

YEMENI ARCHIVE

AIRSTRIKES ON AL HUDAYDAH PORT, YEMEN

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About the Incident

Date: 20 July 2024 Time: Shortly before 06:11 pm local time Casualties: six killed and 83 injuries Location: Port of Hudaydah Possible munition: Missile or guided bomb strike using F-15, F-16, and F-35 fighter jets Responsibility: Israel

Introduction

On the evening of Saturday, 20 July 2024, social media and news agency <u>posts</u> started sharing reports of Israeli airstrikes on Al Hudaydah port. According to a <u>Houthi spokesman</u>, Mohammed Abdulsalam, the airstrikes targeted a power station as well as gas and oil depots in the area of the Red Sea port of Al Hudaydah. Additionally, <u>media accounts</u> claimed that the attack was carried out by Israeli aircrafts and had resulted in several deaths and many injuries.

The strike was reportedly in <u>retaliation</u> for a <u>drone attack</u> launched from Yemen the previous day, 19 July. The drone struck a building in Tel Aviv, <u>resulting</u> in the death of one person.

Various media outlets and personal accounts circulated <u>videos</u> and <u>images</u> of the resulting fire from the Israeli attack on Al Hudaydah port. Additional <u>videos</u> [warning: visuals of injuries] and images showed Yemeni individuals at what looked like a hospital receiving medical care. Houthi spokesperson Mohammed Abdulsalam <u>stated</u> on the social media platform X (formerly Twitter) that Yemen had been subjected to "overt Israeli aggression," targeting fuel storage facilities and a provincial power station. He claimed the attacks were intended "to deepen the suffering of the people and pressure Yemen into halting its support for Gaza."

Analysts have <u>highlighted</u> that the Houthi-Israel exchange could have lasting consequences for diplomatic efforts in Yemen and the wider region, complicating attempts to de-escalate the ongoing conflict. Hans Grundberg, the UN Special Envoy for Yemen, <u>expressed concerns</u> about Yemen being drawn into wider regional conflicts, emphasizing that this is not a helpful development for the UN's ongoing efforts to resolve the Yemeni conflict. Grundberg stressed the importance of preventing Yemen from becoming further entangled in regional destabilization.

In the course of documenting this attack, a further incident took place: following a reported Houthi <u>missile attack</u> on central Israel, on 29 September 2024, <u>dozens</u> of Israeli Air Force aircrafts launched strikes on targets allegedly used by the Houthis in the Ras Isa and Hudaydah areas, including Al Hudaydah port. Among the damage caused by the attacks was the <u>complete shutdown</u> of the power station in Ras Kuthayb, <u>leading</u> to power outages in many Yemeni provinces. Four people were reportedly <u>killed</u> in this Israeli attack—one port worker and three

<u>engineers</u> from Al-Hali power station—and 33 others were wounded in the initial toll. These events are beyond the scope of this report, which focuses on the July 2024 incidents.

Methodology

Yemeni Archive conducted an investigation into the Al Hudaydah Port attack based on:

- Preservation, analysis, and verification of 102 sources containing video, images and reports uploaded on social media networks, news outlets and by private companies, showing the location of the impact, the moments after the attack, the resulting destruction at the scene, and the victims.
- Determining the geographical location of the impact sites and adding a new layer of verification by analyzing the videos taken at the moment of the attack.
- Analyzing the time of the attack based on first reports and testimonies.

This investigation is based on multiple stages of analysis of open-source materials, providing the Yemeni Archive team with information related to the date, time, and location of the incident, as well as on potential victims and potential perpetrators. For more information on Yemeni Archive's research methodology, please visit our website.

It is important to note that the casualty figures mentioned in this investigation report reflect only those that have been verified by Yemeni Archive, and do not necessarily represent the actual total number of casualties.

About the Impacted Site

Al Hudaydah Port is located in the middle of Yemen's west coast on the Red Sea at <u>coordinates</u> 14.834063134555786, 42.937110436103914, in an area under the control of the Iran-backed Houthi government. It is one of Yemen's key ports and the second largest in the country, handling up to 80% of the humanitarian supplies, fuel, and commercial goods for northern Yemen according to the <u>BBC</u>. According to the <u>UNDP's</u> Resident Representative, Mr. Auke Lootsma, in 2019 "70% of Yemen's imports and 80% of humanitarian assistance passes through the ports of Hodeidah – they are absolutely crucial to commercial and humanitarian activities in Yemen."



Satellite image of AI Hudaydah port - source <u>Marine Traffic</u>. Image was captured by Yemeni Archive on 7 August 2024.

In June 2018, Yemeni pro-government forces, supported by a Saudi-led coalition, <u>launched an</u> <u>offensive</u> on the city of Hudaydah, which at the time was under the control of the Houthis. By December 21, 2018, the UN Security Council passed<u>Resolution 2541</u> endorsing the terms of the <u>Stockholm Agreement</u>, demanding an immediate ceasefire in the city of Hudaydah and the ports of Al Hudaydah, Saleef, and Ras Isa. As part of the Stockholm Agreement, the <u>Hudaydah</u> <u>Agreement</u> outlined specific terms for the city of Hudaydah, to be <u>monitored</u> by a UN Mission to support the Hudaydah Agreement (UNMHA).

From June 15 to July 8, 2019, the United Nations Development Programme (UNDP), in collaboration with experts from the Port of Rotterdam, <u>conducted</u> an assessment of the Hudaydah, Saleef, and Ras Isa ports. Based on their findings, an investment package of €46.57 million was approved, to be implemented in three phases. The primary objectives were to sustain port operations and restore them to pre-war conditions, ensuring the flow of critical humanitarian aid, commercial shipments, fuel, and essential goods, including medical supplies. Additionally, the UNDP spearheaded an initiative to enhance the safety of port operations and assets, while also reinforcing management and inspection processes.

