



## Yemen Needs Peace, Not Arms November 2015

As one of the poorest countries in the world, Yemen was already in a dire humanitarian situation before the upsurge in fighting in March 2015. The ongoing conflict is having a devastating impact on Yemen. The already desperate humanitarian situation has deteriorated severely over the last eight months. The conflict has spread to 20 out of Yemen's 22 governorates, causing widespread suffering, a breakdown of essential services, and forced displacement.<sup>1</sup> Since 26 March 2015, health facilities have reported more than 32,200 casualties – over 5,700 people have been killed of which 830 are women and children.<sup>2</sup>

Oxfam has worked in Yemen for more than 30 years. It has delivered aid to more than 300,000 people since March 2015, and is currently working to reach more than 1 million people as its access to vulnerable people improves. Oxfam programs have included trucking clean water to more than 75,000 people, building latrines for communities displaced by the conflict and providing cash assistance to families forced from their homes to allow them to buy food and other basics. Working with local water authorities in Aden, Oxfam has also indirectly reached 1 million people with improved access to clean water.

Prior to the current escalation in conflict, Oxfam had a large-scale humanitarian and resilience program in the country. Activities included cash-for-work, livelihoods support, supplying clean water and water resource management. These activities have been on hold since the escalation in fighting. In Yemen, Oxfam works to address the underlying causes of poverty, establish greater gender equity and stronger governance structures, as well as meet the humanitarian needs of the poorest and most vulnerable. Oxfam has built up the capacity of Yemeni civil society and developed strong community based roots.

There is now hope that a negotiated political solution to the conflict might be possible, bringing an end to the suffering of millions of Yemeni men, women, boys and girls. In an interview with UN Radio, the United Nations Special Envoy for Yemen Ismail Ould Cheik Ahmed announced in October that preparations have begun for talks between the parties to the conflict.<sup>3</sup> Oxfam Novib strongly believes that the conflict in Yemen requires a negotiated political solution that addresses the root causes of the conflict and ordinary people's suffering. Foreign governments and donors must back up their calls for a political solution to the crisis, strongly support peace talks between the conflict parties, and agree to halt the supply of arms to all sides. Transferring arms to either side of the conflict could further escalate and prolong the fighting and make the Yemeni people even more vulnerable to violence and violations of human rights.

This briefing provides an overview of findings of Dutch arms exported to countries contributing to the Kingdom of Saudi Arabia (KSA)-led coalition in Yemen (Annexes 1 and 3).<sup>4</sup> It also gives an overview of arms which have transited through the Netherlands to countries contributing to the coalition (Annex 2). Data on Dutch arms export and transit of arms to parties involved in the Yemen conflict until 2013 has been provided by Dutch research organization *Stop Wapenhandel*.<sup>5</sup> Data on Dutch export and transit of arms in 2014, which only just became available, can be found via the Dutch government website.<sup>6</sup> Data on 2014 has been

1 <http://www.unocha.org/aggregator/sources/80?page=1>

2 <http://reliefweb.int/report/yemen/statement-press-humanitarian-coordinator-yemen-johannes-van-der-klaauw-enar>

3 [http://www.un.org/apps/news/story.asp?NewsID=52380#.VIA\\_0GSrQy4](http://www.un.org/apps/news/story.asp?NewsID=52380#.VIA_0GSrQy4)

4 Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan, the United Arab Emirates and more countries are participating in the coalition. [http://www.huffingtonpost.com/2015/03/26/saudi-coalition-yemen\\_n\\_6946092.html](http://www.huffingtonpost.com/2015/03/26/saudi-coalition-yemen_n_6946092.html)

5 [www.stopwapenhandel.nl](http://www.stopwapenhandel.nl)

6 The website link is <https://www.rijksoverheid.nl/ministeries/ministerie-van-buitenlandse-zaken/documenten/rapporten/2015/11/20/het-nederlandse-wapenexportbeleid-in-2014>

incorporated into this briefing. Data on 2015 is not yet available.

