# **POLICY**BRIEFING



# End U.S. Military Support for the War in Yemen

## The Saudi Coalition Has Committed Egregious Human Rights Violations

- The Saudi-led bombing campaign in Yemen has repeatedly targeted civilian gatherings and infrastructure<sup>1</sup>—including weddings, funerals, schools, school buses, hospitals, marketplaces, farms, refugee camps, and more—killing thousands of civilians.
- Saudi Arabia has repeatedly targeted food production and distribution facilities<sup>2</sup> in an apparently deliberate attempt to starve the population of Yemen.
- Saudi Arabia has repeatedly dropped U.S.-made cluster bombs<sup>3</sup> on civilian areas, which is a war crime.
- According to Human Rights Watch: 4 "International legal scholars and US lawmakers have warned that continued US support—including through weapons sales—to Saudi Arabia's military campaign in Yemen may not only make the US government complicit in coalition violations of the laws of war, but also expose US officials to legal liability for war crimes."

#### The War Has Led to The Worst Humanitarian Crisis on the Planet

The Saudi-led bombing campaign paired with ongoing blockades of Yemen's borders and ports has led to the worst humanitarian crisis on the planet.

- Over 22 million people are in need of humanitarian aid,<sup>5</sup> of whom more than 11 million are in acute need.
- About 14 million people, 6 half of Yemen's population, are at risk of starvation.
- Save the Children estimates that 85,000 children under the age of five may have already died of starvation since the start of the war.

### The U.S. Role in the Saudi-led Intervention Undermines National Security

- According to a State Department report<sup>8</sup> addressing counterterrorism efforts in 2016: "Throughout 2016, al-Qa'ida in the Arabian Peninsula (AQAP) and ISIS in Yemen (ISIS-Y) have continued to exploit the political and security vacuum created by the ongoing conflict between the Yemeni government under President Abdu Rabbu Mansour Hadi and the Houthi-Saleh rebel forces."
- Yemen's Hadi government, which the Saudi-led coalition is supporting, has reportedly worked with AQAP9 against their shared enemy, the Houthis, a relationship that has helped AQAP expand its reach. In some cases, AQAP has acquired heavy weaponry<sup>10</sup> from Yemeni forces that originally came from the Saudi-led coalition.
- Yemenis have come to see the Saudi bombing campaign as also an American bombing campaign, fueling anti-American sentiment and recruitment efforts of violent extremists.

<sup>1</sup> Michelle Nichols, U.N. experts warn Saudi-led coalition allies over war crimes in Yemen, Reuters, January 29, 2017

<sup>2</sup> Mundy, Martha, The Strategies of the Coalition in the Yemen War: Aerial bombardment and food war, World Peace Foundation, October 9, 2018

<sup>3</sup> Human Rights Watch, Yemen: Coalition Drops Cluster Bombs in Capital, January 7, 2016

<sup>4</sup> Kristine Beckerle, US Officials Risk Complicity in War Crimes in Yemen, Human Rights Watch, May 4, 2017

<sup>5</sup> UN Office for the Coordination of Humanitarian Affairs, Yemen: 2018 Humanitarian Needs Overview [EN/AR], Reliefweb, December 4, 2018

<sup>6</sup> UN News, Half the population of Yemen at risk of famine: UN emergency relief chief, October 23, 2018

<sup>7</sup> Taylor, Erin, Yemen: 85,000 Children May Have Died from Starvation Since Start of War, November 20, 2018

<sup>8</sup> Bureau of Counterterrorism, Country Reports on Terrorism 2016, U.S. Department of State, July 2017

<sup>9</sup> Kate Brannen, U.S.-Supported Government in Yemen Has Ties to Al-Qaeda, Just Security, April 24, 2017

<sup>10</sup> International Crisis Group, Yemen's al-Qaeda: Expanding the Base, February 2, 2017

#### The U.S. Role in the Saudi-Led Intervention in Yemen Is Unconstitutional

U.S. participation in the war in Yemen clearly violates the War Powers Resolution.<sup>11</sup>

- Sec. 2 (c) of the War Powers Resolution states that the president cannot send U.S. soldiers into hostilities or situations where hostilities are imminent without congressional authorization or an emergency caused by an attack on the United States, its territories or possessions, or its armed forces.
- Sec. 8 (c) also states that the "introduction of United States armed forces" into hostilities "includes the assignment of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities."
- In Yemen, U.S. intelligence analysts are literally coordinating with foreign military forces by sharing targeting intelligence with the coalition.
- Legal experts Bruce Ackerman, Sterling Professor of Law and Political Science at Yale, and Bruce Fein, Associate Deputy Attorney General to President Reagan from 1981-82, explain this in detail in a March 2018 letter<sup>12</sup> to Senate leadership.
- Political organizations on both<sup>13</sup> sides<sup>14</sup> of the aisle support reclaiming congressional war powers by invoking the War Powers Resolution.

#### Polls Show Strong Support for Ending Military Aid to the Saudi-led Coalition

A November 2018 IRC/YouGov poll<sup>15</sup> of Americans found that:

- 75 percent oppose U.S. military support for the Saudi and UAE-led coalition in Yemen.
- 82 percent agree Congress should vote to halt or decrease arms sales to the coalition.

A October 2018 Axios/Survey Monkey poll<sup>16</sup> of Americans found that:

- 56 percent think President Trump's response to Saudi Arabia for the murder of Jamal Khashoggi has not been tough enough (78 percent of Democrats, 55 percent of Independents, and 37 percent of Republicans), while 32 percent of Americans think his response has been about right, and only 5 percent think it has been too tough.
- 49 percent of Americans consider Saudi Arabia either unfriendly (37 percent) or an enemy (12 percent), compared to 45 percent who consider Saudi Arabia either friendly (35 percent) or an ally (10 percent).

### **Steps Members of Congress Can Take**

- Co-sponsor H.R. 643 introduced by Rep. Jim McGovern (D-MA) to prohibit the provision of United States security assistance to the Government of Saudi Arabia.
- Support amendments that seek to end U.S. military support and arms sales to the Saudiled coalition in Yemen.
- Give a floor speech, write an op-ed, or do other media outreach calling for an end to U.S. military support and arms sales to the Saudi-led coalition in Yemen.

<sup>11</sup> War Powers Resolution of 1973, Pub. L. No. 93-148, November 7, 1973

<sup>12</sup> Ackerman, Bruce and Bruce Fein, Letter to Majority Leader McConnell and Minority Leader Schumer, March 6, 2018

<sup>13</sup> Vicenzi, Peter, FreedomWorks Urges Congress to Reclaim Constitutional Powers and End U.S. Involvement in Yemen, Freedomworks, November 28, 2018

<sup>14</sup> Ali, Iram, Stop the War, Save the Kids | #YemenCantWait, MoveOn.org, December 13, 2018

<sup>15</sup> IRC/YouGov, New IRC/YouGov poll: As pressure mounts for Yemen ceasefire, US opinion united: end support to the war, November 7-9, 2018

<sup>16</sup> Axios/Survey Monkey, Exclusive poll: Most Americans think Trump too soft on Saudi Arabia, October 17-23, 2018