

**EXAMINING TOTAL ENERGY CORPORATION’S CONDUCT IN YEMEN: A
 COMPARATIVE ANALYSIS OF POLITICAL CORRUPTION AND
 SHIFTING DYNAMICS 2005-2023**

Abstract:	<p><i>This study analyzes Total Energy's conduct in Yemen from 2005 to 2023 using an offensive realist framework. During Saleh's corrupt regime (2005-2011), Total exploited Yemen's vulnerabilities, securing an imbalanced gas agreement for short-term gains. Post-Saleh (2012-present), Yemeni governments struggled to hold Total accountable, hindered by governance challenges.</i></p> <p><i>Total's control over Yemen's oil and gas sector, constituting 80% of GDP, highlights the dominance of non-state entities. The total has benefited from the weak governance that prevented legal action for law violations that have been done by the corporation including violating the Yemeni laws regarding the unfair agreement, causing environmental damage, and turning the oil facility into a detention center during the Yemen war.</i></p> <p><i>Offensive realism explains Total's actions, prioritizing strategic interests over legal constraints in an anarchic world system that enables it to do so through being authorized by major powers. The study also explores how Total, a non-state actor, surpasses the power of a state like Yemen, providing valuable theoretical insights.</i></p>
Keywords:	Anarchy; energy; asymmetrical powers; economic colonialism; lack of governance.
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Introduction

Throughout history, Yemen has been targeted by several powers as it holds strategic geopolitical importance due to its location along key global shipping lanes and its access to the Gulf of Aden and the Red Sea. Additionally, it possesses significant natural resources such as oil and gas, serving as the primary pillar supporting the Yemeni economy. It’s worth mentioning that the nonoil sectors of the economy depend on oil and gas; The oil and gas industry contributes to a quarter of economic growth in Yemen, while the remaining two-quarters of growth stem from services such as trade, transport, banking, and telecommunications. However, most successful enterprises in these sectors are not representative of typical Yemeni businesses. Instead, they maintain close ties with the oil sector and tend to have strong connections to political and military entities. The remaining informal sector of the economy has remained stagnant⁷²². Yemen's economy depends heavily on oil production and exports. Oil contributes 80% of the value of the GDP⁷²³ accounts for 75% of the

⁷²² The Republic of Yemen, *Unlocking the Potential for Economic Growth: A Country Economic Memorandum*, “World Bank”, Washington, DC, Report No. 102151-YE, October 2015, Republic of Yemen: Unlocking the Potential for Economic Growth (worldbank.org) (14.12.2023)

⁷²³ CIA World Factbook, *Yemen GDP*, “Wayback Machine Website”, January 29, 2018, Yemen - The World Factbook (cia.gov) (12.10.2023)

total revenues of the state's general budget⁷²⁴, and constitutes 90% of the value of the state's exports⁷²⁵. Consequently, numerous multinational corporations eagerly seek the opportunity to capitalize on the potential presented by this country and one of them is Total Energy⁷²⁶. Based on the theoretical framework of offensive realism, this paper analyzes the acts of the multinational corporation, Total, in Yemen between 2005 and 2023⁷²⁷. Offensive realism conceptualizes the international system as inherently anarchic without a central authority, compelling both states and major non-state actors to prioritize self-help interests of security and material accumulation over legal agreements or humanitarian concerns.

The study applies the theory's assertion that international interactions are framed through relative gains pursued in a competitive and zero-sum manner rather than positive-sum cooperation. The argument sheds light on Yemen's period of domestic weakness and corrupted regime under the former Yemeni president, Ali Saleh ruling, since the signing of the gas export agreement with Total from 2005 till the revolution that removed Saleh from power in 2011. During this period, Total capitalized on its advantageous economic position by leveraging political incentives to secure a gas agreement disproportionately tilted towards its short-term gains at the expense of Yemen's long-term fiscal security. Since 2012, in the post-Saleh governments' attempts to redress contractual harms, Total has continued to violate laws due to the lack of a strong Yemeni government that can defend its land and resources. The study shows how powerful stakeholders pursue self-interest within an anarchic setting lacking the enforcement of moral behaviors. The paper examines how Total's actions reflect the theoretical anticipation of greater powers prioritizing strategic interests over legal authority in a fundamentally anarchic international system.

A Brief Background about Yemen's Location and Natural Resources

Yemen's strategic geographic location at the southern tip of the Arabian Peninsula gives it control over the Bab Al-Mandeb Strait, a vital passage for commercial shipping between Europe and Asia (see Figure 1). This maritime chokepoint grants Yemen significant geopolitical importance. Additionally, Yemen possesses valuable oil reserves, though its oil production has declined due to conflict. However, there are untapped offshore natural gas deposits, and water resources, including rivers, valleys, and highland aquifers, play a crucial role in irrigation for key agricultural regions. Nevertheless, water access is a sensitive political issue that exacerbates domestic tensions. In summary, Yemen's location on a crucial global trade route and its reserves of oil, natural gas, and water provides economic opportunities but also subject it to vulnerability, especially during periods of unrest.



Figure 1. Location of Total's Operations in Oil production Blocks in Yemen⁷²⁸

⁷²⁴ *Idem*

⁷²⁵ Ramzi Hassan, *Quantitative Assessment of Government Expenditure and its Implications on Yemen's Balance of Payments*, "Swami Ramanand Teerth Marathwada University", India, 2023, p.1

⁷²⁷ Fort Joel, *Yemen: A Tragedy Under the Radar*, "San Diego World Affairs Council", San Diego, April 11, 2023, <https://sdwac.org/event-5209778> (17.10.2023)

⁷²⁸ Google Earth, *Oil blocks in Yemen*, <https://earth.google.com/> (5.11.2023)

Yemen's Political, Economic, and Security Status Since 2005

During Ali Abdullah Saleh's three-decade presidency, Yemen faced significant political, economic, and security challenges. Saleh's centralized power resulted in corruption and hindered equitable public services and economic development. Mismanagement of natural resources led to declining GDP, high unemployment, and deteriorating infrastructure. The Houthi militant group, supported by Iran, grew stronger. Frustration with Saleh's repressive rule sparked the 2011 Yemeni uprising, part of the Arab Spring, demanding change. Saleh resisted calls to step down, deploying security forces that killed protesters. The Gulf Initiative facilitated a flawed political transition, with Saleh transferring power to Abdu Rabu Hadi. However, Hadi encountered challenges amidst rising sectarian tensions and persistent corruption. In 2014, Yemen plunged into civil war as the Houthi rebels seized control, triggering a conflict involving regional powers⁷²⁹. State authority collapsed, exacerbating the humanitarian crisis with millions displaced and in need of aid. Yemen's weak governance violated sovereignty, and severe hardships endured by its people persisted. Furthermore, Yemen's economic situation worsened when it signed a gas export agreement with Total in 2005, further straining the economy heavily reliant on oil and gas revenues, which account for 80% of its GDP⁷³⁰.

