

List of Issues addressed to the Arab coalition forces by the Group of Eminent Experts on Yemen established pursuant to Human Rights Council resolution A/HRC/RES/36/31

I. Introduction

1. Following meetings between the Group of Eminent Experts on Yemen and officials of the Arab coalition forces (“the Coalition”) in Riyadh, Kingdom of Saudi Arabia, in March 2018, the Chairperson and Experts of the Group respectfully seek assistance in further clarification and verification of facts related to the engagement of the Coalition and its individual members in Yemen. Clarification and verification of these facts will contribute to the mandate of the Group of Eminent Experts on Yemen to “carry out a comprehensive examination of all alleged violations and abuses of international human rights and other appropriate and applicable fields of international law committed by all parties to the conflict [in Yemen] since September 2014”. Responses will be included in the High Commissioner for Human Rights’ report to the Human Rights Council, unless the Member State specifically requests that information shared remains confidential.
2. The Group of Eminent Experts on Yemen would be grateful to receive a reply to the list of issues by 15 May 2018.

II. Coalition Command

1. Please specify the members of the Coalition and their geographic and operational responsibilities in Yemen.
2. Please set out the structure of the Coalition joint command headquarters based in the Kingdom of Saudi Arabia, as well as the joint command decision-making process. To what extent is there unified command on land, air and sea?
3. Please share the Coalition’s Joint Doctrine, Rules of Engagement, and manuals/ Standard Operating Procedures for joint operations.
4. Do any members of the Coalition have national caveats? What are the procedures for handling national caveats?
5. What is the role of the Air Operations Centre in Yemen?
6. What training courses on international humanitarian law are provided to Coalition forces at the strategic, operational command and tactical levels?
7. Does the Coalition have command and control of the Security Belt Forces and the Hadrami and Shabwani Elite Forces? If not, who has command and control over these forces?

III. Military Operations

8. What is the methodology used by the Coalition to minimize harm to the civilian population in attacks?
9. Who, or which entity, within the Coalition is responsible for conducting proportionality assessments prior to attacks?
10. Please describe precautions the Coalition takes to minimise civilian casualties and damage, particularly in the case of dual-use targets? How is this reviewed during the period leading up to the attack? Are warnings ever given and, if so, how?

11. Please respond to allegations that Coalition forces are using ‘double tap’ airstrikes leading to high casualty figures among civilians?
12. i) Does the Coalition conduct Battle Damage Assessment reports? ii) How does the Coalition assess civilian casualties and damage to civilian property in the aftermath of an attack?

IV. Targeting

13. Please explain how the Coalition has defined military objectives for targeting purposes?
14. Please share the Coalition’s first No Strike List (NSL), as well as any updated versions developed since then. *If requested, the Group of Eminent Experts on Yemen will consider these lists confidential.* Please explain how the NSL was developed.
15. What processes does the Coalition have to ensure that essential civilian infrastructure such as water plants, health and educational facilities, and cultural heritage sites are not damaged or destroyed in attacks?
16. Is the NSL the only check the Coalition forces have against striking sites protected under international law or is there also a case-by-case assessment during operations?
17. What is the procedure for addressing on-call targets?
18. What is the procedure for addressing targets of opportunity (unplanned/unanticipated targets)?
19. i) Please share the Standard Operating Procedures for close air support by fighter aircraft to troops in contact. ii) Does the Coalition have Joint Fires Observers on the ground?
20. What is the procedure for verifying information received from the ground regarding targets?

V. Weaponry

21. Please specify the types of munitions that have been used by the Coalition during air strikes from March 2015 to date.
22. On 19 December 2016, the Coalition publicly stated that there was “limited use by the Coalition of the UK-manufactured BL-755 cluster munitions in Yemen.” Since then, has the Coalition used cluster munitions in Yemen, including any of the following: CBU 58, 87, or 105; BL-755; ZP 39; ATROS II; M26; or Multi Launcher Rocket Systems?
23. What restrictions, if any, are placed on the use of cluster munitions?
24. Do any Coalition weapons contain depleted uranium?
25. Please respond to allegations of the use of ‘barrel bombs’ by the Coalition.

