as on the bolt itself. Figure 16.8 shows the serial numbers documented by the Panel.



**Figure 16.6**

Factory 26 marking  
17-CN marking  
Serial number:  
63000361



**Figure 16.7**

Factory 26 marking  
18-CN marking  
Serial number:  
63004514

**Figure 16.8**  
**Serial numbers documented by the Panel**

63000361	63009112	63015554	63021774
63001232	63009131	63015641	63021790
63002455	63009738	63015874	63022064
63002806	63010070	63016251	63034279
63003123	63010142	63016370	63036472
63003640	63011205	63016603	63041424
63003982	63010290	63017100	63042298
63004508	63011300	63017332	63042318
63004514	63011372	63017574	63042811
63004577	63011383	63017676	63042839
63004938	63011885	63017721	63043109
63004946	63012258	63017832	63043790
63005163	63012260	63018123	63043944
63005827	63012507	63018298	63043918
63006339	63012748	63017832	63044194
63006368	63013233	63018357	63044436
63006451	63013244	63018589	63044986
63006572	63013361	63019302	63045173
63006938	63013449	63019386	63045340
63007176	63013477	63019662	63045538
63007182	63013493	63020172	63045562
63007800	63014434	63020174	63046902
63008000	63014609	63020229	63045719
63008028	63014829	63020438	63046154
63008971	63015348	63020486	63046264
63008114	63015372	63020575	63047444
63008131	63014546	63021154	63048118

#### **IV. Investigation of possible violations of the targeted arms embargo**

10. The Panel continues to investigate the chain of custody of the seized weapons, as well as the intended recipient in Yemen. The Panel has contacted the authorities of the People's Republic of China, Yemen and the United States requesting additional information about the consignment of weapons, the identity of the vessels and its crew, as well as the data from the navigation and communication devices of onboard of both the dhow and the vessel. The Panel also seeks to interview the three members of the skiff's crew, who are being held in detention by the Yemeni Coast Guard in Aden. The Panel has received information from China that the weapons were not exported to Yemen.

## Annex 17. Estimates of revenue collected by the Houthis from fuel imports

1. The Panel has used estimates of tax collection from imports of fuel in order to illustrate Houthi revenues from the port of al Hudaydah. To do this, the Panel analysed the imports of fuel, and the taxation applied, in order to assess the volume of funds collected through imports via al Hudaydah. Data available to the Panel reveal that more than 4.73 million metric ton (MT) of fuel have been imported through the Red Sea port between September 2016 and October 2018 at an average volume of 180 MT per month.

2. The data produced by the Panel helps illustrate the significance of the port for Houthi forces and their strong desire to maintain control of the port. The Panel based its evaluations on information taken from a contract between Kamaran Investment Company and Extra Petroleum<sup>41</sup> that was leaked to the media.<sup>42</sup> The Panel has confirmed both the authenticity of the documents and the litigation process initiated by Kamaran. The contract document indicated that the Houthis were collecting 48.19 Yemeni Riyal (YER) for each litre of fuel imported, comprising customs charges, fees for Yemen Petroleum Company, war effort taxation and miscellaneous expenses, see table 17.1.

**Table 17.1**  
Revenues collected by the Houthis from import of fuel at al Hudaydah port in 2018

<i>Month</i>	<i>MT*</i>	<i>Liter (L)</i>	<i>Total Recovered</i>		<i>War effort recovered</i>	
			<i>48.19YER/L</i>	<i>US\$**</i>	<i>5 YER/L</i>	<i>US\$</i>
Monthly average	180,000	243,000,000	11,710,170,000	26,022,600	1,215,000,000	2,700,000
<b>Total</b>	<b>2,160,000</b>	<b>2,916,000,000</b>	<b>140,522,040,000</b>	<b>312,271,200</b>	<b>14,580,000,000</b>	<b>32,400,000</b>

\* Metric tonne (MT) for fuel 1MT has a volume around 1350 liter

\*\*Market exchange rate in late 2018: US\$ 1 = YER 450 (the amount would have been twice when the exchange rate was YER250 for US\$ 1).

<sup>41</sup> Extra Petroleum is registered in Yemen according to its website <http://extrapetroleum.com/>. The Panel received confirmation that the address in Canada in Extra's letter does not correspond to a business registered in that country. Extra Petroleum applied for UNVIM clearance on 31 October 2016 with tanker *MT Androussa* (IMO 9101182).

<sup>42</sup> The agreement mentions a tanker Fair Apollon to load fuel from *Hung Ze He* through ship-to-ship transfer STS at Hudaydah anchorage area. AIS records of *Fair Apollon* who was renamed in September 2017 as *Palomar* (IMO 9464182) indicates indeed that she was conducting STS operations from mid-August 2016 to mid-April 2017. *Hung Ze He* could not be identified by the Panel. *Androussa* was confiscated by KSA on 14 September 2017 see annex 20

Figure 17.1  
Expenses including taxes paid by fuel importers in al Hudaydah



التاريخ: ٦ سبتمبر، ٢٠١٦

رقم المرجع: Ex-34

الأخوة / شركة كمران للصناعة والاستثمار،،

المالية  
للمصارف والبنوك  
البنوك  
لصناعة البترول  
الموضوع / أجور و تكاليف شحنة ٨.٠٠٠ طن مادة البنزين

تهديكم شركة إكسترا بترول يوم أطيب والتحايا وبنبارك لكم قدوم عيد الأضحى المبارك أعاده الله عليكم بالخير ودوام التوفيق،،

بالإشارة إلى الموضوع أعلاه بخصوص الشحنة الخاصة بكم كمية ٨.٠٠٠ ثمانية ألف طن من مادة البنزين.

يرجى التوجيه لمن يلزم بصرف إجمالي قيمة التكاليف بإسم شركة إكسترا بترول للخدمات النقلية ليتسنى لنا فتح البيان الجمركي ودفع الرسوم والعمولة الأخرى و إكمال إجراءات دخول السفينة و تفرغها في خزانات شركة النفط اليمنية كما هو موضح بالجدول أدناه مقابل الليتر الواحد :

ملاحظات	إجمالي / ريال	المبلغ / ريال يمني	البيان
مقابل أجور جمارك بالليتر الواحد	348,080,400	31.19	مقابل أجور جمارك بالليتر الواحد
مقابل عمولة شركة النفط اليمنية	108,000,000	10	مقابل عمولة شركة النفط اليمنية
مقابل مجهود حربي	54,000,000	5	مقابل مجهود حربي
* مقابل أجور متفرقة	21,600,000	2	* مقابل أجور متفرقة
	<b>531,680,400</b>	<b>48.19</b>	الإجمالي مقابل الليتر الواحد (٨.٠٠٠ طن * ١,٣٥٠ ليتر = ١٠,٨٠٠,٠٠٠ ليتر

بيان تفصيلي الأجور المتفرقة بالجدول أدناه :

البيان	المبلغ / دولار أمريكي	إجمالي المبالغ / ريال
أجور معاملة جمارك و تخليص مقابل فاتورة و سند إستلام من الشركة المخلصة		3,000,000
أجور لجنة الفحص		600,000
أجور وكيل ملاح		1,000,000
رسوم تصريح مؤسسة الموانئ مقابل سند رسمي / دولار	12,000	3,648,000
أجور ميناء (وقوف في الغاطس + تفرغ) مقابل سند رسمي / دولار	24,000	7,296,000
عمولة شركة إكسترا بترول يوم		6,056,000
الإجمالي / ريال		21,600,000

هذا و سيتم تصفية المبالغ المحددة أعلاه بحسب بيانها و تسليمكم كافة الوثائق و السندات الرسمية.

وتفضلوا بقبول خالص التقدير والاحترام،،



د/ ماجد بن يطر  
المندوب  
EXTRA PETROLEUM FOR OIL  
Canada office: 2700 Saratoga Place, Suite # 715  
Ottawa On K1T-1W4 Canada  
Office: 1-613-796-3860  
Fax: 1-613-695-3865 - Mob: 1-613-608-4566  
E-mail: mitak.awad@extrapetroleum.com

WWW.EXTRAPETROLEUM.COM

Figure 17.2  
Financing mechanism for import of fuel



• الكمية المتفق عليها :

اتفق الطرفين على ان يقوم الطرف الاول بشراء كمية (8000 طن متري +/- ٥%) ثمانية الف طن متري من مادة البترول لصالح الطرف الثاني وتسليمها في غاطس ميناء الحديدة الجمهورية اليمنية وهذه الكمية تم تقريرها حسب إتفاق الطرفين .

• النوع & المواصفات :

Gasoline RON 92 -

• السعر :

اتفق الطرفين على أن يقوم الطرف الأول بشراء إجمالي الكمية المحددة في هذا العقد وتسليمها الي الطرف الثاني في غاطس ميناء الحديدة بسعر (653.70\$) ستمائة وثلاثة وخمسون دولار وسبعون سنت للطن المتري الواحد بدون عمولة التحويل إلى الخارج

ويتم احتساب عمولة التحويل كالتالي:

في حال ايداع المبلغ بالدولار الى الحساب البنكي للضامن يتم احتساب عمولة تحويل بواقع 2.5% وفي حال التسليم نقدا يتم احتساب 4% كعمولة تحويل مضافه الى السعر الأساسي

وفي حال الدفع بعملة الريال اليمني يتم احتساب السعر بحسب سعر الشراء للدولار في نفس يوم التسليم ويسعر الصرف المحدد في حال الاستلام نقدا او في حال الاستلام بشيك بنكي مضافاً اليه عمولة تحويل بواقع 4%

السعر أعلاه شامل التامين واية رسوم اخرى.

• شروط الدفع :

- يلتزم الطرف الثاني بدفع مبلغ 30% ثلاثون بالمائة من إجمالي قيمة 8000 طن متري خلال مباشرة بعد التوقيع وتسلم لدى شركة السنباني للزراعة والدواجن لحسابهم رقم "10186252" في بنك التضامن الاسلامي كطرف ثالث ضامن للطرفين .

**Translation Extract:**

The first party agrees to purchase the whole agreed quantity and to be delivered to the second party at Hudaydah port at a price of US\$ 653.70 excluding the cost for foreign fund transfer

Fees for foreign fund transfer:

Price to include additional 2.5% in case of transfer in US\$ to the guarantor and 4% in case of transfer in YER

In case of payment in cash the exchange rate to purchase US\$ of the day will be applied

The second party shall transfer 30% of the price as advance at the signing of the contract.

## **Annex 18. Import of fuel to Red Sea ports from September 2016 to October 2018**

1. The Panel studied the import of fuel to areas under Houthi control since the commencement of UNVIM on 5 May 2016.<sup>43</sup> The de-regulation of fuel imports by the Houthis opened the business up to many companies that are new to the international fuel trade. The Houthis began issuing new licenses in 2016 to allow new companies to import fuel under new or renewed trade licenses.

2. Prior to 2015, only a few companies held licenses to import fuel in parallel to the YPC, however, after gaining power in 2015, the Houthis have issued import licenses to various companies, according to their traders each license costs the equivalent to US\$ 500 and US\$ 300 administrative handling. The 'import fuel rush' peaked in 2016 and early 2017. From September 2016 to October 2018, 52 companies have acted as consignees in the import of fuel, a list of these 52 traders is given in table 18.1.

3. During the study period of September 2016 to October 2018, the current fuel consignees have received 346 shipments of fuel, mainly from UAE (62%) and Oman (28%) and less than 10% from other countries or ship-to-ship transfers. Within the same study period, a total of 343 tankers, with a monthly average of 12 tankers with a capacity of between 4 to 62 Mt, have berthed in Ras Issa; and more lately only to Hudaydah. The flow of tankers decreased gradually from a rate of 33 tankers a month at the end of 2016, when Ras Issa was used to receive fuel, to less than 10 tankers per month at Hudaydah. From May 2018 onwards, military operations along the Red Sea coast started to move towards Hudaydah and marine traffic has slowed. The berthing capacity in Hudaydah port, combined with a limited capacity to discharge and store fuel before being transported out of Hudaydah by road has, on several occasions, created delays in the anchorage areas.

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<sup>43</sup> The Government of Yemen announced the United Nations Verification and Inspection Mechanism for Yemen (UNVIM), 5 May 2016, see <https://vimye.org/doc/GoY%20Announcement%20of%20UNVIM%20Launch.pdf>



<b>2 months/ Consignee</b>	<b>9-10 2016</b>	<b>11-12 2016</b>	<b>1-2 2017</b>	<b>3-4 2017</b>	<b>5-6 2017</b>	<b>7-8 2017</b>	<b>9-10 2017</b>	<b>11-12 2017</b>	<b>1-2 2018</b>	<b>3-4 2018</b>	<b>5-6 2018</b>	<b>7-8 2018</b>	<b>9-10 2018</b>	<b>1000 Mt (shipment)</b>
<b>Alhamady</b>		8.8				12	22.1			9				<b>51.9 (5)</b>
<b>Balad</b>				13.4	17.6	17.3	6.2							<b>54.5 (4)</b>
<b>Begad</b>	45	75.4			18.5	4.3		15.9	4.8					<b>163.9 (21)</b>
<b>Waqood</b>		7.1		15.4	12		7.1		10				10	<b>61.6 (7)</b>
<b>Abkar</b>		10.9						4.4	21.1	14.4	7.8		4.4	<b>63.0 (10)</b>
<b>Falcon</b>					16.2		8.2	3.8		8.2	3.8	11.1	16.5	<b>67.9 (10)</b>
<b>Deema</b>		13.8		16.3	9.4	4.3	16.2			10.3				<b>70.3 (11)</b>
<b>Azzahra</b>	14.1	9.3	13.5		13	36.7	8		8					<b>102.6 (8)</b>
<b>YCII</b>		41.5		83					21	20.5				<b>166.0 (5)</b>
<b>Atramico</b>		28.7				72.2			30		25.6	55.6		<b>212.1 (9)</b>
<b>Sam Oil</b>		18.7	22.8	53	27.8	89.5	34.6		26.1	16		14.5	20.9	<b>323.9 (29)</b>
<b>Blue Diam.</b>					2.9	16.8	56.7	39.6	67.6	92.1	44.4	48.8	59.9	<b>428.8 (33)</b>
<b>Osaily</b>	50.1	108.1	17.0	76.6	34.5	89.8	4.6	25.8	6.9	34.7	26.0	18.2	24.5	<b>516.8 (41)</b>
<b>Atico</b>	82.7	106.0	25.6	75.6	26.0	30.0	72.0		32.8	42.7	41.0	56.8	35.0	<b>626.2 (38)</b>
<b>Tamco</b>	20.7	50.7	30.3	64.0	65.6	40.2	56.4	25.7	60.9	77.3	69.6	66.8	106.4	<b>734.6 (39)</b>
<b>Active consignee</b>	16	28	8	13	14	14	12	7	11	9	7	8	10	
<b>1000 Mt (Shipments)</b>	<b>429.6 (27)</b>	<b>898.8 (66)</b>	<b>173.4 (14)</b>	<b>564.5 (35)</b>	<b>271.5 (24)</b>	<b>436.4 (31)</b>	<b>308.0 (25)</b>	<b>123.1 (11)</b>	<b>289.2 (25)</b>	<b>345.4 (35)</b>	<b>218.2 (14)</b>	<b>276.8 (17)</b>	<b>347.2 (21)</b>	<b>4682.1 (343)</b>

## Annex 19. Network of fuel importers associated with the Houthis

1. The Panel noted a suspected murder on 20 December 2016, of Mohamed al-Absi, a Sana'a-based journalist who was investigating the involvement of Houthi leaders in imports of fuel that may finance the conflict. The UNESCO Director General pushed for a thorough independent inquiry into his death in a statement issued in line with Resolution 29 adopted by UNESCO Member States (1997).<sup>44</sup> The Panel noted that, according to several media sources, Mohamed al-Absi had mentioned three companies involved in such activities: Yemen Life, owned by Mohamed Abdussalam Fletah (Houthi official spokesperson and chair of the board of the Houthi Masirah TV channels.<sup>45</sup>); Oil Primer, owned by Daghsan Mohamed Daghsan; and Black Gold, owned by Ali Qarsha.<sup>46</sup> The Panel has identified three companies: Yemen Elaf, Oil Premier (note the transliteration changes) and Black Gold Import, as well as two additional companies 'Wheelers' as a front to Oil Premier and 'Balad al Khairat' acting as consignee for Black Gold. Details are in table 12.1 below.

**Table 19.1**  
Network of fuel importers with links to the Houthi

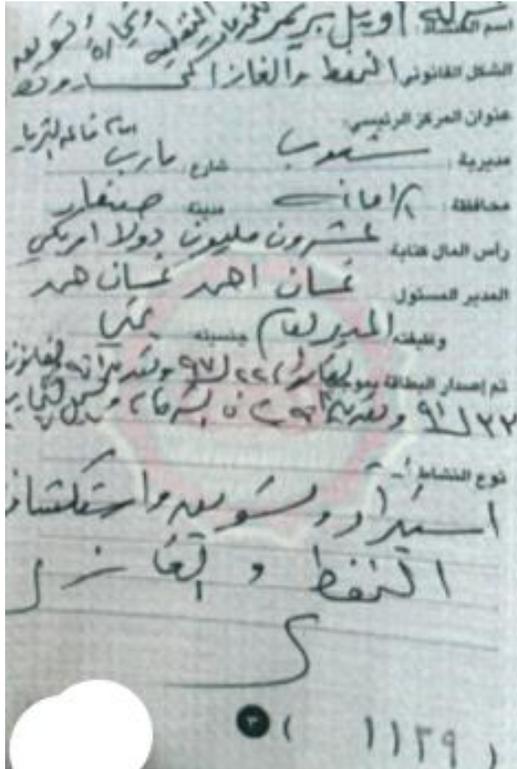
Shipper	From	Consignee	Tanker	Imo	date	cargo (Mt)
Sahool Al Hojari Trading	Oman	Al Barakah	<i>MR Nautilus</i>	9150767	Jan-17	39,500
Sahool Al Hojari Trading	Oman	Al Barakah	<i>Safe Sino</i>	9149251	Apr-17	39,440
HAPCO FZE	UAE	Al Barakah	<i>Sincero</i>	9254422	Sep-18	15,000
HAPCO FZE	UAE	Al Barakah	<i>Distya Pushti</i>	9179127	Oct-18	21,042
HAPCO FZE	UAE	Al Barakah	<i>Sincero</i>	9254422	Nov-18	15,985
ECB International LLC	UAE	Balad al Khairat	<i>Nu Shi Nalini</i>	9619608	Mar-17	13,364
ECB International LLC	Oman	Balad al Khairat	<i>Sala 1</i>	9084516	Jun-17	17,618
ECB International LLC	UAE	Balad al Khairat	<i>Sala 1</i>	9084516	Aug-17	17,308
ECB International LLC	UAE	Balad al Khairat	<i>Palomar</i>	9464182	Sep-17	6,200
ECB International LLC	Oman	Oil Premier	<i>Prime Royal</i>	9347102	Nov-16	17,560
Givenergy FZC RAK-UAE	UAE	Matrix Oil	<i>Bahia Damas</i>	8916255	Nov-16	19,000
Givenergy FZC RAK-UAE	UAE	Matrix Oil	<i>Aquarius</i>	9105138	Nov-16	11,500
Al Ezz Al Arabiya Trading	Oman	Matrix Oil	<i>Eagle</i>	9145425	Nov-16	26,100
Al Naboodah Cargo LLC	STS	Wheelers	<i>Androussa</i>	9101182	Mar-17	41,500
Alsa Petroleum & Shipping	Oman	Yemen Elaf	<i>Feng Hai 29</i>	9638264	Oct-16	21,700
Givenergy FZC RAK-UAE	UAE	Yemen Elaf	<i>Sirius 2</i>	9111175	Nov-16	21,988
Alsa Petroleum & Shipping	UAE	Yemen Elaf	<i>Bakhtiyar V.</i>	9575345	Nov-16	5,400
Sahool Al Hojari Trading	UAE	Yemen Elaf	<i>Androussa</i>	9101182	Dec-17	37,300

<sup>44</sup> <https://en.unesco.org/news/director-general-calls-investigation-death-journalist-mohammed-al-absi-yemen>; <https://womenpress.org/en/womenpress-news/journalist-mohammed-al-absi-dies-of-poisoning-forensic-medicine-report-reveals.html>

<sup>45</sup> Founded on <https://www.almasirah.net>

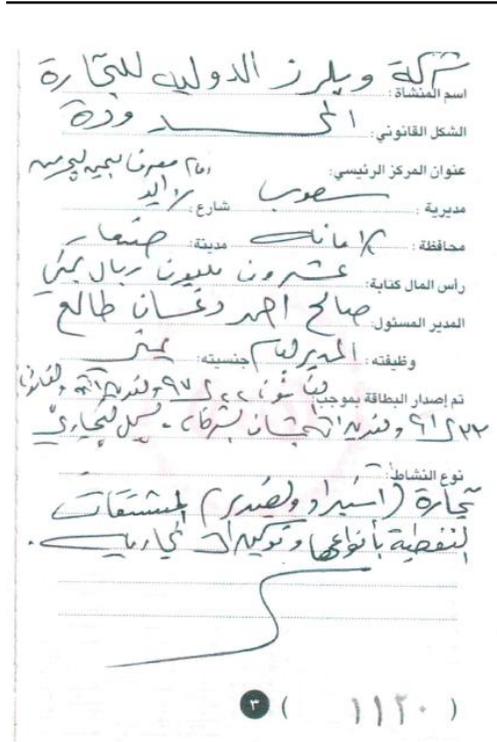
<sup>46</sup> <https://www.freedom-ye.com/news56383.html>

**Figure 19.1**  
**Trade license Oil Premier**



Source: Confidential

**Figure 19.2**  
**Trade license Wheelers**



Source: Confidential

2. The Panel noted that the two companies are probably a front for the same business interest with links to the Houthis based on the following:

- The two licenses indicate the same address in the district of Shu'ub with unclear address in the district;
- Saleh Ahmed Daghsan Talea was born in Sa'dah Yemen on 2 January 1978 to a family known in Yemen for smuggling activities, including facilitating arms smuggling to supply the Houthis;
- 'Ghassan Ahmed Ghassan' in Oil Premier's trade license is probably a transliteration change, effected to conceal the identity of the company;
- Another transliteration change was found in a financing contract with Swaidan where Saleh Ahmed Daghsan was spelled as Saleh Ahmed Da'san, see paragraph 20.8 in annex 20;
- The sequence numbers of the licenses are unexpectedly in the wrong order;
- Saleh Ahmed Daghsan died 22 January 2018<sup>47</sup> and was referred to in a condolence letter as a "companion and comrade of studies" by Saleh al Sammad;<sup>48</sup>
- The condolence letter was addressed to Daghsan, Yahya, Ali and Abduladhim who seem to be Saleh Daghsan's brother;

<sup>47</sup> Based on his passport number 03863763 issued in Sana'a valid from 3 May 2010 to 3 May 2016, and a residency certificate in UAE number 6982549 valid from 20 May 2013 to 19 May 2015, as a purchasing representative sponsored by Palm Emirates Catering Services. The UAE informed the Panel that his residency certificate was not renewed and that he left the UAE in early 2015.

<sup>48</sup> The former president of the Houthis supreme political council in Sana'a who died in a Coalition airstrike on his convoy in Hudaydah on 19 April 2018, <https://www.sabanews.net/ar/news485526.htm>.

- (h) Ahmad Salih [or Ahmed Saleh] Hindi Daghsan<sup>49</sup> is possibly an alias of or another name for Mr. Saleh Ahmed Daghsan Talea’s father; and lastly
- (i) *MT Androussa* seems to have been confiscated based on intelligence information, which, unfortunately, the Government of KSA did not share with the Panel.

3. The Panel gathered documents of the other three consignees of interest for the ongoing investigation, identified above (see figure 19.3 to 19.6). It is noted that none of these five consignees was designated as a consignee in 2018 apart from al Barakah which received one shipment in September 2018 but was denied entry to al Hudaydah for two of its tankers in November 2018 by the Coalition. AIS records of the two tankers concerned *Distya Pushti* (IMO 9179127) and *Sincero* (IMO 9254422) indicate that they have remained in the Djibouti anchorage area since late October 2018. The Panel received information that the ownership of the shipments of the two tankers might have transferred to a known importer able to receive clearance for the tankers to proceed to al Hudaydah.

**Figure 19.3**  
Trade license Black Gold owned by Ali Qarsha



Source: <http://moit.gov.ye/moit/ar>

**Figure 19.4**  
Trade license Black Gold DMCC<sup>50</sup> owned by Ahmed Nou'man Duwaid

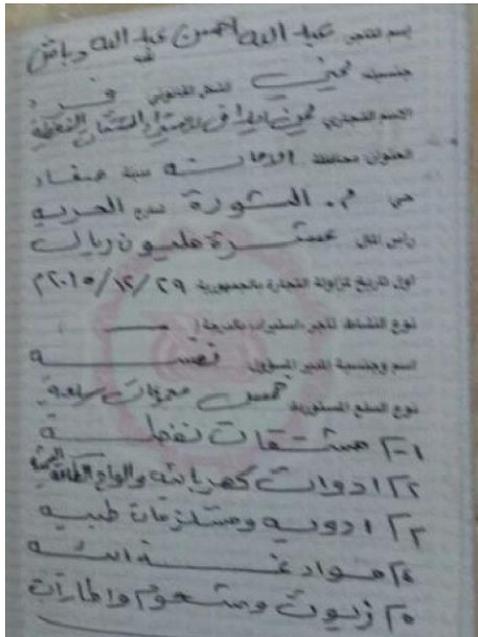


Source: Confidential.

<sup>49</sup> Number 22 with reward of US\$ 10 million for information leading to his arrest on the list announced by Saudi Arabia on 5 November 2017, <https://www.thenational.ae/world/mena/saudis-name-an-d-put-price-on-heads-of-40-leaders-of-houthi-terror-groups-1.673306>.

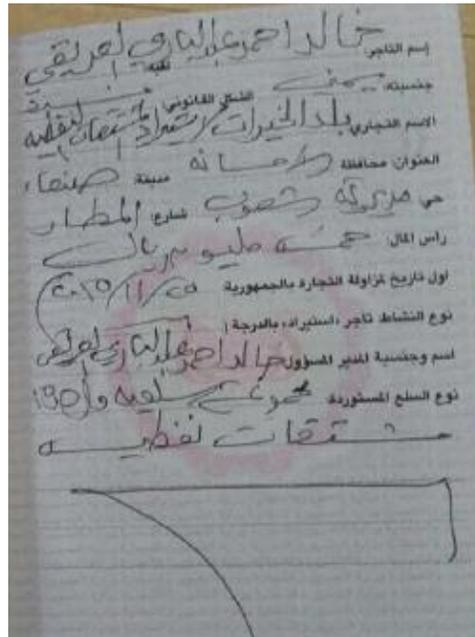
<sup>50</sup> DMCC is normally used for companies registered in Dubai; Dubai Multi Commodities Centre (DMCC) was established by the Government of Dubai as a hub for international trade

Figure 19.5  
Trade license Yemen Elaf



Source: Confidential.

Figure 19.6  
Trade license Balad al Khairat



Source: Confidential.