Following the Stockholm Agreement, there have been ongoing allegations that the Houthis continue to use AI Hudaydah port for military purposes. The Saudi-led coalition has <u>accused</u> the Houthis of using the port in AI Hudaydah as launch points for military and maritime operations, while Israel has <u>described</u> AI Hudaydah port as an entry point for Iranian-supplied weapons. Recently, the Deputy Governor of AI Hudaydah, Walid Al-Qudaimi, <u>stated</u> that the Houthis are using AI Hudaydah port for military activities. Yemeni Archive could not independently confirm or deny Houthi military actors' presence in, or use of, AI Hudaydah port facilities in general or at the time of the airstrike.

On July 8, 2024, the <u>UN Security Council</u> decided to extend the UNMHA's mandate until July 14, 2025, in support of the ceasefire and demilitarization efforts in the city of Hudaydah and its ports.

Prelude to the Incident

On Friday, July 19, 2024, the Houthis launched a drone strike on a residential area in Tel Aviv, Israel. According to the <u>New York Times</u> the drone struck an apartment building near the U.S. Embassy branch office in Tel Aviv. The predawn attack <u>resulted</u> in the death of one man, Yevgeni Perder Zikarno, and injured eight other civilians.

The <u>Israel Defense Forces</u> (IDF) account on X posted a video on July 19, 2024, at 1:17 PM Israel local time showing the drone attack on Tel Aviv. An X account replied to the post with three different videos, one of which was reportedly <u>CCTV footage</u> showing the moment of the attack, with the time of the attack indicated as 3:10 AM Israel local time. Additionally, the IDF \underline{X} account shared a tweet on the same day of the attack showing the exact location where the Unmanned Aerial Vehicle (UAV) hit. The attack was reportedly <u>conducted</u> by a Samid-3 drone.



Screenshot from the IDF <u>X account</u> showing the impact site of the Houthi UAV in Tel Aviv; original markings from IDF. Captured by Yemeni Archive on 08 August 2024.



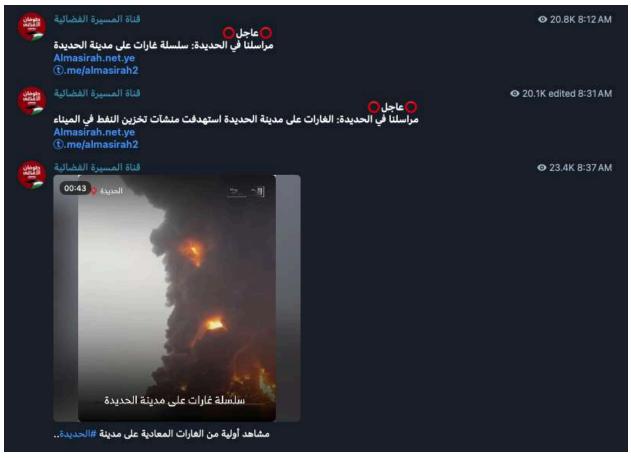
Image from <u>Ynet News</u> of Samid-3 drone used by Houthis in their attack on Tel Aviv on 19 July 2024. Image captured by Yemeni Archive on 28 August 2024.

In a recorded <u>video</u>, Houthi spokesperson Yahya Saree announced the Houthis' responsibility for the drone attack that targeted Tel Aviv.

What Happened and When

In the early evening of Saturday, 20 July 2024, <u>a dozen</u> Israeli Air Force (IAF) aircrafts, including <u>F-15</u>, <u>F-16</u> and F-35 fighter jets, conducted airstrikes against 10 targets in the port of Al Hudaydah, killing six people, wounding more than 80, and causing critical infrastructure damage.

The first Telegram post related to the incident appeared early in the evening of Saturday, 20 July 2024, at 06:11 pm, Yemen local time. <u>Telegram channels</u>, influential social media accounts, and news outlets began sharing reports of airstrikes on the city of Al Hudaydah. Minutes later, <u>Al-Masirah channel</u> and <u>Ansar Allah Houthi channel</u> - both channels affiliated with the Ansar Allah Movement (the Houthis) - reported that the airstrikes on Al Hudaydah targeted oil storage facilities at the port.

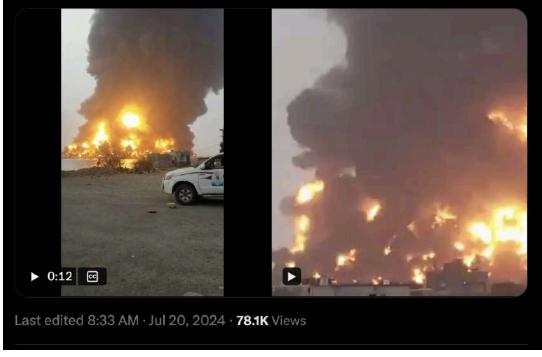


Screenshot from <u>AI-Masirah Telegram channel</u> showing the first reports about the airstrikes, captured by Yemeni Archive on 10 August 2024. The timestamps on the image indicate when the source was posted, in Pacific Daylight Time (PDT) - 8:12 am on July 20 in PDT corresponds to 6:12 pm on July 20 in Yemen local time.

Videos and images appeared on social media, capturing the massive flames that erupted following the attack. On X, JoeTruzman shared news and two <u>videos</u> which reportedly showed the aftermath of the airstrikes on Al Hudaydah port's fuel depot.



What appears to be an Israeli airstrike in response to the Houthi drone attack on Tel Aviv has reportedly targeted a fuel depot in Hodeidah.



Screenshot from <u>Joe Truzman</u> on X where he shared two videos of fire from the Al Hudaydah port. Captured by Yemeni Archive on 26 September 2024. The timestamp on the image indicates when the source was posted, in Pacific Daylight Time (PDT) - 8:33 am on July 20 in PDT corresponds to 6:33 pm on July 20 in Yemen local time.

At 06:37 pm local time, <u>Al-Masirah Telegram channel</u> shared a video claiming to show the aftermath of the airstrikes. The video depicts a fire with a cloud of thick black smoke rising from the impacted site, and a voice can be heard saying, "Today, the attack by Israel." At 06:40 pm, <u>Al-Masirah channel</u> elaborated, sharing that a series of Israeli airstrikes targeted Al Hudaydah port.

