

Operation Shabwa: France and Total at war in Yemen?



Localisation présumée de la « prison secrète » sur le site de Yemen LNG à Balhaf

Executive Summary

France has come in for heavy criticism over the past year and more for selling arms to Saudi Arabia and the United Arab Emirates (UAE). The French government, undeterred by media coverage and a campaign by the Observatoire des armements, SumOfUs and other non-governmental organizations, is still delivering weapons to the Saudi-led intervention force in Yemen. A parliamentary fact-finding mission on arms control was established in January 2019, but the authorities remain unwilling to disclose details of existing and planned arms contracts. Meanwhile, after the resolution proposed by MP Sébastien Nadot¹ failed to pass, French parliamentary groups are yet to exercise the power available to them to set up a committee of inquiry.

In light of the above, we decided it was necessary to explore whether other, as-yet unknown reasons might be behind this political impasse.

In an investigation spanning January 2018 to October 2019, we looked into Total's business interests in Yemen to see whether and how they tied in with French foreign policy in the region. Since it first moved into the country in 1983², the oil firm has steadily expanded its operations to the point that it is now Yemen's number-one private investor.

This report focuses in particular on the Yemen LNG site in Balhaf, which includes a liquefaction plant, a pipeline supplying feed gas from the Marib field, and a liquefied natural gas (LNG) export terminal. The high-security

1. The resolution, signed last year by 25 MPs from the La République En Marche! party, aimed to set up a parliamentary committee of inquiry to investigate French arms sales and the use of French weapons in Yemen: <http://www.assemblee-nationale.fr/15/propositions/pion0856.asp>

2. Including Elf, which Total took over in 2000.

site is the only port in Yemen that meets US counter-terrorism standards, meaning information is hard to come by. The facility opened in 2009 but operations stopped abruptly in 2015. The official word from Total is that the site switched to “preservation mode” following the outbreak of the war, with a skeleton team remaining on-site to protect the assets³. Three French private military and security contractors (Pro-Risk⁴, Surtymar⁵ and Risk&co⁶) have confirmed that they are “operating” in Balhaf.

Total is the lead shareholder in the Yemen LNG consortium, holding a 39.6% stake. Other members include Yemeni, South Korean and Japanese firms⁷. The site was designed to produce 6.7 million tonnes of LNG per year for export from the Port of Balhaf⁸. Available financial data point to total investment of \$4.8 billion. The deal was guaranteed by export credit agencies, including French agency Bpifrance Assurance Export, which operates for and under the control of the French State. Several French banks (Crédit agricole, Société générale and BNP Paribas) are involved.

The findings of our investigation make damning reading. Open sources and witness accounts confirm that the Shabwani Elite – a UAE-backed tribal militia accused of torture and enforced disappearances by human rights organizations such as Mwatana⁹ and Amnesty International¹⁰ – has been operating out of the Yemen LNG facility in Balhaf since 2016. There are also reports that the site is part of the network of “secret prisons” run by the group in southern Yemen. Although the Shabwani Elite is officially a counter-terrorism group, its make-up suggests that its real purpose is to protect energy interests (its members include tribes situated close to oil fields, while those living in a more remote mountain region are excluded). Three witness statements (including two from victims themselves) and one open source¹¹ confirm that Yemeni citizens were detained in a Total-controlled logistics zone at Balhaf in 2017 and 2018. The accounts contain details of inhuman and degrading treatment (torture and denial of medical care) by Emirati soldiers. Many of the detainees were from tribes excluded from the militia, including the tribal group Anwar al-Awlaki.

Can Total and the French government really be oblivious to what is happening at the site? Presumably, the oil firm is an “essential operator” under the French Defence Code and is therefore required to share security information between its French head office and subsidiaries. Should a major crisis occur, the Balhaf facility would come under the direct supervision of the French prime minister and, under the terms of its specifications, Total would be bound to report every incident, no matter how minor, to the authorities¹².

