

The Crime of Hunger: Yemen's Humanitarian Crisis

Written by Johan Leijon

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JOHAN LEIJON, SEP 17 2020

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In this article I pay attention to hunger, which after a long decline, is once again on the rise. Approximately 135 million people across 55 countries are suffering from acute food insecurity (FAO 2020). Famines have been the topic of debates for decades, and our understanding of their causes has shifted from the Malthusian perception of scarce resources and population growth to political processes. Famines are human-made, and can be regarded as crimes (Marcus 2003; de Waal 2017), and a case in point is Yemen (WFP 2019). The country is currently in the midst of a crisis of mass hunger where actors such as Saudi Arabia and the Houthi rebels have implemented deliberate policies aimed at exacerbating and controlling people's hunger (MERIP 2018; McNeill 2017; WFP 2019).

In a previous case study of Yemen's mass hunger, I analysed the context using the concept of famine crimes (Marcus 2003) in combination with Tyner's (2018) conditions of actor intentionality. The three levels were *ability*, *opportunity*, and *awareness* (Ibid., 200), and were chosen to analyse the causes and perpetrators of the country's hunger. The aforementioned research constitutes the foundation of this article about mass hunger and human accountability. The article will first, from a scholarly perspective, discuss hunger in order to illustrate how human involvement can engender it, and thereafter apply this understanding of starvation to what is perhaps the defining crisis of hunger of our time – Yemen.

Scholars studying famines have suggested that starvation should be conceptualized as a crime and one of the more salient proposals outlines famine crimes with four degrees of severity (Marcus 2003; de Waal 2017; Tyner 2018; Conley and de Waal 2019). The first degree is the most intentional and the fourth is the least intentional:

1. When famine is used as a tool of genocide to exterminate people purposefully.
2. Instances when famine is inflicted in pursuit of other objectives.
3. When governments and institutions are aware of the harm caused by famine yet remain indifferent.
4. When governments are unable to respond to the crisis of famine effectively.

The concept of famine crimes remains an academic contribution with no legal consequence for actors responsible for faminogenic behaviour[1]. According to the Rome Statute of the International Criminal Court, it is illegal to starve civilians deliberately, but famine legal cases are uncommon due to the lack of a comprehensive legal foundation (Dopplick 2009; DeFalco 2011). For example, according to the categorizations mentioned above, famine crimes were arguably committed in 1967-1970 during the Nigerian-Biafran conflict, due to an enforced blockade against Biafra (Mudge 1970). Yet, there were no tangible legal proceedings to determine famine perpetration in the conflict's aftermath, as in all, or almost all cases of starvation.

Despite the lack of legal ramifications, it is analytically valuable to apply the concept of famine crimes to cases of mass hunger in order to identify actors and their possible accountability. It also facilitates an understanding of the causes of famines – the political choices behind the hunger. The conceptualization of famine as a crime is useful when applied to individual cases of mass hunger. It enables us to tease out the characteristics of starvation and

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facilitates a debate about who is responsible for inflicting hunger. Therefore, the idea of famine crimes needs to be continuously acknowledged and used in discussions about hunger to achieve a shift in the common perception of what causes hunger. The discussions might also lay the ground for the establishment of a legal framework in the future. The impact of such a framework would not only have the effect of deterrence for possible perpetrators but also debunk the myth that famines are "...the result of natural disasters, not human misconduct" (Marcus 2003, 280). Moreover, a comprehensive legal framework would empower the international community to investigate possible criminal behaviour for prosecution (Ibid.).

It is important to acknowledge that famines are not necessarily the result of a breakdown of a system or distribution network, but instead often the result of successfully implemented policies by actors with political, military, and economic interests. If we recognize that hunger is caused by human involvement, it becomes increasingly clear that we need to talk about hunger in a language of mass atrocities, with perpetrators and victims – famine crimes and not natural disasters. Scholars have stressed that this language transition will contribute to the general understanding of famines as human-made and thus change the way we deal with these political events (Edkins 2007; de Waal 2017).