At 06:44 pm, <u>Al-Masirah channel</u> shared a phone interview with Mohammed Al-Maoudah, a local reporter from Al Hudaydah, who stated that several aircrafts conducted intense airstrikes on the city of Al Hudaydah. These airstrikes targeted vital civilian and strategic facilities. He mentioned that there were three strikes on oil, gas, and petroleum storage facilities at Al Hudaydah Port, which led to fires breaking out at the oil facility. Additionally, a series of strikes targeted the thermal power station in the city, resulting in power outages in several districts. The reporter expressed his belief that the aircrafts were Israeli and mentioned that the sound of the

airstrikes ceased within five to ten minutes, although the sound of aircrafts could still be heard over Al Hudaydah City.

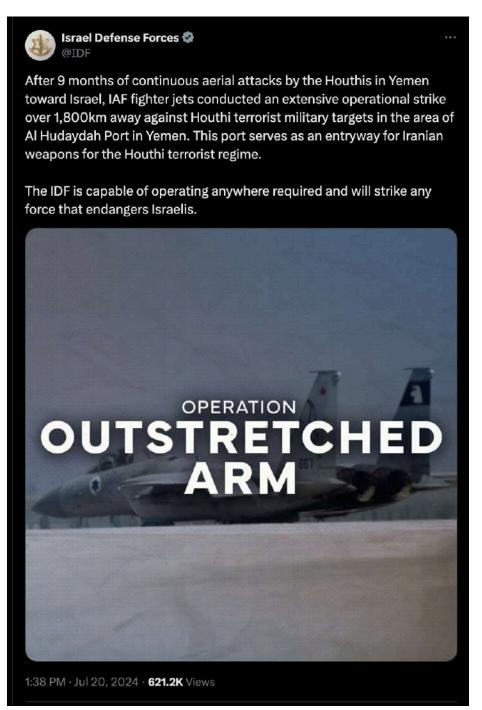
The <u>channel</u> continued to share updates, and at 06:46 pm, it reported, citing the Ministry of Health, that there were casualties and injuries as a result of these airstrikes, including severe burns.



Screenshot from <u>AI-Masirah Telegram channel</u> showing the continuous coverage of the airstrikes, captured by Yemeni Archive on 10 August 2024. The timestamps on the image indicate when the source was posted in Pacific Daylight Time (PDT) - 8:44 am on July 20 in PDT corresponds to 6:44 pm on July 20 in Yemen local time.

Approximately one hour after the attack, the <u>Israel Defense Forces</u> (IDF) shared a post on X claiming the incident and saying that "a short while ago, IDF fighter jets struck military targets of the Houthi government in the area of the Al Hudaydah port in Yemen in response to the hundreds of attacks carried out against the State of Israel in recent months." Additionally, according to a tweet shared by <u>Mannie Fabian</u>, a journalist for The Times of Israel quoting the IDF Spokesman Rear Adm. Daniel Hagari, the attack was named "Operation Long Arm."

Later that evening, the <u>IDF's X account</u> shared a further tweet claiming responsibility for the attack, stating that IAF fighter jets conducted an extensive operational strike over 1,800 km away against Houthi military targets.



Screenshot of the <u>IDF tweet</u> claiming responsibility for the attack on Al Hudaydah Port in Yemen. Captured by Yemeni Archive on 04 August 2024. The timestamp on the image indicates when the source was posted in Pacific Daylight Time (PDT) - 1:38 pm on July 20 in PDT corresponds to 11:38 pm on July 20 in Yemen local time. <u>Daniel Hagari</u>, the head of the IDF Spokesperson's Unit, and the <u>IDF</u>'s X account, shared posts on X on July 20, 2014, with images of F-15 aircraft, stating that they were on their way to conduct an attack in Yemen. Hagari also added to the post a <u>video</u> showing the Air Force's deployment hours before the attack in Yemen, including footage of an F-15 taking off.



Screenshot from the <u>Daniel Hagari</u> X account showing one of the F-15 aircraft that were involved in the attack on Al Hudaydah, captured by Yemeni Archive on 10 August 2024.

<u>Videos</u> from the scene continued to be shared online, with Ansar Allah Houthi channel posting a <u>video</u> from Al Masirah showing a large fire at the impact site and a cloud of black smoke. Another <u>video</u> shared by the HD Yemen Facebook page showed the fire, with the sound of explosions and the panic of civilians in the area audible in the background.



Screenshot from HD Yemen <u>video</u> showing people fleeing the area near the impact site. Captured by Yemeni Archive on 28 August 2024.

Sultan Karis shared a <u>video</u> on Facebook also showing the fire that started as a result of the attack. Meanwhile, <u>Al-Masirah</u> and <u>Ansar Allah Houthi</u> Telegram channels continued sharing news about the attack, stating that Civil Defense and firefighting teams were working to extinguish the fires in the oil tanks at the Port of Al Hudaydah, and shared a <u>video</u> showing the firefighting efforts.

Al-Masirah channel shared a <u>video</u> [warning: visuals of injuries] from a hospital showing individuals receiving medical care. The hospital appeared to be overcrowded, with patients on gurneys in the hallway.

<u>Alarabiya News</u> reported that the attack on the oil storage facilities led to the burning of most of the fuel tanks, which remained ablaze for five days. Furthermore, one of the fuel tanks exploded a week after the Israeli airstrikes: according to local sources, tank number 38, containing petrol, erupted into flames two days after the fires from the previous Saturday's attack had been extinguished.

Al-Masirah published a <u>statement</u> from Dr. Khaled Suhail, the Director of Al-Thawra Hospital in Al Hudaydah, reporting that the Israeli attack resulted in three deaths and 87 injuries. On the evening of July 20, <u>Mohammad Abdulrahman Ali Abkar Maqbooli</u> on Facebook shared the names of six people he referred to as his colleagues who were killed in the attack; and the following day, the <u>Yemen Petroleum Company</u> was reported to be mourning the loss of six of its staff members.