As things stand, both Total and the French government have a number of questions to answer. Does the company still have access to CCTV footage of the site, including the logistics zone where detainees were reportedly being held? Were they genuinely unaware that pick-up trucks and helicopters were coming and going from the facility, or that people and vehicles were moving around within the site? And how could the French government be oblivious to the fact that a site operated by what is presumably one of its essential operators was used as a “secret prison” – something that a civil society organization investigation was able to establish?

As the French state provided public guarantees for the construction of Yemen LNG, it is financially exposed. If construction does not restart by the end of 2022 (the new repayment deadline negotiated between the banks, Total and the French export credit agency) and if Yemen LNG defaults and the debt has not been restructured

3. <https://www.lesechos.fr/2015/04/total-contraint-darreter-son-usine-de-liquefaction-de-gaz-au-yemen-258348>

4. Pro-Risk website: <https://www.groupe-prorisk.com/surete-maritime-portuaire.php>

5. Surtymar website: <http://surtymar.com/en/security/>

6. Vincent Lamigeon, “Le groupe de sécurité français Risk&Co est à vendre”, Challenges.fr, 21 November 2018: https://www.challenges.fr/entreprise/le-groupe-de-securite-francais-risk-co-est-a-vendre_627443

7. http://www.yemenlng.com/ws/en/go.aspx?c=yln_g_share

8. “FACTBOX-Five facts about Yemen LNG”, Reuters, 15 October 2009: <https://uk.reuters.com/article/lng-yemen-total-idUKL959162220091015>

9. “Withering Life”, Annual Report 2018, Mwatana.org: <http://mwatana.org/wp-content/uploads/2019/07/Withering-Life-2.pdf>

10. “Disappearances and torture in southern Yemen detention facilities must be investigated as war crimes”, Amnesty International, 12 July 2018: <https://www.amnesty.org/en/latest/news/2018/07/disappearances-and-torture-in-southern-yemen-detention-facilities-must-be-investigated-as-war-crimes/>

11. فين جي غل يبق نارامل اري دت شاق فادمتس ال نداد. Aljazeera.net, 13 August 2017: <https://www.aljazeera.net/news/humanrights/2017/8/13/%D8%A5%D8%AF%D8%A7%D9%86%D8%A9-%D9%84%D8%A7%D8%B3%D8%AA%D9%87%D8%AF%D8%A7%D9%81-%D9%82%D9%88%D8%A7%D8%AA-%D8%AA%D8%AF%D9%8A%D8%B1%D9%87%D8%A7-%D8%A7%D9%84%D8%A5%D9%85%D8%A7%D8%B1%D8%A7%D8%AA-%D9%82%D8%A8%D9%8A%D9%84%D8%A9-%D9%8A%D9%85%D9%86%D9%8A%D8%A9>

12. Bruno Sido, Anne-Yvonne Le Dain, “Sécurité numérique et risques: enjeux et chances pour les entreprises”, Senate Report, 2 February 2015: <http://www.senat.fr/rap/r14-271-1/r14-271-121.html>

again, it is the French state that will have to foot the bill. Moreover, according to an internal source, the French government believes that the facility is vital to rebuilding Yemen's economy, with gas sales in the past accounting for as much as 45% of the country's tax receipts.

How, then, can the French government hope to get operations at the facility restarted while at the same time defending its strategic alliance with the UAE in the name of the “war on terror” in Yemen – and while military groups are operating out of Total's site? It would seem that Total and the French government are caught between opposing interests, and that French foreign policy, wedded as it is to economic imperatives – and the arms and fossil-fuel industries in particular – is taking a heavy toll on the people of Yemen.

What is happening in Balhaf is merely the tip of the iceberg. Total's game plan in Yemen and France's military strategy have been inseparable since the 1980s. Total, backed by the policies of successive French governments, has steadily gained a stranglehold on the country's fossil-fuel reserves. In this sense, there are questions to be asked about the post-2007 erosion of trust in the Yemeni government – slated as the reason behind the imposition of outside control – and about moves against the al-Islah party and powerful tribal group like al-Awlaki. But what is certain is that, through their decisions, Total and France have wrested control of a significant share of Yemen's oil and gas wealth.

