

Creating More Turmoil: Why UAV strikes Will Be Counterproductive in Yemen

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Introduction:

This paper seeks to answer the question of whether the U.S. should expand the use of Unmanned Aerial Vehicles (UAVs) to execute targeted killings in Yemen. This is an important question for two reasons: 1) al Qaeda affiliates use Yemen as a safe haven for planning and executing terrorist operations, and 2) the current political upheaval in Tunisia, Libya and Egypt is encouraging further demonstrations and protests in Yemen. To answer the UAV expansion question this paper will examine political instability issues in Yemen, recent Yemeni terrorist activities, current U.S. policy towards Yemen, previous use of a Predator drone in Yemen, and ways to improve Yemen-U.S. counter-terrorism cooperation.

Yemen Instability and Governance Issues:

Yemeni internal political discord continues to hamper the development of the nation as it contends with two secessionist insurgencies: the Northwest al Houthi insurgency¹ (also referred to as the Believing Youth, or Shabab al Moumineen),² and the comparatively less contentious Southern insurgency.³ Yemeni President Ali Abdallah Salih's insurgent difficulties compound the terrorist problem because insurgent-held areas offer operational space to terrorist groups.

Since 2004, the Yemen and Saudi Arabian governments have tried to link the al Houthi insurgents to al Qaeda in an attempt to garner international approval of their military focused counter insurgency methods. Saudi Arabian warplanes attacked al Houthi positions inside Yemen on November 5, 2010; Saudi Arabia's first cross border military intervention since 1991 when they participated in the Gulf War.⁴ Al Houthi insurgents do express disdainful rhetoric against Saudi and U.S. governments because both support their opposition, the Yemen government, but the al Houthi insurgents have not attacked Westerners to date. They

focus their ambushes, sniper attacks, and small to medium sized bombs on the Yemeni army and police forces.⁵

Aside from the two insurgencies, the Yemeni government is facing dire social, political, and economic challenges: an illiteracy rate greater than 50%, half the population earns less than \$2 a day, and 75% of state revenues come from oil resources that are predicted to run dry by 2017.⁶ With a population of 23.4 million,⁷ Yemen has an estimated 250,000 refugees from the al Houthi insurgency battles.⁸ In comparing global index values, Yemen ranks as one of the worst countries in the areas of Human Development, Failed State, Political Stability, Government Effectiveness, and Rule of Law.⁹

Defense analyst C. C. Brafman Kittner proposes that weak governments that are unable to inhibit weapons proliferation, transnational criminal activities, and drug trafficking are ideal countries for terrorists to find safe havens. She explains that in weak states "the veneer of state sovereignty" still exists and can actually shield the terrorist organizations from international countermeasures.¹⁰ Kittner points to the Yemen situation as an example of a central government's inability to control mountainous border areas inhabited by terrorists and smugglers.¹¹ In addition, the Yemen border areas are tribal areas outside of the central

⁵ Freeman, p. 1013.

⁶ U.S. Senate Committee on Foreign Relations, *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, January 21, 2010, U.S. Government Printing Office, pp. 8-9, http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_senate_committee_prints&docid=f:54494.pdf, (Dec. 6, 2010).

Other estimates state that the oil reserves will expire by 2020 to 2030, see *Yemen on the Brink: Implications for U.S. Policy*, p. 14.

⁷ CIA- The World Factbook, *Yemen*, Central Intelligence Agency, <https://www.cia.gov/library/publications/the-world-factbook/geos/ym.html>, (Dec. 9, 2010).

⁸ House of Representatives, Committee on Foreign Affairs, *Yemen on the Brink: Implications for U.S. Policy*, February 3, 2010, U.S. Government Printing Office, p. 10, <http://permanent.access.gpo.gov/lps123153/54939.pdf>, (Dec. 6, 2010).

⁹ Edward Newman, "Weak States, State Failure and Terrorism", *Terrorism and Political Violence*, 2010, p. 480, <http://www.informaworld.com/smpp/content~db=all~content=a783497486~tab=content~order=page>, (Nov. 3, 2010).