Total Competes with Companies to Obtain Yemeni Oil and Gas Agreements

Total competes for Yemeni oil and gas agreements. Marib saw oil production started in 1985 by Hunt Oil Company, and Enron showed interest in Block 5's Al Jannah oilfield in 1987. Total partnered with Hunt, Exxon, KUFPEC, and two Russian companies. Total and Enron signed a gas development partnership focusing on Al Jannah, but Total used corruption to secure the gas agreement, excluding Enron. In 1995, Total signed the Gas Development Agreement (GDA) for exporting 125 million tons from Balhaf, accounting for 80% of Yemen's gas reserves. Total operated in the Messila Basin in Sector 10 and holds over 7 trillion cubic feet of gas reserves in Sector 18. Total suspended Yemen operations in April 2015 due to the war. French Ambassador Jean Marie aimed to resume LNG exports from Total's exploration areas in Marib, Shabwah, and Hadhramaut. Discussions focused on an agreement involving the Yemeni government, the UAE, and Total to restore gas exports through the Balhaf facility. Total resumed Yemeni gas exports from Block 18 by late March 2022. In 2005, Total signed 20-year sales agreements with Yemen's national gas company, deliberately delaying Yemeni gas exports until 2009 to solidify control.

The blocks that Total manages (see Figure 1 and Table 1) have historically accounted for around 80% of the government's budgetary foundation, but this proportion decreased in 2010 after the implementation of the gas and oil agreements signed between Total and the Yemeni government⁷³¹.

Block Name	Governorate	Partners under Total management
Balhaf 18	Marib - Jawf	Safer E&P operation
Masila 14	Hadhramout	Petro Masila
East Shabwah 10	Hadhramout	E&P Yemen
Jannah 5	Shabwah	Jannah Hunt

Table 1. The oil Production Blocks⁷³²

Total's Petroleum Operations:

The Production Sharing Agreement for Block 18 in Marib-Jawf (see Figure 2) was signed in 1981 between Yemen and the Yemen Exploration and Production Company (YEPC). Safer Exploration and Production Operations Company (SEPOC) has operated the block since 2005, with Total (operating as Yemen LNG Company) selected by the government to oversee the project. Article 3.4 of the Gas Development Agreement (GDA) granted Total the right to assess gas reserves through the appointment of an international

⁷²⁹ Council on Foreign Relations, *War in Yemen*, October 17, 2023, <https://www.cfr.org/> (9.11.2023)

⁷³⁰ CIA World Factbook, *Yemen GDP*, "Wayback Machine Website", January 29, 2018, p. 2, <https://web.archive.org/> (12.10.2023)

⁷³¹ Ministry of Oil and Minerals, *Documents of Oil blocks in Yemen*, 2006, <https://mom-ye.com/site-en/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1/> (10.11.2023)

⁷³² *Idem*

consultant⁷³³. Hunt, an American company, insisted on participating as a partner and was granted the opportunity. In 1997, modifications were made to the GDA, leading to the involvement of various entities in Yemen's gas sector. Hunt became an operator of the gas field with a 17.22% stake, and a consortium of Korean companies held a combined ownership of 21.43%⁷³⁴. Total, as the project's main operator of the export facilities in Balhaf, held a 39.62% share as a foreign partner⁷³⁵. Local entities, including the Yemeni Gas Company (YGC) with a 16.73% stake, and the General Authority for Insurance and Pensions with a 5% stake. Since then, Total and Hunt have greatly benefitted from Yemen's oil and gas resources. The subsequent contract signed with Total in 2005 revealed significant collusion and corruption during its execution, leading to extensive economic and physical damages to Yemenis⁷³⁶.

The agreements related to Yemen's natural gas industry in 2005 warranted further scrutiny. In particular, (GDA) and Unitization and Field Services Agreement (UFSA) signed in 1997 contained inaccurate reserve estimates and misleading gas price data, according to a 2005 report by US consulting firm Dagher & Macintosh that Total presented to the Yemeni government in 1996. This led the Yemeni Natural Gas Company, Amal Masila, represented by majority stakeholder Total, to secure Ministry approval for gas sales contracts, bypassing the House of Representatives Resolution No. 675 issued on July 12, 2005, and Cabinet Decision No. 257 approving the contracts on August 16, 2005⁷³⁷. Further questionable was the company's reported 2 trillion cubic feet expansion allegedly violating Articles 3.4, 2.1, and 6.3 of the GDA as well as clauses 10.1 through 10.3 of the UFSA, in addition to House Resolution No. 110 dated March 13, 1997. The implementation of these deals from 2009 to 2015 resulted in actual economic damage⁷³⁸.

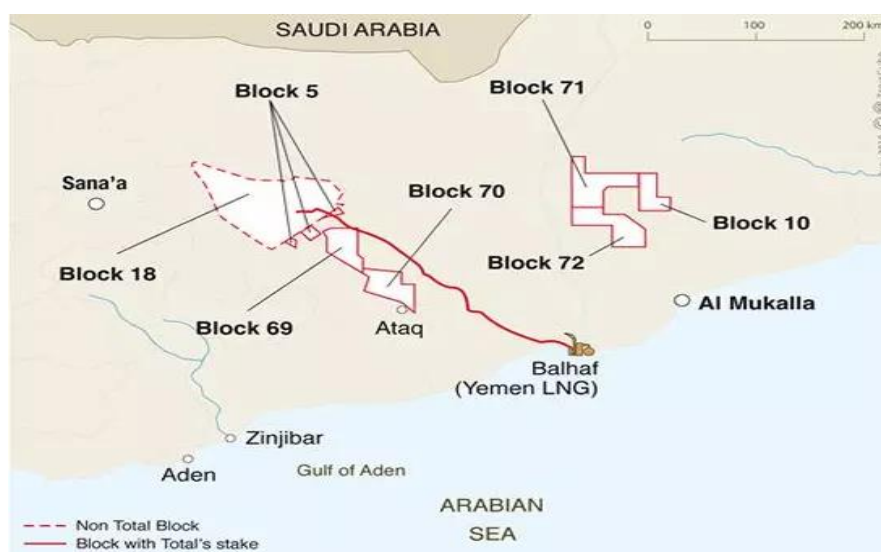


Figure 2. Block 18 in the Central Marib-Jawf Basin⁷³⁹

This section highlights the exploitation and looting of Yemeni gas by Total, based on a report by the consulting company Altara. Firstly, it is important to note that due to the use of the Henry Hub index, which is the lowest index in global gas markets at the time, the Yemeni government incurred a loss of approximately \$11 billion in price differentials during the period from 2009 to 2014. The government did not receive \$161