Aftermath of the Attack

Amid widespread panic, citizens rushed to fuel stations, fearing a fuel crisis following the airstrikes on the oil facilities. This occurred despite a published <u>statement</u> from the oil and gas companies in Sanaa, which assured that there was no fuel shortage and confirmed that there were sufficient quantities of various types of fuel to supply the stations around the clock. The companies urged citizens not to flock to the stations and warned station owners against closing them, as this would create a fuel crisis. Nevertheless, <u>videos</u> and <u>images</u> were shared of people in cars and with gas cylinders lined up in long queues in front of fuel stations. On 29 August 2024, <u>news</u> was shared that Yemen Airways had announced, in an urgent bulletin, the cancellation of all its flights on the Sana'a-Amman-Sana'a route due to a severe fuel shortage at Sana'a International Airport. Two days later, on 31 August 2024, <u>reports</u> emerged of the Houthis admitting that aircraft fuel had run out at Sana'a airport. The article mentioned that the fuel shortage was caused by the destruction of fuel tanks in Hudaydah on 20 July 2024. As a result, a flight crew was forced to reduce weight by leaving the luggage behind due to the limited fuel available for their journey.

According to the <u>IDF</u>, the Houthis seem to have retaliated on the evening of July 20 by launching a ballistic missile at Israel, which was intercepted by the IDF's Arrow 3 system.



Israel Defense Forces 🗇 @IDF

The IDF Aerial Defense Array successfully intercepted a surface-tosurface missile that approached Israeli territory from Yemen using the "Arrow 3" Aerial Defense System.

The projectile did not cross into Israeli territory. The incident has concluded.



Screenshot of <u>IDF tweet</u> claiming that they intercepted a Houthi ballistic missile. Captured by Yemeni Archive on 03 August 2024. The timestamp on the image indicates when the source was posted in Pacific Daylight Time (PDT) - 10:52 pm on July 20 in PDT corresponds to 8:52 am on July 21 in Yemen local time.

The Impact Site

Based on information shared online Yemeni Archive identified the impacted sites by comparing landmarks in photos and videos.

The 2019 <u>Final UNDP Yemen Port Assessment</u> sets out the maritime infrastructure within the port of AI Hudaydah, showing maritime and general infrastructure assets and their positions within the port.

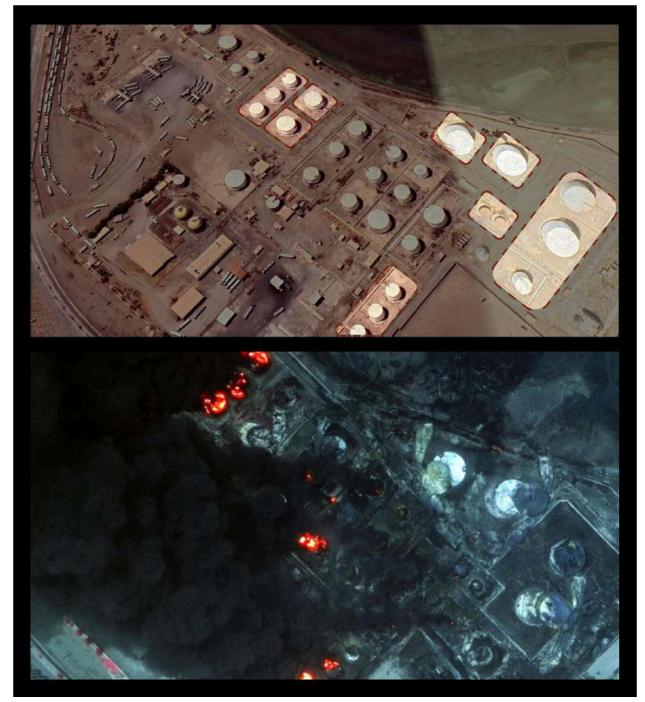


Map of the port of AI Hudaydah, captured from the <u>Final UNDP Yemen Port Assessment</u>. The image shows the maritime infrastructure of the port of AI Hudaydah in 2019, and was captured by Yemeni Archive on 8 October 2024.

According to several <u>news</u> sources and social media <u>accounts</u>, the Israeli strikes impacted at <u>least 29</u> fuel storage facilities, two cranes, and a power plant in the main harbor, causing the <u>plant</u> to cease operations for 12 hours.



The top screenshot, captured from a <u>video</u> shared by the Ansar Allah Al Houthi Telegram channel, is compared with the bottom satellite image from Airbus via Google Earth Pro on 7 May 2023. The markings on the images were added by Yemeni Archive. Images were captured by Yemeni Archive on 13 August 2024.



The top image is a satellite image from Airbus via Google Earth Pro showing the oil tanks in the Port of Al Hudaydah on 7 May 2023; the bottom image is a satellite image from Maxar on 21 July 2024 showing the same oil tanks burning. The markings on the image were added by Yemeni Archive. Images captured by Yemeni Archive on 23 August 2024.

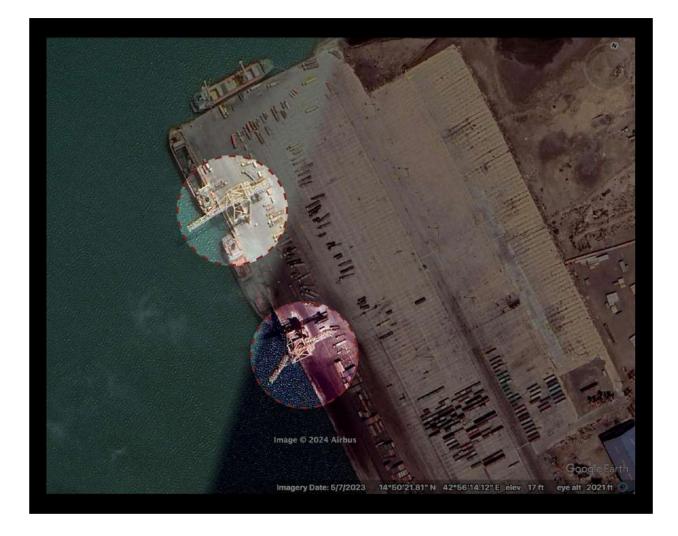


Screenshots of satellite <u>images</u> by Maxar Technologies via France24 show a view of oil tanks in the port of Al Hudaydah on July 2, 2024 in the top image, and burning oil tanks in the same port on July 21, 2024 in the bottom image.

