

**AMNESTY
INTERNATIONAL**



December 10, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

Amnesty International is deeply concerned about your administration's decision to sell \$1.29 billion in bombs, related parts, and logistical support to the Government of Saudi Arabia. Given the evidence of how Saudi Arabia has employed such arms to date, there is overwhelming reason for concern that the Government of Saudi Arabia will use such arms to commit serious violations of international humanitarian law in Yemen. Amnesty International urges you to cancel this arms sale immediately.

Yemen's Human Rights Crisis:

Amnesty International researchers have spent weeks on the ground in Yemen since March 2015. Our researchers have directly documented human rights abuses and violations of international humanitarian law, including war crimes, by the Saudi Arabia-led military coalition and Huthi rebel groups. Over 5,700 people in Yemen have been killed since the conflict began, and a UN report found that Saudi Arabia-led coalition airstrikes were responsible for most of the civilian deaths in Yemen's conflict through the end of July. Yemen is in a humanitarian crisis, with over 2 million displaced and 82% of the population in need of some form of humanitarian assistance.

Amnesty International researchers who visited sites bombed by the Saudi Arabia-led coalition found both unexploded U.S. bombs and identifiable fragments of exploded U.S. bombs among the ruins of Yemeni homes and other civilian objects. These include Mark/MK 80 series bombs, Paveway series precision-guided bombs and internationally-banned cluster bombs produced in the U.S. In one such incident, 55

people were killed, including 35 children. We found no evidence that these civilian sites had been used for military purposes.

Cancel the U.S. Sale of \$1.29 Billion in Bombs to Saudi Arabia:

In the light of the disturbing eyewitness reports and other information gathered by Amnesty International, we urge you to cancel the \$1.29 billion arms sale that was notified to the U.S. Congress on November 13 and publicly announced on November 16. The U.S. arms sale to Saudi Arabia includes over 18,000 bombs and 1,500 warheads of the following types:ⁱ

- 1,000 GBU-10 Paveway II Laser Guided Bombs.
- 2,300 BLU-117/MK-84 2000lb General Purpose Bombs.
- 4,020 GBU-12 Paveway II Laser Guided Bombs.
- 8,020 BLU-111/MK-82 500lb General Purpose Bombs.
- 1,100 GBU-24 Paveway III Laser Guided Bombs.
- 1,500 BLU-109 2000lb Penetrator Warheads.
- 2,000 BLU-110/MK-83 1000lb General Purpose Bombs.

The announced arms sale contradicts the guidelines of your own Presidential Policy Directive PPD-27 on United States Conventional Arms Transfer Policy, dated January 15, 2014. Your directive states that all arms transfer will take into account the "likelihood that the recipient would use the arms to commit human rights abuses or serious violations of international humanitarian law."ⁱⁱ

Violations of International Humanitarian Law in Yemen:

Since the conflict in Yemen began, thousands of civilians have been killed and injured. While all sides have committed violations, the Saudi Arabia-led coalition's pattern of attacks across Yemen raises serious concerns about an apparent disregard for civilian life. This is reflected in a failure to take feasible precautions to spare civilians, as required by international humanitarian law.

Many of the Saudi Arabia-led coalition strikes investigated by Amnesty International in Yemen were unlawful. This means that they fit one or more of the following categories:

- The strikes deliberately targeted civilian objects.
- The strikes were indiscriminate, and failed to distinguish civilian objects and civilians from military objectives.
- The strikes were disproportionate, causing deaths and injuries to civilians and damage to civilian objects that exceeded the concrete and direct military advantage anticipated by the attack.

For example, the Saudi Arabia-led coalition declared the entire Yemeni city of Sa'da a military target, in direct violation of international humanitarian law. When Amnesty International visited in early July 2015, we found that hundreds of airstrikes had destroyed or damaged beyond repair scores of homes, several markets, the entire main shopping street and virtually every public building. Amnesty International found no evidence that these civilian sites had been used for military activities.

U.S. Bombs and Banned Weapons Used in Saudi Arabia-led Airstrikes:

U.S.-designed and U.S.-produced general purpose bombs from the Mark/MK 80 series were the most used air-launched explosive weapons documented by Amnesty International in these airstrikes. These U.S.-produced bombs included:

- MK 82 (also known as BLU-111/B) 500 lb bombs.
- General Purpose MK 83 (also known as BLU-110B/B) 1,000 lb. bombs.
- General Purpose MK 84 (also known as BLU-117) 2,000 lb bombs.

In addition, Amnesty International researchers have found the remains of two types of U.S.-produced and internationally banned air-launched cluster bombs in these airstrikes:

- General Purpose U.S.-produced CBU-87 bombs, each carrying 202 BLU-97 cluster submunitions.
- General Purpose U.S.-produced CBU-105 Sensor Fuzed Weapon, each carrying 10 Blue-108 Sensor Fuzed submunitions canisters, each containing four submunitions.

Cluster munitions are banned under the 2008 Convention on Cluster Munitions. As inherently indiscriminate weapons, their use is prohibited by customary international humanitarian law. Each cluster munition scatters scores of submunitions over a wide area. A high percentage of the submunitions do not explode on impact and remain a threat to the civilian population for years afterwards. Saudi Arabia-led coalition forces have repeatedly launched strikes using internationally banned cluster bombs in and around villages around Sa'da city.

Conclusion:

Amnesty International urges you to cancel the \$1.29 billion arms sale to Saudi Arabia. We also urge you to suspend all transfers of general purpose bombs, fighter jets, combat helicopters and associated parts and components to the members of the Saudi Arabia-led coalition that are carrying out attacks in Yemen. Lastly, Amnesty International calls on your administration to accede to the 2008 Convention on Cluster Munitions and immediately cease the use, production, transfer and stockpiling of internationally-banned cluster munitions.

By providing Saudi Arabia with thousands more bombs and warheads, your administration risks complicity in the Saudi Arabia-led coalition's serious violations of international humanitarian law in Yemen, including war crimes. On behalf of Amnesty International, I therefore urge you to cancel the \$1.29 billion arms sale immediately.

Sincerely,



Michael O'Reilly
Deputy Executive Director
Policy and Advocacy
Amnesty International USA

CC: U.S. Secretary of Defense Ashton Carter
U.S. Secretary of State John Kerry

ⁱ "News Release," Defense Security Cooperation Agency, Transmittal No: 15-57, November 16, 2015, <http://www.dsca.mil/major-arms-sales/government-saudi-arabia-air-ground-munitions>.

ⁱⁱ "Presidential Policy Directive -- United States Conventional Arms Transfer Policy," January 15, 2014, <https://www.whitehouse.gov/the-press-office/2014/01/15/presidential-policy-directive-united-states-conventional-arms-transfer-p>.