⁷³³ Abdul Ghani Jughman, *Catastrophes of the LNG agreement in Yemen*, "Ultera Consulting", June, 2022, p. 3

⁷³⁴ Daniel Canty, *Yemen: Fledgling gas exporter rocked by troubles*, "Oil & Gas Middle East", February 13, 2011, [https://www.oilandgasmiddleeast.com/news/article-8454-yemen-fledgling-gas-exporter-rocked-by-troubles_\(06.10.2023\)](https://www.oilandgasmiddleeast.com/news/article-8454-yemen-fledgling-gas-exporter-rocked-by-troubles_(06.10.2023))

⁷³⁵ *Idem*

⁷³⁶ Hassan Al-Zaidi, *Yemen signs 20 years LNG sale agreement*, "Yemen Times Journal", September, 2005

⁷³⁷ Zaid Al-Mahbashi, *Total Energies' dirt in Yemen*, "Saba News Agency", 2023, p. 4

⁷³⁸ *Idem*

⁷³⁹ Total Energies Website, *Yemen: Total acquires interest in and becomes operator of Block 3 exploration permit*, March 5, 2012, [https://totalenergies.com/_\(10.11.2023\)](https://totalenergies.com/_(10.11.2023))

million in facility fees, as the facility ownership and operation were transferred from the Safir company to the Marib American Resource Services Company, which was a partner in the gas project and had ended its legal relationship with Sector 18's operations after the expiration of Hunt's license on November 14, 2005⁷⁴⁰. Total purchases Yemeni gas and holds the government accountable at the lowest selling price in the world (Henry Hub index), while selling 70% of Yemeni gas to companies in Asian markets at a difference of over 300% from the price; The total number of transshipment cargoes sold in Asian markets was 139 out of 159 during 2009-2013⁷⁴¹. The financial damage to the Yemeni government, resulting from tariff differentials, recovered expenses, and direct returns, exceeds \$7 billion during the period 2009-2014, by comparing the actual selling price and the company's financial analyses⁷⁴².

According to documented data from the Central Monitoring and Accounting Agency, the Yemeni government only received 6% of the total amount of liquefied natural gas export revenues, which amounted to approximately \$18.5 billion during the period 2009-2014. The annual income for the government from sales of liquefied natural gas (LNG) was \$180 million⁷⁴³, which falls short of the annual operating budget requirements for the Safir company, the gas producer and supplier in Balhaf (Figure 3). The gas facilities in the source area were hindered from being updated, and the efficiency of extracting liquefied petroleum gas (LPG) was not improved, resulting in the leakage of over 68 million barrels of petroleum gas to Balhaf. The financial value of this leakage amounts to \$4.8 billion. Additionally, more than 58 million barrels of liquefied petroleum gas were targeted for pumping into Balhaf (Figure 2), claiming to increase the calorific value of natural gas to 1,076 British Thermal Units per cubic foot. It is important to note that despite allocating 123.5 million tons (in volume units) for the gas project, the value of the targeted domestic gas exceeds \$4.1 billion. The revenues from selling liquefied petroleum gas (LPG) outside the project exceed the project's revenues by 200% (\$8.9 billion versus \$5.2 billion); In fact, Yemen receives only 90 riyals per cylinder from the liquefied gas project's proceeds through the Balhaf project, whereas the actual selling price for Yemeni citizens in the local market is 6,000 riyals⁷⁴⁴. The shortfall of oil and condensate in Sector 18 due to gas exports is estimated to be around 59 million barrels, valued at over \$4 billion. The total economic and financial damages incurred by Yemen from this project amount to \$78 billion, and if the additional planned gas volume of 2 trillion cubic feet is targeted, Yemen's loss would exceed \$100 billion⁷⁴⁵.



Figure 3. The Red Placemark Shows the Balhaf Terminal in Shabwah Governorate⁷⁴⁶

⁷⁴⁰ Abdulghani Jughman, *Catastrophes of the LNG agreement in Yemen* “Ultera Consulting”, 2022, p. 4

⁷⁴¹ *Idem*

⁷⁴² Nabeel Al Sharabi, *The full story of the crime of selling Yemeni gas*, “Akhbar Alyom Journal”, February 2, 2014, p. 2

⁷⁴³ Karim Shami, *Oil and gas plunder: Yemen's future is being stolen*, “The Cradle Journal”, June 2, 2023, p. 2

⁷⁴⁴ Alarab Journal, *The high price of domestic gas brings Yemenis back to the days of firewood*, July 27, 2021, p. 3

⁷⁴⁵ Abdulghani Jughman, *Op. cit.*, p. 4

⁷⁴⁶ Google Earth, *Balhaf in Shabwah Governorate*, <https://earth.google.com/> (5.11.2023)

According to a report of the Central Agency for Control and Audit, the decline in government revenues from liquefied natural gas sales is due to unfair provisions included in the agreement signed at that time with the operating companies, these unfair provisions can be identified in two main items⁷⁴⁷:

First: calculating the price of a million thermal units based on the selling price of crude oil, while restricting the maximum price of a barrel of crude oil to \$40. This means that if the price of a barrel of oil exceeds \$40, Total still buys a barrel of oil with that fixed price. In fact, this the malicious and unfair equation was established in the agreement, with clear complicity on the part of the Yemeni negotiating team at the time. This item caused huge losses to the government and the Yemeni people as this equation made the price that Total pays to the Yemeni government of one million thermal units' range between 2 and 4 dollars (see Figure 4 and Table 2). While global prices were between 9 and 14 dollars, and the price of a barrel of oil ranged between 70 and 120 dollars during that period. After Total buys the gas from the government, it sells it to its affiliated companies of 70% of the amount of Yemeni gas sold. In fact, the actual selling prices of the Yemeni Gas, determined based on the Henry Hub index for North America (See Figure 4 and Table 3), which represents the lowest prices, are utilized to circumvent the recommendations outlined in House of Representatives Resolution No. (675) dated July 12, 2005.

Prices	per million Btu of gas	per barrel of gas
What Total Pays Yemen	\$2 - \$4	\$9 - \$14
Global prices	\$40	\$70 - \$120

Table 2. Comparison Between the Prices in Yemen and the Global Prices Based on the Gas Agreement⁷⁴⁸

Second: the determination of the government's share of the project's net profits is based on deducting 50% of the total income as capital and operating expenses of the operating company, according to the following equation: If the ratio of cumulative revenues over cumulative expenses is less than or equal to the correct one, then the government's share of the net profits is 25 %, and the operator's share is 75%, and the government's share increases if the result is greater than one. The malice in this equation lies in the fact that during that period, the operating company was able to manipulate the result to be less than one by inflating expenses (the denominator) and reducing revenues (the numerator). This unfair practice allowed the company to continue this game until the end of the contract period for the project.

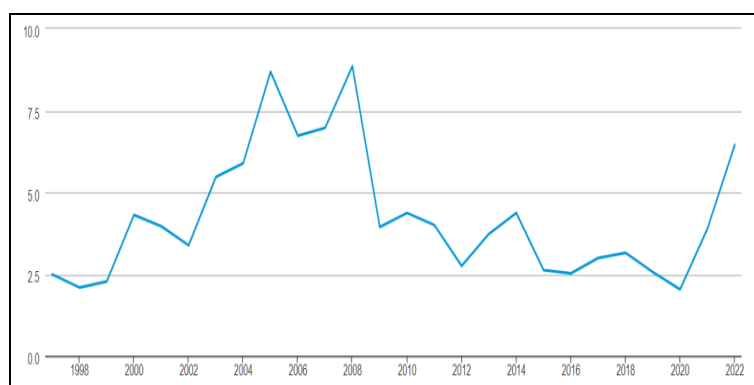


Figure 4. Henry Hub Natural Gas Spot Price⁷⁴⁹

⁷⁴⁷ The Yemeni Central Organization for Control and Audit, *Investigations of Total's petroleum operations*, 2014, p.9, <https://agoye.gov.ye/page.php?lng=arabic&id=378> (05.10.2023)

⁷⁴⁸ *Ibidem*, p. 6

⁷⁴⁹ US Energy Information Administration, *Henry Hub natural gas price*, https://www.eia.gov/opa/data/v1/embed.php?type=chart&series_id=NG.RNGWHHD.A&date_mode=all, (27.09.2023)

Year	2009	2010	2011	2012	2013	2014	2015
Henry Hub Gas Price	3.94	4.37	4.00	2.75	3.73	4.37	2.62

Table 3. Henry Hub Gas prices during Total’s operation. The chart is applied to the Figure 4 Diagram⁷⁵⁰

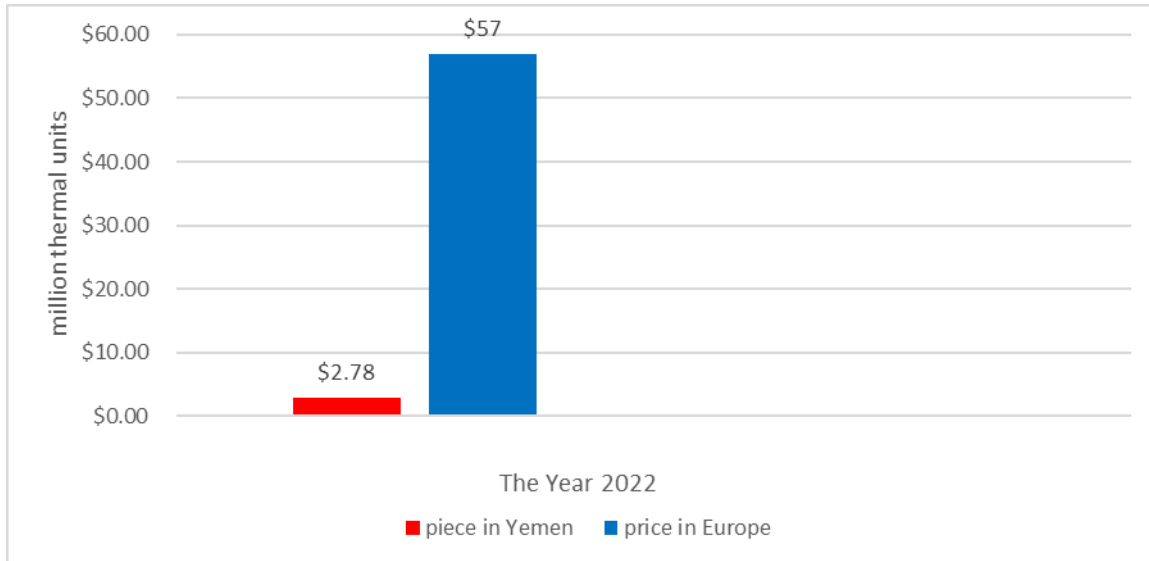


Figure 5. Comparing the Gas Price Of Million Thermal Units Between Europe and Yemen in 2022⁷⁵¹

The Yemeni Company for Liquefied Natural Gas (YLNG) that Total maintains, serves as the custodian of reserves, the seller, the buyer, and the price regulator for government income from LNG sales throughout the contract period. However, the financial analysis submitted to the government in August 2005, along with the expert oil report commissioned by the prosecution, revealed discrepancies. The analysis presented Yemeni gas sales prices at \$4.5 per million British thermal units (BTUs) for low prices and \$7.5 per million BTUs for high prices, derived from the Henry Hub index of North America's spot market (See Figure 4).⁷⁵² This contradicted the recommendations of Parliamentary Resolution 675 issued on July 12, 2005⁷⁵³. Additionally, an oil expert review of the mentioned financial analysis demonstrated that government income was calculated at a minimum price of \$2.7 and a maximum price of \$4.38 per million BTUs (See Table 3), after adjusting for the government's share of royalties. This calculation was completely excluded from the YLNG's analysis submitted to the government in August 2005.