One day after the attack, the IDF released <u>footage</u> that appears to be from weapons systems, which shows a series of munitions being fired at a structure. The video's caption referred to airstrikes in Yemen on Saturday i.e. 20 July, and the associated audio included reference to cranes.



Screenshot from a <u>video</u> shared by IDF Youtube channel shows what appear to be cranes. Captured by Yemeni Archive on 14 August 2024.



Damaged container cranes Hudaydah Port, Yemen

21 July 2024

14.838560, 42.936982



The top satellite image is from Airbus via Google Earth Pro, and the bottom screenshot of two cranes that were damaged at AI Hudaydah port was shared by the <u>IISS</u> website on 2 August 2024. Captured by Yemeni Archive on 22 August 2024. The markings on the top image were added by Yemeni Archive while the bottom image has original markings from IISS analysts.

Based on the analysis of the available satellite images, it was found that the port's two operational container cranes on the northern quayside were heavily damaged in the Israeli attack.

The following day, satellite images <u>published</u> by Israeli imagery firm <u>ImageSat International</u> revealed damage to AI Hudaydah port after the Israeli strike.



Satellite images from AI Hudaydah port the following day show the damage and the ongoing fire, as reported by the <u>Times of Israel</u>. Captured by Yemeni Archive on 28 August 2024.

Munitions used

On the day of the attack, IDF spokesperson Daniel Hagari shared on X a <u>thread</u> containing images of F-15 fighter jets, and a video of an F-15 jet taking off, with a statement saying "F-15 Baz aircraft on their way to an attack in Yemen". Hagari did not specify the location from where these jets took off or how many of them were involved. According to <u>Al Jazeera</u> channel the Israeli aircrafts took off from the Negev Desert. In initial news reports, <u>Arabian Air Falcons</u> channel and <u>The Guardian</u> (quoting Al Arabiya) stated that 12 Israeli aircraft, including F-35 fighters, targeted the Port of Al Hudaydah.





דובר צה״ל דניאל הגרי – Daniel Hagari 🤣 @IDFSpokesperson

מצורף תיעוד של היערכות חיל האוויר שעות לפני התקיפה בתימן:

Translated from Hebrew by Google

Attached is documentation of the Air Force's deployment hours before the attack in Yemen:

Was this translation accurate? Give us feedback so we can improve: \square \square



An Israeli F-15 fighter jet on its way to conduct airstrikes against Houthi targets in Yemen (translated from Hebrew), <u>shared</u> by IDF spokesperson Daniel Hagari on July 20, 2024. Captured by Yemeni Archive on 12 August 2024. The timestamp on the image indicates when the source was posted in Pacific Daylight Time (PDT) - 10:24 am on July 20 in PDT corresponds to 8:24 pm on July 20 in Yemen local time.

According to the <u>Times of Israel</u> newspaper, the attack also included F-35 fighters, reconnaissance aircraft, and refueling planes, with the refuellers necessary due to the target being approximately 1,700 kilometers from Israel. Additionally, a <u>video</u> posted on X claimed to show an Israeli Air Force Boeing 707 refueler and F-35I, flying over Eilat towards the Red Sea. Yemeni Archive was unable to verify the authenticity of this video.



A screenshot from a <u>video</u> shared by the Alabbass_ayoub account on X claims to show an Israeli Air Force Boeing 707 aerial refueling tanker and an F-35I. Captured by Yemeni Archive on 14 August 2024. The timestamp on the image indicates when the source was posted in Pacific Daylight Time (PDT) - 7:04 am on July 20 in PDT corresponds to 5:04 pm on July 20 in Yemen local time.

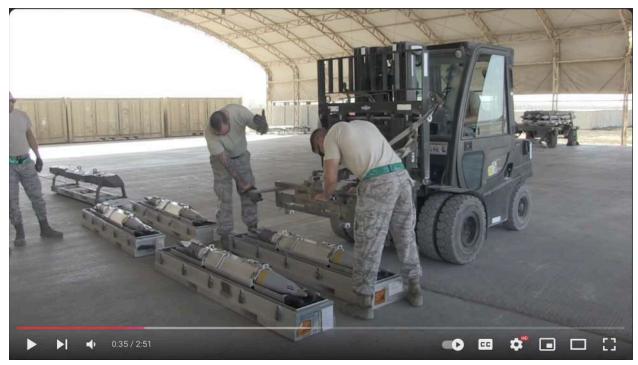
A <u>video</u> shared by the IDF YouTube channel on 21 July 2024 also shows an aerial refueling of fighter planes. Despite the video being edited to prevent viewers from identifying the weapons and equipment under its wings, it still reveals what appears to be an F-16I. While the video's caption or transcript do not refer directly to the airstrikes in Yemen, the date and time of publication suggest it is related.



A screenshot from a <u>video</u> shared by the IDF YouTube channel, showing what appears to be an F-16I undergoing aerial refueling. Captured by Yemeni Archive on 14 August 2024.

The World Directory of Modern Military Aircraft (<u>WDMMA</u>) website, which specializes in tracking global air power capabilities, has ranked Israel among the top 10 countries worldwide in terms of air superiority, boasting 606 warplanes. As the United States' most prominent <u>ally</u> in the region, Israel has been able to acquire the most advanced American fighter jets, including the F-15, F-16, and the latest F-35.

According to a Human Rights Watch <u>report</u> about the Israeli attack, a remnant collected at the site by a local Yemeni partner group <u>Mwatana for Human Rights</u> bore markings from Woodward, a U.S. manufacturing company, and closely resembled remnants from the GBU-39 series bomb produced by the American company, Boeing. The GBU-39, commonly referred to as the "small diameter bomb," is a guided, air-dropped munition.