Figure 19.7

Invoice for the sale of fuel by Black Gold Traders LLC to Balad al Khirat using an account in UAE

 **BLACK GOLD TRADERS L.L.C**

COMMERCIAL INVOICE						
PROV. INVOICE NO.:	BG/PI00105/A0138	COMM. INV REF.:	BG/IN00105/A0139			
PROV. INV. DATED.:	25/07/2017	COMM. INV. DATE.:	02.09.2017			
CONTRACT REF. NO.:	105/A0138	CONTRACT DATED.:	24.07.2017			
SELLER INFORMATION:		BLACK GOLD TRADERS LLC				
		P.O.BOX NO.: 127982, DUBAI, UAE				
		TEL.: +971 4 3797318				
BUYER INFORMATION:		BALAD AL KHAIRAT FOR IMPORTING OIL PRODUCTS				
		HADA ST. SANA'A YEMEN				
BL DATE:	02.09.2017	VESSEL NAME:	MT PALOMAR			
PARTIAL SHIPMENT:	NOT ALLOWED	DELIVERY TERMS:	CFR - HODEIDAH, YEMEN			
CARGO DETAIL						
DESCRIPTION	QUANTITY	U O M	QUANTITY	U/PRICE	TOTAL AMOUNT	
			IN MT	BBL/USD	USD	AED @ 3.6725
GASOLINE RON 92	54,518.71	BBL	6,208.36	59.450	3,241,137.31	11,903,076.77
<b>TOTAL QUANTITY =</b>	<b>54,518.71</b>		<b>TOTAL AMOUNT =</b>		<b>3,241,137.31</b>	<b>11,903,076.77</b>
AED AMOUNT IN WORDS:	Eleven Million Nine Hundred Three Thousand Seventy Six and fills Seventy Seven only.					
PRICING :	shall be fixed price of USD 59.450 per barrel basis					
<b>PAYMENT TO BE EFFECTED WITHOUT OFFSET, DEDUCTIONS TO.:</b>						
BENEFICIARY:	BLACK GOLD TRADERS LLC	BANK:	COMMERCIAL BANK OF DUBAI (CBD)			
		ADDRESS:	26-AL QUOZ, DUBAI - UAE			
		AED ACCT:	1001919271			
		AED IBAN:	AE18 [REDACTED] 9271			
		SWIFT:	CBDUAEAD			
<b>For BLACK GOLD TRADERS LLC</b>						
		<small>BLACK GOLD TRADERS L.L.C. P.O. BOX 127982 DUBAI - UAE TEL: +971 4 3797318 FAX: +971 4 3797318</small>				

Source : Confidential

**Table 19.2**  
**List of fuel importers currently conducting business in Yemen**

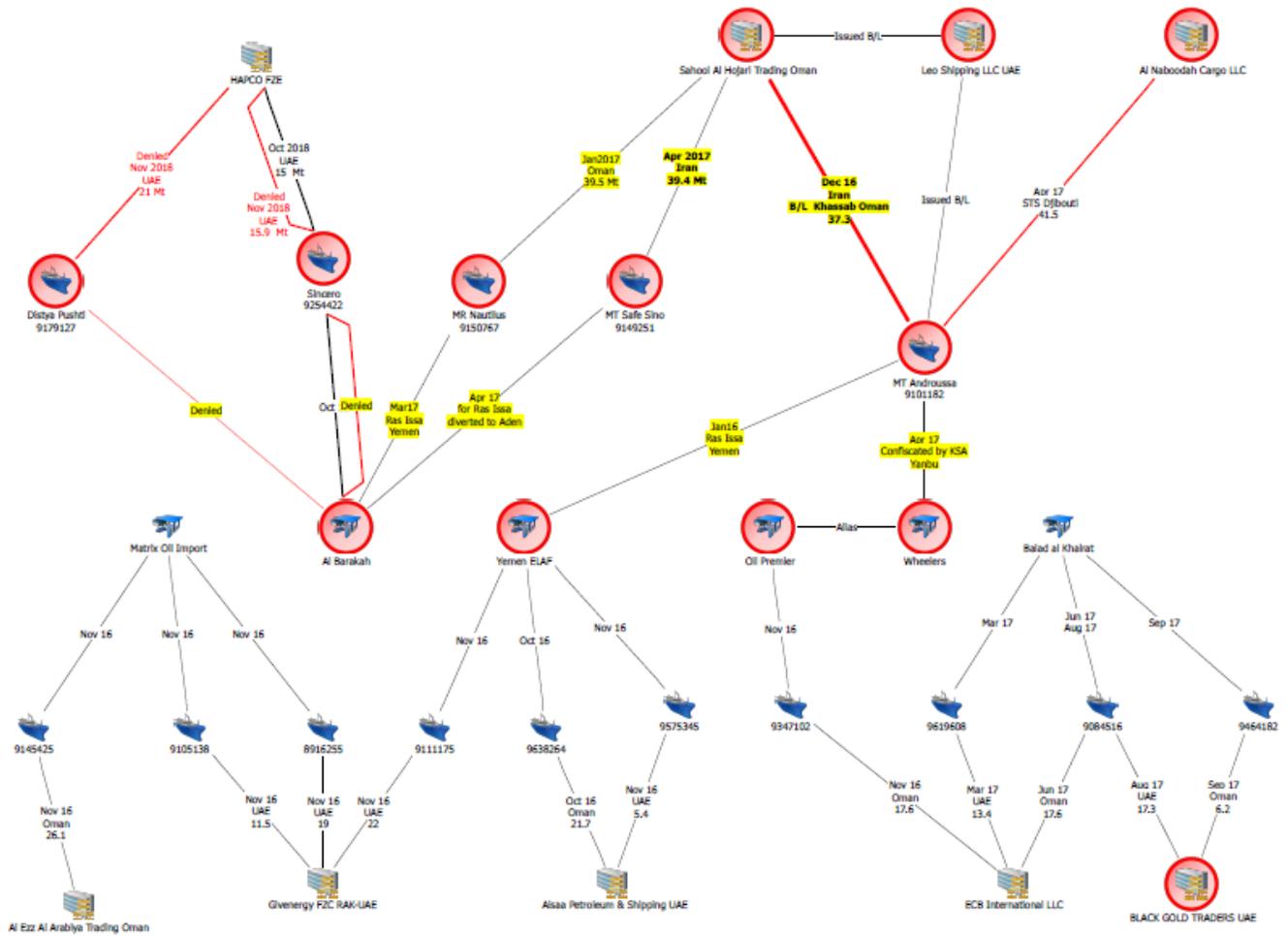
ملاحظات	اسم التاجر	اسم الشركة
تاجر من صعده بقاء العمل بدايه الازمه	حسين المطيعي	ديما يمن
تاجر من المخاء بقاء العمل بدايه الازمه	يحيى العسيلي	العسيلي
كان تاجر سوق سوداء للمشتقات وبقاء العمل بدايه الازمه	احمد البضائي	البيضاوي
		الرباط
		اتلانتيك
		نقط اليمن
من تعز كان يتبع توفيق عبدالرحيم وبقاء العمل ايام الازمه	امين دبان	يمن اولاف
صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطية	الفقيه وشركاه	سام اويل
		ستار بلاس
		قصور صنعا
		اينكو
صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطية	الحثلي	وقود
معروف لديكم للمصانع	هائل سعيد	التكامل
لديه مصنع طلاء بقاء العمل ايام الازمه يستورد كيروسين للمصنع	الثبياتي	ابكر
بقاء العمل ايام الازمه	ابكر من بيت الفقيه	ابكر لاستيراد المشتقات
تجاره عامه بقاء العمل ايام الازمه ويحتكر المواد البترولية	الحمادي	الحمادي للتجاره
صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطية	عبدالله الجبالي وشركاه	الجبالي
تاجر صرافه وبقاء العمل بدايه الازمه	العوامي للصرافه	مؤسسه العوامي للصرافه
تاجر سابق في مجال النفط والغاز	المفزر	موبك
صاحب محطات بتروليه قبل مايعمل في استيراد المشتقات النفطية	الحثلي و عبدالله فاضل	الطاقه
غير معروفه	غير معروفه	رقي
غير معروفه	غير معروفه	الذهب الاسود
تاجر معروف لدية محطات وقود في اب	اوسان عثمان القباطي	بيجاد الدولية
صاحب شركة ملاحية معروفة	سليمان بكاري	بلو دايموند
شركة تجارية معروفة ولها عدة استثمارات	نبيل هيل سعيد	شركة وقود للاستثمارات المحدودة
تبعهم	ابو احمد	مؤسسه الشهداء
تبعهم	الشرقي	اويل برير
تبعهم	ابو احمد	نما
تبعهم	غير معروف	جياش
تبعهم	ابو احمد	مرديف
تبعهم	الشرقي	يمن كروود
تبعهم شركة جديدة	ابو احمد	ابراج اليمن
تبعهم لتموين الدفاع	غير معروف	ازال
تاجر من صنعا بقاء العمل بدايه الازمه	عبدالله الوزير	الزهراء

Source: Government of Yemen.

**Table 19.3**  
**List of fuel importers shared by the Government of Yemen**

<i>Name of trader</i>	<i>Company's name</i>	<i>Remarks</i>
Hussein al Mutayi*	Deema Yemen	From Sa'dah; started after 2015
Yahya al Osaily	Al Osaily	From al Mukha; started after 2015
Ahmed al Baydhani*	Al Baydhani Ar Ribat Antlantic	Black market trader started in 2015
Amin Dabwan	Naft Yemen	From Ta'izz: was associated with Tawfiq Abdulrahim, started after 2015
Al Faqih & associates	Yemen Elaf Sam Oil Star Plus Qussur Sana'a	Owned fuel stations before starting import of fuel
Al Hutheily	Aitco	Owned fuel stations before starting import of fuel
Hael Saeed	Wuqud	Known trader
Shaibany	Al Takamul	Owens a factory, imports for his industry
Abkar from Bait al Faqih	Abkar Abkar oil Import	Started import after 2015
Al Hammadi	Al Hammadi for trading	Started import after 2015
Abdullah al Jabbahi	Al Jabbahi	Owned fuel stations before starting import of fuel
Al Awami Exchange	Al Awami Exchange	Started import after 2015
Al Mufazzer	Mopc	Previous fuel trader
Al Hutheily and Abdullah Fadel	Al Taqah	Owned fuel stations before starting import of fuel
Unknown*	Roqi	Unknown
Unknown*	Black Gold	Unknown
Awsan Othman Al qubati	Begad International	Known trader with fuel stations in Ibb
Sulayman Bakkari	Blue Diamond	Owens shipping company
Nabeel Hael Saeed	Wuqud for investment	Known company with several investments
Abu Ahmed*	Ashuhada company	Working for the Houthis
Al Sharafi*	Oil Premier	Working for the Houthis
Abu Ahmed*	Nama	Working for the Houthis
Unknown*	Jayash	Working for the Houthis
Abu Ahmed*	Mardiff	Working for the Houthis
Al Sharafi*	Yemen Crude	Working for the Houthis
Abu Ahmed*	Abraj al Yemen	Working for the Houthis
Unknown*	Azal	Working for the Houthis
Abdullah al Wazeer	Al Zahra'a	Known trader, started after 2015

**Figure 19.8**  
**Network of consignees and shippers of interest to the Panel’s investigation**



## Annex 20. Confiscation of *MT Androussa* (IMO 9101182) by KSA in 2017

1. In paragraph 150 and annex 55 of S/2018/549, the Panel reported the case of the confiscation of the marine tanker *MT Androussa* (IMO 9101182) with her cargo by KSA on 4 April 2017 while she was en route to Ras Issa in Yemen. The seizure was ordered as a result of a judgement issued by the Jeddah First Instance Customs Committee of 14 September 2017. To date, the Panel is not aware of any report from the Saudi authorities to the Sanctions Committee on Yemen containing relevant details on the inspection and seizure of the tanker as required by paragraph 17 of resolution 2216 (2015). Furthermore, the Panel could not identify, in the judgement above, any reference to resolution 2216 (2015) nor any material fact that could be related to the implementation of that resolution (see figure 20.1).

**Figure 20.1**

**Last page of the Jeddah First Instance Customs Committee Judgement No. 395 of 1438H issued on 23 Dhil Hijja 1438 H corresponding to 14 September 2017**

وحيث الثابت قيام السفينة (MT ANDROUSSA) بعدة مخالفات تم ضبطها  
بتقرير اللجنة الأمنية المكلفة بتوثيق وتفتيش السفينة وفحصها مما تقرر معه  
اللجنة الحكم بمصادرة السفينة (MT ANDROUSSA) بكامل حمولتها ومصادرة  
الأنابيب الحديدية المشتبه بها .  
لهذه الأسباب وبعد الدراسة والمداولة قررت اللجنة وبالإجماع ما يلي:-  
منطوق القرار :  
أولاً/مصادرة السفينة (MT ANDROUSSA) بكامل حمولتها ومصادرة  
الأنابيب الحديدية المشتبه بها بإعتبارها البضائع محل التهريب.  
قراراً قابلاً للاستئناف خلال ٣٠ يوماً من تاريخ تبليغ الحكم الابتدائي.

### **Panel's unofficial translation from Arabic**

Since it was confirmed that *MT Androussa* was involved in several violations observed in the report of the security committee in charge of inspecting the vessel, and the decision of the said committee to confiscate the vessel and its cargo, as well as the suspicious steel pipes found on board.

For these reasons and after deliberation, the committee decided on consensus the following:

First; to confiscate the vessel *MT Androussa* with its cargo in full and the suspicious steel pipes on the grounds that they were smuggled goods.

This decision is subject to appeal within 30 days from the notification date of the first instance judgment.

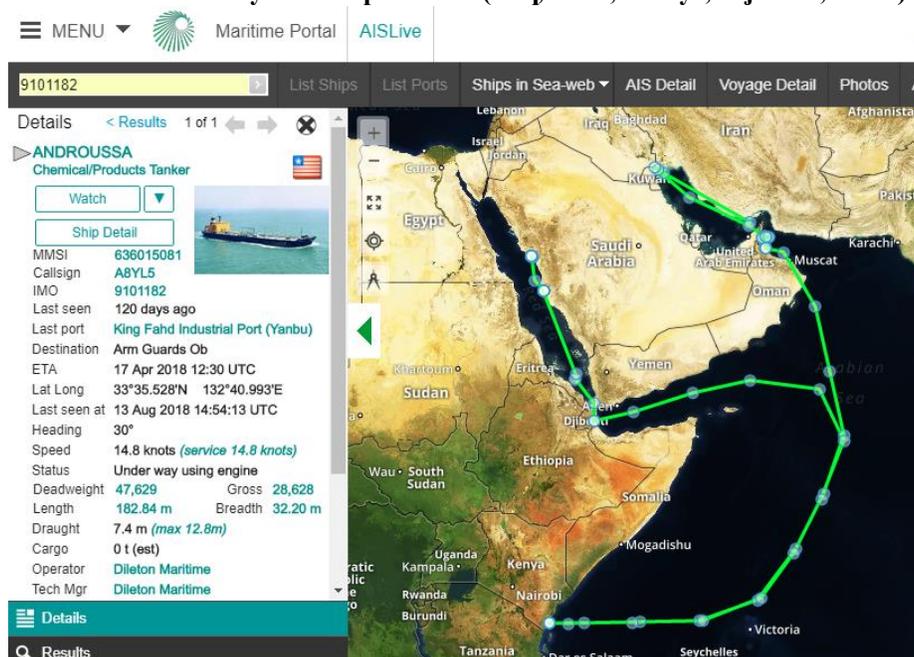
**END OF TRANSLATION**

2. *MT Androussa* was carrying 41,696 Mt of Gasoil received from a ship-to-ship transfer (STS) from *Nordic Star* (IMO 9748679) off the coast of Djibouti with Emirates NDB, Dubai designated as the shipper and the consignee, according to the Bill of lading (B/L), as Swaidan Trading Co. LLC “Swaidan”.<sup>51</sup> The tanker had been cleared by UNVIM but this clearance was later revoked after receiving intelligence reports indicating that the vessel failed to mention, in its UNVIM request, that she had recently berthed in Iranian ports. The Panel confirmed through AIS tracks and log books on board the tanker that she had indeed called into Bandar Abbas port in Iran from 11 to 14 December 2016 (see annex 21).

3. The Panel visited the tanker on 25 December 2017 and could not find any evidence of prohibited items on board (figure 20.7). The Panel understood, from discussions with Saudi officials, that the tanker had been confiscated based on intelligence information related to the financing of the Houthis through fuel donations coming from external actors. On these grounds, the Panel initiated an investigation of potential financial support for the benefit of a listed individual, in line with paragraph 11 of resolution 2140 (2014).

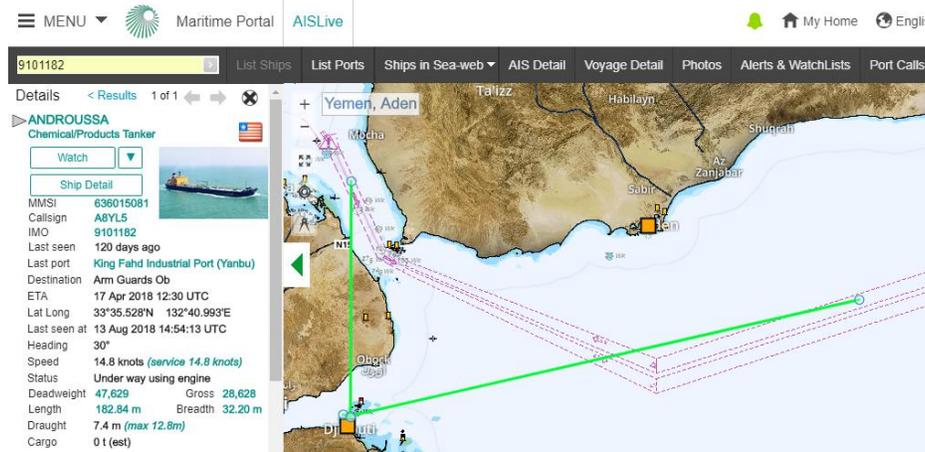
4. If a port of call was intentionally hidden, this is a clear reason to both revoke the UNVIM clearance and grounds for conducting an inspection under the resolution 2216 inspection regime. However, the Panel does not consider that this act on its own constitutes a reason for the Saudi officials to intercept the vessel in international waters and confiscate it, based on the observed irregularities mentioned in the judgement after the inspection in Jeddah and Yanbu.

**Figure 20.2**  
AIS track 5 February to 30 April 2017 (Iraq, UAE, Kenya, Djibouti, KSA)

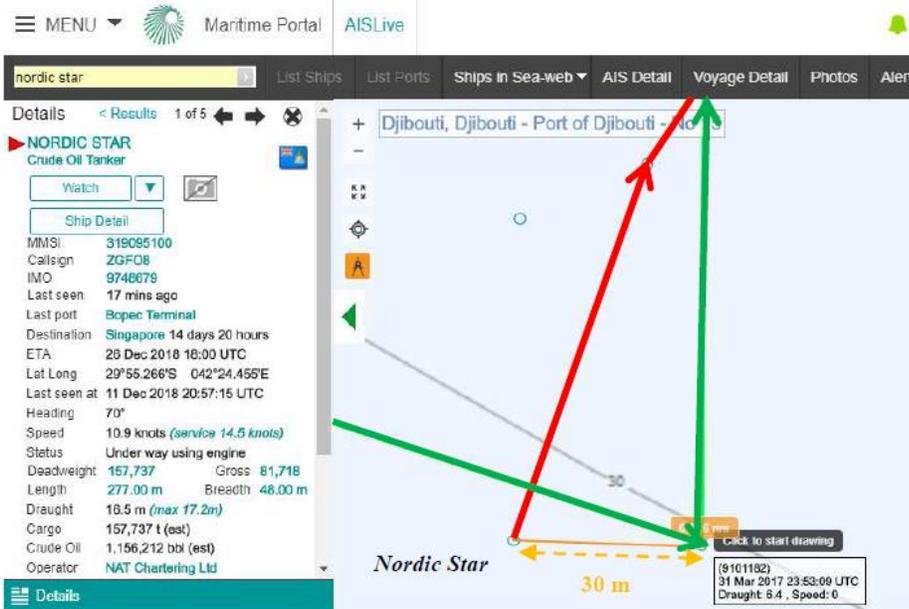


<sup>51</sup> B/L issued on 1 April 2017 offshore Djibouti, in possession of the Panel which also indicates that it was delivered to Swaidan Trading Co. LLC, a subsidiary of Al Naboodah Group Enterprises “Al Naboodah” (Al Naboodah Cargo Centre LLC, PO Box 10652 Dubai, UAE), <http://www.swaidanvehicles.com/contact-us>, the website does not mention import or export of fuel among its business activities.

**Figure 20.3**  
**AIS track 28 March to 1 April 2017 (Djibouti)**



**Figure 20.4**  
**AIS track for MT Androussa and Nordic Star 30 March to 1 April 2017 (STS transfer from Nordic Star at coordinates 11°39'25"N 43°09'21"E off coast Djibouti)**



**Figure 20.5**  
 Port log book *MT Androussa* 31 March to 1 April 2017 indicating *STS Nordic Star*

	0942	CHECKING NO. 2 COMPLETED
	1000	FIRST LINE TO MOTHER VESSEL "NORDIC STAR"
	1030	TUGV CLEW TAD
	1030	TUGV CLEW ATT
	1042	1 PILOT OFF
	1100	ALL LINE + MHOE FAST / CHECKING NO. 4 COMPLETED
	1206	COMMENCE HOSE CONNECTING
	1230	COMPLETED HOSE CONNECTING
	1305	PILOT OFF
	1248	COMMENCE TANK INSPECTION
	1330	COMPLETED TANK INSPECTION
	1242	250 BURLS ON BOARD
	1430	COMMENCE CARGO OPERATION / LOADING
	1415	NOR ACCEPTED
01-04-17	0900	COMMENCE UNLOADING
	0918	COMPLETED UNLOADING
	0518	COMPLETE LOADING
	0548	COMMENCE UNLOADING
	0618	COMMENCE UNLOADING

Source: Panel

5. Additional documents held by the Panel indicate that payment for the cargo, the freight price of the tanker and the policy insurance were all paid by Swaidan.<sup>52</sup> That specific cargo had been invoiced earlier by al Naboodah to Wheelers for a price of US\$ 19,283,058.50 (figure 20.8).<sup>53</sup>

6. The Panel sent official letters to both the UAE authorities and Swaidan requesting them to provide the Panel with information on the business relationship between Swaidan and Wheelers, as well as clarifying the financial instrument used for payment of the cargo price by Daghsan. Swaidan has not yet replied to the Panel. The Panel received official information that neither Oil Premier nor Wheelers have bank accounts in UAE and that the company which used to sponsor Daghsan residency in the UAE ceased to operate after expiry of its company license on 2 September 2016.

7. Documents held by the Panel indicate that the transactions between Swaidan and Daghsan are both inconsistent and suspicious. A financial agreement indicates Swaidan as a second party, while the first party is Oil Premier instead of Wheelers which was the consignee. Another inconsistency is the mention of Saleh Ahmed Daasan as the representative of Oil Premier. The Panel believes that the agreement was drafted by someone with no knowledge of Wheelers nor Oil Premier and who transliterated the spelling of 'Daghsan' by missing a dot above the second letter of his name in Arabic.<sup>54</sup> Swaidan has not yet indicated to the Panel if and how it received any funds from Daghsan's companies, which were the consignees of the fuel imported to Yemen. The Panel

<sup>52</sup> Documents indicate that the fuel carried by Androussa was invoiced by Litasco Middle East DMCC to Swaidan at a cost of US\$ 20,012,768.29 and that the insurance premium of 107,822.03 AED for the cargo was paid by the same company.

<sup>53</sup> The Panel also noted that the al Naboodah invoice indicates a price per barrel (Bbl) of US\$ 63.13 lower than the price of purchase, as invoiced by Litasco at US\$ 64.73 per Bbl CFR Ras Issa (Cargo freight INCOTERMS).

<sup>54</sup> Daasan and Daghsan have similar script characters while the second has a dot on the second letter from the right: دغسان دغسان

considers that the fuel which was destined for Daghsan could be a donation from a third party and that Swaidan acted as a broker. The Panel continues to investigate.

**Figure 20.6**

***MT Androussa* at the port of Yanbu visited by the Panel on 25 December 2017**



Source: Panel

**Figure 20.7**

**Steel pipes considered suspicious by KSA (Panel on 25 December 2017)**



Source: Panel

**Figure 20.8**  
**Invoice dated 27 March 2017 of Swaidan Trading Co. LLC for Wheelers General Trading Company**



شركة سويدان التجارية ذ م م  
 SWAIDAN TRADING CO. LL

INVOICE / PACKING LIST

BUYER:  
 WHEELERS GENERAL TRADING COMPANY  
 AL AMANAH SAQWOB, ZAID DHAGSAN  
 BUILDING, SANA, YEMEN.

DATE: 3/27/2017

PROFORMA INVOICE No.27031701

PRODUCT	GASOIL
TERMS OF DELIVERY	OAP YEMEN
VESSEL	ANDROUSSA
LOAD PORT	DJIBOUTI
DISPORT	RAS ISA
QUANTITY	305,450.00

DESCRIPTION	GROSS WEIGHT (BBL)	PRICE USO/BBL	TOTAL AMOUNT (USO)
QUANTY	305,450.000	63.13 \$	19,283,058.50
PROVISIONAL PRICE	MOPAG (58.63 USO/BBL) + 4.5 USO/BBL		

TOTAL VALUE DUE TO SWAIDAN TRADING	\$	19,283,058.50
------------------------------------	----	---------------



HEAD OFFICE  
 P.O.Box 1200, Dubai, UAE  
 Tel. +971 4 294 8111  
 Fax +971 4 294 8998

ABU DHABI BRANCH  
 P.O.Box 2239  
 Abu Dhabi, UAE  
 Tel. +971 2 555 4233

AL AIN BRANCH  
 P.O.Box 1250  
 Al Ain, UAE  
 Tel. +971 3 721 1792

FUJAIRAH BRANCH  
 P.O.Box 371  
 Fujairah, UAE  
 Tel. +971 9 222 2731

SHARJAH BRANCH  
 Tel. +971 6 508 5333  
 Fax +971 6 538 7904  
 RAK BRANCH



SWAIDAN000228

Source: Case No 3:18-cv-00398-HZ, Portland, Oregon, USA

**Figure 20.9**  
**Financial agreement between Swaidan and Oil Premier**

This Contract made on this day Thursday , February 24<sup>th</sup>, 2017 between First Party OIL PREMIER FOR OIL & GAS TRADING AND SERVICES and Second Party (Alnaboodah Cargo Center) in Sana'a, Yemen.

**First Party**

**Company Name:** Oil Premier for Oil & Gas Trading and Services  
**Address:** Airport Street, nearby Mouad Hospital, Sana'a  
**Registration No.:** [REDACTED] **Date:** 12-10-2015  
**Country:** Republic of Yemen  
**Represented by:** Saleh Ahmed Daasan  
**Designation:** Chairman  
**Nationality:** Yemeni **Passport No.:** [REDACTED] **Issued from:** Yemen **Date:** 12-2-2015  
 (Hereinafter referred to as "FP")

And:

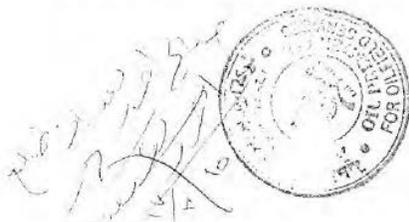
**Second Party**

**Company Name:** Swaidan Trading Co LLC , UAE and (Alnaboodah Cargo Center )  
**Address:** PO Box 1200, Dubai  
**Registration No.:** 0000000 **Date:** 000000000  
**Country:** United Arab Emirates **Emirate of:**xxxxxxxx  
**Represented by:** Hassan Ali Shaban General Manager in Swaidan Trading Group  
 And Raed Hiassat ( General Manager of Alnaboodah Cargo Center )  
**Nationality:**..... **Passport No.:** ..... **Issued from:** ..... **Date:** .....

(Hereinafter referred to as "SP")

(Collectively hereinafter referred to as "Parties")

Whereas, the two contractual parties mutually agreed, under full capability to enter into and execute this contract in accordance with the following Preamble and Clauses.



SWAIDAN000002

**Source:** Case No 3:18-cv-00398-HZ, Portland, Oregon, USA

## Annex 21. Shipment of fuel from Iran to Ras Issa, falsely reported as loaded in Oman

1. The Panel investigated cases of shipment of fuel for the benefit of Houthi consignees potentially acting on behalf of listed individuals in violation of sanctions measures. The Panel compared the B/L of lading of some shipments with AIS track of the tankers carrying them and found inconsistencies. These include issuance of B/L of lading by two companies with no link to the tankers. The B/L of ladings were very likely false as the practice in maritime trade is that they have to be issued by the master or by authorized persons indicating that the cargo has been shipped or received for shipment.<sup>55</sup> The Panel found the following discrepancies in the B/L:

**Table 21.1.**  
**B/L of ladings falsely stating that the tanker was loaded in Oman**

Tanker	B/L Issuer	Shipper	Issue date	Consignee	Findings
<i>MT Pvt Eagle</i>	Leo Shipping, UAE	Al Ezz Al Arabiya	8/11/2016	Matrix Oil	Stated as loaded in Khasab, Oman but AIS off near Abadan, Iran on 7 November 2016 (see figure 21.1)
<i>MT Androussa</i>	Leo Shipping, UAE	Sahool, Oman	14/12/2016	Yemen Elaf	Stated as loaded in Khasab, Oman but Fuel shipped in Bandar Abbas by NIOC <sup>56</sup> on 13 December 2016; <b>vessel confiscated by KSA</b> (see figures 21.2 to 21.11)
<i>MR Nautilus</i>	Leo Shipping, UAE	Sahool, Oman	10/1/2017	Albarakah	Stated as loaded in Khasab, Oman but AIS off near Busher, Iran 8 January 2017 (see figures 21.12 to 21.14)
<i>MT Safe Sino</i>	Leo Shipping, UAE	Sahool, Oman	27/3/2017	Albarakah	Stated as loaded in Khasab, Oman but AIS off near Busher Iran on 15 March 2017 (see figures 21.15 to 21.17)
<i>MT Crystal Sambu</i>	Adeema, UAE	Adema, UAE	9/3/2018	Yemen Crude Trading	Stated as loaded in Sohar, Oman but AIS probable STS; <b>vessel seized by KSA</b> (see figures 21.18 to 21.20)

**Source:** Panel based on information from confidential sources and AIS tracking

2. The Panel sent letters to the owners of *MT Androussa*, sharing with them the Panel's findings and requesting an explanation of the inconsistencies. The owners of *MT Androussa* shared with the Panel evidence indicating that they have not hidden their voyages to Iran and that the tanker was under a time charter agreement with R. Shipping Inc, a company with an office in Greece. Documents at figures 21.8 and 21.9 indicate that R.Shipping requested *MT Androussa* to issue a false B/L and that *MT Androussa* refused. R.Shipping then requested the owners to order the tanker to proceed to Ras Issa for Yemen Elaf instead of the initial destination in UAE. The Panel sent letters to R.Shipping and Leo Shipping in order to provide information related to their involvement in the transactions. The Panel sent letters to the Islamic Republic of Iran, the Sultanate of Oman and to UAE requesting information explaining the discrepancies and evidence that the fuel was sold and not a result of donation for the benefit of listed individuals. The Panel received a letter from R Shipping informing that it sub-chartered the vessel to Sasco Logistic LLC (Dubai, UAE) which then sub-chartered her to Yemen Elaf which requested the issuance of switch bills of lading indicating that the fuel was shipped by Sahool in Oman.