The objectives behind this policy – pursued in conjunction with Saudi Arabia, the UAE, the United States and the United Kingdom, all in the name of the war on terror – are two-fold. First, it serves the energy interests that prevail in Kenya, South Sudan, Ethiopia, Uganda, Mozambique and elsewhere in East Africa. And second, it speaks to a wider battle for military and strategic control of the Gulf of Aden, the Red Sea and the Indian Ocean.

Methodology

This joint investigation, led by the Observatoire des Armements and SumOfUs, would not have been possible without the input of activists and citizens on the ground.

Friends of the Earth helped us examine the climate impact of Total's operations, the financial arrangements behind the Yemen LNG project, and the French State's financial involvement (through export credits).

In conducting our investigation, we:

- read freely available official documents, such as the Yemen Ministry of Oil and Minerals website
- reviewed more than 200 open-source press articles and maps, and interviewed around 20 industry figures
- examined satellite images (some of which are included in the appendices to this report)
- gathered witness accounts on the ground and remotely (with local support)
- delved into various archive sources to build a bigger picture of the issues, such as Observatoire des Armements records on French foreign policy in Yemen in the 1980s and 1990s, and WikiLeaks archives containing reports by a US private intelligence firm and US diplomatic cables on French foreign policy (spanning 2005-2013).

Our investigation focuses on operations in Shabwah Governorate, where the Total-controlled liquefaction plant is situated, between 2007 and 2019. This report does not cover all of the company's operations in Yemen, or the full extent to which they dovetail with French foreign policy. Total's business interests in other parts of the country (Ma'rib and Hadhramaut Governorates) merit further investigation.

Recommendations

This investigation, which supplements previous articles and reports, does not claim to give a complete picture of France's responsibility for the war in Yemen. Such a task falls to the French parliament, which has the resources and mandate to check the work of government. Opposition groups should exercise the power available to them to set up a parliamentary committee of inquiry, at the earliest opportunity, to investigate France's responsibility for the situation in Yemen.

The committee should shed light on certain grey areas, and in particular on what exactly the three private security contractors (Risk&co, Pro-Risk and Surtymar) are doing in Balhaf, and on what (if any) relationships they have with Emirati forces and militia groups operating in the area. Here, MPs will need to fill in the gaps left by our investigation.

France is pursuing its foreign policy in the name of the war on terror, under the terms of its defence cooperation agreement with the UAE. Parliament will need more power to scrutinize what the government is doing in this regard. A March 2019 opinion survey, conducted by YouGov for SumOfUs, found that 72% of French people are in favour of tighter parliamentary control over arms sales¹³.

The fact-finding mission on arms control should follow the example of the United Kingdom and Sweden and set up a permanent parliamentary committee, with access to defence-classified information, to routinely examine and report on France's strategic alliances (States with which it has defence and internal security cooperation agreements). The government should report regularly to parliament on defence cooperation agreements and law-enforcement equipment exports.

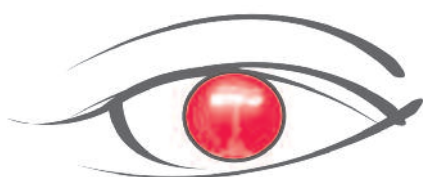
Likewise, the committee should closely and regularly monitor operations at foreign sites associated with essential operators.

In addition, it is worth recalling that the French State granted export credit guarantees to Total for the Yemen LNG project. This is by no means the only time that the firm has enjoyed public financial backing of this kind. MPs should use the 2020 budget bill to put an end to the practice of subsidizing fossil-fuel companies with taxpayers' money, starting by swiftly making any project involving the exploitation of new oil and gas reserves ineligible for export credit guarantees.

Acknowledgements

We would like to thank the many people (professionals, activists, concerned citizens and others) who took part in this investigation and/or made it possible.

13. "NEW POLL - 70% of French People Support Suspending Arms Sales to Saudi Arabia and the UAE Over the War in Yemen", SumOfUs.org, 21 March 2019, <https://www.sumofus.org/media/new-poll—70-of-french-people-support-suspending-arms-sales-to-saudi-arabia-and-the-uae-over-the-war-in-yemen/>



Observatoire des armements

SumOfUs

En collaboration avec



Novembre 2019