A screenshot from a <u>video</u> by AiirSource Military describing the GBU-39 small diameter bomb. Captured by Yemeni Archive on 28 September 2024.

The GBU-39 small diameter bomb has allegedly been used by Israeli forces in other incidents in the past year. According to a <u>New York Times</u> report Israel used a GBU-39 during the strike that killed 45 civilians in a Rafah refugee tent camp on 26 May 2024; and <u>CNN</u> reported on 11 August 2024 that Israel used the GBU-39 again in the AI-Tabaeen school attack, which resulted in the deaths of over 90 people, according to the Gaza Civil Defense.

Based on the information provided in this section, Yemeni Archive can confirm the use of F-15, F-16, and F-35 fighter jets by the IAF.

Damage

According to news reports the attack destroyed most of the port's oil storage capacity and ignited a massive fire that burned for days. According to the US-based <u>Navanti Group</u>, Al Hudaydah port's storage capacity of 150,000 tons of fuel was substantially damaged, leaving only 50,000 tons of fuel storage remaining in the Houthi-controlled governorate.

In a news interview, <u>France 24</u> spoke with Nasr al-Nusairi, the vice president of the Yemen Red Sea Ports Corporation, which operates Al Hudaydah port. In addition to the damage to oil tanks, he shared the results of a preliminary damage assessment, stating that two cranes were destroyed, a small vessel was burned, and several buildings were set on fire. "There is also damage to the docks," he added. <u>Nusairi estimated</u> that the damage to the port would surpass

\$20 million, but he emphasized that this figure does not include the losses resulting from the destruction of fuel storage facilities.

In a <u>situation report</u>, the United Nations World Food Program (WFP) stated that the attack destroyed approximately 800,000 liters of fuel belonging to the organization.

According to <u>Human Rights Watch</u>, a Houthi oil industry official stated that the Israeli strikes occurred "while dozens of civilians were there, including staff who run these tanks, and truck drivers who were there to take oil to transport to other governorates." Additionally, Human Rights Watch reported a UN agency official saying that about 3,400 people, all civilians, work at the port.

Along with the reported casualties, the damage to the port facilities is likely to cause severe immediate and long-term harm to large segments of the Yemeni population who depend on Al Hudaydah port for survival. When the Saudi Arabia-led coalition shut down Al Hudaydah port during intense fighting in 2018, this <u>exacerbated</u> an existing humanitarian crisis. Senior UN official Rosemary DiCarlo <u>described</u> the port as a "lifeline for millions of people." Mwatana reported that the port infrastructure had previously been rebuilt and enhanced with the support of UN agencies, international donors, and the global community, making it a critical hub. Al Hudaydah port handles over 80% of Yemen's humanitarian aid, essential goods, and fuel, which more than 28 million Yemenis rely on for survival; according to the 2023 <u>Human Rights Watch</u> World Report, over 20 million Yemenis are in need of assistance and suffer from inadequate food, healthcare, and infrastructure.

Casualties

On 20 July 2024, less than two hours after the attack, Al-Masirah Telegram channel released a <u>video</u> [warning: visuals of injuries] showing wounded individuals inside a hospital in Al Hudaydah. The video depicts injured people who appear to be receiving treatment. Roughly an hour later, the Ansar Allah Houthi Telegram channel reported and shared <u>images</u> of the Minister of Health, Dr. Taha Al-Mutawakil, visiting the injured individuals from the Israeli attack.



A screenshot of the Minister of Health, Dr. Taha Al-Mutawakkil, during his visit to injured people in a hospital in Al Hudaydah. The <u>image</u> was shared by the Ansar Allah Houthi Telegram channel and captured by Yemeni Archive on 22 August 2024.

According to initial <u>news</u> published by Al-Masirah channel, the Director of Al-Thawra Hospital in Al Hudaydah, Dr. Khaled stated that the Israeli attack resulted in three deaths and 87 injuries, with the number likely to increase. News about the victims and injured continued to be shared on social media. <u>Ghadeer Tayra</u> mentioned on Facebook that her uncle, Abdullah, sustained second-degree burns as a result of the airstrike on the oil facilities. Meanwhile, <u>Alaa Al-Makbuli</u> shared news about one of his relatives being injured in the same attack.

On 21 July 2024, the <u>Yemen Petroleum Company</u> (YPC) announced it was mourning six of its employees at the port, stating that they were killed during the airstrike; the employees' names matched those shared by <u>Mohammad Abdulrahman Ali Abkar Maqbooli</u> on Facebook.



A screenshot of the obituary published by the <u>YPC</u> includes the photos and names of those killed as a result of the airstrike. Captured by Yemeni Archive on 22 August 2024.

In a later update, on 22 July 2024, the Yemeni Ministry of Health <u>reported</u> that the attack resulted in 83 injuries, most of them severe due to extensive burns, and the deaths of nine people.

Conflicting reports have circulated on social media and news sites regarding the number of injuries and deaths resulting from the Israeli attack. However, based on official data from the Yemen Petroleum Company and a statement from the Ministry of Public Health, the attack resulted in at least six YPC employees being killed and 83 people injured.

Responsibility

On 20 July 2024, the <u>IDF X account</u> shared a tweet claiming responsibility for the attack on Al Hudaydah port. The tweet mentioned that this attack came "in response to the hundreds of attacks carried out against the State of Israel in recent months".

The Israeli prime minister, <u>Benjamin Netanyahu</u>, said in a video statement that the port was targeted as it was used "for military purposes".

Conclusion

Al Hudaydah port is a vital hub for the delivery of humanitarian aid and commercial goods, which are essential for Yemen, as the country depends heavily on imports; as such, any harm to the port's infrastructure has a significant impact on Yemen's humanitarian situation and the country's economy. Around 6:11PM Yemen local time on 20 July 2024, the Israeli Air Force launched a series of airstrikes on the Port of Al Hudaydah. The strikes targeted fuel storage facilities and infrastructure within the port, causing significant damage. Sources reported that the attack resulted in the deaths of at least six <u>Yemen Petroleum Company</u> employees and injuries to 83 others. The airstrikes also damaged or destroyed 29 out of 41 oil storage tanks, two operational cranes, and an oil tank connected to the Hudaydah power plant, which led to a temporary cessation of the plant's operations. The damage from the airstrikes led to fuel shortages and was predicted to worsen an existing humanitarian crisis.