## Introduction

Since the beginning of the conflict, all parties to the conflict (Houthi and the KSA-led coalition) have been accused of committing serious violations of human rights and international humanitarian law.<sup>7</sup> The escalating conflict and de-facto blockade on commercial imports into the country is having a devastating impact on civilians. Many civilians continue to be pounded by airstrikes, trapped by fighting on the ground, and have their access to water and food cut off by land, sea and air. Although there is no comprehensive overview of arms deployed by KSA coalition forces in the Yemen war, export and transit data shows that several types of heavy weapon systems and military technology sold recently and in the past by the Netherlands or through transit to countries participating in the KSA-led coalition, could very likely be used in the war in Yemen.<sup>8</sup> These are the most important findings:

- M109 Howitzer tanks exported in 1997 to the United Arab Emirates (UAE). The Netherlands has until recently (2014) exported components and grenades.
- Communication systems for Saudi tanks exported in 2009. Saudi Arabia is currently deploying dozens of tanks in Yemen. Follow-on orders from the Netherlands for these systems are expected.
- The Netherlands exported parts and components for F-16 fighter jet to the UAE in 2014. F-16's are used in the military campaign in Yemen by the UAE.
- License for gun fire control systems for Navy ships of the Egyptian marine was granted in 2015.
- F-16 fighter jets sold to Jordan in 2009. In 2015 a license was granted for the export of 52 Maverick air-ground missiles and supplies, which is mission material for F16's.

Violations of international humanitarian law, including indiscriminate attacks and the use of explosive weapons with wide-area effects on populated areas, are allegedly being committed by all parties to the conflict. A number of countries, including generous humanitarian donors to Yemen such as the Netherlands, could be contributing to civilian deaths, potential violations of international human rights and humanitarian laws, and the deepening of the humanitarian crisis through its transfer of arms to countries taking part in the conflict. Considering this, the Dutch government should, in line with the European Union Council Common Position defining control of exports of military technology and equipment (EUCP) and United Nations Arms Trade Treaty (ATT), refrain from issuing any further export licenses to any party to the conflict in Yemen. States parties to the ATT, which includes the Netherlands, are obliged to weigh requests for arms export and transfers against criteria based on international humanitarian and human rights laws. Where there is a risk of prolonging or aggravating a conflict, or of serious abuses of human rights, States parties will have to refuse supplies.

## Yemen: A Humanitarian Catastrophe

- Over 21 million people - 82% of its entire population - require humanitarian assistance.
- 14,1 million people have no access to basic medical care since the upsurge in fighting began. Especially in the cities of Aden, Taiz and Saada, and the governorate of Abyan, hospitals have been shut down as they are without medical supplies, power and clean water.
- More than 2,3 million people have fled their homes between 26 March 2015 and October 2015.

A humanitarian catastrophe is taking place in Yemen, where more than 21 million people - 82% of its entire population - are in severe need of food, water and medical aid. Human rights agencies have documented alleged breaches of international humanitarian law and potential war crimes on all sides of the conflict. Dutch Foreign Minister Bert Koenders has stated that he is "deeply concerned by the human rights situation and violations of humanitarian law in Yemen. There is bitter suffering in Yemen. Four out of five Yemenis need humanitarian assistance".<sup>9</sup> The ongoing blockade of commercial civilian supplies continues to have a massive detrimental impact on millions of civilians in all parts of the country. If restrictions on fuel and other goods are having a disproportionate impact on civilians, that constitutes a violation of international humanitarian law.<sup>10</sup>

7 <https://www.oxfam.org/en/pressroom/reactions/oxfam-reaction-human-rights-council-resolution-yemen>

8 In Annex 1 there is a list of countries contributing to the coalition where we have not found a Dutch connection in their use of arms.

9 <https://www.government.nl/latest/news/2015/10/03/koenders-deeply-concerned-by-human-rights-situation-in-yemen>

10 [https://www.oxfam.org/sites/www.oxfam.org/files/joint\\_unsc\\_letter.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/joint_unsc_letter.pdf)

Since March 2015 over 2,500 civilians have been killed, including more than 500 children. According to the UN Office of the High Commissioner for Human Rights, civilian infrastructure, including hospitals and schools, continues to be hit. An estimated 21.1 million people require humanitarian assistance and over 2.3 million are displaced.<sup>11</sup> The UN Special Envoy to Yemen has warned that 6 million people in Yemen are one step away from famine.<sup>12</sup> This figure has risen to 7.6 million in October. Between 80-90 percent of the country's food and most of its fuel have to be imported, yet the Saudi-led coalition has restricted all imports, cutting people off from an essential lifeline. Although there has been some easing of the de-facto blockade recently particularly of food imports, this still falls far short of addressing the enormous needs in Yemen.

The United Nations Children Fund - UNICEF - estimates that more than half a million children under age 5 are at risk of Severe Acute Malnutrition, which is aggravated by the limited availability of, and lack of access to, food due to blocked or damaged delivery routes and restrictions on food and fuel imports. On 19 August 2015, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported to the Security Council that the needs of the people in Yemen are massive: "this is exacerbated by impediments of commercial goods, resulting in widespread scarcity of food and fuel. Humanitarian assistance cannot meet alone all the needs of an entire country with a population of 26 million people. That is why airports and seaports need to remain open and be used for both commercial and humanitarian supplies – without restriction".<sup>13</sup> OCHA reports that "at the same time, livelihoods have been disrupted, unemployment has risen, fuel and water prices have surged and availability remains erratic".<sup>14</sup> Medical supplies are extremely low and new supplies cannot reach the civilians who are in dire need. Furthermore, many health facilities have been destroyed or severely damaged because of the airstrikes, further increasing the lack of much needed treatment facilities. The UN Population Fund estimated that there are also half a million of pregnant women in Yemen, of which 73,000 are at risk of maternal death because of their limited access to health services.<sup>15</sup>

### **The Netherlands and Yemen**

The Dutch government has invested in development cooperation with Yemen for over thirty years. Today, Yemen is one of the fifteen focus countries of Dutch development cooperation, which resulted in structural funds of €20 million per year from the Dutch government for various bilateral programs between 2011-2015.<sup>16</sup>

As of October 2015, only 48% of the funds requested by the United Nations to address the humanitarian crisis in Yemen have been provided. The Netherlands has been generous in supporting humanitarian efforts and has given above and beyond - 133% - of its fair share.<sup>17</sup> In 2015, the Netherlands committed \$22.8 million for the humanitarian response in Yemen. Moreover, the Netherlands has lobbied strongly for the adoption of a resolution by the United Nations Human Rights Council in Geneva to send a UN Fact Finding Mission to Yemen to report on possible human rights violations and other war crimes. However, this resolution was not adopted as it did not gain sufficient support from countries in the Middle East and the West.<sup>18</sup>

As one of the vice-chairs of the Conference on the Arms Trade Treaty, the Netherlands played an active role in the negotiating process during the development of the Arms Trade Treaty. Dutch Foreign Minister Bert Koenders welcomed the entry into force in December 2014 of the Arms Trade Treaty which seeks to limit the spread of conventional arms. "Today marks a significant step towards a more responsible and transparent global arms trade and, as a result, a more secure world", he remarked.<sup>19</sup>

### **Arms Trade Treaty (ATT) and Dutch Arms Export Legislation**

The Netherlands has taken the necessary steps to ensure that its domestic legislation is consistent with its obligations under the EU Common Position on Arms Exports, and the legally binding Arms Trade Treaty (ATT) which came into force on 24 December 2014. Following entry into force, all States parties to the Treaty are required to conduct comprehensive risk analyses before authorizing arms exports. This includes

11 [https://www.oxfam.org/sites/www.oxfam.org/files/joint\\_unsc\\_letter.pdf](https://www.oxfam.org/sites/www.oxfam.org/files/joint_unsc_letter.pdf)

12 <http://www.bbc.com/news/world-middle-east-33998006>

13 <https://docs.unocha.org/sites/dms/Documents/YEMEN%20USG%20Stephen%20O'Brien%20Statement%20SecCo%2019Aug2015%20as%20delivered.pdf>

14 UN Office for Coordination of Humanitarian Affairs (2015), 'Humanitarian Bulletin: Yemen', 15 October 2015.

15 <http://www.unfpa.org/press/unfpa-helping-pregnant-women-deliver-safely-yemen>

16 <https://www.rijksoverheid.nl/onderwerpen/betrekkingen-met-nederland/inhoud/jemen>

17 The fair share calculation is based on data from the UN's Financial Tracking Service, the UN Central Emergency Response Fund, ECHO (The European Commission's Humanitarian Aid Department), where possible bilateral contributions are confirmed with donors. An Oxfam Fair Share Yemen publication has been privately shared with the Dutch Ministry of Foreign Affairs.

18 <https://www.oxfam.org/en/pressroom/reactions/oxfam-reaction-human-rights-council-resolution-yemen>

19 <https://www.government.nl/latest/news/2014/12/24/koenders-welcomes-entry-into-force-of-un-arms-trade-treaty>

evaluating the risk that arms exports could be used to violate international human rights law and international humanitarian law. The ATT explicitly demands that States parties put upholding human rights and international humanitarian law at the core of its arms exports decisions. The Treaty includes explicit prohibitions against States authorizing arms transfers when there is knowledge and a risk that arms could be used to perpetrate war crimes, genocide, attacks against civilians or other serious violations of the Geneva conventions.<sup>20</sup> The ATT also obliges countries to monitor their arms exports and to draw up reports on export licenses they have issued.<sup>21</sup>

## Possible Dutch Arms in Yemen

This section provides an overview of Dutch arms exported (and transited) to countries taking part in the conflict in Yemen. This section also describes possible Dutch arms used by conflict parties in Yemen.

### Dutch arms exports to the UAE

2004: Components of radar- and radar fire control systems.

2005: Components of radar- and radar fire control systems.

2006: Components of radar fire control systems, components of M109 howitzers.

2007: Components of surveillance and air defense radar systems, portable surveillance radars.

2009: Components of rocket launchers (exported via US).

2012: Technology for platform elevator, components for guided projectiles (exported via Turkey).

2013: Components of M109 Howitzers.

2014: Surveillance radar – and identification systems.<sup>22</sup>

2014: Components of M109 Howitzers.

2014: Aircraft parts for F16's.

2014: Naval equipment for Sea Sparrow Canister (via US).

2014: Ammunition caliber 5,56 mm (from Switzerland).

### Dutch transit to the UAE (under license)

2010: Ammunition (7.62x51mm).

2012: Ammunition caliber .50.

2013: Ammunition various caliber, cartridges cal 12.7 mm.

2014: Ammunition for small arms (from Switzerland).

2014: Fuses (from France).

2014: Ammunition caliber 7.62x51 (from Switzerland).

2014: Armored cars (from the UK).

### Possible Dutch arms used by the UAE in Yemen

The **UAE** uses the M109 Howitzer tank ('King of Battlefield') in Yemen.<sup>23</sup> Propelled grenades fired by these Howitzers have a range of 35 kilometers and can be used for heavy shelling at long distance. The Netherlands sold 87 of these heavy self-propelled artillery systems (M109A2/A3 version or M109L47)<sup>24</sup> to the UAE in 1997, after an RDM upgrade. There are still 85<sup>25</sup> or 87 Howitzers<sup>26</sup> in use.<sup>27</sup> Though the sale of the Howitzers to the UAE seems long ago, according to recently published government reports of arms exports, the Netherlands still exported components of M109 Howitzers in 2014<sup>28</sup>, 2013<sup>29</sup> and 2006.<sup>30</sup> In December 2011, 52,200 grenades of this caliber from Germany left the Dutch port of Vlissingen on a ship heading for the UAE.<sup>31</sup>

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20 [http://controlarms.org/en/wp-content/uploads/sites/2/2013/05/Control-Arms-ATT-analysis\\_EN.pdf](http://controlarms.org/en/wp-content/uploads/sites/2/2013/05/Control-Arms-ATT-analysis_EN.pdf)

21 <https://www.government.nl/latest/news/2013/06/04/the-netherlands-signs-un-arms-trade-treaty>

22 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2014/12/10/kamerbrief-over-wapenexport-naar-de-verenigde-arabische-emiraten/kamerbrief-over-wapenexport-naar-de-verenigde-arabische-emiraten.pdf>

23 <http://defence-blog.com/army/m109-howitzer-emerged-in-southern-yemen.html>

24 <http://www.army-guide.com/eng/product3730.html>

25 [http://csis.org/files/media/isis/pubs/060728\\_gulf\\_uae.pdf](http://csis.org/files/media/isis/pubs/060728_gulf_uae.pdf)

26 <http://www.military-info.de/Streitkraefte/vae.htm>

27 Jordan also bought M109 Howitzers from the Netherlands, but Jordan is not involved in ground operations in Yemen.

28 <https://www.rijksoverheid.nl/ministeries/ministerie-van-buitenlandse-zaken/documenten/rapporten/2015/11/20/het-nederlandse-wapenexportbeleid-in-2014>

29 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2014/11/11/maandrapportage-uitvoer-militaire-goederen-juli-2013/juli-2013.pdf>

30 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2007/01/12/maandrapportage-militaire-goederen-april-2006/april-2006-def.pdf>

31 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/rapporten/2012/01/06/maandrapportage-doorvoer-militaire-goederen-december-2011/december-2011-doorvoer.pdf>

### **Dutch arms exports to Saudi Arabia**

2007: Components of F-15 fighter jet engines; components of military communication systems.  
2008: Communication systems and helmet sets; chairs for flight simulator (exported via UK).  
2009: Portable surveillance radars; components of portable surveillance radars, communication systems.  
2010: Components of armored vehicles (exported via Belgium).  
2012: Components of military simulation systems (exported via France); simulation bombs.  
2013: Components of military simulation systems (exported via Germany); small components for Typhoon fighter jets (exported via Germany) and F-15 fighter jets.  
2014: Armored Lexus LX570.  
2014: Components of military simulation system.

### **Dutch transit to Saudi Arabia (under license)**

2014: Training and smoking grenades (from Belgium).

### **Possible Dutch arms used by Saudi Arabia in Yemen**

In August 2015, Saudi Arabia sent new military equipment into Yemen, including dozens of tanks, armored vehicles and personnel carriers.<sup>32</sup> In 2012 the Dutch government granted an export license for the export of communication systems for Saudi Main Battle Tanks worth €6.6 million. In 2011 Thales Netherlands said that it was expecting follow-on orders for several hundred vehicles.<sup>33</sup> The stage of this follow-on order is unknown.<sup>34</sup> The Netherlands has also sold components for Typhoon fighter jets and F-15 fighter jets to Saudi Arabia, both jets are used in air strikes on Yemen.<sup>35</sup>

### **Dutch arms exports to Jordan**

2007: Night vision binoculars.  
2008: Night vision binoculars.  
2009: F-16 fighter jets, defensive equipment.  
2010: Armored vehicles; M109 Howitzers; ammunition 25mm.  
2013: Ammunition 25mm; YPR armed armored vehicles.  
2014: Armor.  
2014: Ammunition caliber 25mm.  
2014: Armored cars.  
2015: 52 Maverick air-ground missiles and supplies, mission material for F-16<sup>36</sup>.  
2015: Various types of DAF trucks; DAF components and DAF tools; YPR armored tracked vehicles for cannibalisation; YPR spare parts and YPR (test) tools. Second part of the delivery is planned for April 2016.<sup>37</sup>

### **Dutch transit to Jordan (under license)**

None.

### **Possible Dutch arms used by Jordan in Yemen**

Jordan has deployed 6 F-16's in Yemen. The Netherlands has sold dozens of its surplus F-16's to Jordan, most recently in 2013.<sup>38</sup> The Jordanian Royal Air Force owns a maximum of 79 F-16's of which 24 were bought from the Netherlands, 14 from Belgium and 32 from the US. The Netherlands also recently granted export licenses for air-ground missiles and mission material for F16's. Analysts state that Jordan's air force is actively participating in the air strikes in Yemen.<sup>39</sup>

### **Dutch arms exports to Egypt**

2005: Armored cars and guided anti-tank weapons for armored vehicles.  
2006: Components of radar fire control systems; guided projectiles.

32 <http://www.defensenews.com/story/defense/international/mideast-africa/2015/08/06/military-reinforcements-enter-yemen-saudi-arabia/31231199/>

33 Thales Nederland specializes in designing and producing integrated naval command and control, sensor, and communications systems, as well as ground-based air defense systems and telecommunication equipment.

34 <http://thalesalerts.nl/2011/februari/SOTAS%20USA.docx/>

35 <http://airheadsfly.com/2015/03/27/yemen-air-strikes-not-only-saudi-affair/>

36 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/08/25/kamerbrief-over-afgifte-exportvergunning-defensiematerieel-naar-jordanie/kamerbrief-over-afgifte-exportvergunning-defensiematerieel-naar-jordanie.pdf>

37 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/03/04/kamerbrief-over-vergunning-voor-export-defensiematerieel-naar-jordanie/kamerbrief-over-vergunning-voor-export-defensiematerieel-naar-jordanie.pdf>

38 <http://www.defenseindustrydaily.com/jordan-buys-20-f16-mlu-from-holland-belgium-updated-02176/>

[http://www.denederlandsegrondwet.nl/9353000/1/j9vtvgajcovz8izf\\_j9vvihlf299q0sr/vjdebmzmg0sr](http://www.denederlandsegrondwet.nl/9353000/1/j9vtvgajcovz8izf_j9vvihlf299q0sr/vjdebmzmg0sr)

39 <http://english.alarabiya.net/en/perspective/analysis/2015/03/27/Jordan-s-role-in-Yemen-part-of-its-commitment-to-Arab-stability-analysts.html>

2007: Components of radar fire control systems; equipment for C3-consoles (exported via US).  
2008: Components of radar fire control systems; thermal imaging cameras (exported via UK).  
2009: Components of radar fire control systems; components for armored vehicles.  
2012: Components of radar- and C3-systems (exported via US).  
2013: Data management systems; radar- and C3-system parts (exported via US).  
2014: Components of radar-and C3 systems (via the US).  
2014: Naval components (via Germany).  
2015: Radar- and C3 systems for Gowind combat corvettes.<sup>40</sup>

### **Dutch transit to Egypt**

2010: Shell loads and fuses.

### **Possible Dutch arms used by Egypt in Yemen**

According to media reports, the Egyptian Navy is shelling Yemeni targets and participating in the naval blockade in the Gulf of Aden<sup>41</sup> since March 2015.<sup>42</sup> Egypt has deployed at least two gunboats and two destroyers, three of which are known by name.<sup>43</sup>

- ENS Alexandria F911 Oliver Hazard Perry-class Frigate has Mk92 Mod.2 missile/gun fire control
- Sulayman Ezzat 682 Ambassador MK Class Fast Attack Craft
- Fuad Zakri 684 Ambassador MK III-class Fast Attack Craft

Both Ambassador MK-class ships have Thales sting gun fire control and Scout surface search, both produced by the Dutch Thales division. These electronics are used for shelling. Noteworthy is that the electronic equipment is described as ground search radar, suggesting defensive use.<sup>44</sup> The equipment, however, is also meant for fire control - search for a target destination and for firing grenades - which is offensive use.

### **Arms transit through The Netherlands**

As a transport hub, the Netherlands is playing an important role in the transit of arms. A significant amount of military goods with a destination to members of the KSA-led coalition is through transit across Dutch territory by air, sea or road transport (Annex 2). Exempted from the transit license requirement is the export of military goods which originate from or have as their destination Australia, Japan, New Zealand, Switzerland or any Member State of the European Union or NATO and are not trans-shipped in the Netherlands, or originate from an EU- member state and are destined for an EU-member state.<sup>45</sup> Without trans-shipment a notification is sufficient. In 2011 the US exported through the Netherlands (transit) supplies of fighter planes with destination KSA. France exported in 2012 through the Netherlands (transit) parts of the 532AS Cougar helicopters to KSA. For both arms sales an export license by the Netherlands was not required.

### **Pending and possible pipeline orders**

Saudi Arabia

- In 2012, the Dutch government granted an export license for communication systems for Saudi Main Battle Tanks worth €6.6 million. In 2011 Thales Netherlands said that it is expecting follow-on orders for several hundreds of vehicles. The stage of this follow-on order is unknown.<sup>46</sup>

40 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/09/01/kamerbrief-over-vergunning-export-militair-materieel-naar-egypte-via-frankrijk/kamerbrief-over-vergunning-export-militair-materieel-naar-egypte-via-frankrijk.pdf>

41 <https://www.rijksoverheid.nl/documenten/kamerstukken/2015/10/14/beantwoording-kamervragen-over-wapenexport-naar-egypte>

42 <http://english.ahram.org.eg/NewsContent/1/64/126506/Egypt/Politics-/Egyptian-warships-shell-Houthis-outside-Yemeni-cit.aspx>