While natural factors such as insect infestations and weather conditions can play a role in causing famines, it is structural factors such as long-term poverty and corruption which can severely impact nutrition levels in a country. Additionally, hunger can be caused by more direct factors stemming from political choices and conflict such as economic blockades, and destruction of infrastructure, and restricted mobility. Mass hunger is both an outcome, and a political process, of deprivation, which often can be traced back to actors responsible for driving the development through actions or inactions that "...impede the capacity of targeted persons to access the means of sustaining life" (Conley and de Waal 2019, 699).

In the case of Yemen, years of pervasive poverty, unemployment, and poor political governance in combination with a violent civil war has resulted in what the UN calls the worst humanitarian crisis in the world (UN News 2019). A forecast for 2020 by the Food Security Information Network (FSIN) has predicted increasing levels of acute food insecurity due to the combined effects of the conflict and a macroeconomic crisis (FSIN 2020, 194). This prediction was made before the coronavirus outbreak, which, together with the current crisis of mass hunger, results in an even more dire medical emergency (Leijon 2020)[2]. In 2019 before the pandemic, 20 million people in Yemen were food insecure (FAO 2019). Of a population of approximately 30 million, roughly two-thirds were experiencing some degree of hunger, and about 24 million people were reliant on relief aid (UN News 2020).

There are, thus, complex constellations of actors and motives which drives Yemen's widespread hunger. Yemen's civil war erupted in 2015, has killed and displaced thousands and is still ongoing. Direct violence has damaged civilian infrastructure, and belligerents of the conflict have restricted people's mobility through checkpoints and economic blockades, severely disrupting medical infrastructure and food supply chains (Mundy 2018; WFP 2019; HRW 2019). One major cause of the mass hunger in Yemen is the destruction of civilian infrastructure by actors of the conflict. A few, yet salient, key actors include Saudi Arabia which backs the internationally recognized government of Yemen and heads the Saudi-Coalition, and the anti-government Houthi rebels. Admittedly, the conflict in Yemen consists of a much more complex array of actors and interests worthy of analysis, yet this is not the focus of this article.

Even before the start of the war, Yemen's infrastructure was underdeveloped with unreliable access to electricity and poor transport networks which created a dependence on expensive generators and fuel. These conditions inhibited the competitiveness of firms and has been made much worse by the ongoing conflict (Moyer et al. 2019, 23). Discriminate and indiscriminate targeting of civil infrastructure by the different sides of the conflict has resulted in damages. As a consequence, food distribution networks and access to health services and basic utilities have been severely disrupted. The loss of crucial societal infrastructure has increased Yemen's vulnerability to famine and disease and increased the country's reliance on external humanitarian aid (Alles 2017). The belligerents of the civil war have also imposed national economic blockades and domestic checkpoints which restricts and controls people's movement within the country. The combination of politicization of humanitarian aid, where donors can be selective to which territories aid is rendered, and large transfers of arms from the international arms trade makes Yemen's hunger crisis a confluence of human policies and interests.

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The destruction of infrastructure cannot be blamed on natural disasters or coincidences but has been carried out by a range of actors pursuing their interests (Høvring 2019). Both proxy and directly involved actors have contributed to, and continue to drive, the crisis of hunger in Yemen through systematic policies (Cumming-Bruce 2019). People are being starved through blockades, checkpoints, and destruction of infrastructure vital to food supply chains and medical assistance (Thornberry 2018). The nature of the hunger crisis and its avoidable hunger-related deaths make the topic of actor accountability highly relevant. While there, to varying degrees, are many actors involved, this article focuses on two of the largest actors directly involved: Saudi Arabia and the Houthi rebels.