VI. Blockades

26. The United Nations Verification Inspection Mechanism (UNVIM) conducts inspections of cargo entering Yemeni ports that are not under the Government’s control in order to limit the dangerous delays in humanitarian and commercial imports. i) Please confirm if the Coalition, or the Evacuation and Humanitarian Operations Cell (EHOC) of the Ministry of Defence of the Kingdom of Saudi Arabia, are also conducting

inspections? ii) Please describe the coordination between the Coalition or EHOc and UNVIM.

27. Are commercial vessels required to request clearance from the Coalition or EHOc? If so, please provide statistics on how many requests have been submitted and how many have been approved, stating the relevant period of time.
28. Please provide the list of items the Coalition or EHOc restricts or prohibits from entering Yemen.
29. Please provide information about incidents in which ships have been found to be transporting prohibited cargo. Have any ships inspected and cleared by UNVIM been found to have been transporting prohibited items? Please provide information.
30. UN Security Council Resolution 2216 requires that states report all inspections of cargo into Yemen to the 2140 Yemen Sanctions Committee. Yet it is the Group of Eminent Experts' understanding that the Coalition has submitted only one such report in 2015. Is this information correct? If so, please explain.
31. Why has the Coalition chosen to close Sana'a airport to commercial traffic completely rather than restrict the transport of prohibited cargo via the airport?
32. What mechanisms have been put in place for individuals seeking medical treatment abroad and wishing to travel through Sana'a airport?

VII. Detention

33. Is there any agreement on detention between the Coalition, or its individual members, and the Government of Yemen?
34. i) Does the Coalition, or its individual members, detain Yemeni nationals in connection with the conflict in Yemen? ii) If so, are there Standard Operating Procedures, or a similar document, establishing grounds and procedures for detention? If so, please share a copy.
35. What is the procedure for reviewing the legality of those detained?
36. Please list the detention facilities under the operational control of the Coalition or its individual members.
37. Please list the detention facilities under the control of the Government of Yemen to which the Coalition transfers individuals.

VIII. Sexual and Gender-Based Violence (SGBV)

38. Please provide a list of all measures the Coalition is taking to prevent, address, investigate, and prosecute SGBV committed by military or security personnel under the control of the Coalition?
39. What training/awareness raising do Coalition forces receive to prevent violence against women and girls, sexual exploitation and sexual abuse? What training/awareness raising do Coalition forces receive to help them protect vulnerable people including Internally Displaced People and Refugees?
40. Please provide a list of all allegations of SGBV by Coalition forces in Yemen reported to the Coalition since March 2015. Please advise how these were investigated and whether those accused have been prosecuted.

IX. Recruitment and Use of Children in Forces

41. Does the Coalition have a formal policy on the use of children by its forces? If so, please share the policy.
42. What is the composition and role of the Child Protection Unit within the Coalition forces?
43. Have Coalition forces encountered child soldiers during operations? If so, please describe how such children are treated and processed when they come under the control of the Coalition.
44. How many child soldier rehabilitation centres exist in Yemen? Who is responsible for them? Please tell us where centres are located, how many children (and their ages) are currently housed in these centres, and the criteria for admission to the centres?

X. Accountability

45. What are the administrative, disciplinary or criminal sanctions available to Coalition members?
46. Please share information on any individual involved in the conflict in Yemen who has been found responsible for violations of international human rights or international humanitarian law, or related national law.
47. i) Who, or which entity, within the Coalition is responsible for implementing or rejecting recommendations of the Joint Incidents Assessment Team (JIAT), i.e. reviewing or amending the Rules of Engagement, holding individuals responsible, and affording compensation to victims? Please provide procedures developed for implementation of JIAT recommendations.
48. What procedures are in place to ensure information sharing and cooperation between the Coalition and Yemeni accountability mechanisms?