Legal analysis

This analysis, conducted by the Yemeni Archive in collaboration with the legal clinic of the University of California Los Angeles (UCLA), provides a critical assessment of two central legal considerations arising from this event: the principle of proportionality in international law and the concept of dual-use infrastructure. Specifically, we analyze whether the scale of Israel's response aligns with established norms of proportionality and investigate how the dual-use nature of Hudayda port – utilized for both civilian and military purposes – influences its lawful targeting.

In addition, this analysis includes an examination of relevant U.S. laws that may apply to this case, particularly in light of international arms transfers and military assistance frameworks. It is essential to note that while this analysis aims to provide vital legal context, it does not seek to render a definitive legal judgment on the incident.

I. Classification of the Yemeni Conflict

The Yemen conflict, going on since 2014, has been classified as a non-international armed conflict (NIAC), and is mostly regulated by <u>Article 3</u> common to the Geneva Conventions of 12 August 1949. An <u>international armed conflict</u> (IAC) occurs when one or more States use armed force against another state. It is possible to have both an IAC and a NIAC occurring at the same time, involving different actors. Looking at the changed dynamics and the involvement of several new actors - the state of Israel as an example - it is necessary to review the classification of the Yemeni conflict. Nevertheless for the purposes of this legal analysis, this will still be considered a NIAC.

II. <u>Application of the laws of armed conflictl</u>

A. The principles of distinction and precaution

The principle of distinction is a fundamental principle of <u>international humanitarian law (IHL)</u>, requiring that parties shall at all times distinguish between the "civilian population and combatants" as well as between "civilian objects and military objectives."¹ Military objectives are those objects which, by their "nature, location, purpose or use" (a) make an "effective contribution to military action" and (b) "whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage."² The first portion of this test depends on the effect that this object has on the course of the conflict.³ Military advantage, in the second portion, is defined as the "advantage or gain that a party to the conflict anticipates will result from an attack," but as judged by circumstances ruling at the time.⁴

Under the principle of precaution, parties to a conflict must take precautions to distinguish civilian objects and populations from military ones, use means and methods of attack that would minimize civilian harm, and must take all feasible precautions to minimize incidental loss of civilian life, injury to civilians and damage to civilian objects,⁵ which would be excessive in relation to the concrete and direct military advantage anticipated.⁶ Parties should also give effective advanced warning where attacks may affect the civilian population.⁷

¹ Additional Protocol Article 48; Article 57(2)

² See <u>Additional Protocol I, Article 52(2)</u>; ICRC Customary IHL Database, Rule 8 (<u>Definition of</u> <u>Military Objectives</u>)

³ See e.g. Medicans Sans Frontiers, The Practical Guide to Humanitarian Law,

https://guide-humanitarian-law.org/content/article/3/military-objectives/

⁴ See e.g. ICRC, IHL Database, <u>https://guide-humanitarian-law.org/content/article/3/military-objectives/</u>

⁵ Article 57(2)(a)(ii) Additional Protocol I

⁶ Article 57(2)(a)(iii) Additional Protocol I

⁷ Article 57(2)(c)Additional Protocol I

For objects that are normally dedicated to civilian purposes (including civilian infrastructure),⁸ the presumption generally lies against their use being considered to make an effective contribution to military action.⁹ Some argue that objects can be "dual use" in nature - i.e. have both a civilian and military purpose - however this is not a formal legal category under IHL. Some argue that the increasing reference to "dual-use" objects serves to further blur the line between military objectives and civilian objects, placing civilians, and post-war reconstruction infrastructure, at greater risk.

The degree to which Al-Hudaydah port is utilized as a base for launching military actions, if it is being used for that purpose at all, is unclear. Médecins sans frontières describes how, if the effect of an attack is merely to "promote support for the war effort," then it is not a legitimate military objective.¹⁰

In addition to these concerns, the port demonstrates clear value to civilian infrastructure. Al-Hudaydah port is reported as having handled up to 80% of humanitarian supplies, fuel, and commercial goods for northern Yemen,¹¹ and approximately 3,400 civilians were reported to work at the port.¹² The Israeli attacks on the port destroyed approximately 800,000 liters of fuel belonging to the United Nations World Food Program (WFP), intended for civilian use.¹³ At least six Yemen Petroleum Company employees were killed, and no fewer than 83 were injured, most qualifying as severe injuries due to extensive burns.¹⁴ In our investigation, Yemeni Archive did not find any indication of warnings issued to the civilian population prior to the attack.

Even if civilian infrastructure *does* qualify as a military objective, any attack against it would need to comply with all other IHL rules, in particular the principles of proportionality.

B. The principle of proportionality

The principle of proportionality establishes that an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage

https://www.hrw.org/news/2024/08/19/yemen-israeli-port-attack-possible-war-crime ¹³ TRTWorld, Israeli strikes destroy 800,000 litres of WFP fuel in Yemen,

https://www.trtworld.com/middle-east/israeli-strikes-destroy-800000-litres-of-wfp-fuel-in-yemen-18200125 ¹⁴ https://ypcye.com/ar/New/GVHLACMIUZ

⁸ See e.g. United Nations Press Release, *Gaza: Destroying civilian housing and infrastructure is an international crimes warns UN expert*, 8 November 2023,

https://www.ohchr.org/en/press-releases/2023/11/gaza-destroying-civilian-housing-and-infrastructure-international-crime

⁹ Article 52(3) Additional Protocol I

¹⁰ Medicans Sans Frontiers, The Practical Guide to Humanitarian Law, https://guide-humanitarian-law.org/content/article/3/military-objectives/

¹¹ BBC News, Yemen war: Battle for vital port of Judaydah intensifies, 7 November 2018, https://www.bbc.com/news/world-middle-east-46125858

¹² Human Rights Watch, Yemen: Israeli Port Attack Possible War Crime: Retaliatory July Strike on Hodeidah Threatens Food, Aid, Electricity Supply, 19 August 2024,

anticipated, is to be considered an indiscriminate attack and therefore prohibited.¹⁵ The proportionality of an attack thus balances the possible advantage that can be gained from a military objective with the expected harm posed to the civilian population.