Saudi Arabia and the coalition intervened in Yemen in 2015 to support the internationally recognized government against the anti-government Houthi rebels. According to Martha Mundy, who has conducted field and archival research in Yemen, there exists compelling evidence showing that the strategy of the Saudi-Coalition has been to obliterate domestic food production (Mundy 2017). Saudi Arabia has repeatedly conducted airstrikes which have destroyed both military and civilian targets such as hospitals, farms, roads, and residential areas. These tactics by Saudi Arabia have effectively turned starvation into a weapon of war by depriving the population of healthcare services and food distribution networks. Further, Saudi Arabia also has destroyed fishing boats and detained and killed fishers (WPF 2019, 9).

The Houthi rebels has used similar tactics by launching ballistic missiles towards Saudi Arabia and shelling targets within Yemen – both civilian and military (Mundy 2018; Barrington and El Yaakoubi 2019). These actions indicate intentionality and political interest where the actors actively contribute to the increase of food insecurity, and it could be argued that there are power and political advantages in controlling the production and distribution of food. The situation in Yemen bears similarity with the historical example put forward by Hopma: during the Middle Ages, the control of food exerted power over people, specifically walled cities under siege, were forced to surrender because of food deprivation (Hopma 2017).

Actor accountability is a somewhat controversial topic as the concept of famine crimes, as previously mentioned, is not currently backed by legal provisions. It is also somewhat difficult to provide evidence of the intentional starving of civilians under current international law. However, if there is to be any hope for ameliorating current famines and diminishing the risk of future famines through deterrence, we need to talk about the actors responsible for faminogenic policies. Thus, it becomes relevant to discuss the involved actors along the conditions of intentionality presented by Tyner (2018). Arguably, Saudi Arabia and the Houthi rebels have both the *opportunity* and the *ability* to either prevent or exacerbate the hunger in Yemen. They also show an *awareness* of the faminogenic consequences of their behaviour, due to their continued actions.

Thus, if we apply the theories of famine crimes and actor intentionality on the case of Yemen, it is possible to identify examples of varying degrees of famine crimes being committed. Saudi Arabia's and the Houthi rebels' actions could be construed to fit into degree two of famine crimes as their violent actions implemented to stop the opposing side have had severe repercussions for food production and distribution in Yemen. This categorization could be a useful tool in establishing potential future accountability. As Conley and de Waal (2019, 720-721) argue, the clarification of criminal liability concerning faminogenic practices might provide recompense for victims and act as deterrence for future crimes. Even if it does not, it is a vital embarkation towards a shift in our understanding and interaction with hunger. Conley and de Waal (2019, 721) also argue that although criminal prosecution for famine crimes might seem like a distant reality, the stigmatization of faminogenic practices could potentially alter what is deemed acceptable in the political and social sphere.

In Yemen, involved actors have actively sought to deprive the population of access to basic services and food by destroying infrastructure that provides it, which result in the mass hunger being a political process of deprivation. The hunger can, therefore, be considered as preventable as years of poor political governance and enduring conflict is taking its toll on the country's infrastructure and food supply chains. However, it is likely that the actors and belligerents are unwilling to sacrifice their interests for the good of Yemen's population. Since the concept of famine crimes highlight human accountability, involved actors can be identified, and their intentionality established.

Consequently, in the future, actors could be held accountable for their arguably faminogenic policies which have had

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adverse effects on Yemen's hunger. As Marcus (2003, 280) postulates, a more comprehensive legal codification of famine crimes will not only deflate the myth that famines are natural occurrences but would also allow for identification and prosecution of criminal behaviour. The examination of the mass hunger in Yemen contributes to our understanding of hunger as a public crime based on human intentionality and political actions. Mass hunger does not just happen – it is inflicted. The situation in Yemen exemplifies the effect of human involvement and shows that mass hunger is actor-driven and not a natural phenomenon.

Notes

[1] A term devised by David Marcus (2003, 245) with the definition of “creating or aiding in the creation of famine”

[2] Also read the research project's four-part blog series on hunger at the University of Gothenburg's School of Global Studies blog: <https://www.blogalstudies.com/>

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