Such actions indicate non-compliance with profit-sharing agreements and the deliberate provision of inaccurate information to bypass parliamentary recommendations and secure contract approvals based on misleading pricing and reserves, as indicated by the ECL report. According to the report issued by the Central Monitoring and Accounting Agency, number 1631, dated June 1, 2014, and the expert oil report commissioned by the prosecution, the total sales based on the contracted prices during the period from 2009 to 2014 amounted to approximately \$7.075 billion, at an average selling price of \$4.45 per million British thermal units

⁷⁵⁰ *Idem*

⁷⁵¹ World Bank, *Monthly prices for natural gas*, November 2, 2023, [https://www.worldbank.org/en/home_\(01.11.2023\)](https://www.worldbank.org/en/home_(01.11.2023))

⁷⁵² US Energy Information Administration, *Henry Hub natural gas price*, https://www.eia.gov/opendata/v1/embed.php?type=chart&series_id=NG.RNGWHHD.A&date_mode=all (27.09.2023)

⁷⁵³ Althawrah Institution, *Canceling the concession granted to Total and its partners in the liquefied gas project in Yemen*, October 6, 2022, p. 7

(BTUs)⁷⁵⁴. However, the total sales based on the actual prices for the same period amounted to \$18.53 billion, at an average selling price of \$11.6 per million BTUs, resulting in a difference of \$11.455 billion that benefited the project partners at the expense of the resources and capabilities of the Yemeni people. In fact, the government only got \$1.1 billion which didn't even reach the minimum income. Yemen continues to experience adverse impacts because of the inequitable gas agreement, thereby exerting a negative influence on its current situation. In 2022, the price of a million thermal units in Europe peaked at \$57, while Yemen sells gas at a significantly lower value of \$2.78 per million thermal units (see Figure 5). This clause made the operating company recover the value of investment spending, acquire the government's share of the revenues, and achieve huge profits in a short period of time, as confirmed by the report of the Central Agency for Control and Audit. In fact, Yemen's losses exceed its gains from the gas agreement during 2009-2014 (see Figure 6). Based on the data shown in Figure 6, the cumulative economic and financial damages inflicted on Yemen from this project amounted to \$48.6 billion. If the Yemen's losses continue in the same rate throughout the remaining lifespan of the agreement, the losses will exceed \$100 billion as mentioned earlier.

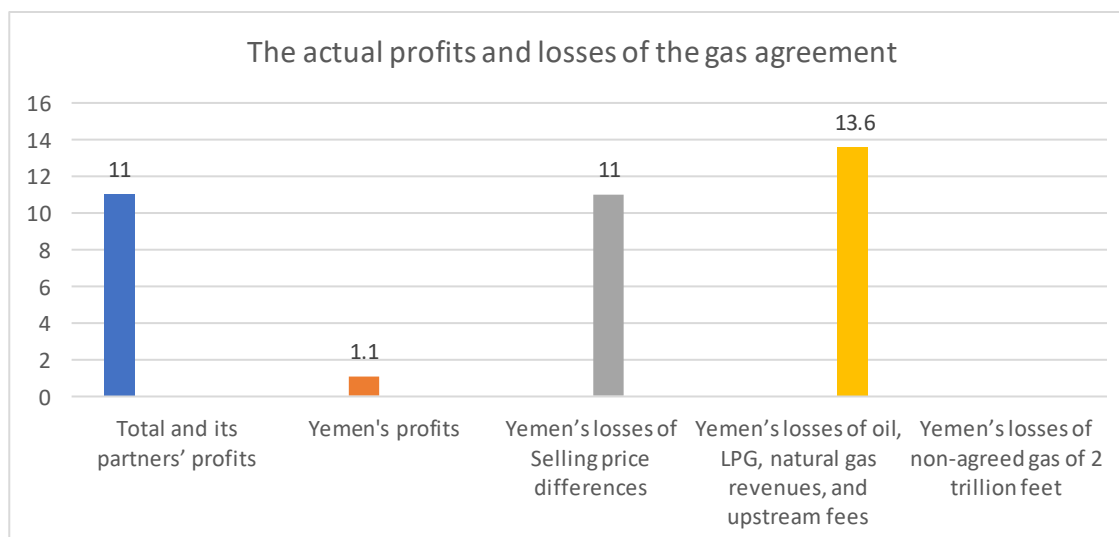


Figure 6. Results of the Gas Agreement 2009-2014⁷⁵⁵

The New Yemeni Government's Aims to Address Past Corruption Regarding Total's

After Ali Saleh was removed by the Yemeni revolution in 2011, the new government investigated cases of corruption of the previous regime, including Total's depletion and exploitation of Yemen's oil and gas in partnership with the Yemeni Liquefied Natural Gas Company, which was under corrupt management of the previous regime. The Yemeni government engaged in a series of legal proceedings to address Total's contravention of gas sale agreements between 2013 and 2022:

1. The Wise Governance Team reviewed the LNG export agreements and contracts in 2013. On-site visits and consultations were conducted with stakeholders at the Ministry of Oil. The objective was to assess the negative impact of the Balhaf gas export project on the national economy. Correspondence from the Safer Company, Total's partner, documented economic losses incurred by the government from 2006 to 2012. These losses resulted from plans and studies formulated by Total and Hunt Company, deviating from the gas sales contracts by targeting an additional reserve of 2 trillion cubic feet of natural gas.

2. The Good Governance Team reported alleged corruption in government agreements and sales contracts. On September 3, 2013, the Public Prosecutor instructed the Deputy Public Funds Prosecutor to initiate an inquiry into corruption allegations related to LNG agreements. The investigation aimed to assess economic damages from 2009 to 2013. The investigation officially began on September 13, 2013.

⁷⁵⁴ Ahmed Mokryani, *The crime of Total Oil Company in the Yemeni gas project against Yemen and the Yemenis*, "Modern Dialogue Foundation", April 18, 2023, p. 5

⁷⁵⁵ Abdulghani Jughman, *Op. cit.*, p. 4

3. The Second Initial Public Funds Prosecution Office, specializing in corruption cases, based its decisions on the investigation's findings. Reports from technical, legal, and financial experts were considered, including oil and gas engineers from Safer Company, legal experts from the prosecution and the Ministry of Oil, and financial experts from the Central Organization for Control and Accounting and the Marketing Department at the Ministry of Oil. The experts were assigned by the prosecution according to Prosecution Document No. (193) dated June 4, 2014⁷⁵⁶. The decisions included:

a. Ministry of Oil mandated to adhere to the agreed annual pumping of tons of oil for 20 years as per the Gas Development Agreement approved by the House of Representatives.

b. Prohibition on allocating an extra 2 trillion cubic feet due to partners' plan violation of development agreement and related documents (LNG's document, June 17, 2005, and D&M certificate, May 26, 2005⁷⁵⁷). Clyde Fatwa issued on February 12, 2014, in this regard, was revoked.

c. Yemeni LNG Company demanded to compensate Yemen for discrepancies in selling prices, crude oil and domestic gas losses, and upstream fees due to intentional misrepresentation by partners.

4. In response to Memorandum No. 193 (June 4, 2005) from the Public Funds Prosecution, the LNG Company replied on August 10, 2014, referring to the oil expert's report (June 1, 2014). The company claimed remaining reserves of 10.219 trillion cubic feet based on the 2005 D&M certificate. They accused the Public Funds Prosecution of deliberate falsification, contradicting the D&M affidavit issued in 2005.

5. After the revelation of falsified gas reserves, the Yemeni LNG Company requested a meeting in Dubai with the Public Prosecution on August 10, 2014. They claimed unavailability of experts in Yemen and offered to cover all related costs. This request aimed to influence the case's outcome and was reiterated in a memorandum on October 2, 2014.

6. Public Funds Prosecution filed case No. 13 in 2013 against former Safer Company director Ahmed Muhammad Kulaib and deputy Saif Mohsen Al-Sharif. Charges included surpassing the agreed gas pumping volume in 2013, resulting in economic losses. Accused of falsifying reserve figures in Safer Company's document (No. GM-395/AMK/2013)⁷⁵⁸ to secure Clyde Fatwa for additional gas quantity. Violation of Walter Tape agreements requiring Council of Ministers' approval

7. On December 16, 2014, the Attorney General of Public Funds requested the arrest of Safer Company's General Manager, Ahmed Muhammad Kulaib, and his deputy, Saif Mohsen Al-Sharif, in relation to ongoing investigations in Case No. 13 of 2013 and Case 24 of 2014. The cases involve allegations of financial embezzlement.

After the Yemeni revolution, the Yemeni government attempted to rectify the damages caused by the previous corrupt regime, including the unfair gas agreement. However, they encountered numerous challenges, and the strength of Total surpassed that of the Yemeni state.

Reports of Total's violating human rights acts in Yemen:

The article by journalist Quentin Müller revealed large-scale pollution caused by Total's oil operations in eastern Yemen over 20 years. Total managed several blocks including the East Shabwah 10 block in Hadhramaut Governorate but improperly treated and buried extracted wastewater, storing it in plastic basins atop canyons (Figure 7). This polluted water leaked into groundwater from abandoned wells, impacting local communities⁷⁵⁹.

⁷⁵⁶ Althawrah Institution, *Canceled the concession granted to Total and its partners in the liquefied gas project in Yemen*, October 6, 2022

⁷⁵⁷ *Ibidem*, p. 9

⁷⁵⁸ *Ibidem*, p. 10

⁷⁵⁹ Quentin Müller, *Total black water, revelations on major pollution in Yemen*, "L'Obs Journal", France, Apr. 2023, <https://www.nouvelobs.com/monde/20230420.OBS72379/les-eaux-noires-de-total-revelations-sur-des-pollutions-majeures-au-yemen.html> (13.11.2023)



Figure 7. The Polluted Blackish Water Caused by Total In Hadhramout, Yemen. Al- Mawqea post⁷⁶⁰

A former Yemeni engineer for Total confirms that during production, wastewater and toxic chemicals were reinjected over 2,500 meters deep into designated drainage wells. However, the company denies having any inactive wells purposed for such disposal. Yet ex-employees who served as health and environmental supervisors corroborate that produced water was indeed buried by filling supposedly depleted wells no longer yielding oil. They maintain Total tankers routinely carried out this procedure, abandoning contaminated water in otherwise obsolete drilling sites and injecting the oil waste into the Harshiyat formation, which is near the Mukalla formation where people in Hadhramout gets the drinking water (see Figure 8). This contamination is attributed to the presence of heavy metals and hazardous chemical substances like cadmium, chromium, lead, mercury, iron, manganese, chromium, copper, and other toxic elements in the water. Moreover, in March 2008, the on-ground oil pipeline rupture discharge crude over extensive ground stretches in Al-Ghubairah Valley in Hadhramout. Despite safety regulations mandating the burial of the pipeline underground, Total failed to comply and instead placed it on the ground for an extended distance. Surprisingly, the Yemeni government did not take any initiative to enforce these requirements. Since that year, cases of cancer have been increased.⁷⁶¹ Moreover, the situation worsens when heavy rainfall occurs, as those wells filled with toxic waste, along with oil leaks, become mixed with rainwater, transforming it into a blackish hue and contaminating groundwater, soil, and air. This, in turn, adversely affects plants, animals, and humans alike (Figure 9).

⁷⁶⁰ Al Mawqea Institution, *New investigation reveals Total's involvement in widespread pollution operations in Yemen*, April 21, 2023, p. 8

⁷⁶¹ Saleh Altamimi Nor, Hassan, Mohd Radieah, *Impact of Oil Wells Drilling Process on Human Health in Hadhramout*, "International Journal of Academic Research in Business and Social Sciences", 2019, Vo. 9, No. 12, pp. 924–939



Figure 8. Total Tankers Unload Toxic Oil Waste Illegally⁷⁶²



Figure 9. Polluted Water with Waste Oil Caused by Total in Hadhramout Governorate⁷⁶³

⁷⁶² Al Mawqea Institution, *New investigation reveals Total's involvement in widespread pollution operations in Yemen*, April 21, 2023, p. 11

⁷⁶³ Belqis Channel, *Polluted water caused by Total in Hadhramout Governorate*, 2023, <https://m.facebook.com/people/Balqis-Channel/100074283857808/> (01.11.2023)

These toxic discharges have polluted inhabited valleys and caused numerous cases of diseases in Marib, Shabwa, and Hadhramout. The Hadhramout governorate is the highest in such diseases (see Table 4). It's characterized by a high concentration of oil activities and its proximity to densely populated areas like Gail Bin Yamin, Sah, Sharuff, and Souanna, experienced a noteworthy rise in morbidity rates among its population of 1,367,000 (see Table 4); The Sah district is highly impacted by oil pollution, with a rise in cancer cases being reported annually⁷⁶⁴.

Diseases	Cases in 2005	Cases in 2014
cancer	323	1,133
Diseases of the respiratory system	279	27,435
Skin diseases	458	9,913
Gastric Ulcer	1,026	4,454
Pregnancy complications	5	768
Muscle paralysis	47	4,813
Liver disease	299	912
Kidney disease	87	312

Table 4: Comparison of Some Cases Caused by Petroleum Pollution From 2005 - 2014 in Hadhramout⁷⁶⁵

The Journalist Quentin Muller described Total's actions as the most significant environmental scandal in Yemen's history. The investigation revealed that the facilities constructed by Total did not meet international standards. Total provided an amount of \$59,722,603 million to the Yemeni oil company for the abandonment of unprofitable oil fields, with the Ministry of Oil exempting Total from future claims, suggesting a self-protective motive after leaving at the beginning of the conflict in 2015⁷⁶⁶. In 2016, the Chief Justice of Sayoun Court issued a memorandum instructing the governor to confiscate these assets following a legal dispute initiated by the Al-Haq Foundation against Total in March 2015. However, the court order was not implemented. The residents of Wadi Al-Ghubairah and Bin Ali Valley, the most affected by pollution, demanded compensation from Total because of the impact on their agricultural lands. However, the compensation for agricultural losses caused by the environmental disaster in Wadi Al-Ghubairah was estimated at a mere \$59,000, which represented only 0.0005% of Total's substantial annual profits of 10.3 billion euros in 2010 due to rising oil prices⁷⁶⁷. Despite the low compensation, its distribution did not allocate it fairly. Besides, several tribal leaders say that they have not received any financial compensation to give to their tribe members affected by pollution.

The investigation further revealed Total's attempts to divert Yemeni officials' attention from monitoring the health and environmental safety of their facilities. According to a former accountant in Total's Yemeni treasury, when Ministry of Oil representatives visited the facilities, they were offered trips to France or scholarships for their children, ostensibly to demonstrate dedication to their work. Additionally, the investigation highlighted an instance where a Chopard watch was reportedly given to the Minister of Oil, Khaled Bahah, in relation to a \$5,000 invoice paid to a Swiss supplier⁷⁶⁸. When confronted with these allegations, Total denied the claims, asserting that their Yemeni branch had implemented a scholarship program for Yemeni students based on objective criteria and that the gifts adhered to specific rules. Total's claims were proven unreliable, and the gifted nature of their offering raises suspicions. In the absence of applicable laws, such gifts, and scholarships to overseers of foreign companies serve as a means of silencing dissent⁷⁶⁹.

⁷⁶⁴ Zaid Al-Mahbashi, *Total Energies' dirt in Yemen*, "Saba News Agency", 2023, p. 5

⁷⁶⁵ Ministry of Public Health and Population, *Number of sick cases*, <https://moh.gov.ye/en> (12.10.2023)

⁷⁶⁶ Quentin Müller, *Total black water, revelations on major pollution in Yemen*, "L'Obs Journal", France, Apr. 2023

⁷⁶⁷ *Idem*

⁷⁶⁸ Yemen Future, *Total Black Water*, April 22, 2023, <https://yemenfuture.net/researches/14195> (12.10.2023)

⁷⁶⁹ *Idem*

Detention Centers

In 2016, Total delivered the Balhaf facility (see Figure 3) and the port to the UAE, which were later converted into a military base and detention center during the Yemeni war⁷⁷⁰. This demonstrates Total's partnership in a grave action, disregarding the vigilance plan and violating the 2005 agreement with the Yemeni government and international laws⁷⁷¹. Reports from NGOs and media outlets have documented forced disappearances, arbitrary detentions, torture, and denial of medical care in the Balhaf detention center for those who opposes Emirate's polices in Yemen⁷⁷². French Deputy Clementine Autain compared this prison to Abu Ghraib and expressed surprise at the French Ministry of Defense's denial of knowledge. In July 2019, the United Nations Human Rights Council's team of experts considered the Balhaf detention center as part of a larger network of facilities where serious human rights violations occurred. In November 2019, French deputies accused Total of involvement with the UAE in these actions. Total denied control over the Yemeni Natural Gas Company and claimed no foreign employees at the Balhaf station since 2015 except for local employees responsible for facility maintenance. However, these employees are under its supervision. Total bears full legal responsibility for disregarding and freezing the vigilance plan to prevent violations. Moreover, this action violates the provisions of the 2005 agreement with the Yemeni government and contradicts relevant international laws⁷⁷³.

The non-governmental Organization, MENA, has filed a lawsuit against Total on February 23, 2023⁷⁷⁴. The organization acted as a legal representative for those who were subjected to secret detention and torture by the UAE armed forces in the Balhaf detention center between 2018 and 2019. In addition to constructing an airstrip and a military barracks, this violates Yemeni and international laws⁷⁷⁵. Total was accused of committing human rights violations and failing to fulfill its obligations under the French law of 2017 regarding the duty of vigilance on companies. The organization demanded that the Balhaf site be included in the vigilance plan to prevent the repetition of such violations. This law requires large companies like Total to exercise due diligence in identifying risks and preventing human rights violations, while also providing for civil liability and compensation mechanisms.

France's Relations with Total

Non-state actors, including multinational corporations, can align with their home countries' interests⁷⁷⁶. Total, a French corporation, has supported France's goals in various regions worldwide. Three organizations The French Human Rights League, ActionAid, and Sherpa highlighted France's influence on Total's operations and its impact on both Yemen's and Africa's corrupt oil and gas contracts⁷⁷⁷. These reports unveiled the political and economic networks utilized by Total to secure access to resources, but emerging anti-imperialist sentiments and resistance from countries rejecting French interference pose potential challenges to Total's production growth strategy. Overall, these organizations shed light on how France leveraged networks and relationships to strengthen Total's global oil and gas presence.

⁷⁷⁰ Farida Ahmad, *The economic file turns into a political whip in south Yemen*, "South24", August 2, 2023, <https://south24.net/news/newse.php?nid=3465> (20.10.2023)

⁷⁷¹ Althawrah Institution, *Canceling the concession granted to Total and its partners in the liquefied gas project in Yemen*, October 6, 2022, p. 8

⁷⁷² Mena Rights, *French company Total faces legal action*, February 23, 2023, <https://menarights.org/ar/support-us> (25.10.2023)

⁷⁷³ Sahafatak, *Investigative report reveals France's role in Yemen war*, "Aden Journal", September 8, 2020, p. 2

⁷⁷⁴ Mena Rights, *French company Total faces legal action*, February 23, 2023, p.13, <https://menarights.org/ar/support-us> (25.10.2023)

⁷⁷⁵ Sahafatak, *Investigative report reveals France's role in Yemen war*, "Aden Journal", September 8, 2020, p. 14

⁷⁷⁶ Thomas Pakenham, *The scramble for Africa: The white man's conquest of the dark continent from 1876 to 1912*, "Random House", 2015, p. 702

⁷⁷⁷ Anne-Sylvaine Chassany, *Total taps Africa's oil reserves in bid to outdo rivals' growth*, "The Wall Street Journal", May 22, 2007, <https://www.wsj.com/articles/SB117979327048710215> (25.10.2023)

The Link between Total Regional and International Powers

France, the US, and the UAE exploit Yemen's instability and weak government to their advantage.⁷⁷⁸ The French Military Intelligence Agency's secret report reveals the locations of French-made weapons in Yemen and on the Saudi border⁷⁷⁹, while Human Rights Watch confirms weapon sales by France and the US⁷⁸⁰ to parties involved in the Yemen war, including the UAE.⁷⁸¹ The UAE, in turn, supports armed militias under the Transitional Council, advocating for Southern Yemen's secession, which allows for easier control over strategically important areas with diverse natural resources. Additionally, the UAE controls Yemen's maritime routes, and the US benefits from weapon sales while attempting to hinder China's involvement in the Belt and Road Initiative. Meanwhile, Total leverages the absence of governance and instability in Yemen to secure its presence, extract and sell Yemeni gas, favoring its profits over Yemen's economy and sovereignty. These actions collectively demonstrate how France, the UAE, and the US benefit from the lack of a strong government that would otherwise maintain the country's security, resources, and ports.

This behavior aligns with the realist perspective, where states pursue their interests through cooperation, power, and supporting one another, even if it involves violations of international laws. Realists see that the nature of the anarchic world system enables states to pursue their interests even by cooperating using power and supporting one another for achieving each one's interests e.g., European States including France, cooperate for supporting Israel in extending settlements in Palestine despite the United Nations resolution prohibiting such acts. However, each state in Europe seeks its interests. According to Machiavelli, a ruler must remember that whatever brings success is due to power⁷⁸².

Illustration of Total's Acts in Yemen Based on an Offensive Realism Lens

Considering the main assumptions of offensive realism regarding anarchy and state behavior in the international system, Total's actions in Yemen can be analyzed through the overall theoretical framework:

Anarchy and Self-help: offensive realism posits that in an anarchic world lacking central authority, actors prioritize their security through self-help. Consistent with this, Total engaged in self-interested behavior focused on maximizing short-term profits from Yemeni resources with little regard for Yemen's long-term stability as a sovereign state.

Relative Gains: the theory emphasizes that under anarchy, actors are concerned not with absolute gains but with how their gains affect others relatively. Total's securing of preferential contractual terms that gave it a disproportionate 39%-21% profit share exceeding 50%, while Yemen received just 5%, represents a classic case of prioritizing relative over absolute gains.

Power and Material Conditions: as the economically dominant actor with influence over Yemen's largest income source (80% of GDP from oil/gas), offensive realism expects Total to leverage its advantages for security, as seen through exploiting political connections to shape policies for its gain, including delaying alternative energy reserves. The pursuit of unchecked wealth accumulation through control of resources regardless of other impacts is also consistent with how self-interest might manifest under anarchy with no enforcement of moral norms.

Total acquired gas for just \$2-4 per million BTUs while Yemen paid \$12.4, yet Total sold 70% abroad at 300% higher prices⁷⁸³, pocketing \$11 billion in annual profits. Total's waste disposal in Hadhramaut increased disease cases fivefold, demonstrating prioritization of material gains over stability or humanitarian concerns. In sum, an offensive realist analysis interprets Total's actions as an example of how self-interest,

⁷⁷⁸ Lindsay Hetherington, *Yemen's Unending Political Transition: Between Revolution and State Collapse*, "Carnegie Endowment for International Peace", 2020, <https://carnegieendowment.org/> (12.11.2023)

⁷⁷⁹ Richard Lough, John Irish, *The use of French-made tanks and cannons in the Yemen war*, "Reuters", April 2019, <https://www.reuters.com/article/us-yemen-security-france-arms-idUSKCN1RR1D3> (10.11.2023)

⁷⁸⁰ Mark Burrows, *Yemen peace prospects, Saudi interests, and the need for US commitment*, "Council on Foreign Relations", 2018, <https://www.cfr.org/> (10.11.2023)

⁷⁸¹ Kenneth Roth, Bénédicte Jeannerod, *France Should Stop Fueling Saudi War Crimes in Yemen*, "Human Rights Watch", May 17, 2019, <https://www.hrw.org/news/2019/05/17/france-should-stop-fueling-saudi-war-crimes-yemen> (12.11.2023)

⁷⁸² John Mearsheimer, *The tragedy of great power politics*, "W.W. Norton & Company", 2001, p. 427

⁷⁸³ Al Sharabi, Nabeel, *The full story of the crime of selling Yemeni gas*, "Akhbar Alyom Journal", February 2, 2014

power dynamics and relative gains pursuits predicted to emerge from anarchy can incentivize major actors to essentially dominate weaker states economically for short-term material gain despite destabilizing consequences.

Conclusions

This report examines France's role in the Yemen war by investigating its conduct from 2005-2023. It looks at how Total Energy Corporation navigated changing political, economic, and security dynamics in Yemen under Ali Abdullah Saleh's rule and the instability following 2011 uprisings. The analysis provides insight into how major companies adapt strategies amid unstable conditions and shifting vulnerabilities in partner states over time. Furthermore, as a major French multinational oil and gas company, Total Energy Corporation is working for its interests as well as serving the interests of France as well as other regional and international powers in pursuing its strategic energy interests in Yemen despite the unstable conditions.

Yemen's crisis is incredibly complex and the damages it caused is huge. According to the UN, it's classified as the worst humanitarian crisis caused by humans. It has left 377,000 civilian casualties as well as job losses and poverty exceeding 45%. The solution lies within the people of Yemen rather than various ruling factions in the north and south that each is allied to foreigner powers. Throughout history, peoples' struggles and unity for liberation from exploitation have proven to be the power that overcame many domineering forces seeking hegemony as what the French, Vietnamese, and South Africans did through notable examples of resistance. Yemenis should remain united behind a trustworthy, nation-devoted leader as Nelson Mandela was in South Africa - and in Yemen, Mohammed Salem Basindwa is a suitable Yemeni politician to lead Yemenis. Significantly, Basindwa hails from southern Yemen where secessionists backed by regional forces seeking to divide Yemen propagate. Since this new leader stems from the south, common people will not heed such divisions and rally around him to avoid splitting Yemen north and south. With unity, Yemenis could reclaim currently foreign-controlled ports and islands, obtain compensation for losses incurred through gas deals with Total by requiring international pricing compliance or departure as with the UAE's Dubai Ports World after it exploited Aden port 2008-2012 without legal adherence. This paves way to challenge past inequitable extraction contracts, environmental damage claims and illicit detention complicity if companies offensively exceeded legitimate operations due to unstable governance - challenges unity and consensus leadership may strengthen through restored central authority exceeding current foreign interests.

This study examines the offensive framework of a none - state actor, Total Energies' actions in Yemen. For further studies in this field, scholars can examine Total's exploitative acts in its former colonies in Western and Central Africa.

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