<sup>55</sup> See for example UK Carriage of Goods by Sea Act 1924 s.4: A bill of lading which: (a) represents goods *to have been shipped* on board a vessel or to have been received for shipment on board a vessel; (b) has been signed **by the master** of the vessel or **by a person who was not the master but had the express, implied or apparent authority of the carrier** to sign bills of lading

<sup>56</sup> National Iranian Oil Company (NIOC), <http://en.nioc.ir/Portal/Home/>

**Figure 21.1**  
**Bill of Lading falsely stating that *MT Pvt Eagle* was loaded in Khasab Oman on 8 November 2016 issued by Leo Shipping LLC, Dubai UAE**

CODE NAME: "CONGENBILL" EDITION 1994	
<b>Shipper</b> AL EZZ AL ARABIYA TRADING CO P.O. 570 P.C. 217 AUQAD - SALALAH SULTANATE OF OMAN	B/L NO: KHA/01
<b>Consignee</b>  MATRIX OIL FOR IMPORT P.O. BOX 23154 SANAA, YEMEN	<b>HEAD OWNERS</b> SOUTHERN PETROLEUM TRANSPORTATION JOINT SOTCK COMPANY M FLOOR, PVFCCO TOWER, MAC DINH CHI STR., HO CHI MINH CITY VIETNAM
<b>Notify Address</b>  Notify as above	<b>NON-NEGOTIABLE COPY</b>
<b>Vessel</b> <b>Port of Loading</b> MT PVT EAGLE                      KHASAB	
<b>Port of discharge</b> RAS ISA (YEMEN)	
<b>Description of Goods:</b>  Product Grade :- GAS OIL  METRIC TONS                      26,106.753 LONG TONS                              25,695.00 BARRELS                                      197,682.00  "CLEAN ON BOARD"                      FREIGHT PAYABLE AS PER CHARTER PARTY	
Freight Payable as per Charter party	<b>Shipped in apparent good order and condition by Aeez Al Arabiya Trading Co.</b> On board Vietnam vessel, MT Pvt Eagle, Whereof Capt. NGUYEN TRONG AI is the master at the Port of Khasab, Sultanate of Oman  This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.  In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void.
CHARTER-PARTY DATED ON <u>13/10/2016</u>  Time used for loading                      days                      hours  (As per SOF)	
Freight payable at <b>FREIGHT PAYABLE</b> Number of original Bs/L (03) THREE	Place and date of issue DUBAI                      DATE: 8/11/2016 Signature: AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT PVT EAGLE

Source: Confidential

**Figure 21.2**  
**MT Androussa pilot card indicating that she arrived to Bandar Abbas on 11 December 2016 with deadweight (DWT) of 16184 MT i.e. the weight in metric tons of all the cargo or water ballast**

**SHIP FORM Pilot Card**  
 Code: F-SHIP-15-02  
 Revision: 1  
 Date: 01/07/2015  
 Ship's File: BR1

Instruction: Frequency - Every Pilotage Send to office? N

**VESSEL / PILOT INFORMATION EXCHANGE**

M/T "ANDROUSSA" PORT: Bandar Abbass Iran DATE: 11.12.2016

**A. DIMENSIONS / TONNAGE**

Gross: 28,628 MT	Net: 12,678 MT	Summer Draft: 12,82 M
Present Displacement: 25790 MT	Present DWT: 16184 MT	
L.O.A.: 182.80 M	L.B.P.: 172 M	BEAM: 32.20 M
Bridge to Bow: 145 M	Bridge to Manifolds: 25 M	Bridge to Stern: 37.80 M
Draft FWD: 5.60	Draft MID: 6.30	Draft AFT: 7.00
Calculated Squat at Full SEA speed: 1 M	Calculated Squat at maneuvering Slow speed: 1.81 M	
Calculated Air Draft in Ballast: 37.5m	Calculated Air Draft in Load: 34m	

Source: Panel, 25 December 2017 on board MT Androussa in Yanbu, KSA

**Figure 21.3**  
**MT Androussa pilot card indicating that she left Bandar Abbas on 14 December 2016 with deadweight (DWT) of 39321 MT i.e. with full cargo capacity**

**SHIP FORM Pilot Card**  
 Code: F-SHIP-15-02  
 Revision: 1  
 Date: 01/07/2015  
 Ship's File: BR1

Instruction: Frequency - Every Pilotage Send to office? N

**VESSEL / PILOT INFORMATION EXCHANGE**

M/T "ANDROUSSA" PORT: Bandar Abbass Iran DATE: 14.12.2016

**A. DIMENSIONS / TONNAGE**

Gross: 28,628 MT	Net: 12,678 MT	Summer Draft: 12,82 M
Present Displacement: 48927 MT	Present DWT: 39321 MT	
L.O.A.: 182.80 M	L.B.P.: 172 M	BEAM: 32.20 M
Bridge to Bow: 145 M	Bridge to Manifolds: 25 M	Bridge to Stern: 37.80 M
Draft FWD: 11.10	Draft MID: 11.10	Draft AFT: 11.10
Calculated Squat at Full SEA speed: 1 M	Calculated Squat at maneuvering Slow speed: 1.81 M	
Calculated Air Draft in Ballast: 37.5m	Calculated Air Draft in Load: 34m	

Source: Panel, 25 December 2017 on board MT Androussa in Yanbu, KSA

Figure 21.4

*Androussa* pilot card indicating that she arrived to Ra's As Salif, Yemen, on 14 January 2017 with the same DWT of 39321 MT as when she left Bandar Abbas

SHIP FORM Pilot Card		Code: F-SHIP-15-02
Instruction: Frequency - Every Pilotage		Revision: 1
Send to office? N		Date: 01/07/2015
		Ship's File: BR1

VESSEL / PILOT INFORMATION EXCHANGE		
M/T "ANDROUSSA"	PORT: RA'S AS SALIF YEMEN	DATE: 07.01.2017
<b>A. DIMENSIONS / TONNAGE</b>		
Gross: 28,628 MT	Net: 12,678 MT	Summer Draft: 12,82 M
Present Displacement: 48927 MT	Present DWT: 39321 MT	
L.O.A.: 182.80 M	L.B.P.: 172 M	BEAM: 32.20 M
Bridge to Bow: 145 M	Bridge to Manifolds: 25 M	Bridge to Stern: 37.80 M
Draft FWD: 11.20	Draft MID: 11.20	Draft AFT: 11.20
Calculated Squat at Full SEA speed: 1 M		

Source: Panel, 25 December 2017 on board *Androussa* in Yanbu KSA

Figure 21.5

*Androussa* pilot card showing that she left Abbas on 27 January 2017 with DWT of 16647 MT, almost the same water ballast as when arriving to Bandar Abbas

SHIP FORM Pilot Card		Code: F-SHIP-15-02
Instruction: Frequency - Every Pilotage		Revision: 1
Send to office? N		Date: 01/07/2015
		Ship's File: BR1

VESSEL / PILOT INFORMATION EXCHANGE		
M/T "ANDROUSSA"	PORT: RA'S AS SALIF YEMEN	DATE: 27.01.2017
<b>A. DIMENSIONS / TONNAGE</b>		
Gross: 28,628 MT	Net: 12,678 MT	Summer Draft: 12,82 M
Present Displacement: 26253 MT	Present DWT: 16647 MT	
L.O.A.: 182.80 M	L.B.P.: 172 M	BEAM: 32.20 M
Bridge to Bow: 145 M	Bridge to Manifolds: 25 M	Bridge to Stern: 37.80 M
Draft FWD: 5.60 M	Draft MID: 6.35 M	Draft AFT: 7.10 M
Calculated Squat at Full SEA speed: 1 M		
Calculated Squat at maneuvering Slow speed: 1.81 M		
Calculated Air Draft in Ballast: 37.5m		
Calculated Air Draft in Load: 34m		

Source: Panel, 25 December 2017 on board *Androussa* in Yanbu, KSA

**Figure 21.6**  
**Bill of Lading falsely stating that MT Androussa was loaded in Khasab Oman on 14 December 2016 issued by Leo Shipping LLC, Dubai UAE**

CODE NAME: "CONGENBILL" EDITION 1994							
<b>Shipper</b> SAHOOL AL HOJARI TRADING & CONT. CO. P.O. BOX 2589 SALALAH SULTANATE OF OMAN	B/L NO: KHA/ANDR/01						
<b>Consignee</b> YEMEN ELAF FOR IMPORT OF OIL DERIVATIVES SANAA REPUBLIC OF YEMEN	<b>HEAD OWNERS</b> ANDROUSSA SHIPPING S.A., 80 BOARD STREET, MONROVIA, LIBERIA						
<b>Notify Address</b> Notify as above	NON-NEGOTIABLE COPY						
<table border="1"> <tr> <td><b>Vessel</b></td> <td><b>Port of Loading</b></td> </tr> <tr> <td>MT ANDROUSSA</td> <td>KHASAB</td> </tr> </table>		<b>Vessel</b>	<b>Port of Loading</b>	MT ANDROUSSA	KHASAB		
<b>Vessel</b>	<b>Port of Loading</b>						
MT ANDROUSSA	KHASAB						
<b>Port of discharge</b> RAS ISA (YEMEN)							
<b>Description of Goods:</b> Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR  <table border="1"> <tr> <td>METRIC TONS</td> <td>37,298.00</td> </tr> <tr> <td>LONG TONS</td> <td>36,709.00</td> </tr> <tr> <td>BARRELS</td> <td>284,675.00</td> </tr> </table> "CLEAN ON BOARD"                      FREIGHT PAYABLE AS PER CHARTER PARTY		METRIC TONS	37,298.00	LONG TONS	36,709.00	BARRELS	284,675.00
METRIC TONS	37,298.00						
LONG TONS	36,709.00						
BARRELS	284,675.00						
Freight Payable as per Charter party  CHARTER-PARTY DATED ON <u>8/12/2016</u>  Time used for loading      days                      hours  (As per SOF)	Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co. On board Liberia vessel, MT Androussa, Whereof Capt. VASKO IVANOVIC is the master at the Port of Khasab, Sultanate of Oman  This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.  In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void.						
Freight payable at <b>FREIGHT PAYABLE</b>	Place and date of issue DUBAI                      DATE: 14/12/2016						
Number of original Bs/L (03) THREE	Signature : AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT ANDROUSSA P.O.Box : 34295 Dubai-U.A.E 						

Source: Confidential

Figure 21.7  
Bill of Lading stating that *MT Androussa* was loaded FOB (Free on Board) in BandarAbbas, Iran on 13 December 2016

REL NO 95

**IN THE NAME OF GOD  
BILL OF LADING**

Shipped in apparent good order and condition by **NATIONAL IRANIAN OIL CO.**  
Onboard the **LIBERIA**

Motorship **ANDROUSSA**  
Steamship  
Is Master at the port of **BANDAR ABBAS - IRAN**

whereof [REDACTED]

a quantity said to be:

GRADE	<b>GAS OIL MAX 0.5 PCT SULPHUR</b>	BARRELS	<b>284,675</b>	LONG TON	<b>36,709</b>	METRIC TON	<b>37,298</b>	SP. GRAVITY AT 60°F	<b>0.8260</b>	A.P. 1 AT 60°F	<b>39.81</b>
-------	------------------------------------	---------	----------------	----------	---------------	------------	---------------	---------------------	---------------	----------------	--------------

Measurement, weight, gauge, quality, nature, value, and condition of the cargo unknown to the vessel and the master, to be delivered at the port of **UMTAD ARAB EMIRATZUQAY**  
always about. **TO ORDER OF SWAPER (MOC) ACCOUNT OF I.I.E.D.A**  
OR SO NEAR THEREO AS VESSEL CAN SAFELY GET.  
INSURANCE AND FREIGHT PAYABLE AS PER CHARTER PARTY

of order on payment of freight at the rate of \_\_\_\_\_

This shipment is carried under and pursuant to the terms of the Charter dated \_\_\_\_\_  
at \_\_\_\_\_ between \_\_\_\_\_

**DELV. TYPE: FOB**  
**TRANSSHIPMENT: NOT ALLOWED**

as charter, and all the terms whatsoever of this shipment

If this Bill of Lading is a document of title to which the Carriage of Goods by sea Act of the United States, approved April 16, 1936 or similar legislation giving statutory effect to the international Convention for the Unification of Certain Rules relating to Bills of Lading at Brussels of August 25, 1924, applies by reason of the port of loading or discharge being in territory in which the said Act or other similar legislation is in force, this Bill of Lading shall have effect subject to the provisions of the said Act or other similar legislation, as the case may be, which shall be deemed incorporated herein, and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act or other similar legislation, if any term of this Bill of Lading is Repugnant to the said Act or other similar legislation, as so incorporated, such terms shall be void to that extent but no further.

In Witness Whereof, the Master has signed \_\_\_\_\_ (THREE)  
tendor and date, one of which being accomplished, the others will be void.  
Dated at **BANDAR ABBAS - IRAN** this **13 TH** day **DECEMBER** **2016**

MASTE  


WARSHIPOLLOVY - BILL OF LADING

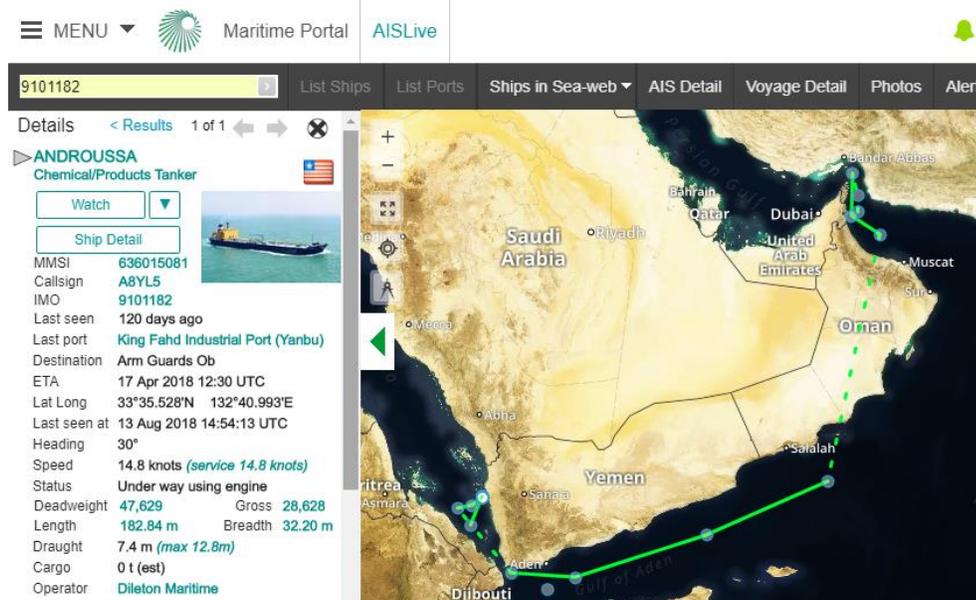
**CONFIDENTIAL PAGE NOT FOR PUBLIC DISSEMINATION**

**Figure 21.8**

**CONFIDENTIAL PAGE NOT FOR PUBLIC DISSEMINATION**

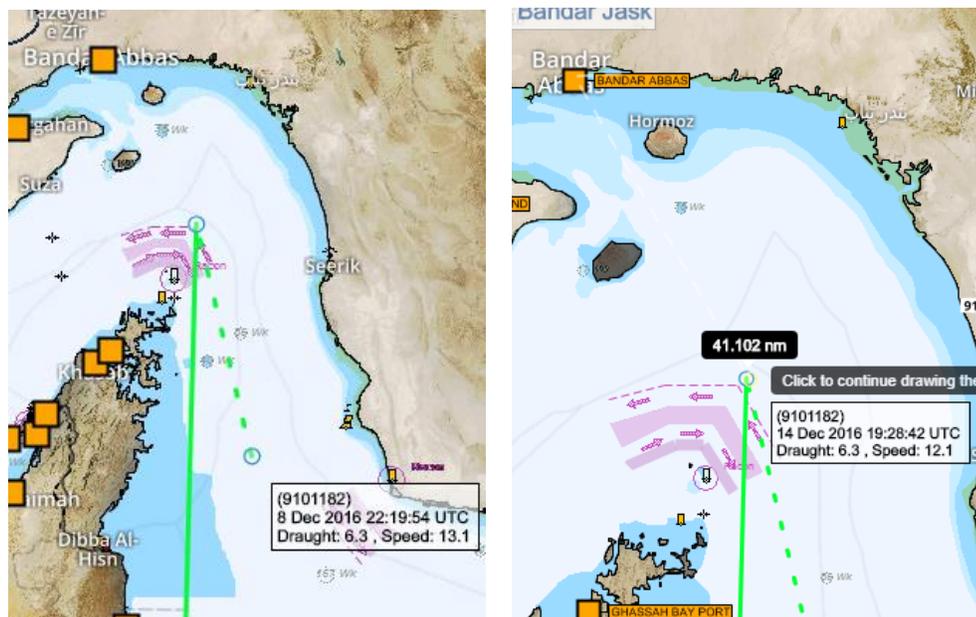
**Figure 21.9**

**Figure 21.10**  
**AIS track of *MT Androussa* from 4 December 2016 to 27 January 2017 (Fujairah, UAE- Bandar Abbas, Iran – Ras Issa, Yemen)**



Source: <https://maritime.ihs.com/>

**Figure 21.11**  
**AIS track *MT Androussa* 8 to 15 December 2016 showing that AIS was off on 8 December and switched on, on 14 December 2016, 41 Nm outbound from Bandar Abbas after loading fuel**



Source: <https://maritime.ihs.com/>

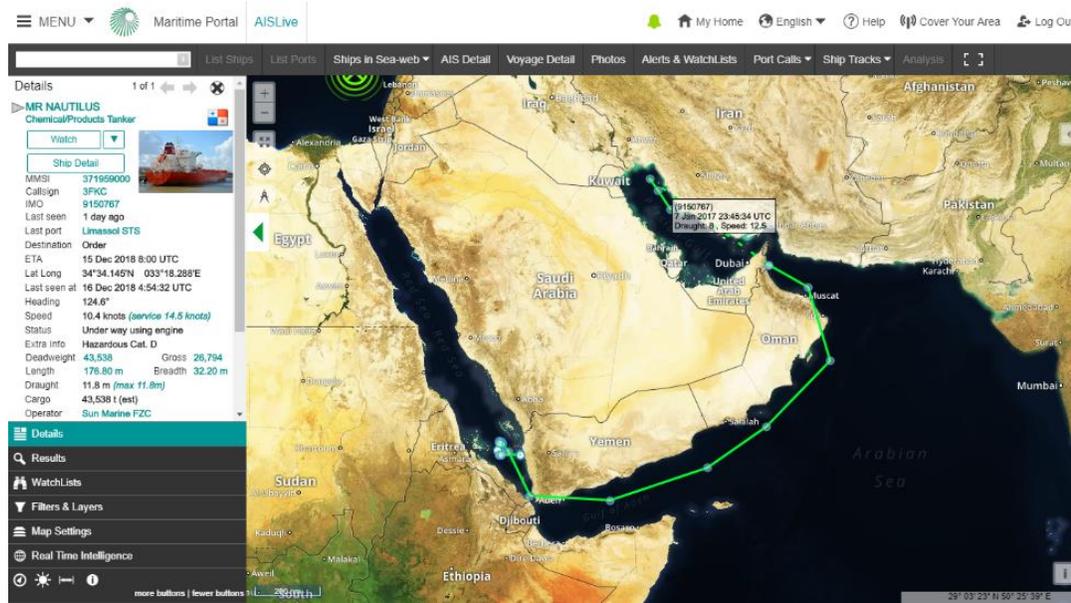
**Figure 21.12**  
**Bill of Lading falsely stating that *MR Nautilus* was loaded in Khasab Oman on 10 January 2017 issued by Leo Shipping LLC, Dubai UAE**

CODE NAME: "CONGENBILL" EDITION 1994		B/L NO: KHA/NAUT/01	
<b>Shipper</b> SAHOOL AL HOJARI TRADING & CONT. CO. P.O. BOX 2589 SALALAH SULTANATE OF OMAN		<b>HEAD OWNERS</b> ARUNDEL INVESTMENT GROUP LIMITED BRITISH VIRGIN ISLANDS	
<b>Consignee</b> ALBARAKAH REPUBLIC TRADING COMPANY HODEIDAH YEMEN		<b>NON-NEGOTIABLE COPY</b>	
<b>Notify Address</b> Notify as above			
<b>Vessel</b> MT MR NAUTILUS	<b>Port of Loading</b> KHASAB		
<b>Port of discharge</b> RAS ISA (YEMEN)			
<b>Description of Goods:</b> Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR  METRIC TONS            39,561.00 LONG TONS             38,935.00 BARRELS                300,307.00  "CLEAN ON BOARD"                FREIGHT PAYABLE AS PER CHARTER PARTY			
Freight Payable as per Charter party  CHARTER-PARTY DATED ON <u>7/1/2017</u>  Time used for loading        days        hours  (As per SOF)		Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co. On board Panama vessel, MT MR Nautilus, Whereof Capt. YAZICI TANJU is the master at the Port of Khasab, Sultanate of Oman  This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.  In witness whereof, the master has signed three (3) original Bills of Lading of this tenor and date, one of which is being accomplished, others will be void.	
Freight payable at <b>FREIGHT PAYABLE</b>		Place and date of issue <b>DUBAI                    DATE:        10/1/2017</b>	
Number of original Bs/L		Signature : <b>AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT MR NAUTILUS</b>	



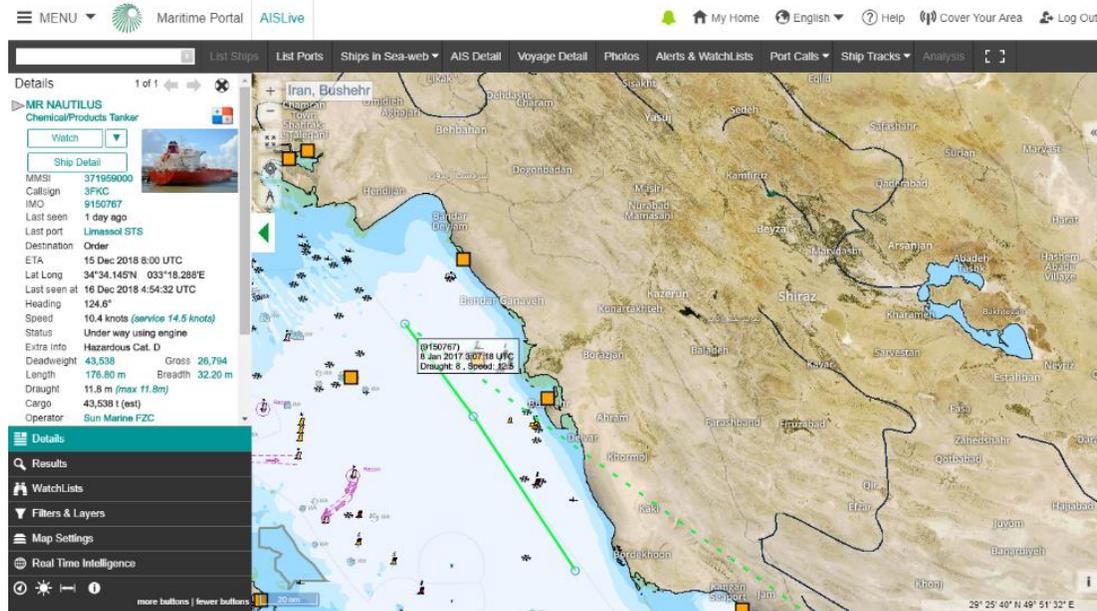
Source: Confidential

**Figure 21.13**  
AIS track of *MR Nautilus* from 1 December 2016 to 10 March 2017 (Iran - Ras Issa, Yemen)



Source: <https://maritime.ihs.com/>

**Figure 21.14**  
AIS track of *MR Nautilus* switched off on 8 January 2017 off the coast of Iran



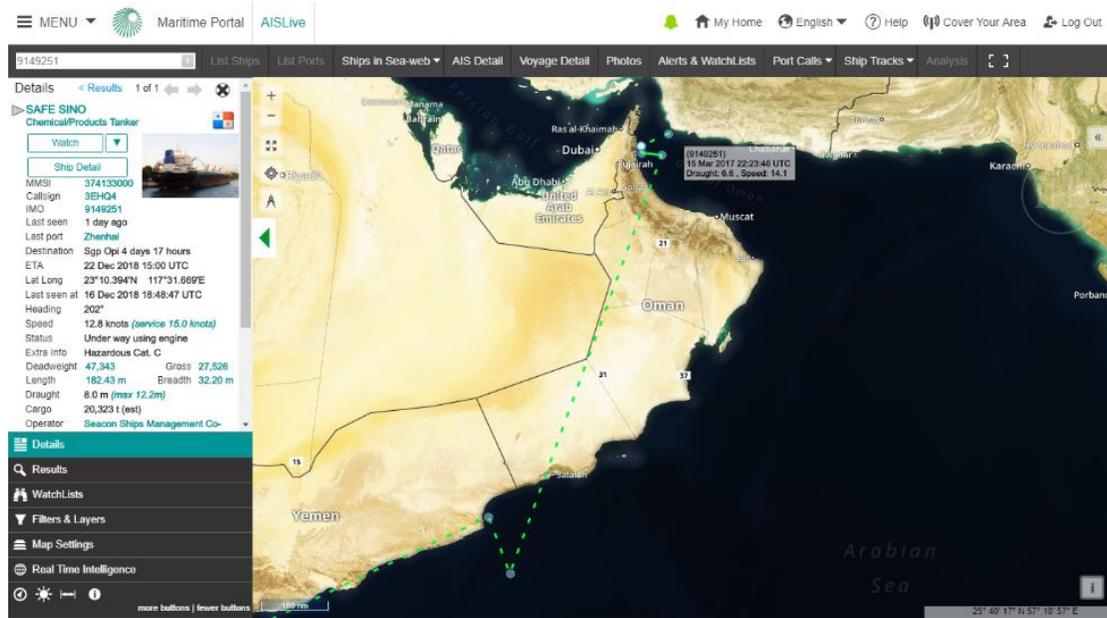
Source: <https://maritime.ihs.com/>

**Figure 21.15**  
**Bill of Lading falsely stating that *MT Safe Sino* was loaded in Khasab Oman on 27 March 2017 issued by Leo Shipping LLC, Dubai UAE**

CODE NAME: "CONGENBILL" EDITION 1994					
<b>Shipper</b> SAHOOL AL HOJARI TRADING & CONT. CO P.O BOX 2589 SALALAH SULTANATE OF OMAN	B/L NO: 100-00				
<b>Consignee</b> ALBARAKAH REPUBLIC TRADING COMPANY HODEIDAH YEMEN	<b>HEAD OWNERS</b> PAN ORIENTAL SHIPPING HOLDING LIMITED				
<b>Notify Address</b> Notify as above	<b>NON-NEGOTIABLE COPY</b>				
<b>Vessel</b> <b>Port of Loading</b> MT SAFE SINO                      KHASAB					
<b>Port of discharge</b> RAS ISA (YEMEN)					
<b>Description of Goods:</b> Product Grade :- GAS OIL MAX 0.5 PCT SULPHUR  METRIC TONS                      39,440.00 LONG TONS                          38,819.00 BARRELS                            298,858.00  "CLEAN ON BOARD"                      FREIGHT PAYABLE AS PER CHARTER PARTY					
Freight Payable as per Charter party  CHARTER-PARTY DATED ON <u>9/3/2017</u>  Time used for loading                      days                      hours  (As per SOF)	Shipped in apparent good order and condition by Sahool Al Hojari Trading & Cont. Co On board Panama vessel, MT SAFE SINO, Whereof Capt. KANG HUIYE is the master at the Port of Khasab, Sultanate of Oman  This shipment is carried under and pursuant to the terms of the charter party between the owners and charterer, and all terms whatsoever of the said charter party except rate and payment of freight specified therein apply to and govern the rights of the parties concerned in this shipment.  In witness whereof, the master has signed Bills of Lading of this tenor and date, one of which is being accomplished, others will be void.				
	<table border="1"> <tr> <td>Freight payable at <b>FREIGHT PAYABLE</b></td> <td>Place and date of issue <b>DUBAI</b>                      <b>DATE: 27/03/2017</b></td> </tr> <tr> <td>Number of original Bs/L</td> <td>Signature : <b>AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT SAFE SINO</b></td> </tr> </table>	Freight payable at <b>FREIGHT PAYABLE</b>	Place and date of issue <b>DUBAI</b> <b>DATE: 27/03/2017</b>	Number of original Bs/L	Signature : <b>AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT SAFE SINO</b>
Freight payable at <b>FREIGHT PAYABLE</b>	Place and date of issue <b>DUBAI</b> <b>DATE: 27/03/2017</b>				
Number of original Bs/L	Signature : <b>AS AGENTS FOR AND ON BEHALF OF THE MASTER OF THE VESSEL MT SAFE SINO</b>				

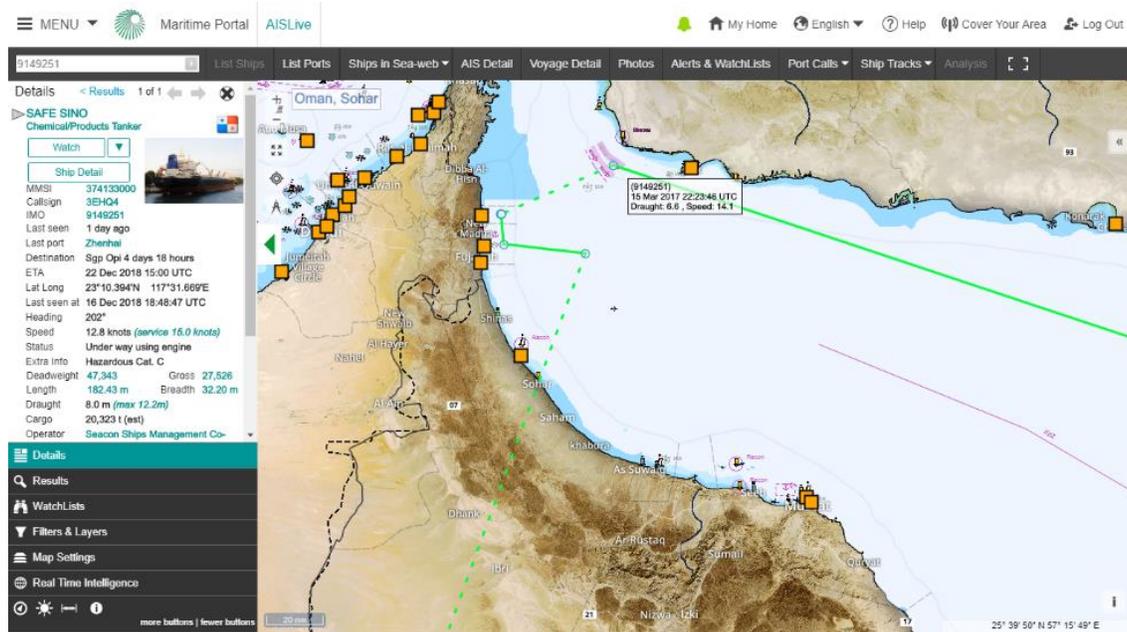
Source: Confidential

Figure 21.16  
AIS track of *MT Safe Sino* from 15 March to 26 April 2017 (Iran – Yemen)



Source: <https://maritime.ihs.com/>

Figure 21.17  
AIS track of *MT Safe Sino* switched off on 15 March 2017 off the coast of Iran



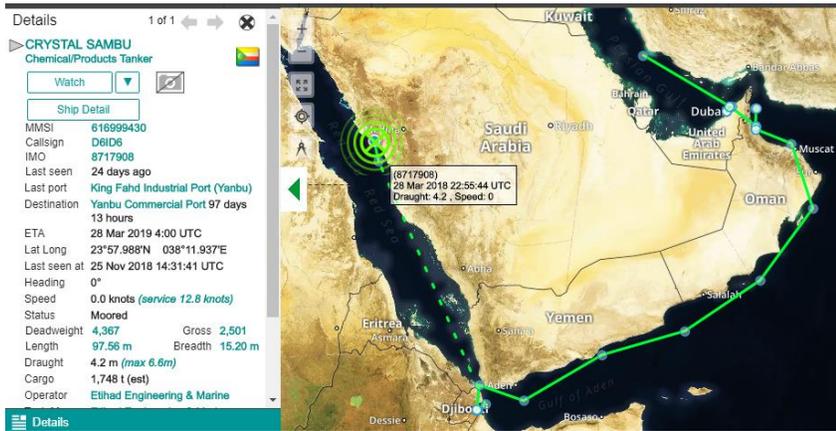
Source: <https://maritime.ihs.com/>

Figure 21.18

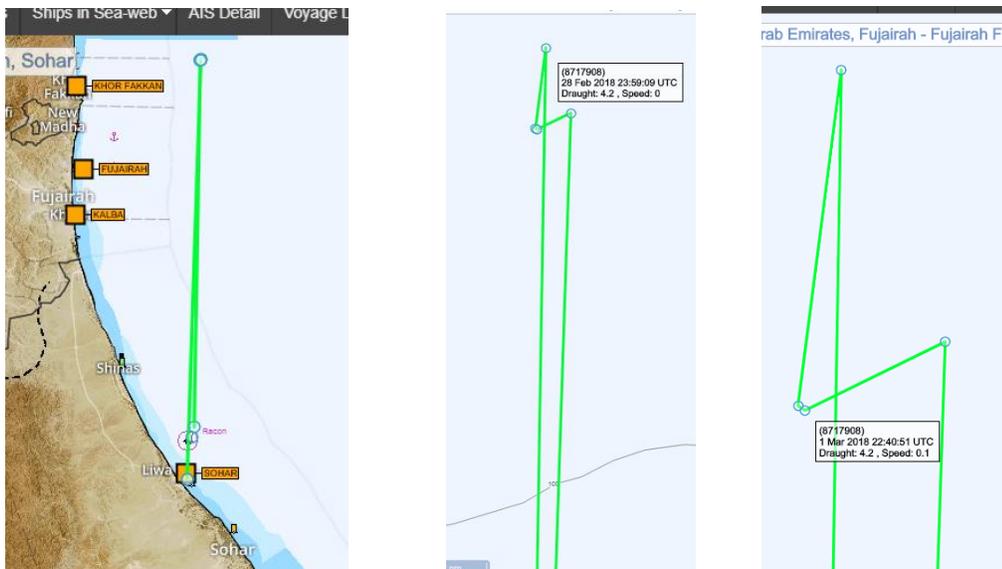
Bill of Lading not consistent with the practice as it is not signed by the Master of *MT Crystal Sambu* (IMO 8717908) but by Adeema, UAE indicating that it was loaded in Sohar, Oman on 9 March 2018 for suspicious consignee

<b>BILL OF LADING</b>		
		<b>ORIGINAL</b>
<b>SHIPPER:</b> ADEEMA OIL FZE P O BOX : 233599 DUBAI -UAE		Bill of Lading No. CS-007-2018
		<b>CONSIGNEE:</b>  YEMEN CRUDE TRADING & OIL SERVICES SANAA REPUBLIC OF YEMEN
VESSEL :MT CRYSTAL SAMBU IMO : 8717908	FLAG : PANAMA	<b>NOTIFY ADDRESS:-</b> ENJAZ SHIPPING CO, LTD.
PORT OF LOADING : <b>SOHAR - OMAN</b>		
DESTINATION : <b>HODEIDAH PORT- YEMEN</b>		
Description of Goods "GASOLINE 92R UNLEADED"		
<b>QUANTITY:</b>		
CUBIC MTRS@ 15°C : 5029.135		
METRIC TONS (IN AIR) : 3583.840		
LONG TONS : 3527.2372		
US BARRELS @60F : 31655.02		
LITRES : 5,029,135		
<b>CLEAN ON BOARD</b>		
<p>This shipment is carried under and pursuant to the terms of the Charter party under which the cargo was loaded. All terms, conditions, clauses and exception of the said Charter Party, including but not limited to the arbitration clause are incorporated herein, form part hereof, and shall govern the rights of the parties concerned in this Shipment save as otherwise expressly provided by the following clause:-</p> <p>Notwithstanding any Charter Party or Bill of Lading provision to the contrary, any claims whatsoever arising here under brought by, or against the Shipper may be determined in the courts of the country where the B/L was issued in accordance with that countries law, subject to the foregoing, nothing contained in this provision shall effects the rights and obligations of other parties to this Bill of Lading including the right to arbitrate claims. By becoming a holder of this Bill of Lading or becoming the person to whom delivery of the cargo is to be made the consignee shall be liable for any and all unpaid freight, dead freight, demurrage and other charges. Shipped on board the cargo specified above in accordance with Shipper's declaration in apparent good condition, weight, volume, quality and value unknown, and to be delivered at port of discharge or so near there unto as the vessel may safely get always afloat.</p> <p>IN WITNESS whereof the Owner or Charterer or Master or Agents of the said vessel has signed the Original Bill of Lading of this tenor and date, one of which being accomplished the other shall be void.</p>		
Place of issue SOHAR- OMAN	Date of issue 09-03-2018	Signature 
Freight : N/A		Stamp 
For the purpose of this Bill of Lading, SHIPPER means the person consigning the cargo for the carriage on Charter's behalf, CHARTER means the person entering the Charter Party contract with the Carrier		

**Figure 21.19**  
AIS track of *MT Crystal Sambu* from 1 January 28 March 2018 when it was seized in Yanbu, KSA



**Figure 21.20**  
AIS track of *MT Crystal Sambu* from 28 February to 2 March 2018 showing potential ship to ship transfer from 1 to 2 March 2018



## Annex 22. Tracing of items for military equipment found in Yemen

List of last custodians outside and inside Iran of items found in prohibited equipment in Yemen

Item	System	Last custodian outside Iran	Last custodian in Iran
	Mixing unit for rocket solid fuel	Trafag AG (Industriestrasse 11, 8608 Bubikon, <b>Switzerland</b> Purchased by Mr. Mxxx Ghaxx of Iranian origin living in Bekkestua, <b>Norway</b>	Shipped on <b>29 August 2014</b> to Noran Sanat Daryaye Chalous Co., no. 257 South Lalehzar St., 11447 Tehran, Iran
	Mixing unit for rocket fuel	Hid-Tek Limited of Unalp Sok No:1/A, Nilüfer, Bursa, <b>Turkey</b>	Shipped on <b>28 May 2015</b> to Araz Fakhr Azar, Ltd. Co. Km 3 Karaj old Road, beside Shir Pastorizeh, Tehran Trade Complex, Iran
	Titanium Gear Servo for UAV	Succor General Trading Succor website with address: No 206 North Iranshahr Avenue, 1584636634, Tehran <b>Iran</b> Using account xxxxxxxx6102 at Emirates Islamic Bank, UAE	Shipped since <b>2015</b> for UAV Qasef found in Yemen to: Eastern Suite, 1st Floor, No.1 Espinas Building, Mirzababaei Blvd Pounak Square, Tehran, <b>Iran</b> (Tel +98 21 4461 8198-9)

## Annex 23. Ma'rib's revenues and expenses (balance sheet January to November 2018)

## التقرير التفصيلي للإيرادات والتنفقات للفترة من يناير - نوفمبر 2018م

## الإيرادات :

تورد جميع إيرادات النفط والغاز إلى حساب الحكومة وليس إلى حساب السلطة المحلية وتصرف أما عبر الموازنات المقررة والمعتمدة أو عبر توجيهات من رئاسة الجمهورية ورئاسة الحكومة.

ملاحظات	تفاصيل الإيراد	الجهة	المبلغ		
			ريال	ف	
	قبل خصم 20% حصة المحافظة	إيرادات	الشرعة اليمينية للغاز	55,724,643,461	0.21
	قبل خصم 20% حصة المحافظة	إيرادات	شرعة النفط اليمينية	27,269,115,243	
		متنوعه	اخرى	926,112,883	
			الإجمالي	83,919,871,587	0.21

## الإجمالي الكلي للإيرادات والتنفقات

البيان	المبلغ	
	ريال	ف
اجمالي التنفقات	84,788,226,716	0.5
اجمالي الإيرادات	83,919,871,587	0.21
الفارق بالنقص	868,355,129	0.29

أخيراً: التزامات معلقة (واجبة السداد)

1- الطاقة المشتراة مارب من سبتمبر إلى ديسمبر 2018م

2- الطاقة المشتراة الجوف من سبتمبر إلى ديسمبر 2018م

3- التزامات مستحقة للغير مستخلصات لم تدفع للمقاولين للمشاريع المنفذة بالمحافظة ومتعهد التغذية ( للمنطقة العسكرية الرابعة - عدن) وغيرها

ملاحظة: لم يتم خصم حصة التنمية للمحافظة 20% من إيرادات النفط والغاز للعجز في الإيرادات .

## Extracts (Report on revenues and expenses 2018)

All revenues from oil and natural gas are transferred to a Government account and not to accounts owned by local authorities. Funds are used according to approved budget expenditure or to instructions from the President and the Prime Minister.

**Revenues (83,919,871,567):** US\$ 186,488,603 [conversion added by the Panel at YER 450 to 1 US\$]

Yemen gas Company: YER 55,724,643,461;

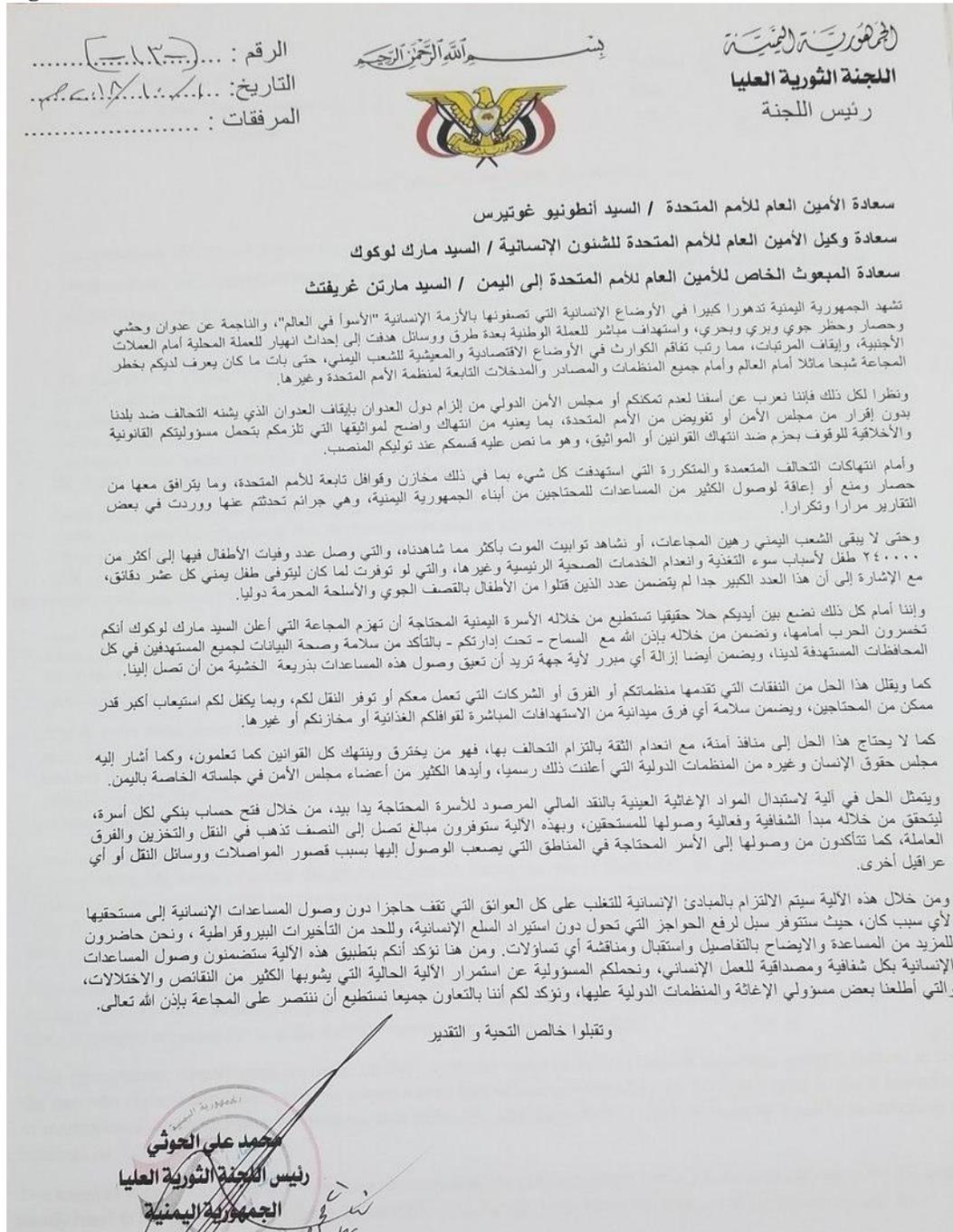
Yemen Petroleum Company: YER 27,269,115,243;

Others: YER 926,112,883;

**Expenses (84,788,226,716):** US\$ 188,418,282 [conversion added by the Panel at YER 450 to 1 US\$]

## Annex 24. Mohamed Ali Al Houthi's letter concerning cash transfers

Figure 24.1 Letter in Arabic



**Figure 24.2**  
**Translation by the Houthis of a letter sent by Mohamed Ali Al Houthis,**

<p>Republic of Yemen          Supreme Revolutionary Committee          Head of Committee</p>		<p>Ref No: (142).....          Date: .....          Attach: (1-1).....</p>
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In the name of Allah, the Beneficent, the Merciful

**His Excellency the United Nations Secretary-General \Mr. António Guterres**  
**His Excellency the United Nations Under-Secretary-General for Humanitarian Affairs \ Mr. Mark Lowcock**  
**His Excellency the United Nations Secretary-General Special Envoy to Yemen \ Mr. Martin Griffiths**

The Republic of Yemen is witnessing a significant deterioration in the humanitarian situations in which you describe as the "worst of the world" which is resulted by a savage aggression and air, land and sea blockade and siege, and direct targeting for the national currency with different means and methods that aimed to collapse the local currency against the foreign currencies, and stop paying salaries, which led to the aggravation of disasters in the economic and living conditions of the Yemeni People, until what is known for you as Famine Danger, became a ghost standing in front of the world and in front of all the organizations and all the resources and entries of the United Nations and others.

Considering all of that, we express our regrets for the inability of you or the Security Council to obligate the aggression countries to stop the aggression that the coalition is waging against our country without approval from the Security Council or delegation from the United Nation, which means a clear violation for their charters, which obligate you to hold you responsible legally and ethically to stand strictly against the violation of laws and charters, Which is stipulated within your oath when you assumed the position

And in front of the deliberate and frequent violations of the coalition that targeted everything including warehouses and caravans of the United Nation, and the accompanying blockade, prevention or obstruction for accessing many aids to reach the needy from the People of the Republic of Yemen, which are crimes you talked about and were stated in some reports Repeatedly

And in order not to keep the Yemeni People as subject to famines, or we see the coffins of death more than we have seen, where the children deaths reached more than 240000 child because of the malnutrition and the lack of the main medical service and other means, which if were available, there wouldn't be a dead Yemeni child every 10 minutes, with indicating that this huge number didn't include the children who were killed by the airstrikes and the international prohibited weapons

And in front of all of that, we put a real solution in your hands through which the needy Yemeni family can defeat the famine which Mr. Mark Lowcock declared that you are losing the war in front of it. We guarantee - Allah's Willing - that through this solution with the permission - under your administration - to ensure the rightness and accuracy of the data for all the targeted in all of our targeted governorates, and also guarantees removing any justification for any party that wants to impede the access of these aids under the pretext of the fear that they will reach us.

This solution also reduces the expense that your organizations, teams, the companies that work with you or provide transportation for you, ensuring you to absorb as much needy as possible, and ensuring the safety of any field teams from any direct targeting for your foodstuff's caravans or warehouses or others.

Also, this solution, doesn't need any safe corridors, with the complete lack of trust of coalition's comply with it, as it is the one who violates and breaks all laws as you know, and as was mentioned by the Human Rights Council and others of international organizations who declared that officially, and supported by a lot of Security Council members at its hearings on Yemen

The solution is represented by a mechanism for replacing the relief supplies in-kind with cash allocated for the needy family hand in hand, by opening a bank account for each family, to achieve the concept of transparency and the

Page 1 of 2

Republic of Yemen  
Supreme Revolutionary Committee  
Head of Committee



Ref No: [ ]  
Date: .....  
Attach: [ ]

efficiency of reaching the beneficiaries, and with this mechanism, you will save the half of the amounts spent in transportation, storing and working teams and you will also make sure that it reached the needy families in the areas that are hard to reach either because of transportation means failure, or any other obstacles

And with this mechanism, the humanitarian principals will be adhered to overcome all obstacles that all block the access of the humanitarian aids to the beneficiaries for any reason, where there will be ways to lift the barriers that prevents importing humanitarian goods, and to reduce bureaucratic delays, and we are ready for more help, explain in detail and receive and discuss any questions. And here we confirm that by applying this mechanism, you will guarantee the access of your humanitarian aids transparently and credibility for the humanitarian work, and we hold you responsible for continuing the current mechanism which is fraught with many shortcomings and imbalances which we briefed about some relief officials and international organizations, and we assure you that we are together can cooperate to overcome the famine, Allah Almighty's willing.

With my sincere greetings and appreciation

  
**Mohammed Ali AL-Houthi**  
Head of the Supreme Revolutionary Committee  
Republic of Yemen

## Annex 25. Hard currency transfer and cash flow to and from Yemen

1. The Panel has investigated the flow of hard currency to and from Yemen in order to identify potential cases of sanctions evasion by proxies acting on behalf of listed individuals; diversion of public funds and funds intended for humanitarian assistance; payment for purchase of military equipment in violation of the targeted arms embargo by resolution 2216 (2015).

2. The Panel interacted with the Governor of CBY, with the chair of the Economic Committee of Yemen<sup>57</sup> and held phone interviews with directors of banks and owners of money exchangers. The Panel has identified the following circulation of hard currencies:

### (a) Transfer to and within Yemen

- Funds from sale of oil from Hadramawt transferred to CBY accounts outside Yemen;<sup>58</sup>
- Cash transfers by humanitarian agencies to Yemen through banks and money exchangers;
- Money remittances from Yemeni nationals through Money exchangers paid in Yemen in US\$ and then exchanged later to YER at the market rate;
- Currency exchange of salaries paid by the Coalition to elements of proxy forces in SAR;<sup>59</sup>
- Payment in US\$ to local staff and contractors of humanitarian organisations.

### (b) Transfer from Yemen

- Payment of import through commercial banks to cover L/Cs issued by correspondent banks;
- Payment for import effected through CBY Aden since July 2018, to cover L/Cs issued by correspondent banks;
- Payment for imports of fuel through money exchangers to cover documentary collection known as Cash Against Documents (CAD).
- Funds collected after the sale of fuel allegedly donated to the Houthis by external actors.

3. Import of essential commodities and fuel to cover needs in Houthis controlled areas requires about US\$ 163 million per month in hard currency and additional amounts to cover freight, insurance and financial transactions costs (see table 21.1).

<sup>57</sup> President Hadi appointed Hafedh Mayad on 8 August 2018 as his advisor and chair of the economic committee, Presidential Decree 159 (2018) at <https://presidenthadi-gov-ye.info/ar/archives/-صدر-قرار-رئيس-الجمهورية-بتعيين-حافظ-مع-2>.

<sup>58</sup> The Panel gathered information from Government officials estimating that revenues from export of oil from Hadramawt are estimated at US\$ 100 million every two months which are transferred to account held by the Government. Data on exports of fuel from independent sources are not yet available to the Panel.

<sup>59</sup> The Panel received information from elements of proxy forces that they are receiving a monthly salary from UAE in Saudi currency with a minimum SAR 1200 (US\$ 320).

**Table 25.1**  
**Monthly needs of hard currency for import of essential commodities**

Commodity	Quantity (Mt)	Price per Mt (US\$) <sup>60</sup>	Cots per month (US\$)
Fuel Products	180,000	570	102,600,000
wheat	414,111	220	31,110,552
Corn and Soybean Meal <sup>61</sup>	71,458	280	20,008,492
sugar	26,435	280	7,401,828
Rice	4,805	410	1,970,173
<b>Total</b>			<b>163,091,045</b>

4. In practice, the payment in international trade is concluded through open accounts, bills of exchange, documentary bills or letter of credits.<sup>62</sup> However, the use of L/Cs seems to have gradually been replaced by payment in advance in cash as US and European banks ceased to accept transactions with Yemeni banks due to risks of money laundering and non compliance with sanctions measures. The Panel interviewed the Governor of CBY, importers, shippers, staff in the central bank in Sana'a under Houthis control, directors of banks in Sana'a and money exchangers in order to identify the financial mechanisms used to import fuel and other commodities to Yemen. It also analysed financial documents related to some imports and found that most of these imports have been financed through Cash Against Documents (CAD) by money exchangers in Yemen and in UAE and in few occasions transfers through correspondent banks in Europe and the Middle East. As Yemen has ceased to have external revenues to cover its imports, the source of hard currency seems to be limited to remittances by Yemeni expatriates, funds disbursed by the Coalition as salaries or donations to buy allegiance and cash transfer for humanitarian projects. The funds disbursed in SAR currency in Yemen has not yet been repatriated through regular transfers in order to be exchanged to US\$ to cover import.<sup>63</sup> Figure 25.2 illustrates the hard currency flows identified by the Panel.

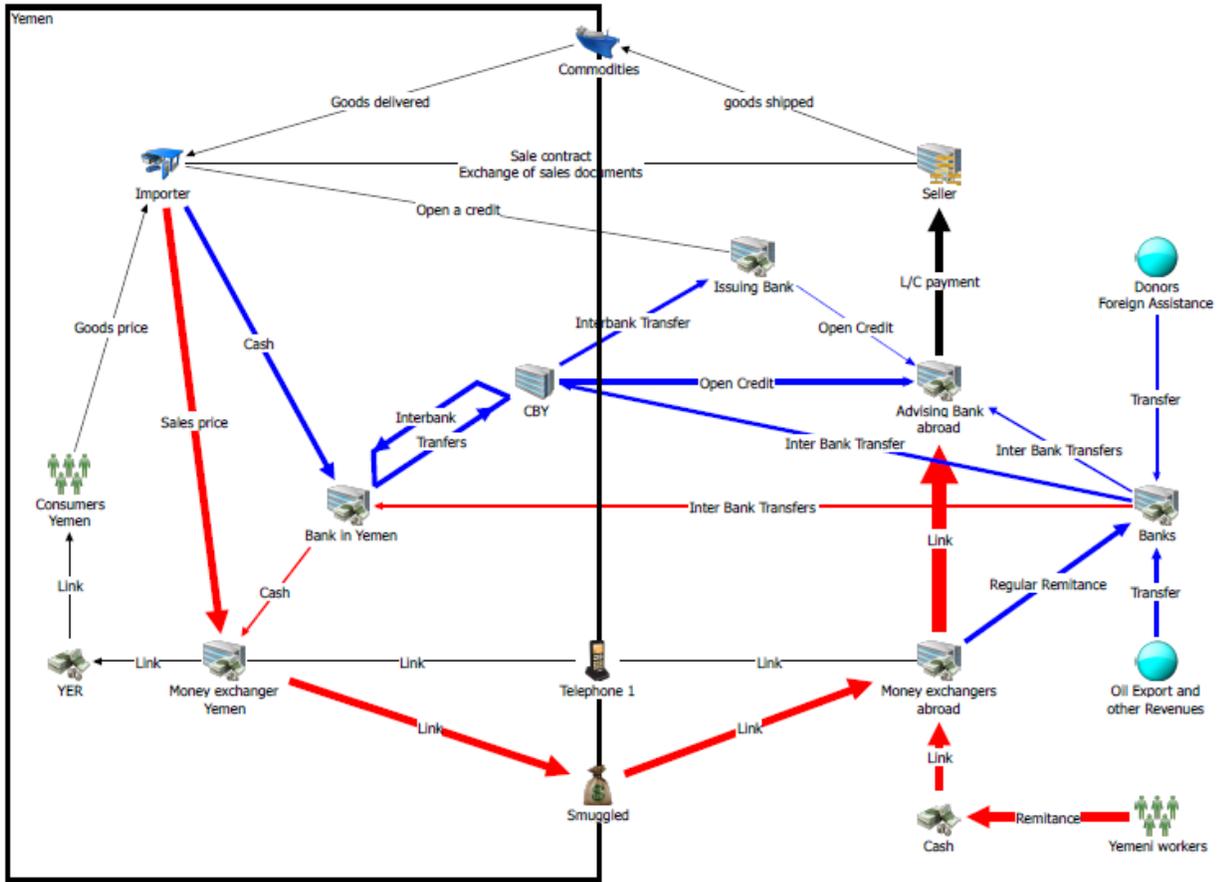
<sup>60</sup> Based on average price from <https://www.indexmundi.com/commodities/?commodity=corn&months=60>, the Panel did not include freight, for fuel (1 Mt = 1264.17 US Gallon)

<sup>61</sup> Commodities critical for poultry production which is the main source of protein in Yemen but not covered by Decree No 75.

<sup>62</sup> Indira Carr, *International trade law*, fifth edition, 2014, p432

<sup>63</sup> Before the conflict, Yemen used to ship its excess in hard currency to KSA through Bahrain (see

**Figure 25.2.**  
**Cash flows to finance import**



5. The Economic Committee and CBY believe that the devaluation of YER has been caused by the scarcity of US\$ and the speculation by money exchangers. In order to prevent the devaluation, CBY started to regulate the licensing for money exchangers through Aden and also to deny entry to Yemen of shipment for traders who fail to produce bank documents as proof of purchase. CBY has also attempted to start covering the issuance of L/Cs starting July 2018 from the Saudi deposit within the mechanism of Decree No 75. The Panel is monitoring how the introduction and the suspension of Decree No 75 will affect the import to Yemen. Table 25.2 shows the respondent and correspondent banks used to transfer hard currency to Yemen as gathered from several documents analysed by the Panel. The Panel is using this data in order to identify potential cases of deception by Yemeni actors of international companies and financial entities for the purpose of concealing prohibited financial transactions under sanctions measures on Yemen.

**Table 25.2.**  
**Respondent banks and correspondent banks used to transfer hard currencies to Yemen since 2015**

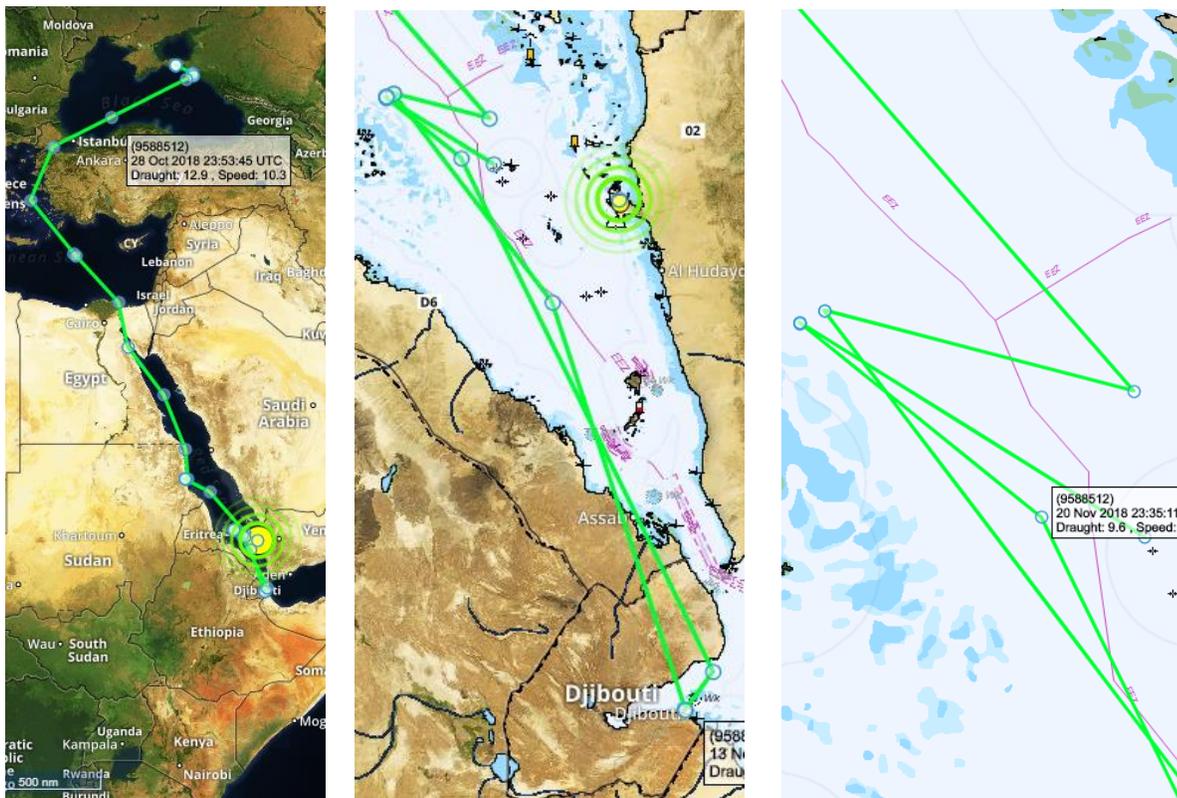
Ser	Respondent banks in Yemen	Correspondent banks	
		Banks	Country
1	Cooperative and Agricultural Credit Bank	Alubaf Arab International Bank	Bahrain
2	International Bank of Yemen	Bank of Beirut	Lebanon
3	Kurimi Islamic Bank	Bank of Beirut	UK
4	National Bank of Yemen (Ahli)	Bank of China	Branch not known
5	Shamil Bank of Yemen and Bahrain	Bank Marocaine du Commerce Exterieur	Spain
6	Tadhamon International Islamic Bank	British Arab Commercial Bank	UK
7	Yemen Bank for Reconstruction and Development	Commerzbank AG bank	Germany
8	Yemen Commercial Bank	JP Morgan Chase	Branch not known
<b>Total: 8</b>		<b>8</b>	

**Note:** Correspondent bank may not be related to the respondent bank on the same row.

## Annex 26. Delays incurred to vessels importing basic commodities into Yemen

1. Vessels with destinations to enter Red Sea ports may be delayed by the coalition during the inspection or while waiting in the Coalition Holding Area (CHA) in the Red Sea. They may also be delayed by the Houthis before berthing in the port while waiting in the anchorage area. The holding in the anchorage area could be for technical reason due to the capacity in the ports. Figure 26.1 shows an example of delays where a vessel going to al Hudaydah had to proceed first to Djibouti for inspection by UNVIM then go back to CHA and wait for another clearance from the Coalition. Table 26.1 shows the delays for each trader. The Panel is using this data in order to identify potential patterns of delays for particular traders as a result of a preference system in issuing clearances by the Coalition or the Houthis.

**Figure 26.1**  
Example of delays



**Table 26.1**  
**Delays of vessels carrying essential commodities to Red Sea ports by trader**

Trader*	Number of vessels	Delay by coalition (days)	Delay by Houthi (days)	Delay by coalition per vessel (days)	Delay by Houthi per vessel (days)
1	9	54	24	6	2.7
2	2	14	1	7	0.5
3	18	161	28	8.9	1.6
4	12	115	52	9.6	4.3
5	4	88	18	22	4.5
6	38	254	69	6.7	1.8
7	1	8	1	8	1
8	2	10	1	5	0.5
9	3	19	15	6.3	5
10	3	20	5	6.7	1.7
11	8	69	45	8.6	5.6
12	3	19	4	6.3	1.3
13	8	38	29	4.8	3.6
14	1	8	1	8	1
<b>Total</b>	<b>112</b>	<b>877</b>	<b>293</b>	<b>7.8</b>	<b>2.6</b>

\*Names of traders available in the Panel's archives

## Annex 27. Issuance of Letters of Credit for imports of basic commodities

1. The Central bank of Yemen announced on 21 June 2018 the establishment of a new mechanism for pre-reimbursement for issuance of documentary credit for raising Letter of Credit (L/C) in US\$ for the import of basic commodities (wheat, rice, sugar, milk and cooking oil) see circular to the banks (240/CBY/2018 at figure 27.1). The mechanism envisages the provision, within a week, of hard currency to correspondent banks to cover the L/C for the import of basic commodities against a deposit at the CBY of the equivalent sum of Yemeni Riyal (YER) at a preferential exchange rate. On 3 September 2018, the Council of Ministers of Yemen issued decree 75 (2018) confirming that the CBY will cover, in hard currencies, all issued L/C for import of the above commodities (figure 27.2). The mechanism was also designed to deny clearance for entry into Yemen, those importers who failed to comply with the process.

2. On Saturday 22 September 2018, the Economic Committee organized a workshop in Cairo with fuel importers, Yemeni bankers, and representatives of relevant international agencies, to discuss and receive feedback on the mechanism to regulate import of fuel products to Yemen, under the mechanism established by Cabinet Decree no. 75 for the year 2018. The Panel attended the meeting which was chaired by Prime Minister Ahmed Bin Dagher with the participation of the Governor of CBY, and the Economic Committee of Yemen. Government officials informed the participants that the new import mechanism was aimed at countering actions by speculators and money exchangers which contributed to the significant devaluation of the YER; which went from YER 500 to almost YER 800 in few weeks during the summer of 2018.

3. The Panel received information from some Yemeni importers that the introduction of Decree No 75 by the Government mainly aimed at eliminating from the market some fuel importers not associated with a small business circle close to senior officials of the Government. The Panel also received information that the mechanism gave an opportunity to CBY Aden to give preference in issuing documentary credits for traders with business associations within the South and East of Yemen.

4. The Panel noted in a communiqué issued by CBY's media center on 27 September 2018 that CBY covered the issuance of L/C to Shamil Bank of Yemen and Bahrain (US\$ 5,140,000), Al-Ahli Bank of Yemen (US\$ 4,525,000), Tadamon International Islamic Bank of Yemen (US\$ 14,665,560), but only US\$ 500,000 to Yemen and Kuwait Bank 'YKB' (of the total US\$ 52,531,754) and none to International Bank of Yemen. IBY, YKB and IBY are all associated with Yemeni businessmen operating mainly in northern areas.

5. Another illustration of the preference created was the fact that on 27 and 31 July 2018 one major importer of basic commodities to northern areas applied, using the new mechanism, and requesting the CBY to issue documentary credit for L/C(s) with a value of US\$ 52,031,754.87 and made arrangements on 8 August 2018 for lodging in Yemeni currency YER 24,454,924,788.23 through YKB and IBY at the then exchange rate: YER 470 for 1 US\$ (table 27.1).

**Table 27.1**  
**Pending request for issuance of documentary credit for L/C for one trader A**

<b>Date of application</b>	<b>Amount in US\$</b>	<b>commodity</b>
<b>27 July 2018</b>	12,542,040	Russian rice
<b>27 July 2018</b>	9,501,200	Thai rice
<b>31 July 2018</b>	14,698,514.87	American wheat
<b>31 July 2018</b>	15,290,000	Australian wheat
<b>Total</b>	<b>52 031 754.87</b>	

6. The Panel sent a letter to the Government of Yemen informing the Government that it was investigating whether the delay in issuing the L/C and denial of entry to Yemen envisaged by the new mechanism could constitute a contributing factor to the obstruction of humanitarian assistance Yemen. In the letter, the Panel shared its observations that several requests were pending or under review. Only 22 out of 89 requests have been cleared by the relevant services of Yemen and the Kingdom of Saudi Arabia, as follows (US\$ 31,596,090 of 230,058,205) (table 27.2). The Panel also requested information on the reasons behind delays of issuing documentary credit to importers in Northern areas.

**Table 27.2**  
**Status of issuance of documentary credit by the end of September 2018**

Trader*	Governorate	Requests cleared per companies	Amount in US\$
1	Aden/ Hudaydah	4: for 3 companies of xxxxxx 1	20,282,750
2	Aden	10: xxxxxx 2	4,715,365
3	Mukallah	2: xxxxxx 3	4,526,200
4	Hudaydah	2: xxxxxx 4	878,815
5	Aden	1: xxxxxx 5	500,000
6	Aden	1: xxxxxx 6	290,310
7	Aden	1: xxxxxx 7	186,200
8	Aden	1: xxxxxx 8	216,449
<b>Total</b>		<b>22</b>	<b>31,596,090</b>

\*Names of traders available in the Panel's archives

7. In its reply to the Panel, the Government of Yemen updated the status of issuance of documentary credit explaining the mechanism used by CBY. The letter informed that CBY started to face challenge to issue documentary credits for traders using banks in Houthi controlled areas. The Houthis issued a circular on 4 November 2018 requiring all banks and their branches in Yemen not to cover issuance of L/C in cash but with checks only threatening to sanction those who fail to comply. As a result, the trader A mentioned above was not able to receive documentary credit for the request mentioned in table 27.1.

Figure 27.1  
CBY Notice dated 21 June 2018 to Yemeni banks on the new mechanism for raising L/Cs in US\$ (240/CBY/2018)



**البنك المركزي اليمني**  
 المركز الرئيسي - عدن

CENTRAL BANK OF YEMEN  
 Head Office - Aden

Ref.: 240/CBY/2018  
 Date: 21/6/2018

المرجح: .....  
 التاريخ: .....

**تعميم للبنوك التجارية العاملة في الجمهورية اليمنية**  
**بخصوص التغطية المسبقة للاعتمادات المستندية الخاصة باستيراد السلع الاساسية**

يسر البنك المركزي اليمني ان يعلن للبنوك التجارية العاملة في الجمهورية اليمنية عن بدء قبول طلبات التغطية المسبقة للاعتمادات المستندية والتي سيتم فتحها لاستيراد السلع الاساسية (قمح، أرز، سكر، حليب، زيوت الطعام) والمتفق عليها بين المصدرين والمستوردين ابتداء من تاريخ 01 يونيو 2018م وذلك بعد استيفاء الشروط التالية:

- ان يكون الاعتماد المستندي sight payment.
- ان يكون الغرض من الاعتماد المستندي استيراد السلع الاساسية (قمح، أرز، سكر، حليب، زيوت الطعام).
- الشحن الجزئي غير مسموح.
- ان لا يتم استخدام وسائل نقل و/أو المرور بموانئ تخص دول محظورة (تضاف كشرط بالاعتماد).
- لن يتم قبول اي مستندات او طلبات تغطية لاعتمادات السلع الاساسية مؤرخة قبل تاريخ 01 يونيو 2018م.
- لن يتم قبول أي مستندات تخص الاعتماد المستندي صادرة بتاريخ قبل تاريخ اصدار الاعتماد المستندي.
- عدم قبول مستندات اعتماد مستندي تم تحويلها إلى رسم تحصيل.
- يتم فتح الاعتماد المستندي طرف أحد البنوك التجارية في عدن.
- يقدم البنك التجاري الاولي الخاصة بالاعتماد المستندي وفقا لاستمارة طلب التغطية المسبقة والمعدة من قبل البنك المركزي اليمني والمرق بهذا التعميم.
- عند قبول طلب التغطية والموافقة عليه يتم اشعار البنك التجاري لتوريد قيمة الاعتماد المستندي بالريال اليمني إلى خزينة البنك المركزي اليمني- عدن.
- يتم موافاة البنك المركزي اليمني بصورة من سويقت اصدار الاعتماد المستندي (MT700) خلال فترة 3 أيام عمل من تاريخ تغطية حساب البنك التجاري طرف بنكه المراسل في الخارج.
- موافاة البنك المركزي اليمني بصورة من أي تعديلات للاعتماد المستندي خلال فترة لا تتجاوز يومين عمل.
- يحق للبنك المركزي اليمني مراجعة البنك التجاري بخصوص أي تعديلات في الاعتماد المستندي.
- في حالة إلغاء الاعتماد المستندي يتم ابلاغ البنك المركزي اليمني واعادة مبلغ الاعتماد المستندي خلال فترة لا تتجاوز 3 أيام عمل من تاريخ الالغاء.
- يتم موافاة البنك المركزي اليمني بنسخ من مستندات الاعتماد المستندي وفقا لاستمارة طلب التغطية المسبقة والمعدة من قبل البنك المركزي اليمني خلال فترة 7 ايام عمل من تاريخ وصولها.
- لن يتم قبول أي طلبات تغطية مسبقة لا تستوفي الشروط المذكورة أعلاه.

أمليون من جميع البنوك التجارية الإلتزام بما جاء في هذا التعميم.  
 والله ولي التوفيق

د. محمد منصور زمام  
 محافظ البنك المركزي اليمني



هاتف 00967 2 252 445 فاكس: 00967 2 255 727  
 P.O.Box 452, Crater-Aden, Republic of Yemen

هاتف 00967 2 252 445 فاكس: 00967 2 255 727  
 من بعد 452 كراتر- عدن الجمهورية اليمنية

Figure 27.2  
Attachment to 240/CBY/2018

<p><b>CENTRAL BANK OF YEMEN</b> Head Office - Aden</p> <p>Ref. : .....</p> <p>Date: .....</p>	 <p>قطاع العمليات المصرفية الخارجية <b>Foreign Banking Operations Sector</b></p>	<p><b>البنك المركزي اليمني</b> المركز الرئيسي - عدن</p> <p>المراجع: .....</p> <p>التاريخ: .....</p>
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**APPLICATION FOR THE PRE-REIMBURSEMENT  
OF IMPORT L/C OF BASIC COMMODITIES**

By order of our client:.....

Address: ..... to issue a letter of credit

Favor of: ..... in the amount of: .....

For the purpose of import: .....

We..... hereby dispatch to you the following documents related to the above letter of credit :

Documents enclosed:	Remarks
1 Covering Letter from the applicant's bank	<input type="checkbox"/>
2 Yemeni Merchant's Application for the L/C	<input type="checkbox"/>
3 Profile of the Applicant (KYC)	<input type="checkbox"/>
4 Account Statement of the Applicant showing account activity for at least 6 month	<input type="checkbox"/>
5 Notice of the Yemeni Merchant depositing the amount for the transaction with equivalent value in FX and Yemeni Merchant signature.	<input type="checkbox"/>
6 Proforma Invoice/Purchasing Order/Sale Contract	<input type="checkbox"/>

- We undertake to dispatch a copy of the MT 700 to you within 3 banking days from the issuing date of L/C and all the amendments related (MT 707) thereafter.
- The following L/C documents will be dispatched within 7 banking days from receiving date at our counter:

1 Bill of Lading (B/L)
2 Commercial Invoice
3 Health Certificate for Human Consumption
4 Certificate of Origin
5 Insurance policy
5 Inspection Certificate
6 Customs Declaration
7 Customs Payment Advice
8 Debit Bank statement, Swift (MT940 or MT950)

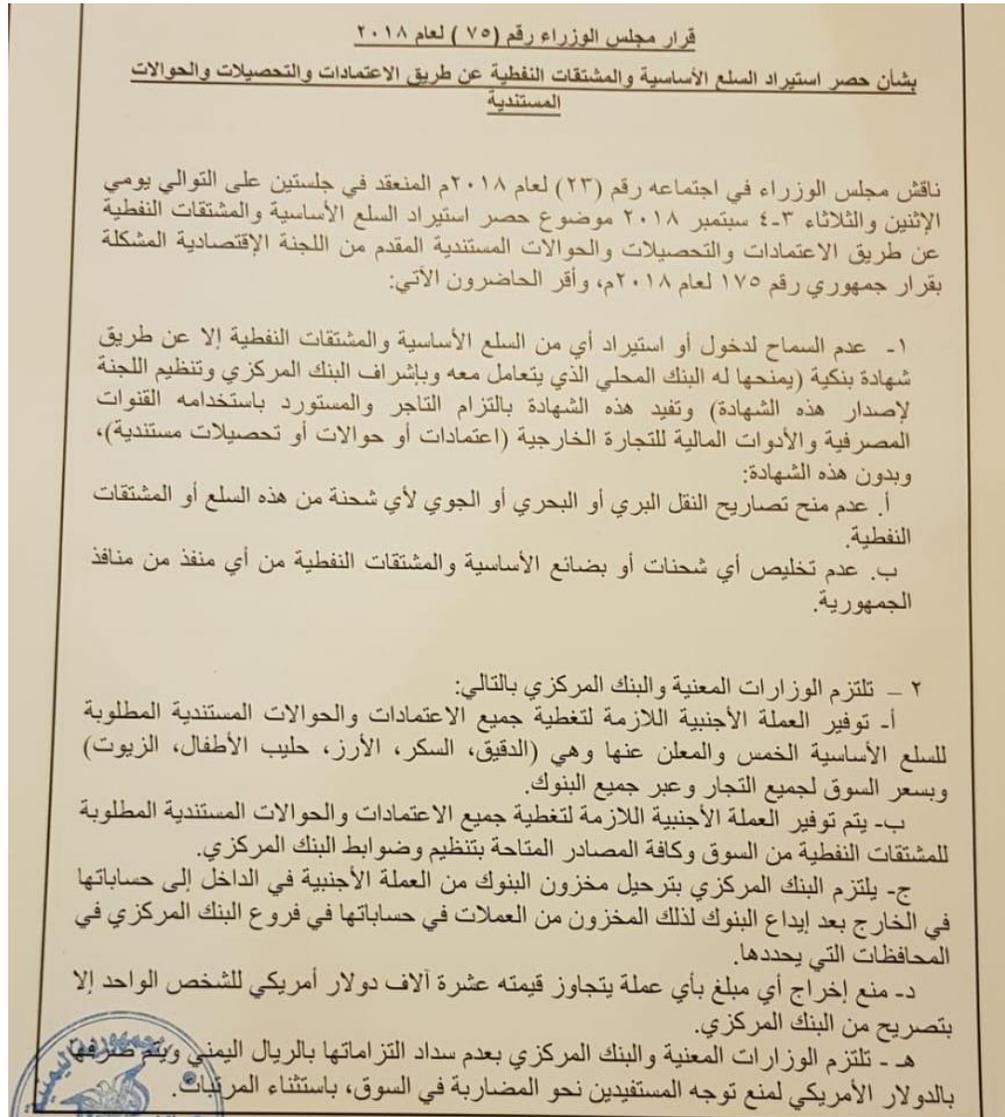
- We confirm and certify that all the documents above are true and processed by our bank under the above mentioned L/C.
- We authorize you to debit our account number .....held with you with the value.....
- Credit our account no..... with .....(SWIFT code) of the invoice value.

**Authorized signatures and stamp**

**Important Remarks:**

- L/C should be received at sight, partial shipment not allowed
- CBY to be advised to refund the L/C amount if L/C expired without shipment of the goods.

**Figure 27.3**  
**Cabinet of Ministers' Decree 75 (3 September 2018) related to import of essential commodities and fuel**



**Extracts (unofficial translation)**

1. Import of fuel and essential commodities is not authorised unless the importer presents a bank certificate issued by local banks indicating that that the importer is using financial instruments for international trade (Letter of Credit L/C and other transfer instrument). **Importers who fail to present this certificate shall be denied the entry to Yemen of essential commodities and fuel.**
2. The relevant ministries shall:
  - a) Ensure availability of hard currencies to cover L/Cs and other instruments of payment for import of essential commodities (flour, sugar, rice, milk and cooking oil) at the market exchange rate;
  - b) Ensure availability of hard currencies to cover L/Cs and other instruments of payment for import of fuel products...

Figure 27.4  
Circular from Houthi controlled CBY branch in Sana'a to banks not to transfer funds in cash to CBY Aden to cover L/C

**REPUBLIC OF YEMEN**  
**CENTRAL BANK OF YEMEN**  
 Date : .....  
 No: .....

  
 قطاع الرقابة على البنوك  
 مكتب الوكيل

الجمهورية اليمنية  
 البنك المركزي اليمني  
 التاريخ: 2018/11/04م  
 الرقم: .....

٤٢١٣

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**تعميم موجبة الى كافة البنوك العاملة في الجمهورية**

الأخوة / بنك .....  
المدير العام / الاقليمي / .....

بعض التعميم...

**الموضوع / طلب التزام البنوك بعدم التوريد النقدي، لتغطية استيراد السلع الاساسية وتغطية طلبات الاستعاضة 100% بشيكات**

تعميماً على التعميم الموجه لكم برقم (4090) بتاريخ 28 /10 / 2018 وبالإشارة الى الموضوع اعلاه وبالإشارة الى محضر اجتماع مجلس ادارة جمعية البنوك اليمنية رقم (14) لسنة 2018 بتاريخ 15 /7 / 2018م والذي يتضمن اتفاقكم على آلية تغطية الاستيراد للمواد الاساسية فانه يتوجب عليكم الالتزام الكامل بالتالي :-

- 1- على جميع البنوك وجميع فروعها العاملة في الجمهورية الالتزام بعدم التوريد النقدي للقيمة المعادلة لتلك الاعتمادات بالريال اليمني . ويتم التعامل وتغطيتها كامل 100% بشيكات فقط .
- 2- نرجو من كل بنك تزويدنا بالبيانات الموضحة في الكشف المرفق غدا الاثنين الموافق 5 نوفمبر 2018.

ونرجو من جميع البنوك الالتزام الكامل بهذا التعميم وسيقوم البنك باتخاذ إجراءات وعقوبات صارمة ضد اي بنك يخالف او يقصر في الالتزام بهذا التعميم.

وتقبلوا تحياتنا،  
  
**وكيل المحافظ للرقابة على البنوك**  
**يوسف علي زيارة**

Source: GoY confirmed authentic with sources in Sana'a

**Extract (Unofficial translation)**

Circular, dated 4 November 2018, to banks to cover request for L/C in checks only

Further to the circular dated 28 October 2018 (4090) and following the meeting of Yemeni banks on 15 July 2018 on the mechanism to cover import of essential commodities:

1. All banks and their branches in Yemen are required not to cover issuance of L/C in cash but with checks only;

2. All banks to submit the status on transfers to cover L/Cs;

All banks are required to comply with this circular as banks who fails to comply shall face severe sanctions.

**Annex 28. Suspicious demurrage costs paid by CBY in Aden**

**Figure 28.1**

**Invoice for hire and demurrage from 4 September 2016 to 6 October 2016 3.1**

(Beneficiary: ASA Shipping Company FZCO (subsidiary of Overseas Shipping & Stevedoring Company OSSCO) of Alessi-group)

<u>AMENDMENT</u>				
<b>INVOICE</b>		DEBIT: ADEN REFINERY COMPANY P.O.Box : 3003 LITTLE ADEN - ADEN. REPUBLIC OF YEMEN Tel. : +967 2 376 294 Fax : +967 2 376 600/1.		
Invoice No. : 010001				
Invoice Date : 29/09/2016				
Item No.	Description	Number of Days	Per Day Pro-Rata US.Dollars	Amount US.Dollars
1	Hire of m.t. : "M SPIRIT"			
	Hire of m.t. : "M SPIRIT"	USD	\$	2,000,000.00
2	Demurrage :-			
From :	04/09/2016 23:50	24.79861	30,000.00	743,958.33
To :	29/09/2016 19:00			
3	Additional Demurrage :-			
From :	21/09/2016 21:30	15	30,000.00	450,000.00
To :	06/10/2016 21:30			
Total	:		USD \$	3,193,958.33
Sale Tax	:	5%	USD \$	159,697.92
G.Total Amount	:		USD \$	3,353,656.25
Received amount on 15/11/2016 by Yemeni ryal			YR	249,491,036.10
Exchange rate from Yemeni ryal to U.S.Dollars	:			338.00
Total Amount Received by U.S.Dollars			USD \$	738,139.16
Balance Total Amount Due from ARC for us			USD \$	2,615,517.09
<b>Payable to:</b>				
BANK NAME	:	DUBAI ISLAMIC BANK		
		DUBAI - UAE.		
SWIFT CODE	:	DUIBAEAD		
BENEFICIARY NAME	:	ASA SHIPPING COMPANY FZCO		
ACCOUNT NUMBER	:	USD : 0895 2108 1383 401		
IBAN	:	AE 47 - 0240 - 0895 2108 1383 401		



Source: Confidential

Figure 28.2 Information on *M Spirit (IMO 9077331)*

1 of 1 result

Ship Detail

Ship Name: **SPIRIT** | Shiptype: **Crude Oil Tanker**  
 IMO/LR No.: **9077331** | Gross: **52,875**  
 Call Sign: **D6A2220** | Deadweight: **95,371**  
 MMSI No.: | Year of Build: **1995**  
 Flag: **Comoros** | Status: **Broken Up**  
 Operator: **Commercial Shipholding Ltd** | Shipbuilder: **Hyundai Heavy Inds - Ul...**



Commercial History

Show extended history

Date	Name	Flag	Group Owner	Operator	Manager	Registered Owner	DOC	Price
2017-09	SPIRIT	Comoros		Commercial Shipholding Ltd	Commercial Shipholding Ltd	Commercial Shipholding Ltd	Unknown	\$6,363,665
2013-09	M Spirit	Panama		Umde Ship Management Ltd Stl	Umde Ship Management Ltd Stl	Ather Navigation SA	Umde Ship Management Ltd Stl	
2012-10					Teekay Marine Singapore			
2008-02							Teekay Shipping Ltd	
2006-10			Unknown			Teekay Navion Offshore Loading		
2005-05				Teekay Shipping Singapore	Teekay Navion Offshore Loading	Gotland Spirit LLC		
2004-03				Teekay Corp				
2000-01	Gotland	Rahamae		Teekay Shipping Canada Ltd	Teekay Shipping Canada Ltd			

Figure 28.3 Movement details of *M Spirit (IMO 9077331)*

Ships in Port	Port of Call	Country	Arrival Date	Arrival Draught	Sailing Date	Sail Draught	Hours in Port
	Transit Straits of Hormuz E		2017-08-17	8.0	2017-08-17	8.0	
<a href="#">View</a>	Sharjah Anchorage	United Arab Emirates	2017-03-03	0.0	2017-07-20	0.0	3336
<a href="#">View</a>	Cochin Anchorage For Vessels Up To 12m Draft	India	2017-01-12	13.5	2017-01-23	8.0	272
<a href="#">View</a>	Cochin ALP & Cargo Transhipment Area	India	2017-01-12	13.5	2017-01-12	13.5	3
<a href="#">View</a>	Cochin Anchorage For Vessels Over 12m Draft	India	2017-01-07	13.5	2017-01-12	13.5	121
<a href="#">View</a>	Khor Fakkan Anchorage C	United Arab Emirates	2016-12-31	13.1	2016-12-31	13.1	
	Transit Straits of Hormuz E	Transit Straits of Hormuz E	2016-12-30	13.1	2016-12-30	13.1	
<a href="#">View</a>	Ash Shihir SPM1	Yemen	2016-11-26	7.8	2016-11-27	7.8	24
<a href="#">View</a>	Khor Fakkan Anchorage B	United Arab Emirates	2016-11-19	8.4	2016-11-19	7.8	
<a href="#">View</a>	Khor Fakkan Anchorage C	United Arab Emirates	2016-11-19	8.4	2016-11-19	8.4	3
<a href="#">View</a>	<a href="#">Fujairah Anchorage A</a>	<a href="#">United Arab Emirates</a>	<a href="#">2016-10-05</a>	<a href="#">8.4</a>	<a href="#">2016-10-12</a>	<a href="#">8.4</a>	<a href="#">184</a>
<a href="#">View</a>	<a href="#">Aden Deep Water Anchorage</a>	<a href="#">Yemen</a>	<a href="#">2016-08-30</a>	<a href="#">8.0</a>	<a href="#">2016-08-30</a>	<a href="#">8.4</a>	
<a href="#">View</a>	<a href="#">Fujairah Anchorage B</a>	<a href="#">United Arab Emirates</a>	<a href="#">2016-08-18</a>	<a href="#">8.2</a>	<a href="#">2016-08-22</a>	<a href="#">8.2</a>	<a href="#">109</a>
<a href="#">View</a>	Fujairah Anchorage D	United Arab Emirates	2016-08-18	8.2	2016-08-18	8.2	<2
<a href="#">View</a>	Sharjah Anchorage	United Arab Emirates	2016-08-16	8.0	2016-08-17	8.0	20
<a href="#">View</a>	Sharjah Anchorage	United Arab Emirates	2016-07-18	8.2	2016-07-27	8.0	215
<a href="#">View</a>	Fujairah	United Arab Emirates	2016-06-18	8.5	2016-06-18	8.2	
<a href="#">View</a>	Fujairah Anchorage W	United Arab Emirates	2016-06-17	8.5	2016-06-18	8.5	11
<a href="#">View</a>	Fujairah Anchorage S	United Arab Emirates	2016-06-17	8.5	2016-06-17	8.5	<2
<a href="#">View</a>	Fujairah Anchorage A	United Arab Emirates	2016-06-15	8.3	2016-06-17	8.5	55

## Annex 29. Discrepancies in fuel imports for electricity in Aden

Figure 29.1

List of calls to bid for fuel intended to the production of electricity (30 Mt for March and April and 56.6 Mt from May to September 2017)

م	المنافسة	التاريخ	الكمية
1	2	2017/3/12	30 ألف طن
2	4	2017/4/7	30 ألف طن
3	مايو	2017/4/30	56 ألف طن
4	يونيو	2017/6/5	56.6 ألف طن
5	10	2017/7/5	56.6 ألف طن
6	12 أغسطس	2017/8/14	56.6 ألف طن
7	12 سبتمبر	2017/9/18	56.6 ألف طن
			340.000 طن
			56.000 +
			396.000
			الفارق (109) ألف طن
			الفارق (165) ألف طن

Source: Confidential

**Figure 29.2**  
**Distribution of fuel to Aden, Lahij and Abyan between 21,076,185 and 46,184,285 liters ie (18,652 to 40,873) per month**

كميات الديزل المستلم من بداية سداد الحكومة لقيمة الوقود  
المستلم لمحطات التوليد محافظة عدن . لاج . ابين في المؤسسة العامة للكهرباء - عدن

الرقم	الأشهر	عدن	لاح	ابين	الإجمالي
.1	مارس 2017م	15,559,130	2,311,045	3,206,010	21,076,185
.2	أبريل 2017م	16,615,860	2,599,800	3,954,285	23,169,945
.3	مايو 2017م	21,845,960	2,567,565	2,990,870	27,404,395
.4	يونيو 2017م	27,510,415	2,449,870	3,551,895	33,512,180
.5	يوليو 2017م	39,484,860	2,475,485	3,902,685	45,863,030
.6	أغسطس 2017م	32,799,740	1,865,930	2,741,680	37,407,350
.7	سبتمبر 2017م	39,454,675	3,140,475	3,589,135	46,184,285
.8	أكتوبر 2017	35,889,734	2,830,450	2,826,965	41,547,149
	الإجمالي	229,160,374	20,240,620	26,763,525	276,164,519

م. محسن سعيد ثابت  
مدير عام التوليد - عدن



Source: Confidential

## Annex 30. Manipulation of contractual arrangements for food rations for the military

Figure 30.1

Contract between Yemeni armed forces and Ahmed Assoufi for Trade company

المرجع  
الموافق : ٢٤ / ٥ / ٢٠١٧ م  
الرقم :

الجمهورية اليمنية  
وزارة الدفاع  
رئاسة هيئة الأركان العامة  
هيئة الإسناد اللوجستي  
دائرة الإمداد والتموين

عقد اتفاق

محمد علي المقدشي  
رئيس هيئة الأركان العامة

انه في يوم الاربعاء الموافق: ٢٤ / ٥ / ٢٠١٧ م تم الاتفاق بين كل من :

- المشتري : وزارة الدفاع اليمنية - الجمهورية اليمنية - يمثلها مدير دائرة الإمداد والتموين العسكري / العميد - عبد الله علي المقددي ولغرض هذا العقد يسمى بالطرف الأول .  
- البائع : مؤسسة احمد منصور الصوفي للتجارة والمقاولات - الجمهورية اليمنية - مارب - يمثلها المدير العام / احمد منصور الصوفي - ولغرض هذا العقد يسمى بالطرف الثاني .  
وحيث ان الطرف الثاني يشهد ويقر ويضمن بكامل صلاحيته ان بمقدوره الوفاء بمتطلبات هذا العقد بتوريد الأصناف المشار إليها في هذا العقد وبموجب الشروط المتفق عليها ادناه.  
حيث وان الطرف الأول بموجب هذا العقد يلتزم بشراء الأصناف المتعاقد عليها وحسب الاحتياج في الميدان من الأصناف في هذا العقد وبموجب الأسعار الموضحة بالكشوفات المرفقة عدد(٤) كشوفات والتي تعد جزء لا يتجزأ من هذا العقد والكميات المحددة من الطرف الأول في هذا العقد ، حيث سيتم العمل بهذه الأسعار ابتداء من سريان هذا العقد حتى انتهائه.  
لذا اتفق الطرفان على الالتزام بهذا العقد بموجب البنود والشروط أدناه :

**مادة أولى :** التزم الطرف الثاني بتوريد الأصناف المطلوبة بحسب خطة التوزيع من ضمن الاصناف المتفق عليها الموضحة بالكشف المرفق لعدد(٧٦) صنف تبدأ من البقوليات وتنتهي ب وجبة غذائية مطبوخة من حيث النوعية والمواصفات وعدم تجاوز الاستحقاقات .

- يقوم الطرف الأول بتزويد الطرف الثاني بخطة شهرية للمواد المطلوبة وبحسب التفريده المعتمدة من دائرة الإمداد والتموين والمكونة من مواد جافة وطازجة لكل شهر وذلك بوقت كافي ويلتزم الطرف الثاني بالتوريد بموجبه وعدم التجاوز .  
- يقوم الطرف الثاني بتوصيل الغذاء الى الوحدات التي تقع تحت سيطرة قوات الشرعية.  
- يتحمل الطرف الأول مسؤولية حماية وسائل النقل بمحتوياتها الخاصة بالطرف الثاني من التلغص والنهب والاحتجاز أو اي خسائر تترتب علي ذلك .  
- التزم الطرف الثاني بالتوريد حسب التفريدة والمخصص المحدد له من قبل الطرف الأول وعدم تجاوز الكميات المحددة لكل صنف .  
- أي أصناف معيبة أو تالفة تعاد للطرف الثاني ليقوم باستبدالها بكمية سليمة ومساوية لها من حيث الكمية والصنف بنفس المواصفات بالكشف المرفق ويتحمل أي مسؤولية ناتجة عن العيوب .

**مادة ثانية :** التزم الطرف الأول بمحاسبة وسداد مستحقات الطرف الثاني (٥٠%) كدفعة مقدمة مرفقة بالتفريدة الشهرية للمواد المطلوب توريدها و(٥٠%) كدفعة أخيرة بموجب أصل محضر الاستلام وشهادة الانجاز الصادرة من دائرة الإمداد والتموين العسكري والمعتمدة من رئاسة هيئة الأركان العامة مع موافاة جهة صرف المستحقات المالية داخلية او خارجية بصورة من محضر الاستلام وشهادة الانجاز من وزارة الدفاع اليمنية .

الطرف الثاني  
مؤسسة احمد الصوفي للتجارة والمقاولات/  
المدير العام/  
احمد منصور الصوفي

الطرف الأول  
دائرة الإمداد والتموين  
مدير الدائرة/  
عميد/عبد الله علي المقدشي

تصديق / رئيس هيئة الإسناد اللوجستي  
اللواء الركن/احمد محمد عبد الله الولي  
٢٤ / ٥ / ٢٠١٧  
ص - (٢/١)

Source: Confidential

Figure 30.2  
Pending payment to Ahmed Assoufi for Trade company

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجمهورية العربية السورية  
وزارة الاقتصاد والتجارة  
مجلس الاعمال  
هيئة الاسناد اللوجستي

الرقم: .....  
التاريخ: ١ / ١ / ٢٠١٦ م.

المرفق: هيئة الاسناد اللوجستي  
مكتب رئيس الهيئة  
التصاريح  
الرقم: ٧٢٥  
التاريخ: ١٢ / ١١ / ٢٠١٦ م.

١٤. رسالة رئيس الأركان العامة الى رئيس الجمهورية بشأن صرف مستحقات المتعهد (الخاصة بالفارق) رقم ود/٢٧/٤ بتاريخ ٢٧/٤/٢٠١٧ م.

ثانياً: نتائج المراجعة التي تم التوصل اليها:

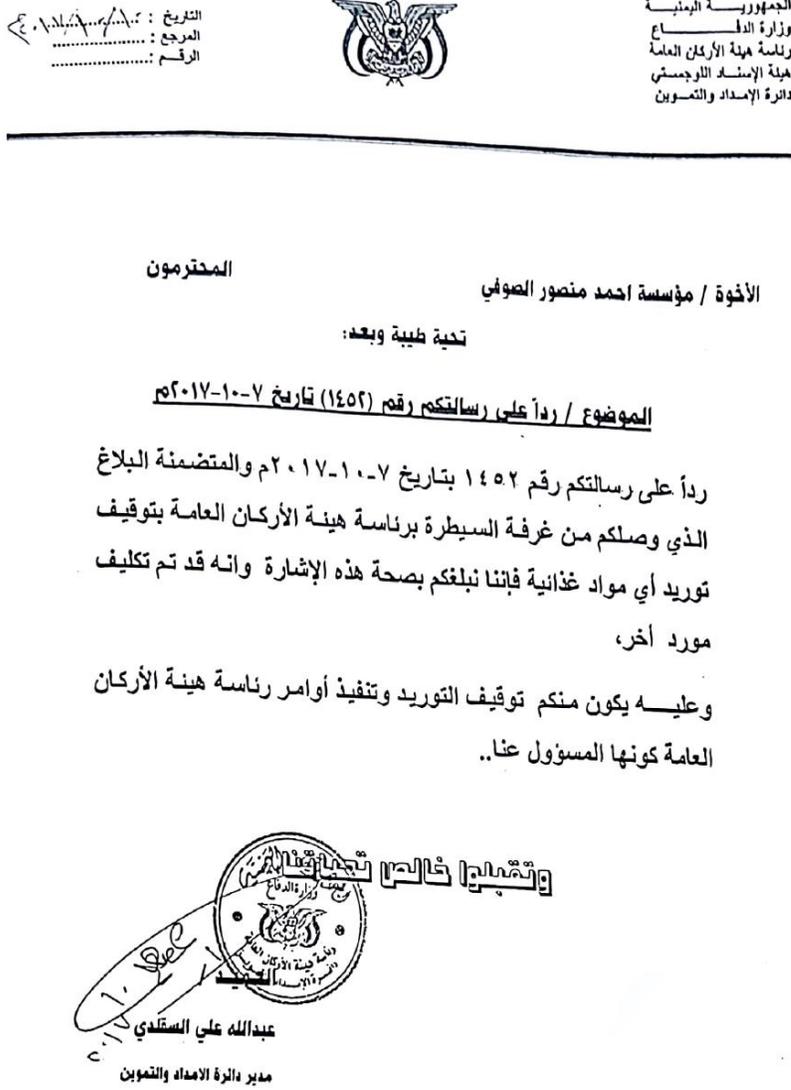
خلاصة حساب المتعهد: بحسب ما توفر لنا من بيانات ومستندات فان خلاصة حساب المتعهد يوضحه الكشف أدناه:

المبالغ بالريال السعودي

التاريخ	البيان	عليكم (مدين)	لكم (دائن)
	لكم ما تبقى من قيمة الاعاشة لشهري رمضان + شوال ١٤٣٦ هـ	0	13,190,465
	لكم فارق الأشهر من رمضان ١٤٣٧ هـ وحتى صفر ١٤٣٨ هـ لقوة (٥٤٩٣٠ فرد × ٦ أشهر)	0	98,874,000
31/12/2016	لكم قيمة مواد التغذية لشهر ديسمبر ٢٠١٦ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
31/01/2017	لكم قيمة مواد التغذية لشهر يناير ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
28/02/2017	لكم قيمة مواد التغذية لشهر فبراير ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
31/03/2017	لكم قيمة مواد التغذية لشهر مارس ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
30/04/2017	لكم قيمة مواد التغذية لشهر ابريل ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
31/05/2017	لكم قيمة مواد التغذية لشهر مايو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
30/06/2017	لكم قيمة مواد التغذية لشهر يونيو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
31/07/2017	لكم قيمة مواد التغذية لشهر يوليو ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
31/08/2017	لكم قيمة مواد التغذية لشهر اغسطس ٢٠١٧ م لقوة ١٣٧٠٠٠ فرد	0	41,100,000
2016/12 + 2017/3	عليكم تسديد قيمة مواد التغذية لشهر ديسمبر ٢٠١٦ م	41,100,000	0
2017/3 + 2017/5	عليكم تسديد قيمة مواد التغذية لشهر يناير ٢٠١٧ م	41,100,000	0
08/05/2017	عليكم تسديد جزء من قيمة مواد التغذية لشهر فبراير ٢٠١٧ م	2,800,000	0
06/10/2017	عليكم قيمة مخزون الوحدات المتبقي لديكم لقوة ٢٠٧٤٩٨ فرد	62,249,400	0
06/10/2017	عليكم قيمة مخزون دائرة الامداد والتأمين المتبقي لديكم لقوة ٦٩٤٩٣ فرد	20,847,900	0
	اجمالي حركة الحساب (بالريال السعودي)	168,097,300	481,964,465
	الرصيد المتبقي للمتعهد (بالريال السعودي)	0	313,867,165

Source: Confidential

Figure 30.3  
Official letter from military logistic support division, dated 10 October 2017, to Ahmed Assoufi for Trade company to cease the supply of military units



Source: Confidential

Figure 30.4  
Document showing that Anhar Al Khaleej for Trade Co replaced Ahmed Assoufi for Trade company

التاريخ: ١٨ / ٠٦ / ١٨  
الموافق: ١٠ / ١٠ / ١٤٣٩  
المرفقات: ( )

**وزارة الزراعة**  
هيئة الاسناد والتوسيع  
مكتب المسير

تصديق/  
اللواء الركن د.  
نصاهر علي العقبلي  
رئيس هيئة الأركان العامة

المخبرم

الأخ / قائد قوات التحالف العربي بصحن الوطن  
السلام عليكم ورحمة الله وبركاته ١١١

**الموضوع / مستوى الامانة المقدمة للقوات اليمنية**

١. اثار الى الموضوع اعلاه ، فقرة قد حدث نقص شديد جدا في الاعاشة في الاشهر الماضية وقد تم متابعه متعهد الغذاء وتم اتخاذ الكثير من الاجراءات وقد كانت النتائج كما يلي :-  
أ - تحسن مستوى الاعاشة على مستوى الكميات الواصلة خاصة في شهري شعبان ورمضان المبارك ١٤٣٩ هـ .  
ب - هناك ملاحظات كثيرة في الجودة على بعض المواد تم تلافى بعضها مثل الحبيب المجفف والتسور وبعضها قيد المتابعة مثل مادة الارز والسكر والقشطة في الوجبات القنثية .  
ج - نقص في بعض الكميات لبعض الاصناف مثل الدجاج والحموم والتونة والبيض .

٢. تم اتخاذ اجراءات متعددة واستدعاء المتعهد في خواتم شهر رمضان المبارك وعمل محضر مشترك لتلافي ذلك وما زال قيد التنفيذ لغرض تحسين الاصناف والالتزام بكميات محدده ووقت وصول منضبط وتساوي السوارد لكل الاصناف وفي حاله عدم التزام المتعهد باى من ذلك سيتم الرفع اليكم مباشرة .

٣. عمل شهادة انجاز لشهر شعبان وتم توقيعها وارسالها لقياده التحالف في مارب وشهادة الانجاز لشهر رمضان المبارك تحت الاعداد ليتم توقيعها وارسالها وهناك عند من المتطلبات التي رفعت منها مطلوب من المتعهد توفيرها لم توفر الى الان .

٤. مرفق لكم صورة من شهادة الانجاز لشهر شعبان مع الملاحظات العطوية تنفيذها من قبل المتعهد وموضح فيها بعض المتطلبات الاساسية وصورة من تقرير انجاز السوارد من شركة انهار الخليج للشجزة من شهر محرم الى شهر شعبان ١٤٣٩ هـ .

٥. مرفق لكم صورة من مسوده المحضر مع المتعهد .  
٦. للتفضل بالاطلاع والتوجيه .

نائب مدير دائرة الاسناد والتوسيع ١١١

عبدالله علي مقبل المتقدي  
مدير دائرة الاسناد والتوسيع

اللواء الركن/  
احمد محمد عبدالله الولسي  
رئيس هيئة الاسناد والتوسيع

Source: Confidential

## Annex 31. A network involved in the forgery of immigration documents

1. The Panel, within its mandate of investigating cases of threats to peace and security to Yemen, gathered information on a suspicious activity of a potential fraudulent financial network involved in facilitating immigration of Yemeni individuals residing outside of their country to Canada as refugees. This network, operating from KSA and Turkey, is claiming to facilitate the issuance of refugee status to Yemeni against a service fee of about US\$ 5,000 per person and US\$ 10,000 per family. Some Yemeni individuals have obtained immigrant visas to Canada in Turkey through the network (see figure 31.1).

**Figure 31.1**

**Visa issued by the network confirmed not valid according to Canadian authorities**



2. The network involved in facilitating issuance of visas for Canada seems to comprise the following individuals, entities and locations:

- (a) Regional Immigration & Development Immigrants Organization, Gozal Yord, Cyprus and its general commissioner, Dr. Saifuddin Jan Damerji (see figure 31.2);
- (b) Ratina C (allegedly incorporated in the United Kingdom (UK), yet not identified by the Panel within the UK registry) and its representing officer Imad Abdul Rauuf Mohamed al Hassan (see figure 31.3);
- (c) Individual and address in Turkey where visa application documents are sent: Haseki Sultan Mah, Millet cad, No 11, inan IS hani, Ofis: 312 Aksray 34096, Istanbul (see figure 31.4).

Figure 31.2  
Alleged certificate for refugee status



Source: Confidential

Figure 31.3

Contract between a family seeking refugee status and Retina C with a payment of 30,000 Saudi Riyal once visas are issued

**عقد اتفاق**

من شركة IRATINA C البريطانية تعمل بالاتفاق مع مفوضية الأمم المتحدة لتسيير أوراق العملاء في كافة أنحاء العالم.

رقب الأول شركة راتينا سي وممثلها : عماد عبدالرؤوف محمد الحسن صاحب اقامة نظامية رقم : 2015883818  
رقب الثاني [REDACTED]

في الطرفان على مايلي :

1. يقوم الطرف الاول بمعاملة تقديم اللجوء إلى دولة كندا لكافة افراد الاسرة للطرف الثاني عدد الجوازات : 9 جوازات يمنية لعدد 13 فرد

الاسم	عدد المرافقين	ورقم الجواز
[REDACTED]	[REDACTED]	[REDACTED]

2. يقوم الطرف الأول بإنهاء كافة إجراءات السفر وإصدار الفيزا والتذاكر وجميع الوثائق الضرورية للسفر .

3. يقوم الطرف الأول بالتعارف الثاني بمراجعة التفاصيل على الجوال 0500606034 و البريد الالكتروني : [goodman-1111@hotmail.com](mailto:goodman-1111@hotmail.com)

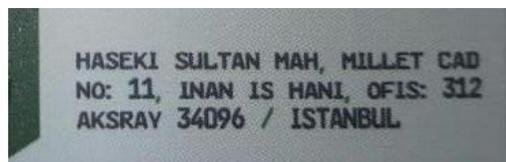
4. يلتزم الطرف الثاني بدفع اتعاب الشركة مبلغ وقدره 30.000 ريال – فقط ثلاثون ألف ريال لا غير. بعد الاستلام والتحقق من صحة الوثائق التفصيلية.

5. يلتزم الطرف الأول بإنهاء المعاملة في مدة اقصاها 40 يوماً ، وفي حالة عدم اتمام الاجراء اعلاء يلتزم الطرف الاول بتسليم جميع الوثائق سليمة وكاملة

Source: Confidential

Figure 31.4

Address in Turkey where visa application documents are sent to



Source: Confidential

## Annex 32. Smuggling of cash and cultural artifacts

Figure 32.1

Seizure in Al Mualla port Aden on 16 August 2018 of 12 artifacts smuggled in a merchant vessel bound to Djibouti



Source: <https://al-ain.com/article/yemen-houthi-smuggling-traces>

Figure 32.2

Media article describing the context of the seizure

الخميس 2018.8.16 بالصور.. الشرطة اليمنية تحبط تهريب قطع أثرية نادرة من مناطق الحوثيين  
تمكنت شرطة عدن جنوبي اليمن، من إحباط محاولة تهريب قطع أثرية على أحد المراكب المتجهة إلى دولة جيبوتي عبر ميناء المعلا بعدن  
وقال المكتب الإعلامي لشرطة عدن إن قوات الأمن في ميناء المعلا ضبطت 12 قطعة أثرية نادرة كانت مخبأة وسط بضاعة على أحد المراكب  
التجارية المغادرة إلى دولة جيبوتي.  
وبحسب بيان الشرطة، فإن أفراد أمن ميناء المعلا قاموا بفحص المضبوطات عبر خبير متخصص في الآثار، أكد أنها قطع أثرية نادرة يعد  
إخراجها من البلد مخالفا للقانون.  
وبيّنت التحقيقات الأولية مع صاحب الشحنة أن المضبوطات والتحف الأثرية تعود ملكيتها لتاجر من صنعاء مقيم في جيبوتي، وكانت مخبأة وسط  
بضائع قادمة من صنعاء مرسله إليه على متن مركب متجه إليه.

Source: <https://al-ain.com/article/yemen-houthi-smuggling-traces>

Figure 32.3  
Seizure in Ma'rib on 6 November 2018 of artifacts smuggled on a vehicle coming from Dhamar



Source: <https://www.sabane.w.net/upload/thumbs/154151797155397617.jpg>

Figure 32.4  
Yemen News Agency article describing the context of the seizure (6 November 2018)

الاجهزة الامنية بأرب تحبط تهريب تماثيل اثرية قديمة باعتها الميليشيا الانقلابية لسماسة  
أرب- سيانت  
احبطت الاجهزة الامنية عملية تهريب قطع اثرية نادرة والقبض على عصابة سمسة تقوم بشرانها من ميليشيا الحوثي الانقلابية، وتهريبها  
وبيعها.  
حيث ضبطت الاجهزة الامنية في احدى نقاطها خارج عاصمة المحافظة تماثيل ذهبية ومن الاحجاز الكريمة مكتوب عليها بالخط السبئي  
القديم(المسند) وخمسة اشخاص متهمين كانوا يستقلون سيارة (كيا) وما يزال البحث جار عن اثنين اخرين ضمن العصابة واحد منهما من  
جنسية عربية  
واوضح مدير عام شرطة المحافظة العميد عبدالملك المداني لوكالة الانباء اليمنية(سبأ)بان هذا العملية تمت بعد تحري ومتابعة لهذه العصابة  
مدة تزيد عن شهر من الزمن وتم ضبطها في احدى النقاط وهي تحاول تهريب هذه التماثيل من محافظة نمار الى المنافذ اليمنية لبيعها لتاجر  
من دولة شقيقة.مشيراً الى ان المتهمين اعترفوا خلال التحقيقات بانهم يقومون ببيع الاثار النادرة والسبائك الذهبية الاثرية للميليشيا الحوثية  
في محافظة نمار الى اشخاص من دول عربية واجنبية عبر وسطاء محليين وعرب  
ولفت المداني الى ان المتهمين المضبوطين جزء من عصابة كبيرة، واعترفوا خلال التحقيقات بقيامهم ببيع العديد من القطع الاثرية والسبائك  
الذهبية والتي وجدت صورها في تلفوناتهم الشخصية، حيث كشفوا ان بعض السبائك الذهبية والتماثيل الاثرية القديمة المصنوعة من الذهب  
اغلبها يتم اذابتها وتهريبها وبيعها كقطع ذهبية بعد طمس قوايلها ومعالمها الاثرية  
واكد مدير عام شرطة المحافظة الى ان الميليشيا الحوثية تعمل بكل ما اوتيت من قوة الى تدمير كل المقدرات الوطنية ومنها الموروث الثقافي  
والانساني من اثار ومعالم ثرية، والتكسب والثراء من الاثار والقطع الاثرية الكثيرة التي استولت عليها في المتاحف اليمنية والمخازن  
الرسمية للدولة سواء في براقش او امانة العاصمة او نمار..مثمنا اليقظة العالية للاجهزة الامنية بالمحافظة.

Source: <https://www.sabane.w.net/viewstory/40941#>

**Figure 32.5**  
**Seizure in Ma'rib on 7 November 2018 of US\$ 2.610.000 and SAR 9.000.000 smuggled in two vehicles bound to Sana'a**

Yemen News Agency article describing the context of the seizure (7 November 2018)

عاجل

أحباط تهريب 2 مليون و610 الف دولار ونحو 9 ملايين ريال سعودي من مأرب

[05:17 07/11/2018]



مأرب - سيانت

أحبطت أجهزة الأمن بمحافظة مأرب تهريب مليونين و610 الف دولار أمريكي و9 ملايين ريال سعودي في عمليتين مختلفتين.

وذكر مدير عام شرطة المحافظة العميد عبدالملك المداني لوكالة الأنباء اليمنية (سبأ) ان أفراداً من منتسبي الأمن في مديرية الجوبة ضبطوا مبلغ اثنين مليون و610 الف دولار في سيارة (هيلوكس) وتم ضبط المتهمين.

وفي العملية الثانية تمكنت احدى نقاط الحزام الأمني لعاصمة المحافظة وعلى طريق مارب صنعاء من ضبط تسعة ملايين ريال سعودي غير مصرحة كانت في شنطة ملابس على متن سيارة ونيت غمارتين ايضاً(هيلوكس) وضبط سائق السيارة.

وأشار المداني الى ان مليشيا الحوثي الانقلابية دأبت على المضاربة بالعملية الصعبة في المحافظات المحررة وتهريبها الى صنعاء بهدف الاضرار بالاقتصاد الوطني زانهيار الريال اليمني وارتفاع أسعار المواد الغذائية والأساسية وزيادة معاناة الناس والمواطنين في اطار مشروع المليشيات الذي يوزع الموت على الشعب اليمني اما بالالة العسكرية الجبارة أو التجويع.

Source: <https://www.sabane w.net/ view story/41008>

### Annex 33. Case studies of Airstrikes in Yemen (2018)

1. In this annex, the Panel presents detailed case studies of five airstrikes investigated in 2018.
2. The Panel also includes the case study of an airstrike investigated in 2017.

**Table 33.1**  
Case studies of airstrikes in 2018 and 2017

Appx (Case)	Date	Location	Impact point	Type of ordnance	Victims
A	2/4/18	14°49'01.6"N 42°59'39.0" E	Civilian buildings in Al Hali district, Al Hudaydah	Aircraft bomb	14 dead including 7 children and 4 women
B	22/4/18	15°41'24"N 43°21'07" E	Wedding party in Ar-Raqa village of Bani Qis in Hajjah	Aircraft bomb	21 killed, including 11 children, and approximately 90 wounded, including several children
D	23/7/18	17°2'25.09"N 43°55'6.58" E	Water supply system, Noshour, in Sa'dah	Aircraft bomb	Damage to borehole, pipe, and solar panels
F	9/8/18	17°03'51.2"N 43°36'05.8" E	Bus in Dayhan, Sa'dah	Aircraft bomb	Approx. 43 killed and 63 wounded, in majority children
G	9/6/ 17	15°16'25.9"N 44°14'18.3" E	Residential building, Al Quobari, Sana'a	Aircraft Bomb	

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## Appendix 33.A. Use of explosive ordnance in Al Hudaydah on 2 April 2018

### I Background

1. The Panel investigated an alleged airstrike by the Coalition on Al Hudaydah on 2 April 2018.
2. The Panel received information from its sources on the ground that approximately two items of explosive ordnance (EO) targeted the northeastern periphery of Al Hudaydah in the vicinity of coordinates (14°49'01.6" N 42°59'39.0" E) at approximately 1000hrs (figure 33.A.1).
3. The Panel has received from its sources, including medical services, the list of victims which comprises 14 dead (seven children, four women and one man).

### II Technical analysis

4. The Panel received footage and videos of the scene,<sup>64</sup> the victims, as well as fragments of the alleged weapons used (figure 33.A.2). The Panel concludes, based on a technical assessment of the imagery and videos, that the attack was probably conducted using a precision-guided weapons and that the only military entity operating such precision-guided weapons in the area is the Coalition.

### III Response from the Coalition

5. In a letter to the Panel<sup>65</sup>, the Coalition stated that it did not carry out an attack targeting this location on that day, but that it targeted a point located 3,288 m away from the site.

### IV Responsibility for the attack

6. Based on the technical analysis, the Panel finds that the Coalition is likely to be responsible.

### V Analysis of IHL violations

7. The Panel received information that members of Houthi forces were living in those buildings but was unable to confirm that information beyond reasonable doubt. The Panel was not able to obtain information about the military advantage that the death of those people would confer to the Coalition. However, the Panel found that, considering the number of victims, especially the number of children and women, even if there were members of the Houthi forces present (i.e. civilians having lost their protection against direct attack under IHL), this attack is unlikely to conform with the IHL principles of proportionality and precaution. Indeed, IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects.<sup>66</sup>
8. The Panel continues to welcome any information on this incident.

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<sup>64</sup> See also online: <https://twitter.com/hadramoot1967/status/980811766295908352>.

<sup>65</sup> Letter of 27 July 2018.

<sup>66</sup> See CIHL rules 14 and 15.

**Figure 33.A.1**  
Location of the airstrike 14°49'01.6"N 42°59'39.0"E



**Figure 33.A.2**  
Pictures of the building and some victims



Source: Confidential

Figure 33.A.3  
Fragment of the explosive ordnance gathered on the site



Source: Confidential

## Appendix 33.B. Airstrike of 22 April 2018, Bani Qis, Hajjah (wedding)

### I. Background

1. On 22 April at approximately 10:00 hrs an explosive ordnance dropped from a military aircraft hit the men's section of a wedding party in a civilian area in Ar-Raqa village of Bani Qis, in Hajjah<sup>67</sup> (see figure 33.B.1) and resulted in the death of approximately 21 persons, including many children and the injury of approximately 90 people, including many children<sup>68</sup>.

### II. Response of the Coalition

2. On 12 September 2018, on the Saudi Press Agency website, the Coalition acknowledged that a single guided bomb was launched on 22 April 2018 at 2010 hrs<sup>69</sup> and hit a location beside a building. According to the information published on this website, the Coalition had received information on the arrival of ballistic missile experts to Yemen through the port of Hudaydah. A reconnaissance mission to the coordinates provided by their sources was carried out. Three persons, two vehicles and a thermal source were identified. The JIAT first concluded, based on videos of the mission, that there was no tent or other sign of civilians gathering in the area. After revision, the JIAT found a number of errors indicating non-compliance with the Rules of Engagement procedures to minimise civilian collateral damages. The Joint Panel recommended that legal measures be taken to hold perpetrators accountable and that assistance to the victims for the damage and losses resulting from this operation be provided.<sup>70</sup>

3. The Panel did not receive any verifiable evidence from the Coalition.

### III. Technical analysis

4. Based on imagery of fragmentation recovered from the explosion site, the Panel was unable to identify the specific aircraft guided bomb used during that attack (see figure 33.B.2).

### IV. Analysis of IHL violations

5. The Coalition admitted responsibility for the airstrike and non-respect of the procedures to minimise civilian collateral damages.<sup>71</sup>

6. Even if, as claimed by the Coalition, the three persons, two cars and one thermal source identified at the site were military objective and/or civilians having lost their protection under IHL, the Panel finds that it is unlikely that the IHL principle of proportionality was respected due to the significant number of victims. As for the principle of precaution, the Coalition recognised that the operation failed to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects.<sup>72</sup>

7. The Panel continues to welcome any information from the Coalition.

<sup>67</sup> Coordinates: 15°41'24"N 43°21'07"E.

<sup>68</sup> See for instance, <https://twitter.com/search?f=tweets&q=wedding%20yemen%20bani%20qais&src=typd>, [https://www.washingtonpost.com/world/middle\\_east/us-allies-have-killed-thousands-of-yemenis-from-the-air-after-22-died-at-a-wedding-one-village-asks-why-us/2018/07/25/3c3e4801-164e-42ae-ac08-bec09044e52a\\_story.html?utm\\_term=.99f70635ace3](https://www.washingtonpost.com/world/middle_east/us-allies-have-killed-thousands-of-yemenis-from-the-air-after-22-died-at-a-wedding-one-village-asks-why-us/2018/07/25/3c3e4801-164e-42ae-ac08-bec09044e52a_story.html?utm_term=.99f70635ace3)

<sup>69</sup> The Panel also received information that the attack occurred at 2200 hrs.

<sup>70</sup> See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

<sup>71</sup> See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

<sup>72</sup> See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1812903>.

**Figure 33.B.1**  
Pictures showing damage to the house and tent<sup>73</sup>



**Figure 33.B.2<sup>74</sup>**  
Debris of the EO found on the site after the incident<sup>75</sup>



<sup>73</sup> Confidential source.

<sup>74</sup> Confidential source

<sup>75</sup> Confidential source



## Appendix 33.D. Airstrike of 23 July 2018, Noshour, Sa'adah (water borehole)

### I. Background

1. On 23 July at approximately 2300 hrs,<sup>76</sup> an explosive ordnance dropped from a military aircraft hit a water borehole facility in the area of Noshour, in Sa'adah governorate.<sup>77</sup>
2. The borehole was part of a UNICEF-funded sanitation project composed of two boreholes and one water tank. The coordinates of the three components had been communicated to the Coalition's « no strike list ».<sup>78</sup>
3. According to UNICEF, more than half of the project was damaged and approximately 10,500 people were deprived of access to safe drinking water.<sup>79</sup>

### Figures 33.D.1 Post-blast damage<sup>80</sup>



<sup>76</sup> Report from an NGO that independently investigated the case, on file with the Panel.

<sup>77</sup> The coordinates are: 17° 2'25.09"N 43°55'6.58"E.

<sup>78</sup> Confidential source.

<sup>79</sup> See statement of Geert Cappelaere, the Regional Director for UNICEF Middle East and North Africa Office, 24 July 2018, online : <https://www.unicef.org/press-releases/access-water-continues-be-jeopardized-millions-children-war-torn-yemen>.

<sup>80</sup> Confidential source and pictures available on internet.

**Figure 33.D.2**  
Site before the attack



**Figure 33.D.3**  
Site after the attack<sup>81</sup>



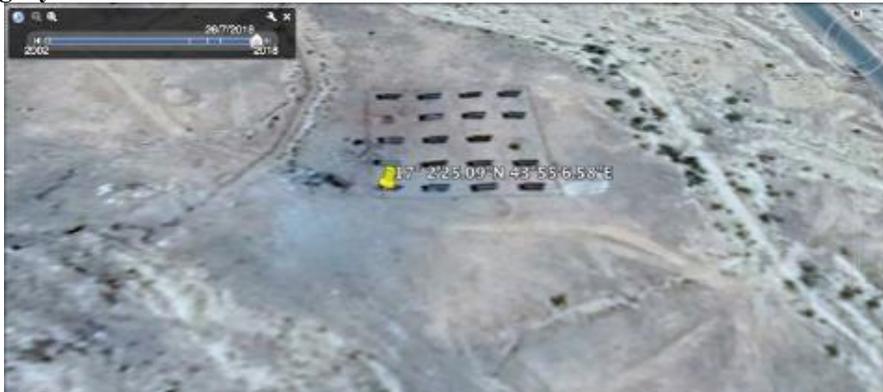
**Figure 33.D.4**  
Imagery of the site on 27/05/2018



Source: Panel using Google Earth

<sup>81</sup> Confidential source.

**Figure 33.D.5**  
**Imagery of the site on 26/07/2018**



Source: Panel using Google Earth

## II. Analysis of violations of international humanitarian law (IHL)

4. In the absence of a response from the Coalition, the Panel analysed the applicable law in relation to this incident based on the facts obtained during its own independent investigation.<sup>82</sup>
5. The Panel finds that:
  - (a) The water borehole and the solar panels are civilian objects protected against direct attack by IHL.<sup>83</sup> Furthermore, a water supply system providing drinking water to the civilian population is an object indispensable to the survival of the civilian population. It is therefore prohibited to attack, destroy or remove it or to render it useless;<sup>84</sup>
  - (b) The Panel received information that the coordinate of the three components of the project were communicated to the Coalition to be put on the «no strike list»;
  - (c) The Panel could not find any explanation during its investigation as to why the Coalition would consider a water borehole as a military objective.
6. The Panel continues to welcome any information from the Coalition.

<sup>82</sup> The information includes a report by issued by an NGO having independently investigated the case (on file with the Panel), interview with one confidential source, open source imagery and publicly available information.

<sup>83</sup> Common article 3 to the Geneva Conventions, CIHL rule 7.

<sup>84</sup> Art. 14, APII, CIHL rule 54.

## Appendix 33.F: Airstrike in Dahyan market, Sa'dah (2018)

### I. Introduction

1. This case study aims at presenting the findings of the Panel in respect to the airstrike that occurred on 9 August 2018 in the vicinity of the Dayhan market, in Sa'dah.<sup>85</sup>
2. The Panel was unable to travel to Dayhan to investigate the case despite sending a request to the Houthi authorities in that respect.
3. The Panel sent a letter to KSA requesting information about this incident, including video recording of the attack.<sup>86</sup> The Panel has yet to receive a reply.
4. The Panel also sent a letter to the Chair of the Sanctions Committee asking for assistance in accessing aerial video of the attack or any other information.<sup>87</sup> The Panel is yet to have access to the video or to receive information.

### II. Background

5. In the morning of 9 August 2018, the Coalition launched an air-delivered explosive ordnance in the vicinity of a market in Dayhan, Sa'dah<sup>88</sup> at 0825 hrs.<sup>89</sup>
6. This incident resulted in several civilian casualties. Media and humanitarian organizations have reported approximately 43 persons dead and 63 injured, the majority of which were children.<sup>90</sup>
7. According to Saudi official media, Colonel Turki Al Maliki, spokesperson of the Coalition, stated, on 9 August 2018, that this attack was "a legitimate military action, conducted in conformity with the International Humanitarian Law and its Customary Rules, to target the militants responsible for planning and targeting civilians ,

<sup>85</sup> Coordinates: 17°03'51.2"N 43°36'05.8"E

<sup>86</sup> Letter of 8 November 2018.

<sup>87</sup> Letter of 21 November 2018.

<sup>88</sup> See, for instance: <https://www.bbc.com/news/world-middle-east-45128367>, <https://www.nouvelobs.com/monde/20180809.OBS0720/yemen-au-moins-29-enfants-morts-dans-une-attaque-contre-un-bus.html>, <https://www.reuters.com/article/us-yemen-security/dozens-killed-including-children-on-a-bus-in-yemen-air-strikes-idUSKBN1KU12U>.

<sup>89</sup> The JIAT confirmed to the Panel during a meeting in Riyadh in December 2018 that a vehicle was targeted at 0825 hrs. The Panel asked for the exact coordinates but is yet to receive it. Three confidential sources informed the Panel of having heard an explosion at approximately 0830 hrs. One source told the Panel of having heard a second explosion ten minutes after the first one.

<sup>90</sup> See <https://www.theguardian.com/world/2018/aug/09/dozens-dead-in-yemen-as-bus-carrying-children-hit-by-airstrike-icrc>, <https://www.theguardian.com/world/2018/aug/16/the-sound-of-children-screaming-keeps-replaying-a-red-cross-nurse-in-yemen>, <https://www.reuters.com/article/us-yemen-security/dozens-killed-including-children-on-a-bus-in-yemen-air-strikes-idUSKBN1KU12U>, [https://twitter.com/icrc\\_je/status/1027459027540893696](https://twitter.com/icrc_je/status/1027459027540893696). The Panel was unable to independently verify those numbers. The report of the Houthi authority ministry of human rights contains a list of 51 dead and 79 wounded, but again the Panel has not been able to verify these numbers. The Panel also had a phone interview with four sources who went to the site of the incident between 30 minutes and two hours after the attack, including one who was in the market at the time of the attack and one who was in the bus; they all reported seeing many victims and dead bodies, among which were several children. The Panel also communicated with one confidential source who visited the al Talh morgue and hospital a few days after the incident and confirmed that there were many children at the morgue and some in the hospital. Two other confidential sources visited the al Talh hospital also a few days after the incident and told the Panel they were able to visit one room with about 10 children with minor wounds but did not visit the morgue. Note: the Panel has refrained from giving the specific dates to protect the identity of its sources.

which resulted in killing and injuring them, last night in Jizan.”<sup>91</sup> The Panel did not receive any verifiable evidence to that respect.

8. On 1 September 2018, the Joint Forces Commander of the Coalition announced that the conclusions of JIAT indicated mistakes in compliance to the Rules of Engagement in respect to the operation carried out on 9 August 2018 and «*expresse[d] regret over the mistakes, extende[d] its sympathies, condolences and solidarity to the families of the victims and announce[d] its acceptance of the results and findings of JIAT*»<sup>92</sup>. He added that he will «*as soon as the official findings are received, undertake legal proceedings to hold the ones who committed mistakes accountable according to the rules and regulations related to such cases*». <sup>93</sup> According to Ahmed al-Mansour, JIAT's legal adviser, those mistakes included a delay in handing down the execution order, and the fact that the execution order should have been waiting for the target to approach a clearer area free of civilians to avoid unjustified collateral damage<sup>94</sup>.

9. The Panel met with the JIAT in December and was informed that legal procedures could be initiated in respect to that incident under article 130 of the Saudi Military Code of Justice.<sup>95</sup>

10. The Panel conducted phone interviews with six persons who were in Dayhan the day of the incident and three who visited Dayhan in the following days. The Panel also received two reports: one prepared by the Sana'a-based ministry of human rights and another by an NGO.<sup>96</sup> The Panel also analysed publicly available videos and pictures from the scene (see below) and requested the assistance of an independent expert to analyse post-blast crater and damage to the bus.

11. The information and testimonies gathered by the Panel confirmed the incident and the important number of victims, including children. However, the Panel noted some inconsistencies in parts of the narrative surrounding this incident.

12. The Panel has asked for information from both the Coalition and the Houthi authorities concerning this incident but has yet to receive a reply from either party.

### III. Technical analysis

#### a) Technical analysis of videos

13. The Panel analysed three alleged videos of the incident.

- i. Video allegedly showing sequences of students visiting martyr tombs in al Ja'milah village before airstrike;<sup>97</sup>
- ii. Video from two CCTV surveillance cameras in Dahyan taken around 08:25 hrs corresponding to the time of the airstrike in Dahyan;<sup>98</sup>
- iii. Video allegedly taken moments after the airstrikes;<sup>99</sup>

<sup>91</sup> <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>

<sup>92</sup> <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423>.

<sup>93</sup> <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=1804423>.

<sup>94</sup> See video of extracts of the press conference on lone: [https://www.youtube.com/watch?v=lvd\\_wfkoR0c](https://www.youtube.com/watch?v=lvd_wfkoR0c). See also, <https://www.cbsnews.com/news/yemen-school-bus-attack-saudi-led-coalition-regrets-errors-2018-09-01/>.

<sup>95</sup> See online: <http://www.ksa-employers.com/showthread.php?t=134450&fbclid=IwAR06kjSZfo86OCeCqWfp62DqiGxBjm44yu-jLyeR1YcKdv9LjTjexnjaZY>.

<sup>96</sup> Both reports are on file with the Panel.

<sup>97</sup> [https://www.youtube.com/watch?v=4HA2\\_Wz6v2U&feature=youtu.be](https://www.youtube.com/watch?v=4HA2_Wz6v2U&feature=youtu.be).

<sup>98</sup> <https://twitter.com/AnsarAllahMC/status/1029098793717915654>.

<sup>99</sup> <https://www.youtube.com/watch?v=SlfvKtFIEI&feature=youtu.be>.

14. The Panel concluded that the above videos and documents described the incident to have happened on 9 August 2018 between approximately 08:00 and 09:00 hrs in Dahyan at coordinates 17°03'51.2"N 43°36'05.8"E. However, the Panel found the following discrepancies:

15. The wrecked bus is facing the direction opposite to the one it should be facing based on the sequence of the itinerary described during the alleged visit. The bus was said to have left Dahyan in the morning<sup>100</sup> toward Al Ja'milah (coordinates 17°06'35.8"N 43°33'39.9"E),<sup>101</sup> 7 km North West of Dahyan. On its way back to Sa'dah, it stopped in Dahyan and thus should be expected to park facing South East. The Panel had not received information on the reasons for this change of direction. It is not impossible that the explosion made the bus turn 180 degrees<sup>102</sup> (see figures on the narrative of the incident as reported by the Houthi authority ministry of human rights report).

Figure 33.F.1

Page 7 of the Houthi authorities' ministry of human rights report

### رحلة الموت!

الخميس 9 أغسطس كان الأطفال من طلاب المركز الصيفي في الجامع الكبير بمديرية ضحيان على موعد مع رحلة ترفيهية يجري الإعداد لها من قبل القائمين على المركز بمناسبة إختتام الدورة الصيفية. وتم إبلاغ الطلاب عن الرحلة في اليوم السابق لكي يبلغوا أهلهم ويحصلون منهم على الإذن والموافقة للمشاركة في هذه الرحلة. تجمع الطلاب صباحاً في المكان المحدد بجانب

الجامع. وصعدوا على متن

الحافلة برفقة ثلاثة من

مدرسيهم. إنطلقت الحافلة

وكانت محطة الزيارة الأولى في

الرحلة قرية (الجميلة)

فتوقفوا فيها ونزل الجميع

لزيارة روضة الشهداء

(المقبرة). وبعد أن أتموا

زيارتهم عادوا للحافلة

لمواصلة رحلتهم متجهين

صوب مدينة صعدة.



لقطة 1 تم أخذها من مشاهد الفيديو التي عُثِر عليها في هاتف أحد الطلاب تظهر مجموعة منهم أثناء زيارة روضة الشهداء في الجميلة.

The paragraph states that: the children of the summer camp had a road trip from Dahyan to Al Ja'milah (coordinates 17°06'35.8"N 43°33'39.9"E) where they stopped to visit martyrs' tombs after which they took the bus in the direction of Sa'dah.

<sup>100</sup> Two confidential sources informed the Panel that the bus left between 07:30hrs and 08:00hrs.

<sup>101</sup> Two confidential sources informed the Panel that the bus visited the Ja'milah cemetery before stopping at the Dahyan market.

<sup>102</sup> Three confidential sources informed the Panel they saw the bus in the position shown in figure 33.F.5 after the attack and did not see anyone moving it.

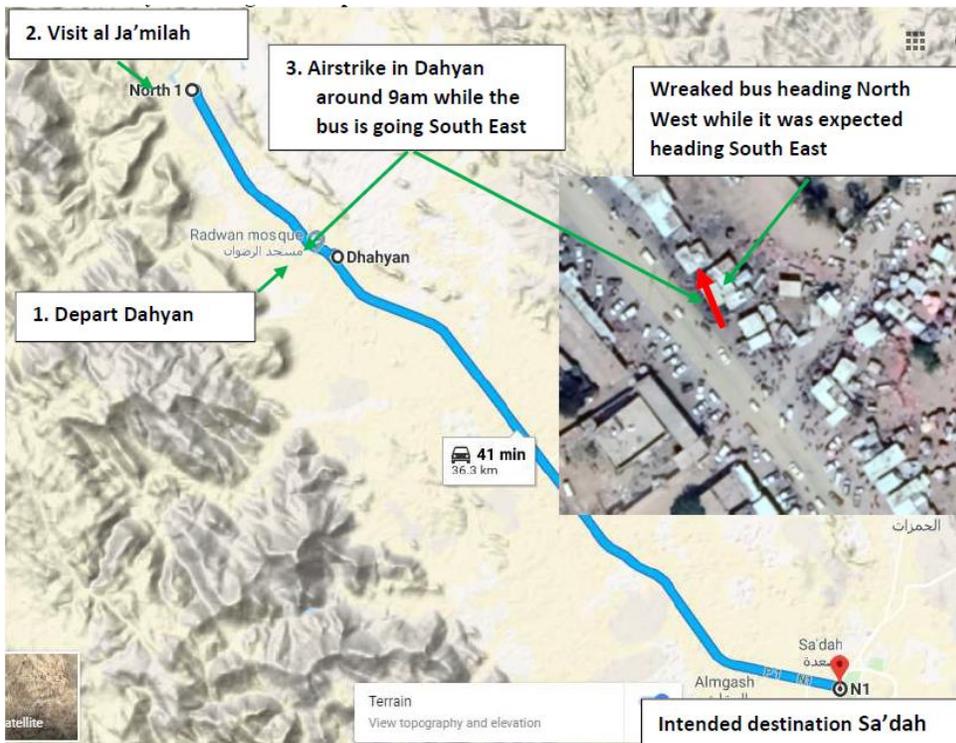
Figure 33.F2  
Top Page 9 of the report



**Top page 9:**

The paragraph states that around 0900 hrs the bus arrived to Dahyan market, parked along the road in order to buy water and food (biscuits and juice) for the children and that a moment later the bus was targeted by a coalition airstrike.

Figure 33.F4  
Stated itinerary according to the report



Source: Panel using Google Map

**Figure 33.F.5**  
**Picture showing the direction of the wrecked bus**



صورة تظهر حطام الحافلة التي كانت تحمل الطلاب والتي تعرضت للإستهداف المباشر في الغارة الجوية. وثقها الفريق صباح اليوم التالي للغارة الجمعة 10 أغسطس 2018 م.

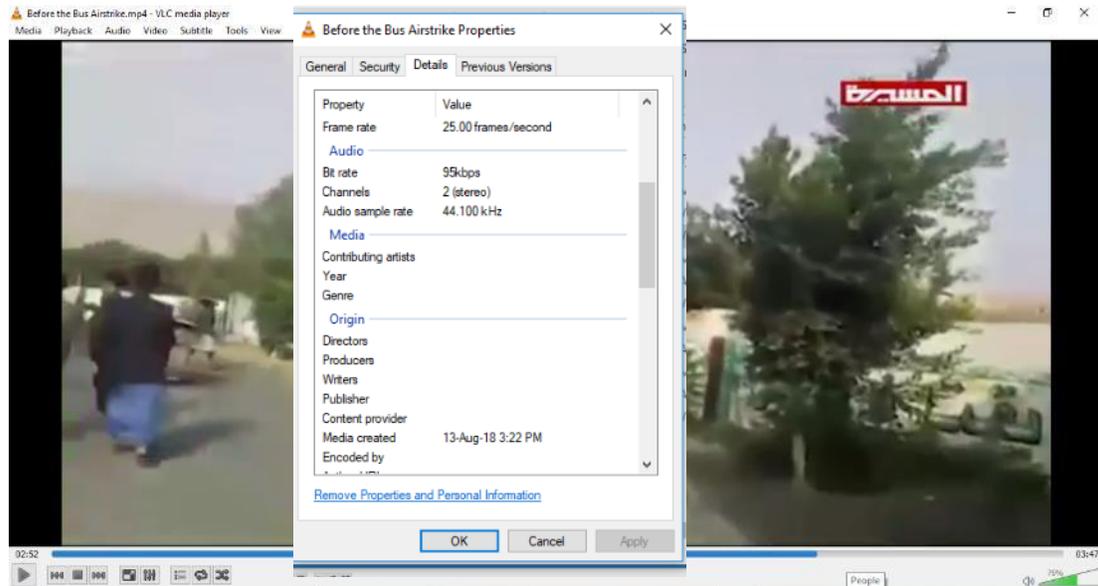
15

16. The Panel has analysed the first video describing the visit to the tombs and found that it had probably been filmed after the time of the incident based on the comparison of the length of the shadows in the two videos. Indeed, the shadows around the tombs are slightly shorter than the objects while those seen in the surveillance video at 0825 hrs are longer than the objects. The sun on 9 August 2018, at 0825 hrs at that location, is at an elevation of 21.8 degrees which produces a shadow 2.5 times the height of an object.<sup>103</sup> The sun is at 45 degrees at 1000 hrs and 1620 hrs producing a shadow with length equal to the height. The shadows shown on the video during the visits of the tombs are shorter than the objects meaning the video was taken between 1000 hrs and 1620 hrs. The digital file references for the video of the visits to the tombs also indicates that it was created on 13 August 1522 hrs, which is consistent with the above observations but inconsistent with the offered narrative that that the video shows the children during their summer school excursion and before the attack on the morning of 9 August<sup>104</sup> (see figures 33.F.6 to 33.F.9).

<sup>103</sup> [https://www.sunearthtools.com/dp/tools/pos\\_sun.php?lang=fr](https://www.sunearthtools.com/dp/tools/pos_sun.php?lang=fr)

<sup>104</sup> Two confidential sources informed the Panel that the children were on a summer excursion that day. One specified that the school had closed and that this trip was organized after the end of the class.

**Figure 33.F6**  
File property indicating a creation on 13 Aug 18 at 3.22pm and a shadow length smaller than the height of the student<sup>105</sup>



**Figure 33.F7**  
Video surveillance camera showing vehicles and motorcycles rushing out of the area at 0824 hrs with a passant not knowing what has happened. His shadow is longer than its height<sup>106</sup>



<sup>105</sup> [https://www.youtube.com/watch?v=4HA2\\_Wz6v2U&feature=youtu.be](https://www.youtube.com/watch?v=4HA2_Wz6v2U&feature=youtu.be)

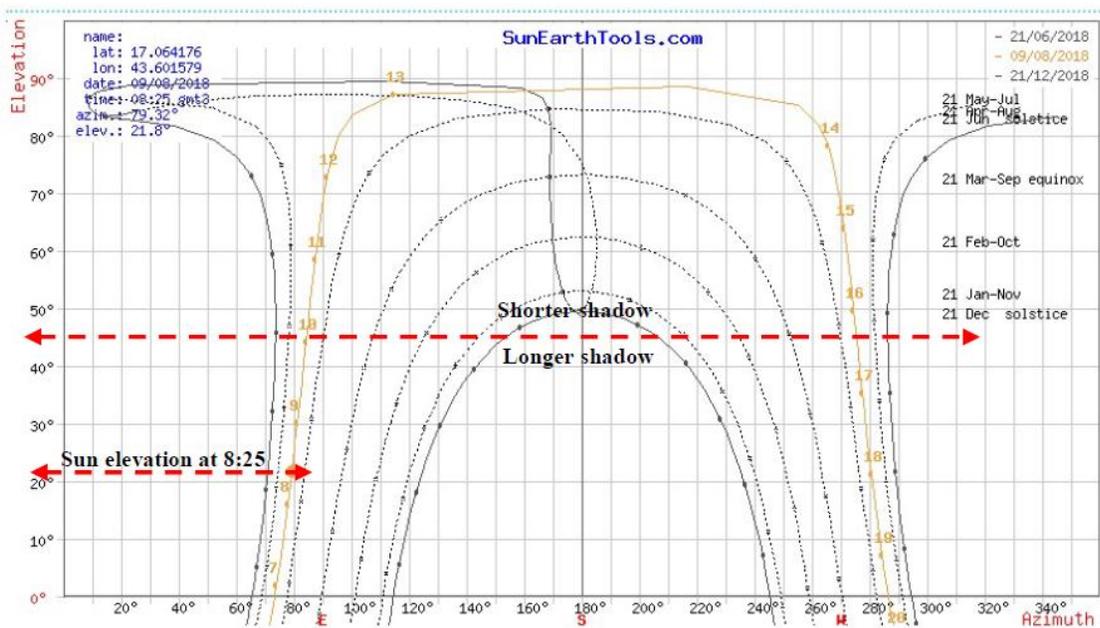
<sup>106</sup> <https://twitter.com/AnsarAllahMC/status/1029098793717915654>

**Figure 33.F8**  
**Comparison of the shadows during the visit of the tomb and the time of the incident**



Left shadow assessed by the Panel as of around 1000 hrs and right as around 0900 hrs

**Figures 33.F9**  
**Position of the sun in Dahyan on 9 August 2018 (number in maroon indicating local time)<sup>107</sup>**



<sup>107</sup> [https://www.sunearthtools.com/dp/tools/pos\\_sun.php?lang=fr](https://www.sunearthtools.com/dp/tools/pos_sun.php?lang=fr)

17. The Panel asked a forensic pathologist expert to independently analyse the videos. He provided analysis on some sequences of two videos.<sup>108</sup> He concluded that the sequences analysed showed clear and straightforward evidence of injuries from an explosion involving both living and dead children.<sup>109</sup>

18. The Panel noted that in a video allegedly taken moments after the airstrikes wounded children around, beneath and inside the bus can be seen<sup>110</sup>. The Panel wonders why, in the video, no adult is intervening to assist the wounded - well after the smoke has dissipated.<sup>111</sup> The Panel also noted two children are moving their feet, one child is apparently playing with a hanging cable.<sup>112</sup>

**a) Technical analysis of the crater and the scene of the explosion<sup>113</sup>**

19. Based on photogrammetry from figure 33.F.10, the crater is estimated to be of 3.8m diameter with an apparent depth of 0.8m. EETB<sup>114</sup> analysis software predicts crater diameters for the Mk82 and Mk84 aircraft bombs in the Coalition inventory as being approximately 2.6m and 4.4m respectively, for surface impact on sandy ground. The profile of the crater is thus consistent with what could be expected from the detonation of this aircraft bomb on or near the surface.

**Figure 33.F.10**  
**Crater of the alleged airstrike**



20. The damage to the bus<sup>115</sup> is consistent with being in the vicinity of an explosion, but the level of damage is not consistent with the bus being subjected to a direct hit and subsequent detonation of the 87kg to 450kg (TNT equivalent) explosive content of a Mk82 or Mk84 aircraft bomb (see figure 33.F.10). The exact bomb type could only be assessed by knowing the distance of the vehicle from the centre of the explosion. As mentioned above, the Panel has asked for access to aerial video of the attack but has not yet received a reply to that request.

21. However, the damage failure modes are 180° from the centre of the explosion (see figures 33.F.11 and 33.F.12). There are a range of possible explanations for this:

- a) The bus was rotated laterally through 180° by the force of the explosion;

<sup>108</sup> <https://edition.cnn.com/videos/world/2018/08/13/yemen-school-bus-strike-elbagir-vpx.cnn> and <https://twitter.com/MintPressNews/status/1027712461879877636>.

<sup>109</sup> Report on file with the Panel.

<sup>110</sup> <https://www.youtube.com/watch?v=SI fvrKtFIEI&feature=youtu.be>.

<sup>111</sup> See at 2:47 to 2:59.

<sup>112</sup> See at 3:10 to 3:12.

<sup>113</sup> For this section, the Panel consulted with an expert of another Panel within the framework of inter Panel cooperation.

<sup>114</sup> Explosive Engineers Tool Box. OnePoint4 Limited (UK).

<sup>115</sup> Distortion to support beams. Lack of glazing. shearing and rupturing of metal components etc.

- b) The initial blast over-pressure would have removed the glazing from the bus, thus weakening the integrity of the metal struts. The weakened metal struts then being possibly deformed by the reflected blast over-pressure from the impact of the blast wave on the building/s behind;
- c) The bus was moved subsequent to the explosion;<sup>116</sup> or
- d) The bus was not involved in the explosion and was subsequently moved to the site.<sup>117</sup>

**Figure 33.F.11**  
**Damage mechanism**



22. The final position of the bus requires further investigation and explanation. It is possible that it could have been thrown towards the shop front (marked B in figure 33.F.12) dependent on its position relative to the centre of the explosion. If the vehicle had been travelling in the normal position on the road, then it is more likely that the explosion would have projected it to position marked A in figure 30.F.12.

<sup>116</sup> The Panel noted that in neither the two reports received nor during the phone interviews it conducted, was there a mention of the bus having been moved. Three witnesses who were on the scene just after the explosion said that the bus was in the position shown in figure 33.F.11 and that nobody moved it.

<sup>117</sup> The six sources who were present in Dayhan on the day of the incident and interviewed by the Panel said that the bus was hit during the incident that occurred around 0830 hrs in the Dayhan market.

**Figure 33.F.12**  
**Final position of bus**



#### **IV. Analysis of the violations of international humanitarian law**

23. The Coalition admitted responsibility for the airstrike and non-respect of the procedures to minimise civilian collateral damages.<sup>118</sup>

24. Even if, as claimed by the Coalition, this attack targeted civilians who had lost their protection under IHL,<sup>119</sup> the Panel finds that it is unlikely that the IHL principles of proportionality and precaution were respected due to the high number of victims.

25. The Panel continues to welcome any information from the Coalition and other parties in respect to this incident.

<sup>118</sup> See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>; <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=180>; [https://www.youtube.com/watch?v=lvd\\_wfkoR0c](https://www.youtube.com/watch?v=lvd_wfkoR0c). See also, <https://www.cbsnews.com/news/yemen-school-bus-attack-saudi-led-coalition-regrets-errors-2018-09-01/>.

<sup>119</sup> The Coalition spokesperson declared that the attack targeted militants responsible for planning and targeting civilians the night before in Jizan. See online: <https://www.spa.gov.sa/viewstory.php?lang=en&newsid=1796130>.

## Appendix 33.G. Airstrike in residential area, Sana'a (9 June 2017)

### I. Background

1. At approximately 0300 hrs on 9 June 2017, an explosive ordnance dropped from a military aircraft detonated on two civilian buildings in Sana'a, in Al Quobari area, nearby 30<sup>th</sup> Street, Alsabaeen district.<sup>120</sup> The explosion killed three children and an elderly woman from the same extended family.<sup>121</sup>

### II. Technical analysis

2. Analysis of imagery of fragmentation recovered from the explosion (figures 33.G.1 to 33.G.3) indicates that the explosive device was fitted with a Paveway<sup>122</sup> laser guidance unit.<sup>123</sup> Such units are designed to be paired with Mark 82 or Mark 84 high explosive aircraft bombs.

3. Post blast analysis of the image at figure 33.G.4 shows damage that is typically characteristic of the detonation of a significant quantity of high explosive. The civilian house was almost certainly damaged by a Mark 82 or Mark 84 high explosive aircraft bomb fitted with a Paveway laser guidance system.

**Figure 33.G.1**  
Rear wing of Paveway guidance unit



**Figure 33.G.2**  
Remnants of rear wing of Paveway guidance unit



<sup>120</sup> Coordinates: 15°16'25.9"N 44°14'18.3"E

<sup>121</sup> Other open source documentation includes “3 children, grandmother killed in Saudi coalition strike on Yemeni capital (video)” at <https://www.rt.com/news/391770-yemen-children-saudi-strike/>. “Yemen: Coalition Airstrikes Deadly for Children” at <https://www.hrw.org/news/2017/09/12/yemen-coalition-airstrikes-deadly-children> reports a further 8 injuries in the neighborhood on the same morning and damages to at least 5 houses.

<sup>122</sup> It was not possible to determine from just the rear wing whether it was a GBU-12 Paveway II (US manufactured) or Paveway IV (UK manufactured) laser guidance unit.

<sup>123</sup> The Enhanced GBU-12 (EGBU-12) has a dual mode laser guided and GPS inertial navigation system. The Panel cannot determine if this was fitted to this bomb from the available evidence.

**Figure 33.G.3**  
**Fragmentation from Paveway guidance unit**



**Figure 33.G.4**  
**Scene of explosion**



### **III. Responsibility for Airstrike**

4. The only military entity operating the type of aircraft in the area that has the capability to deliver high explosive ordnance of this type is the Coalition.

## Annex 34. Mortar attacks in al Hudaydah on 2 August 2018

### I. Background

1. On 2 August 2018, two mortar attacks occurred in the city of Al Hudaydah and hit the Athawra Hospital (coordinates 14°46'46.08"N 42°57'03.92"E), and a building of the Statistics Department in the fish market (coordinates 14°46'53.01"N 42°56'51.74"E) (see figure 34.1). These attacks reportedly led to the death of approximately 55 persons and wounded 170.<sup>124</sup>

### II. Response of the Coalition

2. The Coalition spokesman, Col. Turki al-Malki, declared to the media that the coalition did not carry out any operations in Al Hudaydah on that day and that the Houthi militia were behind the attack.<sup>125</sup>

### III. Technical analysis

3. Based on a number of pictures and a video from sources and social media showing the “stub” (fin assembly) found on the site after the incident, the Panel noted that it has characteristics consistent with the fin assembly of 120 mm mortar bombs produced either by Rheinmetall in Germany, or by its South African subsidiary Rheinmetall Denel Munitions (RDM) (see figure 34.2). This ammunition is also reportedly produced in a factory in the Kingdom of Saudi Arabia.<sup>126</sup> The operational range of this explosive ordnance is 8,000 meters.

### IV. Analysis of violations of international humanitarian law

#### a) Athawra Hospital

4. Hospitals exclusively assigned to medical purposes must be respected and protected in all circumstances under IHL. They lose their protection only if they are being used, outside their humanitarian function, to commit acts harmful to the enemy. Furthermore, protection of hospital and medical units may cease only after a warning setting a reasonable time-limit has been given.<sup>127</sup> The Panel has not received any evidence, nor seen any allegations, that the Athawra Hospital was being used to commit acts harmful to the enemy on 2 August 2018.

#### b) Statistics Department building

5. The Panel did not receive information that there were members of an armed group or military present at the fish market at the moment of the attack, nor that the Statistics Department building, which is *prima facie* a civilian object, had become a military objective.

6. Although those possibilities cannot be discarded, the Panel finds that this attack was an indiscriminate use of explosive ordnance<sup>128</sup> in a civilian area. Mortar bombs and artillery devices have some inherent inaccuracies, especially when launched at long range at targets in proximity of civilians and civilian objects. The likelihood of

<sup>124</sup> See statement by the ICRC, <https://www.icrc.org/en/document/yemen-icrc-deplores-civilian-cost-hodeida-attacks>.

<sup>125</sup> See, for instance, <https://uk.reuters.com/article/uk-yemen-security-hodeidah/saudi-led-coalition-says-houthi-behind-thursdays-attack-in-hodeidah-idUKKBN1KN2D6> and <http://wam.ae/en/details/1395302702201>.

<sup>126</sup> See new article, [http://www.defenceweb.co.za/index.php?option=com\\_content&view=article&id=42950:saudi-arabia-opens-munitions-factory-built-by-rheinmetall-dene1-munition&catid=7:Industry&Itemid=116](http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=42950:saudi-arabia-opens-munitions-factory-built-by-rheinmetall-dene1-munition&catid=7:Industry&Itemid=116)

<sup>127</sup> Art. 3 common to the Geneva Convention, Art. 11 AP II and CIHL rule 28.

<sup>128</sup> Indiscriminate use of explosive ordnance is a violation of IHL. See Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

indiscriminate effects from such weapons is high.<sup>129</sup> In addition, considering the significant number of victims, it is unlikely that the IHL principles of proportionality and precaution were respected.<sup>130</sup>

7. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects. This assessment has to be made on the basis of information from all sources which is available to them at the relevant time. Commanders must also obtain the best possible intelligence.<sup>131</sup>

8. The area targeted on 2 August includes the fish market and the Athwra hospital; these are both busy civilian areas and this information was available to the parties. Therefore, military commanders should have been particularly vigilant when undertaking a proportionality assessment and making use of all feasible precautionary measures to minimise the incidental loss of civilian life and damage to civilian property.

9. The Panel continues to welcome information by all the parties in respect to this incident.

## V. Attribution of responsibility

The Panel found that the Coalition forces and its associated forces and the Houthi forces were within operational range of this munition (i.e. 8,000 meters) on 2 August 2018 (see figure 34.3). Although the explosive ordnance reportedly used in that incident is known to be used only by the Coalition, the Panel has not been able to certify that this was indeed the explosive ordnance used during this attack. In addition, the possibility of Houthi forces having access to this type or explosive ordnance through illegal means or by recovering it from the battlefield cannot be discarded.<sup>132</sup> Therefore, the Panel is not in a position to attribute responsibility for this attack. The Panel welcomes information from any parties, States, or entities in this respect.

**Figure 34.1**  
**Imagery of impact points**



**Source:** Panel based on coordinates from confidential sources

<sup>129</sup> See ICRC, Expert meeting, *Explosive weapons in populated areas : Humanitarian, legal, technical and military aspects*, 24-25 February 2015, online [https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?\\_\\_store=default](https://shop.icrc.org/explosive-weapons-in-populated-areas-expert-meeting.html?__store=default).

<sup>130</sup> CIHL rule 14 and 15.

<sup>131</sup> See Commentary to CIHL rule 15, on line : [https://ihl-databases.icrc.org/customary-ihl/en/g/docs/v1\\_rul\\_rule15](https://ihl-databases.icrc.org/customary-ihl/en/g/docs/v1_rul_rule15).

<sup>132</sup> See for instance: <https://www.youtube.com/watch?v=tkUv2R97I-Y> and <https://www.theguardian.com/global-development/2018/nov/28/arms-yemen-militia-were-supplied-by-west-find-analysts>.

Figures 34.2

Pictures of the fin assembly and of a 120mm mortar bomb produced by Rheinmetall or RDM



Figure 34.3

Range of the munition and position of the Coalition forces on 2 August



Source: Panel based on coordinates from confidential sources

### Annex 35. Case study on the use of explosive ordnance against civilian areas (2018)

1. The Panel presents three cases of the indiscriminate use of explosive ordnance (EO) against civilian populated areas in Tai'zz and Ma'rib that are attributable to the Houthi forces. The case study of three incidents are included in table 35.1. These incidents demonstrate the indiscriminate use of EO in civilian populated areas in contravention to applicable rules of IHL.

2. The Panel's findings and conclusions are based on independent investigation and information available in the public domain. In none of the cases presented in this annex, was the Panel able to identify a military objective. However, if the Houthi political or military leadership can provide verifiable information on the military objectives targeted, or intended to be targeted, that may counter the Panel's findings and conclusions, and the Panel is ready to review such information.

3. At the time of writing of the report, the Houthi political or military leadership had not responded to Panel's request for information.

**Table 35.1**  
**Case studies of indiscriminate use of explosive ordnance by the Houthis in 2018**

<i>Appx</i>	<i>Date</i>	<i>Location</i>	<i>Impact point</i>	<i>Type of explosive ordnance</i>	<i>Victims/damage</i>
A	11 Jan	13°31'51.35"N 43°57'11.07" E	Road in Sabr el Mohafin district, Shahid village, Tai'zz	2 mortar bombs	4 killed (2 women and 2 children), one child injured
C	22 May	15°27'41.22"N; 45°19'16.33" E	Market place near Adhban Mosque in Ma'rib	Katyusha rocket type	5 killed and 22 wounded
D	17 July	13°34'9.51"N, 44° 0'0.01"E	Residential building, Sinah area, Tai'zz	82mm Mortar bomb	3 killed, 16 wounded

## Appendix 35.A. Mortar bomb strike in Shahid, Tai'zz (11 January 2018)

1. On 11 January 2018 at approximately 17:30 LT, two mortars hit a pastoral area and killed two women and 2 children<sup>133</sup> while they were on their way from the barn to their house (see figure 35.A.1) in Sabir Al Mawadim District, in the village of Shahid.
2. According to testimony received by the Panel, the mortars would have been launched from the 60<sup>th</sup> street area which was under Houthi forces' control. The Panel is unable to confirm this allegation. However, based on the map of areas under the control of Houthi forces, the Panel finds that the Houthi forces are most likely to be responsible for the attack (see figure 35.A.2).
3. Analyses of images of fragmentation recovered on the site after the explosion and the damage observed, indicate that the explosive ordnance used was a mortar, but the Panel was unable to identify the specific type of mortar used.
4. The Panel was unable to identify any military objective in the area.
5. The Panel concludes that the four victims, two women and two children, were civilians and that they had not lost their protection under IHL against direct attack.
6. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrates that the Houthi forces engaged in the indiscriminate use of explosive ordnance in a populated area in violation of applicable rules of IHL.<sup>134</sup>

**Figure 35.A.1**  
**Place of the attack**

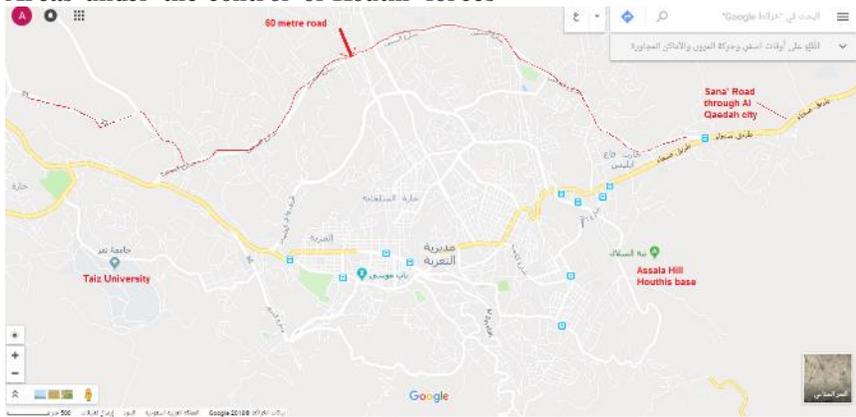


**Source:** Panel using Google Earth based on information received from local sources

<sup>133</sup> Death certificates on file with the Panel.

<sup>134</sup> Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

Figures 35.A.2  
Areas under the control of Houthi forces



**Figure 35.A.3** <sup>135</sup>  
**Explosive ordnance debris**



**Figure 35.A.4**  
**Impact point of one mortar**



Source: Confidential

### Appendix 35.C. Rocket attack near Adhban Mosque in Ma'rib (22 May 2018)

1. On 22 May 2018, at approximately 0123 hrs, a *Katyusha* type rocket hit a commercial road in Mar'ib (see figure 1) killing 6 civilians and injuring 22 (including 3 children).
2. According to documentation made accessible to the Panel, the rocket was launched from the Houthis' position in the Gabal Hilan area approximately 21 km away.<sup>136</sup> According to a report from the general director of the technical police of Ma'rib, this was not the first time a rocket was launched from Wadi Al Majda in Hilan.<sup>137</sup>
3. The point hit by the mortar is in a densely populated area and the Panel was unable to identify any military objective in the area.
4. The Panel did not receive any information on the possibility that some of the civilians present in the area had lost their protection against direct attack under IHL and concludes that the 28 victims were civilians protected by IHL.
5. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrates that the Houthi forces engaged in indiscriminate use of explosive ordnance in a populated area in violation of the applicable rules of IHL.<sup>138</sup>

**Figure 35.C.1**  
Location of the impact



Source: Panel using Google Earth based on information received from confidential sources

<sup>136</sup> Report from a local NGO that investigated the case independently and Marib Police report of 27 June 2018, on file with the Panel.

<sup>137</sup> Marib Police report of 27 June 2018.

<sup>138</sup> Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

**Figure 35.C.2<sup>139</sup>**  
**Fragmentation and impact point**



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<sup>139</sup> Confidential source.

## Appendix 35.D. Mortar bomb strike in Sunah, Ta'izz (17 July 2018)

1. On 17 July 2018 in Sunah, Tai'zz, a missile hit a residential building (see figure 35.D.1) resulting in the death of three persons and the injury of at least 16<sup>140</sup>.
2. Two of the victims killed were on the 4<sup>th</sup> floor of a residential building (see figure 35.D.1).<sup>141</sup>
3. Based on the debris found on the site after the incident, the Panel concluded that the explosive ordnance used was a 82mm mortar bomb (see figure 35.D.3).
4. Based on the range of this type of bomb (between 5,000 and 6,000 meters) and on the potential direction of the attack, the Panel has identified the potential location from where the mortar was launched. Based on the known areas under control of the Houthi forces in the region surrounding the impact point, the Panel has reason to believe that the mortar bomb was launched from an area under the control of Houthi forces<sup>142</sup> (see figure 35.D.2).
5. The Panel found that the 82 mm mortar bomb is not a very accurate weapon, especially at a long distance and therefore cannot easily comply with the principles of distinction when used on targets in populated areas.
6. Furthermore, the area hit by the mortar bomb included residential buildings and a market and the Panel could not find any military objective in this area.
7. In the absence of verifiable information from the Houthi forces, the evidence gathered by the Panel demonstrate that the Houthi forces engaged in indiscriminate use of explosive ordnance in a populated area in violation of applicable rules of IHL.<sup>143</sup>

**Figure 35.D.1**  
**Location of building targeted at (13°34'9.51"N, 44° 0'0.01"E) with potential direction of attack**



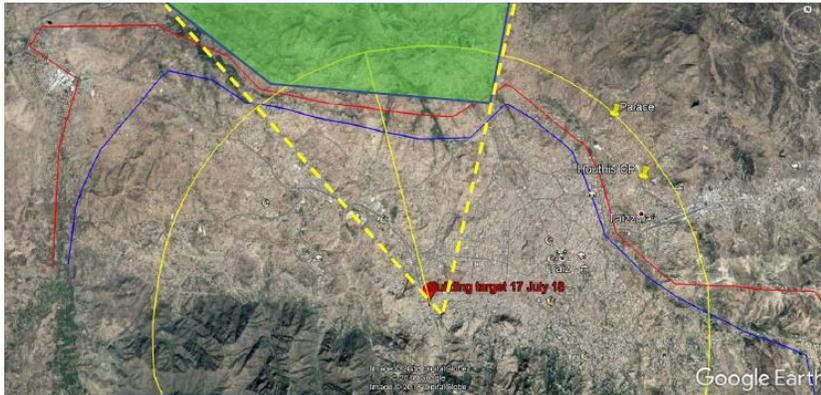
<sup>140</sup> Death certificates on file with the Panel.

<sup>141</sup> Interview with a relative of the victims.

<sup>142</sup> One source, told the Panel, the attack was launched from an area near 60th Street in Ta'izz city.

<sup>143</sup> Common article 3 to the Geneva Conventions and CIHL rule 1: “*The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*”

**Figure 35.D.2**  
**Potential area from where the mortar bomb has been fired**



**Source:** Panel using Google Earth based on information received from local sources in Ta'izz

Red line representing lines of Houthis positions

Blue line representing positions of forces associated with the GoY

Yellow circle representing operational range of identified mortar bomb

Yellow line and yellow dashed lines representing the cone from where the mortar bomb has been fired

Green trapeze representing likely Houthi area from where the mortar was fired

**Figure 35.D.3**  
**Tail mortar bomb used in the attack**



**Left:** tail of mortar bomb gathered from the targeted building, Source: Fahd al Makhlafi through an NGO;

**Right:** 82mm mortar bomb; Source: <http://www.armaco.bg/userfiles/images/ARMMBS120VOF8>

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**Annex 36. Targeting of civilians by Houthi forces in Tai'zz**

## Annex 37. Attack against the 22 May Hospital (Hudaydah) 1–7 November 2018

### I. Background

1. On 1 November, four persons associated with the Houthi forces entered the premises of the 22 May Hospital in Hudaydah. One of them entered the hospital and took pictures. He was unarmed and claimed to be a nurse. He was with a wounded person and the medical staff gave him a room to stay.
2. On 4 November, at approximately 1530 hrs, three armed members of the Houthi forces entered the hospital and required the medical personnel to evacuate the patients as the hospital which was to be used for military operations. Patients were evacuated to other hospitals which put the life and security of some of the patients at risk.
3. On 5 November, a few members of the medical personnel were still working at the hospital on emergency cases. Members of the Houthi forces arrived and started shooting inside the hospital.
4. On 6 November, members of Houthi forces gave order to all remaining medical staff to leave the hospital and the premises and threatened the staff with their weapons. By approximately 2230 hrs, everyone had left.
5. On 7 November at approximately 0500 hrs, members of Houthi forces lit a fire in the emergency room (see figure 37.1). A scanner room and three operation<sup>144</sup> theatres were affected by the fire as well as the medical records office. Medical material in these rooms was destroyed, some of it by gunfire.<sup>145</sup> Material in the intensive care unit and coronary care unit was also damaged by bullets and medication was stolen (see figure 37.2).
6. Members of the Houthi forces stayed in and around the hospital from 1 to 7 November. According to Panel sources, between three to five armed Houthis members were placed on the rooftop of the hospital and a group of them was surrounding the premises of the hospital.<sup>146</sup>
7. On 11 November, Guards of the Republic (a Coalition proxy force) announced having taken control of the 22 May hospital from the Houthis forces (see figure 37.3).

### II. Analysis of violations of IHL

8. The entry of members of an armed group into a hospital and its premises without any medical reasons, and the forced evacuation of patients and medical personnel without reason is a violation of the applicable rules of IHL.<sup>147</sup> Also, placing fighters within the premises and on the rooftop of the hospital endangered the hospital as it could make it lose its protection under IHL.<sup>148</sup>

<sup>144</sup> One source told the Panel that diesel was found in the rooms where there was fire.

<sup>145</sup> See online pictures and videos: <http://wam.ae/en/details/1395302720237>

<sup>146</sup> The Panel had phone interviews with three different sources.

<sup>147</sup> See article 3 common to the Geneva Conventions, articles 7, 9 and 11 Additional Protocol II.

<sup>148</sup> Under IHL: 'Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy', CIHL rule 28.

**Figure 37.1**  
**Damage to the hospital<sup>149</sup>**



**Figure 37.2**  
**Capture of camera recordings of persons associated with Houthi forces in the 22 May Hospital on 7 November 2018.<sup>150</sup>**



**Camera capture from the second floor of the hospital showing a man leaving with medical supplies and with a barrel of fuel.**

<sup>149</sup> Confidential source.

<sup>150</sup> Confidential source.



Camera capture of men on the second floor of the hospital stealing medical supplies.



Camera capture of X-ray corridor showing men using fire and entering medical rooms.



Camera capture from outside the hospital showing men pushing a drum

Figure 37.2

Social media account of the Guards of the Republic of 11 November 2018



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**Annex 38. Violations of IHL and IHRL by organs of the Houthis**

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**Annex 39. Arbitral arrest and detention of journalists**

## Annex 40. Arbitral arrest and detention of Baha'i community

### I. Background

1. Since 2016,<sup>151</sup> but especially since the beginning of 2018, discrimination, arbitrary arrest and detention against members of the Baha'i community has increased in Sana'a.<sup>152</sup>

2. The Panel has documented cases relating to persons of the Baha'i faith who were deprived of their liberty, arrested or saw their property seized in a manner that did not respect due process. The deprivation of liberty or seizure of property of a group of individuals on account of their faith-based activities violates several human rights norms.<sup>153</sup> The Panel also finds that the discourse of Abdulmalik al-Houthi (YEi.004) of 23 March 2018 constitutes advocacy of religious hatred and an incitement to discrimination and violence against persons of the Baha'i faith.<sup>154</sup>

### II. Cases

3. On 2 January 2018, Ahmed Kamali bin Haydara, a person of the Baha'i faith, was sentenced to death by a tribunal in Sana'a.<sup>155</sup> The tribunal also ordered the Sana'a based authorities to effect the closure of the Baha'i center and the confiscation of all property and assets of both the center and of Mr. Haydara.<sup>156</sup> His case is under appeal. Mr. Haydara has been detained at the National Security Prison in Sana'a since 3 December 2013. Mr. Haydara's sentencing and trial did not respect due process and fundamental judicial guarantees.<sup>157</sup> On 13 January 2018, Alya Faisal 'Abdu'l-Lateef, the Sana'a-based human rights minister, wrote a letter to Saleh al-Sammad, Head of the Political Supreme Council, to ask for the pardon of Mr. Haydara and the annulment of the death sentence.<sup>158</sup>

4. On 23 March 2018, Abdulmalik al-Houthi (YEi.004), in a video recorded speech, qualified the Baha'i group as « satanic » and called those responsible for leading people to any faith other than Islam “no less evil and dangerous than those who kill people with their artillery”.<sup>159</sup>

5. In September 2018, six other persons of the Baha'i faith were arrested and accused of membership of an armed group formed to carry out criminal acts. The six were detained at the Sana'a national security bureau.<sup>160</sup> They are yet to be judged by the Specialized Criminal Court in Sana'a, along with 19 other persons of the Baha'i faith.<sup>161</sup>

<sup>151</sup> See S/2018/193, at para. 149.

<sup>152</sup> See for instance: <https://www.amnesty.org/en/latest/news/2018/09/yemen-24-bahai-people-including-a-child-facing-possible-death-penalty/>

<sup>153</sup> See ICCPR articles 4 and 26 and Universal Declaration of Human Rights, arts. 2, 7, 17, 18, 19 and 20.

<sup>154</sup> ICCPR article 20

<sup>155</sup> Copy of the Court judgement of 2 January 2018 on file with the Panel.

<sup>156</sup> Copy of the Court judgement of 2 January 2018 on file with the Panel.

<sup>157</sup> Minutes of 2 January court hearing on file with the Panel. See also the declaration of five UN Human rights Special rapporteurs calling for the annulment of the sentence on 25 January 2018 : <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22611&LangID=E>

<sup>158</sup> A copy of the letter is on file with the Panel.

<sup>159</sup> [https://www.youtube.com/watch?v=Ioy\\_G-rIMX4](https://www.youtube.com/watch?v=Ioy_G-rIMX4), see at 1:09:30 and 1:31:05.

<sup>160</sup> The summons by the Specialized Criminal Court Prosecutor, Abdulla Ali Al-Kamim, is on file with the Panel.

<sup>161</sup> They are accused, among other things, of promoting the Baha'i faith. The trial of 5 of them started on 15 September 2018. The minutes of the indictment and court hearing of 15 September 2018 are on file with the Panel.

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**Annex 41. IHRL violations in relation to detention by security forces**

## Annex 42. Case study on destruction of cultural property

### I. Background on the case

1. On 24 June 2018, parts of the historical Mosque and Mausoleum of Ahmed Al-Faz (see figure 42.1), in Al Fazah area, Hudaydah governorate (see figure 42.2) were destroyed by an armed group. On 22 October 2018, the same group destroyed the old mosque entirely using explosives (see figure 42.3).<sup>162</sup> The Panel received different information on the identity of the group responsible. The Panel continues to investigate.

### II. Cultural and religious importance of the site

2. The original structure of the historic Mosque and Mausoleum of Ahmed Al-Faz dates from the second century A.H. (7th century A.D.) and was still being used by local communities and sufi pilgrims. The site was an historical and architectural record of Islamic spirituality and worship for more than 1,000 years and was dedicated to the scholar Ahmed Al-Faz.<sup>163</sup>

### III. Analysis of IHL violations

3. Under the applicable rules of IHL, cultural property enjoys the general protection conferred to civilian objects: it is protected from direct attack.<sup>164</sup> It is also given specific protection under IHL. IHL states that: « it is prohibited to commit any acts of hostility directed against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples, and to use them in support of the military effort ».<sup>165</sup>

4. The Panel received confirmation that the historical Ahmed Al-Faz Mosque was used for religious purposes. Its destruction constitutes a violation of the applicable rules of IHL.

<sup>162</sup> Report from the General Organization of Antiquities and Museums, Sana'a – Republic of Yemen, 23 October 2018, and phone interview.

<sup>163</sup> The destruction of the site was condemned by UNESCO, see online : <http://whc.unesco.org/en/news/1895>

<sup>164</sup> CIHL rule 7.

<sup>165</sup> Article 16, Additional Protocol II to the Geneva Convention. See also, CIHL rule 38, and articles 4 and 19, Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 1954.

**Figure 42.1**  
**Localisation of the Mosque**



**Figure 42.2**  
**Picture showing the destruction of the Mosque<sup>166</sup>**



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**Annex 43. Obstruction of humanitarian assistance**

**Annex 44. Full list of abbreviations**<sup>167</sup>

a/c	Aircraft
AED	Arab Emirati Dinar
AES	Arms and Ammunition Search
a.k.a	Also Known As
AGM	Air-to-Ground Missile
AIO	Iran Aircraft Industries Organization
AIS	Automatic Identification System (maritime)
AK	Avtomatik Kalishnikov (assault rifle)
AP	Amended Protocol
APKWS	Advanced Precision Kill Weapon System
AQ	Al-Qaida
AQAP	Al-Qaida in the Arabian Peninsula
ASL	Above Sea Level
ATGM	Anti-Tank Guided Missile
ATGW	Anti-Tank Guided Weapon
ATO	Air Tasking Order
AUAV	Armed Unmanned Aerial Vehicle
AXO	Abandoned Explosive Ordnance
BCP	Border Crossing/Control Point
BMP	Best Maritime Practices
CA	Common Article (to Geneva Conventions of 1949)
CAGE	Commercial and Government Entity (Code)
CBD	Commercial Bank of Dubai
CBY	Central Bank of Yemen
CEP	Circular Error Probability
CFD	Computational Fluid Dynamics
CHA	Coalition Holding Area
CIFOR	Civil Forum for Asset Recovery
CIHL	Customary International Humanitarian Law
CIHLR	Customary IHL Study Rules (ICRC)
CMF	Combined Maritime Force
CP	Checkpoint
CRC	Convention on the Rights of Children
DADP	Di-Acetone Di-Peroxide
DC	Direct Current
DIO	Defence Industries Organization (Iran)
DoB	Date of Birth
DPRK	Democratic People's Republic of North Korea
DRC	Danish Refugee Council
DWT	Dead Weight Tonnage (Tonnes)
E	East
EGBU	Enhanced Guidance Bomb Unit
EO	Explosive Ordnance

<sup>167</sup> Including footnotes and annexes.

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ER	Extended Range
ER-SRBM	Extended Range Short Range Ballistic Missile
ESH	Explosive Storehouses
EUC	End Use Certificates
F	Foreign Investor Stake / Fuel
FAE	Fuel Air Explosion
FFR	Free Flight Rocket
FFV	Fuel Filling Valve (SCUD)
FFDV	Fuel Filling and Drainage Valve
FOB	Free On Board
F of I	Figure of Insensitiveness
FR	France
FS	French Ship
FV	Fishing Vessel
FZC	Free Zone Company
g	Gravity (9.81m/s)
GBP	Great Britain Pounds (sterling)
GBU	Guidance Bomb Unit
GC	Geneva Conventions
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GE	Germany
GEE	Group of Eminent Experts (on Yemen)
GIS	Geographical Information System
GLC	Global Logistics Cluster
GPC	General People's Congress
GPS	Global Positioning System
GT	Gross Tonnage
GWT	Gross Weight Tonnage
H	Height
HE	High Explosive
HEAT	High Explosive Anti-Tank
HESA	Iran Aircraft Manufacturing Industries
HMTD	Hexa-Methylene Triperoxide Diamine
HRW	Human Rights Watch
HSV	High Speed Vessel
IAIO	Iranian Aircraft Industries Organization (HESA)
ICC	International Criminal Court
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICU	Intensive Care Unit
IDP	Internally Displaced Person(s)
IED	Improvised Explosive Device
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMC	International Medical Corps
IMO	International Maritime Organization
IMS	Inertial Measurement System

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INS	Inertial Navigation System
IPO	Initial Public Offering
IR	Iran
IRFNA	Inhibited Red Fuming Nitric Acid
IRGC	Iranian Revolutionary Guards Corps
ISIL	Islamic State in Iraq and the Levant (Daesh)
ISTAR	Intelligence, Surveillance, Targeting and Reconnaissance
IT	Italy
JIAT	Joint Investigation and Assessment Team (Saudi Arabia-led coalition)
KE	Kinetic Energy
KIIC	Kamaran Industry and Investment Company
KKIA	King Khaled International Airport
km	Kilometre(s)
KR	Republic of Korea
L	Litres Length
LAWS	Lethal Autonomous Weapons System
LC	Letters of Credit
Li-Ion	Lithium Ion
LLC	Limited Liability Company
LLI	Lloyds List Intelligence
LNG	Liquefied Nitrogen Gas
LTTE	Liberation Tigers of Tamil Eelam
m	Metres
m <sup>3</sup>	Cubic Metres
MARAD	Maritime Administration (US Department of Transport)
MCCB	Moulded Case Circuit Breaker
MEKP	Methyl Ethyl Ketone Peroxide
MG	Machine Gun
mm	Millimetre(s)
'MoPIC'	ministry of planning and international cooperation
MOU	Memorandum of Understanding
MRBM	Medium Range Ballistic Missile
MSA	Mine Safety Appliances Limited (USA)
MSN	Manufacturer's Serial Number
MSR	Main Supply Route
MT	Mega-Tonne(s) / Merchant Tanker
MV	Merchant Vessel
MWMS	Moveable Weapon Mount System
N	North / Newton(s)
NATO	North Atlantic Treaty Organization
NBD	National Bank of Dubai
NEQ(C)	Net Explosive Quantity (Content)
NFP	National Focal Point
NGO	Non-Governmental organization
NK	Not Known
NL	Netherlands
nm	Nautical Mile
NO	Norway

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NRC	Norwegian Refugee Council
NSB	National Security Bureau
'NSB'	Sana'a based national security bureau
NSN	NATO Stock Number
O	Oxidiser
OCHA	Office for Coordination of Humanitarian Affairs (UN)
OFAC	Office of Foreign Assets Control (US Treasury)
OFV	Oxidiser Filling Valve (SCUD)
OFDV	Oxidiser Filling and Drainage Valve
P	Private Investor Stake
PDRY	People's Democratic Republic of Yemen
PBIED	Person-Borne IED ('suicide bomber')
PCB	Printed Circuit Board
PIL	Pacific International Lines Limited
POE	Panel of Experts
PRV	Pressure Relief Valve
PSO	Political Security Organization
'PSO'	Sana'a based political security organization
PWA	Port Waiting Anchorage
QAR	Qatari Riyal
QNB	Qatar National Bank
RCIED	Radio Controlled Improvised Explosive Device
RCL	Recoilless Rifle
RDX	Hexogen or Cyclotrimethylenetrinitramine
RPG	Rocket Propelled Grenade
RSADF	Royal Saudi Air Defence Forces
RSAF	Royal Saudi Air Force
RSN	Royal Saudi Navy
SAA	Small Arms Ammunition
SAM	Surface-to-Air Missile
SAR	Saudi Riyal
SEMG	Somalia and Eritrea Monitoring Group
SBI	Shahid Bagheri (Bakeri) Industries (Iran)
SBIG	Shahid Bagheri (Bakeri) Industrial Group (Iran)
SGBV	Sexual and Gender-Based Violence
SHIG	Shahid Hemat Industrial Group (Iran)
SLOC	Sea Lines of Communication
SMC	Security and military committee (Houthi)
SOLAS	International Convention for the Safety of Life at Sea
SPC	supreme political council
SPM	Ships Protection Measures
SRBM	Short Range Ballistic Missile
SRC	supreme revolutionary council
STC	Southern Transitional Council
STCO	Shaher Trading Company Limited
SVIED	Suicide Vehicle IED
TAN	Tangent
TATP	Tri-Acetone Tri-Peroxide

TBC	To Be Confirmed
TCBM	Transparency and Confidence Building Measures
TCC	Trilateral Coordination Committee
TFTC	Terrorist Financing Target Centre
TNT	Tri-Nitro Toluene
TR	Turkey
UAE	United Arab Emirates
UAV	Unmanned Aerial Vehicle
UK	United Kingdom
UN	United Nations
UNCT	UN Country Team
UNESCO	UN Educational, Scientific and Cultural Organization
UNHAS	UN Humanitarian Air Service
UNHCR	UN High Commission for Refugees
UNICEF	United Nations Children's Fund
UNVIM	UN Verification and Inspection Mechanism
USA	United States of America
USAF	United States Air Force
USDA	United States Department of Agriculture
USN	United States Navy
USS	United States Ship
US\$	United States Dollar(s)
VHF	Very High Frequency
VLCC	Very Large Crude Carrier
UXO	Unexploded Ordnance
W	Width
WBIED	Water-Borne Improvised Explosive Device
WFP	World Food Programme
WSS	Weapon Storage Sites
YAF	Yemen Armed Forces
'YCA'	Sana'a based Yemen customs authority
YEITI	Yemen Extractive Industries Transparency Initiatives
YER	Yemeni Riyal
YPC	Yemen Petroleum Company