43 <http://www.aa.com.tr/en/politics/egypt-sent-warships-to-yemens-gulf-of-aden-official/63384>

44 <https://zoek.officielebekendmakingen.nl/kst-22054-263.html>

45 <http://www.sipri.org/research/security/transport/files/existing-good-practice/netherlands>

46 <http://www.defensenews.com/story/defense/international/mideast-africa/2015/08/06/military-reinforcements-enter-yemen-saudi-arabia/31231199/>

## Jordan

- In 2015, 52 Maverick air-ground missiles and supplies, mission material for F-16's worth €4.75 million were shipped to Jordan. This arms deal was agreed upon in 2013. The second shipment consisting 15 F-16's is planned for 2016 and 2017.<sup>47</sup>

## Egypt

- In 2015, the Dutch Minister for Trade and Development Cooperation granted export licenses for the export of radar and C3 systems, and accompanying technology for the integration of systems worth €34 million to Egypt via France.<sup>48</sup>

## Conclusion and Recommendations

Although the Dutch Government is not directly involved in the military campaign led by the KSA in Yemen, research shows that the Netherlands has exported (or through transit) arms, ammunition and military technology to several countries participating in the coalition military campaign. There is a high risk that arms, ammunition or military technology provided by the Netherlands (in the past) to belligerent parties to the conflict are being used to harm civilians and to commit serious violations of international human rights and humanitarian laws. First, the Netherlands should not authorize any transfer if there is a risk that transferred arms, ammunition and military technology would contribute to serious violations of human rights and international humanitarian law, genocide, crimes against humanity or war crimes. Second, the Dutch government must guarantee that no arms or military equipment supplied to any belligerent party to the conflict in Yemen are being used in Yemen, or in support of military operations in Yemen. Third, the Dutch government must undertake a comprehensive investigation to investigate if Dutch arms or military equipment exported in the past, including since March 2015, have contributed to violations of international law, including the death of civilians or destruction of civilian infrastructure.

## Oxfam Novib calls on the Dutch government to:

- Press for an immediate and permanent ceasefire, and a negotiated political solution that involves not only all parties to the conflict, but all sections of Yemeni society, including women, youth and the poor in rural communities whose rights and needs must be respected in any sustainable peace. Meaningful participation of Yemeni women during negotiations and peace talks should be secured;
- Press for an end to the *de facto* naval blockade and full access for humanitarian/commercial supplies in conflict areas;
- Report to Parliament and the general public on Dutch arms and arms systems that have been supplied to any party engaged in Yemen's conflict in **2015**; any restrictions placed on the end-use or end-user of that equipment as a condition of the transfer, on how it understands this equipment has been used, and the basis for that understanding;
- Oblige without exception a license for the transit of arms, ammunition and military technology - also when these military goods originate from allied countries - if these military goods will be supplied to any party engaged in Yemen's conflict;
- Refrain from issuing any further export licenses to any party to the conflict while a clear risk that they may be used to commit serious violations of international humanitarian or human rights laws continues;
- Suspend or revoke current licenses under which deliveries may still be made in order to ensure that no future breaches of international humanitarian law can occur using Dutch-supplied equipment and arms;
- Undertake an urgent examination of all Dutch arms or military equipment transfers that have taken place in the past, including since March 2015, to establish an accurate understanding as to whether they have contributed to violations of international law, including the death of civilians or destruction of civilian infrastructure.

47 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/08/25/kamerbrief-over-afgifte-exportvergunning-defensiematerieel-naar-jordanie/kamerbrief-over-afgifte-exportvergunning-defensiematerieel-naar-jordanie.pdf> and [http://www.denederlandsegrondwet.nl/9353000/1/j9tvgajcovz8izf\\_j9vvihlf299q0sr/vjdebmzmg0sr](http://www.denederlandsegrondwet.nl/9353000/1/j9tvgajcovz8izf_j9vvihlf299q0sr/vjdebmzmg0sr)

48 <https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2015/09/01/kamerbrief-over-vergunning-export-militair-materieel-naar-egypte-via-frankrijk/kamerbrief-over-vergunning-export-militair-materieel-naar-egypte-via-frankrijk.pdf>