¹⁰ Cristiana C. Brafman Kittner, "The Role of Safe Havens in Islamist Terrorism", *Terrorism and Political Violence*, 2007, p. 310, <http://www.informaworld.com/smpp/content~db=all~content=a780502437~frm=titlelink?words=role,safe,havens,islamist,terrorism> (Nov. 3, 2010).

¹¹ Kittner, p. 309. Kittner makes an interesting observation that honey smuggling from Yemen into Saudi Arabia is a lucrative trade for terrorists, and the honey containers are often considered "too messy" for the custom inspectors. Thus, honey containers are perfect for concealing drugs, arms, gold, electronic equipment and cash.

¹ Office of the Coordinator for Counterterrorism, *Country Reports on Terrorism 2009*, August 5, 2010, U.S. State Department, <http://www.state.gov/s/ct/rls/crt/2009/140886.htm>, (Nov. 29, 2010).

² Jack Freeman, "The al Houthi insurgency in the North of Yemen: An Analysis of the Shabab al Moumineen", *Studies in Conflict and Terrorism*, 2009, p. 1008, <http://www.informaworld.com/smpp/content~db=all~content=a916106970~frm=titlelink?words=houthi,insurgency,north,yemen,analysis,shabab,moumineen>, (Nov. 3, 2010).

³ Agence France Presse *18 killed in south Yemen violence this year: report*, April 17, 2010, Google News, <http://www.google.com/hostednews/afp/article/ALeqM5gpQHbHPiGbgzBxShvIEhwurgLw>, (Dec. 7, 2010).

⁴ Joost R. Hiltermann, "Disorder on the Border", *Foreign Affairs*, December 16, 2009, <http://www.foreignaffairs.com/articles/65730/joost-r-hiltermann/disorder-on-the-border>, (Nov. 3, 2010).

government's authority, and they often offer hospitality to Islamist terrorists.¹²

In January 2011, Secretary of State Hillary Clinton visited Yemen and expressed her fears concerning the political fragility of the country. With the recent events in Tunisia and Egypt, the secretary's fears are being realized as demonstrations in southern Yemen and in the capital have increased in fervency.¹³ The removal of the current Salih government could lead to further unrest in the country and encourage more Islamist terrorist organizations to seek safe haven in Yemen.

Yemeni Terror Operations:

Yemeni based terrorism came to the forefront of U.S. attention when the U.S.S. Cole was attacked on October 12, 2000 killing 17 U.S. Navy personnel, and wounding 39.¹⁴ The nation experienced a "brief period of calm" due to successful negotiations between the Yemen government and extremists, and improved U.S.-Yemeni counter-terrorism cooperation.¹⁵ However, after 2004, Al Qaeda and Sunni Islamists in Yemen reacted to the U.S. invasion of Iraq by attacking Western targets and Yemen security targets.¹⁶ The most notable attack was on the U.S. Embassy in Sana'a on September 17, 2008 killing eleven Yemeni civilian security personnel. The U.S. State Department responded by evacuating all nonessential personnel from the Sana'a embassy.¹⁷

The terrorist threat in Yemen became increasingly adverse in January 2009 when al Qaeda Yemen (AQY) and Al Qaeda elements in Saudi Arabia merged to form al Qaeda in the Arabian Peninsula (AQAP). After the creation of AQAP there was an increase in terrorist planning and recruitment for operations in Saudi Arabia and against foreign nationals in Yemen.¹⁸ The merger has also produced an increase in attempts to bomb U.S. domestic targets from Yemen: for example, the Christmas 2009 "underwear bomber"¹⁹ and the October

2010 printer cartridge bombs.²⁰ Also, it should be noted that the Fort Hood shooting²¹ can be linked to Yemen-based American imam, Anwar al-Awlaki.²²

Current U.S. Policy:

The U.S. government recognizes that Yemen's insurgent and terrorist security challenges are hindering the social, economic and political development problems; therefore, U.S. foreign policy toward Yemen attempts to be "holistic and flexible."²³ The current policy seeks to accomplish two goals:

- (1) Strengthen the Government of Yemen's ability to promote security and minimize the threat from violent extremists within its borders.
- (2) Mitigate Yemen's economic crisis and deficiencies in government capacity, provision of services, transparency, and adherence to the rule of law.²⁴

The U.S. government has sought to help refugees from the al Houthi insurgency with \$7.4 million in food aid, \$3.1 million in relief aid, and \$4.4 million in refugee assistance aid.²⁵ At present, U.S. military aid is an estimated \$155 million to assist Yemen's counter-terrorism efforts by providing helicopters, materials, and U.S. Special Forces trainers.²⁶ U.S. military leaders plan to increase military aid in 2011 to an estimated \$250 million.²⁷ The U.S. State Department report implies that these counter-terrorism resources led to four successes in 2009:

- (1) January 19, 2009, the Yemen Counter-terrorism Unit raided an AQ cell in the capital city of Sana'a killing two suspects, capturing one suspect and confiscation of a large weapons cache containing machine guns, RPGs and mortars.
- (2) March 2009, successful arrest of a Saudi AQAP member in Ta'iz, Yemen.
- (3) June 2009, successful arrest and surrender of a Saudi AQAP member and a Saudi AQAP financier, Hasan Hessian bin Alwan.

¹² Ibid, p. 311.

¹³ Nada Bakri and J. David Goodman, "Thousands in Yemen Protest Against the Government," *New York Times*, January 27, 2011, http://www.nytimes.com/2011/01/28/world/middleeast/28yemen.html?_r=1&scp=2&sq=Yemen&st=cse, (Jan. 29, 2011).

¹⁴ Seth G. Jones and Martin C. Libicki, *How terrorist groups end: lessons for countering al Qaeda*, RAND MG741-1, RAND Corporation, http://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND_MG741-1.pdf, (Nov. 29, 2010) p. 187.

¹⁵ *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, p. 11.

¹⁶ Ibid, p. 12.

¹⁷ Ibid, p. 8.

¹⁸ *Country Reports on Terrorism 2009*.

March 15, 2009- Four South Korean tourists were killed in a suicide bomb attack.

March 18, 2009- South Korean government motorcade was attacked by a suicide bomb attack.

June 2009- Nine foreigners were kidnapped in Sa'ada, Yemen: three confirmed deaths, six still missing.

¹⁹ For Underwear bomber details see Steven Erlanger, "Yemen Says Bomb Suspect Met With Qaeda Figures", *New York Times*, January 7, 2010, <http://www.nytimes.com/2010/01/08/world/middleeast/08yemen.html>, (Dec. 8, 2010).

²⁰ For Printer cartridge bomb plot details see "Bomb was designed to explode on cargo plane – UK PM", *British Broadcasting Corporation*, October 30, 2010, <http://www.bbc.co.uk/news/world-us-canada-11657486>, (Dec. 8, 2010).

²¹ For Fort Hood shooting details see Elisabeth Bumiller and Scott Shane, "Pentagon Report on Fort Hood Details Failures", *New York Times*, January 15, 2010, <http://www.nytimes.com/2010/01/16/us/politics/16hasan.html>, (Dec. 8, 2010).

²² *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, p. 9.

²³ *Yemen on the Brink: Implications for U.S. Policy*, p. 10.

²⁴ Ibid, p. 10.

²⁵ House of Representatives, Committee on Foreign Affairs, "Yemen on the Brink: Implications for U.S. Policy", p. 10.

²⁶ Dawn, "US weighs options against militant threat in Yemen", November 2, 2010, <http://www.dawn.com/2010/11/02/us-weighs-options-against-militant-threat-in-yemen.html>, (Dec. 7, 2010).

²⁷ Greg Miller, Greg Jaffe and Karen DeYoung, "U.S. deploying drones in Yemen to hunt for Al-Qaeda, has yet to fire missiles", *Washington Post*, November 7, 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/11/06/AR2010110604454_pf.html, (Dec. 9, 2010).

(4) December 17, 2009 and December 24, 2009, two AQAP sites were struck.²⁸

These are important successes because they display Yemeni President Ali Salih's resolve to attack al Qaeda bases and operatives, and counters previous rumors that the president owed Osama bin Laden a debt of gratitude for quelling a 1994 separatist movement.²⁹

Previous Predator Use in Yemen:

In November 2002 the U.S. ordered a Predator³⁰ strike on al Qaeda operative, Al Harethi, as his car was driving away from a civilian area.³¹ Al Harethi was a key suspect in the U.S.S. Cole bombing of October, 2000.³² In response the Yemeni government presented a façade of disapproval to assuage the grumbling and complaints of Yemeni citizens, but it is well documented that the Yemeni government increased counter-terrorism cooperation with the U.S. prior to and after November 2002.³³ Previous Yemen counter-terrorism operations to capture Al Harethi on the Yemen-Saudi border cost the Yemen military dearly in December 2001.³⁴ Criticism of the strike from General Yahya al Mutawakel, Deputy General of the People's Congress Party, concerned not the strike's occurrence, but the acknowledgement that the strike violated a secrecy agreement between Yemen and the United States.³⁵

The November 2002 Predator attack is the only known use of Predator UAVs for targeted killing in Yemen. In contrast, the United States has had significant success in targeting al Qaeda and Taliban leaders with UAVs in Pakistan. In September and October 2010, the United States launched 38 UAV attacks in Pakistan. The difference in Predator UAV usage in Pakistan and Yemen is explained as a function of intelligence. Defense experts cite the amount of intelligence on the Taliban and al Qaeda operations in Pakistan is nearing ten years of collection while Yemen collection is just beginning. U.S. officials are signaling that an increase in the number of CIA operatives, U.S. Special Forces teams, and NSA signal intelligence collectors moving into Yemen may rectify the intelligence collection deficiency.³⁶

²⁸ Office of the Coordinator for Counterterrorism, "Country Reports on Terrorism 2009".

²⁹ William C. Banks, "Legal Sanctuaries and Predator Strikes in the War on Terror", in Michael A. Innes, ed., *Denial of Sanctuary: Understanding Terrorist Safe Havens*, (London: Praeger Security International), p. 117. For more information on the history of Islamist extremism in Yemen in the 1980s and 1990s see: *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, p. 11.

³⁰ For technical information on Predator UAVs see Banks pp. 114-115.

³¹ Banks, pp. 116 and 117. This Predator strike was complicated by the death of Kamal Derwish, an American citizen, who was riding in the car with Al Harethi (see p. 120).

³² Ibid, p. 114.

³³ Banks, pp. 116-17.

³⁴ Ibid, p. 116. No details were provided on the exact amount of Yemeni military casualties.

³⁵ Ibid, p. 121.

³⁶ Miller, Jaffe and DeYoung.

Policy Recommendations:

The above policy indicators of increased military assistance and training, combined with greater intelligence gathering capabilities show that the Obama administration is moving towards increased UAV use in the next 12 to 18 months.³⁷ This paper recommends that expanded UAV use to launch tactical strikes is not an advisable course of action given the fragile political situation in Yemen. UAVs may bring about tactical success, but will hamper the long-term strategic goals of defeating AQAP for several reasons.

First, UAV targeted killings should not be used in Yemen because counter-terrorism needs to be performed by a police force, not the military. The UAVs should be used for intelligence collection purposes to support the police mission. It should be noted that the Yemeni police were largely responsible for bringing an end to a previous Yemeni terrorist group, Mohammed's Army.³⁸

Effective policing in Iraq's Anbar Province in 2006 offers another example of how a state can successfully eradicate al Qaeda's presence. The U.S. assisted Anbar police force gained legitimacy from the local tribal sheikhs that formed the Anbar Salvation Council who were willing to fight al Qaeda in Iraq.³⁹ This supports the testimony of Mark Cochrane, Former Chief of Training for the Police Service of Northern Ireland, when he asserted that counter-terrorism is a police issue.⁴⁰

To support police efforts Yemeni law makers will need to stop stalling and pass effective counter-terrorism laws. It has been cited that the absence of counter-terrorism legislation enhances Yemen's appeal as a terrorist safe haven and operational base. Yemeni prosecutors often use other vague laws to prosecute terrorists, such as fraudulent document charges or gang membership charges.⁴¹ In addition, the Yemen government will need to invest in secure prisons because they have a history of prison escapes freeing dangerous operatives.⁴² For example, in 2006 a group of al Qaeda leaders escaped from a Yemeni prison.⁴³

The second reason that the U.S. should avoid expansion of Predator attacks in Yemen is that intervention in the area could create a significant backlash from a population that is "often hostile to the United States."⁴⁴ Middle East expert Joost Hiltermann explains that foreign backing of the President Ali Abdallah Salih's regime makes him appear ineffective in controlling the affairs of the country; therefore, the use of UAVs would damage the Yemeni government's legitimacy.⁴⁵

³⁷ Ibid.

³⁸ Jones and Libicki, p. 167.

³⁹ Ibid, pp. 90-94.

⁴⁰ Mark Cochrane, "The Importance of Intelligence in Northern Ireland's Conflict – A Practitioner's Perspective", Scowcroft International Affairs Seminar, November 12, 2010.

⁴¹ *Country Reports on Terrorism 2009*.

⁴² *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, p. 12.

⁴³ *Yemen on the Brink: Implications for U.S. Policy*, p. 9.

⁴⁴ *Al Qaeda in Yemen and Somalia: A Ticking Time Bomb*, p. 8.

⁴⁵ Hiltermann, "Disorder on the Border".

Foreign military presence or evidence of their attacks can exacerbate the already hostile attitudes towards the United States and Western allies. In his work, *Dying to Win*, Robert Pape stated:

Although multiple factors are at work, consideration of the most prominent suicide attacks in 2005 shows that the strategic logic of suicide terrorism—and especially the presence of Western combat forces in Iraq and on the Arabian Peninsula—remains the core factor driving the threat we face.⁴⁶

Robert Pape's position can be seen in the Yemeni context when looking at the effects of the May 2010 cruise missile strikes against AQAP. The attack had deleterious effects on U.S.-Yemen relations because a Yemeni deputy governor was killed who was purportedly was having disarmament negotiations with al Qaeda. Also, locals staged mass protests in Marib Province after they found U.S. markings on cluster munitions. President Salih was forced to respond with troops to quell the tribal protests.⁴⁷

Yemen state officials speak to the drawbacks of potential UAV strikes as being counterproductive. As Mohammed A. Abdulahoum, a senior Yemeni official asked, "Why gain enemies right now? Americans are not rejected in Yemen; the West is respected. Why waste all this for one or two strikes when you don't know who you're striking?"

Conclusion

The U.S. should avoid use of UAVs for targeted killing in Yemen to avoid harming the legitimacy of the Yemen central government and keep counterterrorism in the hands of law enforcement rather than the military. The Yemen state has serious political, social, and economic issues that are compounded by insurgents and terrorists and cannot afford increased instability. To keep the Salih regime as an ally, the U.S. cannot use tools that create local animosity and instability.⁴⁸ The U.S. should engage in constructive efforts to build an effective Yemeni police force and counter-terrorism units that can pursue AQAP operatives. These constructive efforts could include UAVs for intelligence gathering purposes, rather than counterproductive missile strikes.

⁴⁶ R. A. Pape, *Dying to Win: Why Suicide Terrorists Do It*, (London: Gibson Square Books, 2006; 1st edn. 2005), pp. v-vi.

⁴⁷ Miller, Jaffe and DeYoung.

⁴⁸ Banks, p. 123.