The attack on Al Hudayda port was reportedly in retaliation¹⁶ for a drone attack¹⁷ launched from Yemen the previous day. On Friday, July 19, 2024, the Houthis launched a drone strike on a residential area in Tel Aviv, Israel. According to the New York Times the drone struck an apartment building near the U.S. Embassy branch office in Tel Aviv¹⁸. The predawn attack resulted in the death of one man, Yevgeni Perder Zikarno, and injured eight other civilians¹⁹.

On 20 July, the Israeli forces attacked the only port in the areas controlled by the Houthi group (Ansarullah), it is one of Yemen's key ports and the second largest in the country, handling up to 80% of the humanitarian supplies, fuel, and commercial goods for northern Yemen according to the BBC.²⁰ According to the UNDP's Resident Representative, Mr. Auke Lootsma, in 2019 "70% of Yemen's imports and 80% of humanitarian assistance passes through the ports of Hodeidah – they are absolutely crucial to commercial and humanitarian activities in Yemen."²¹

According to Yemeni Archive's investigation, Israel responded by a dozen²² Israeli Air Force (IAF) aircrafts, including F-15²³, F-16²⁴ and F-35 fighter jets, conducted airstrikes against 10 targets in the port of AI Hudaydah, killing six people, wounding more than 80, and causing critical infrastructure damage including power outage in several districts in AI Hudaydah governorate.

III. Application of the domestic Law of the United States

https://www.cbsnews.com/news/israeli-military-airstrikes-hit-houthi-targets-yemen-retaliation-attacks/ ¹⁷ Israel Defense Forces (IDF) official account on X (formerly Twitter), "IDF status update," accessed November 3, 2024, https://x.com/IDF/status/1814243216201314771.

¹⁸ <u>https://www.nytimes.com/2024/07/19/world/middleeast/houthis-drone-strike-tel-aviv.html</u>

¹⁹ https://www.npr.org/2024/07/19/g-s1-12197/drone-strikes-tel-aviv-killing-one-houthis-claim-responsibility

²⁰ Yemen Crisis: Why Is There a War?" *BBC News*, 21 October 2020,

https://www.bbc.com/news/world-middle-east-46125858.

https://www.undp.org/yemen/press-releases/hodeidah-providing-critical-vehicles-support-demining-efforts ²² Airstrikes Hit Yemen's Hodeidah Port after Israel Vows Revenge for Houthi Attack." *The Guardian*, 20 July 2024,

https://www.theguardian.com/world/article/2024/jul/20/airstrikes-hit-yemens-hodeidah-port-after-israel-vow s-revenge-for-houthi-attack

²³ <u>https://x.com/idfonline/status/1814712338349539562</u>

²⁴ YouTube. (n.d.). YouTube. <u>https://www.youtube.com/watch?v=fSkcCxTQ6EM&t=5s</u>

¹⁵ See Article 51(5)(b) Additional Protocol I; Article 51(4) of the Additional Protocol (I) defines indiscriminate attacks as attacks that are: (a) those which are not directed at a specific military objective; (b) those which employ a method or means of combat which cannot be directed at a specific military objective; or (c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each case, are of a nature to strike military objectives and civilians or civilian objects without distinction.
¹⁶ CBS Interactive. (n.d.). Israeli military airstrikes hit Houthi targets in Yemen in retaliation to attacks. CBS News.

²¹ United Nations Development Programme. "Hodeidah: Providing Critical Vehicles to Support Demining Efforts." *UNDP Yemen*,

Through its investigation, the Yemeni Archive confirmed the use of F-15, F-16, and F-35 fighter jets by the IAF in the AI Hudaydah port attack. Daniel Hagari, the head of the IDF Spokesperson's Unit, and the IDF's X account, shared posts on X on July 20, 2014, with images of F-15 aircraft, stating that they were on their way to conduct an attack in Yemen²⁵. Hagari also added to the post a video showing the Air Force's deployment hours before the attack in Yemen, including footage of an F-15 taking off. It is therefore also relevant to address the potential legal responsibility of the United States federal government according to its domestic laws.

The Leahy Law²⁶ prohibits U.S. military aid to foreign security forces that have committed gross human rights violations such as torture, enforced disappearances, extrajudicial killings, or rape. The law requires the U.S. State Department to vet recipients of U.S. security assistance and blocks aid to any units with credible evidence of such violations. However, enforcement has been inconsistent, particularly regarding U.S. military aid to Israel.

Section 502B of the <u>Foreign Assistance Act</u> also restricts security assistance to countries with a consistent pattern of human rights abuses. It allows Congress to request a State Department report on a country's human rights practices, and if the report is not delivered within 30 days, no security assistance can be provided. Once the report is received, Congress can introduce a resolution to continue, restrict, or terminate security assistance. This process could be used to scrutinize the Biden administration's arms transfers to Israel.

In February 2023, the Biden administration introduced a <u>Conventional Arms Transfer policy</u> to guide U.S. arms export decisions. While the policy includes various considerations and objectives, a key provision establishes a red line: the U.S. will not authorize weapons transfers if it is "more likely than not" that the weapons will be used for serious violations, such as grave breaches of the Geneva Conventions or other human rights abuses. The policy was praised for strengthening standards compared to previous administrations, but experts and some lawmakers emphasized that its effectiveness will depend on how it is implemented.

²⁵ <u>https://x.com/IDFSpokesperson/status/1814712840210575583</u> https://x.com/idfonline/status/1814712338349539562 https://x.com/IDFSpokesperson/status/1814712906053001588

²⁶

https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet/