



The Potential Violations of Civilians' Rights in Armed Conflicts in Yemen from the Perspective of International Law

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Abstract

This study investigates the conflict in Yemen, with a specific focus on the potential violations of civilian rights committed by the conflicting parties. The research seeks to shed light on the different forms and patterns of potential violations against civilians in Yemen, considering the specific circumstances of the armed conflicts and the parties involved. Additionally, the study examines these violations within the framework of International Law (I.L) to provide an interpretative analysis. Official reports and data from reputable sources such as United Nations (U.N) agencies and human rights non-governmental organizations were collected to document the potential violations by the conflicting parties in Yemen. The findings of the study conclude that the conflicting parties have engaged in acts that constitute possible war crimes against civilians. These potential violations encompass various groups, including children, women, international relief and human rights workers, medical staff, and journalists. The violations further include the destruction of essential infrastructure such as schools, hospitals, and civilian homes, which are repurposed as military installations. Displacement, enforced disappearance, torture, the use of internationally prohibited weapons, as well as starvation, and the spread of epidemics and diseases, are among the documented violations. These potential violations have contributed to an increased death toll in Yemen during the armed conflicts, with the country teetering on the brink of a global famine. The study highlights the urgent need to address and rectify these potential violations, in order to alleviate the suffering of Yemeni civilians and uphold the principles of international humanitarian law.

Subject Areas

Law

Keywords

Yemen, A.C, International Humanitarian Law, Potential Violations, Protection of Civilians, Possible War Crime

1. Introduction

One of the main and essential objectives of International Humanitarian Law (I.H.L) is the protection of civilians in armed conflict (A.C). Under the legal rules, individuals and the civilian population enjoy general protection from the effects of combat operations carried out by armies. Military objectives only, and interest in the protection of civilians have increased recently as a result of the great development in fighting methods and the emergence of advanced and destructive technology in the field of combat [1].

The participation of civilians in hostilities is an issue that needs to be addressed by International Humanitarian Law (IHL). This participation deviates from the principle of non-participation, which is the foundation for ensuring their protection. The principle of non-participation of civilians in hostilities is a fundamental concept in IHL, which aims to provide protection to civilians during armed conflicts. However, there are circumstances where civilians may become directly involved in hostilities, and it is necessary for IHL to address this exception. Nevertheless, the understanding of civilian participation has been subject to a jurisprudential debate, leading to difficulties in comprehending the concept. This debate, which began in 2004, resulted in the issuance of an explanatory guide in 2009. The guide represents the culmination of extensive discussions among experts, each expressing their respective opinions on the matter. It is important to note that the views expressed in the guide reflect the opinions of the experts at that time.

Yemen, a little country on the Bedouin Promontory, has turned into the site of egregious non-military personnel enduring in the midst of an obstinate nationwide conflict. Numerous experts say [2], the battle presently seven years old, has transformed into an intermediary war: The Iran-upheld Houthi rebels, who toppled the Yemeni government, are set in opposition to a global alliance driven by Saudi Arabia. The association of different warriors, including aggressor Islamist gatherings and separatists upheld by the United Arab Emirates (UAE), has convoluted the image [2].

Yemen is currently facing an acute humanitarian crisis due to the seven-year conflict, due to which there will be 23.4 million people in need of some type of humanitarian assistance in 2022 [3] [4]. Millions of people have been displaced, the health system has collapsed, leading to the spread of preventable diseases and the risk of starvation. The conflict is complicated by the involvement of various parties, including the Iran-backed Houthi rebels and a coalition led by Saudi Arabia [5]. The research problem in this context is the violation of IHL in Ye-

men's conflict, leading to the suffering of civilians. The objectives of this study are to examine the extent of the violation of IHL in Yemen's conflict and to propose measures to protect civilians in armed conflicts. March 4, 2023, statistical data released by Entesaf [6], a local non-governmental organization in Yemen, showed that the eight consecutive years of war in Yemen have caused at least 13,482 women and children to be injured, including 6328 deaths and 7154 injuries. In addition, over 5 million people have been displaced.

2. The Literature Review

The study serves to define armed conflict in international and humanitarian law, explore Yemen's conflict history, and identify its key actors. It categorizes the conflict, assessing its multifaceted impact, including humanitarian, economic, and cultural losses, laying the foundation for further research.

2.1. Armed Conflict Definition

Citizens striving for internal change are involved in Armed conflicts (ACs) within States, which are political conflicts. Some are secessionist movements, typically led by a group of individuals who take up arms to fight for the establishment of either an autonomous entity inside an existing state or a totally new and independent state of their own, who are almost always a minority within a community.

Armed Conflict (AC) is still a contested term in International Law (I.L) debates. There are no clear lines that indicate the nature of an A.C in which to be applied in different levels of skirmishes. However, certain characteristics are necessary in recognizing whether a conflict is an A.C or not. Such recognition is crucial for the exercise and application of law of humanitarian (H.L) in resolving and monitoring the conflict. The H.L acts as a guideline for parties involved in an A.C as well as being the bastion for the safeguard of people who are not involved in the conflict, yet being in the middle of it particularly the civilians. The expectation of a world without wars, and clashes between states, which are being settled through talks, has not been completely understood [7]. Uppsala Conflict Data Program (UCDP) provides a specific definition of A.C in which:

“When two parties, one of whom is the government of a state, employ military force against one another, there is an armed conflict that affects government and/or territory and at least 25 people have died in fighting as a result.” [8]

IHL emphasizes the need to commit to humanitarian and impartial relief work for the civilian population, in accordance with the conditions set forth in IHL, when basic materials are about to be implemented. The law urges the parties to the conflict to maintain conditions that allow the civilian population to secure their pensions, in particular by refraining from taking any measure aimed at depriving them of their supplies, access to their crops or arable land, or generally depriving them of the indispensable materials for their survival. The principle of protecting civilians and not being considered the site of any attack dur-

ing military operations is one of the fundamental principles of the IHL. That the IHL guarantees rules that provide protection for people during ACs through detection and determining the type of potential violation of the law, and this protection is not limited to civilians only, but also includes in one way or another fighter, as well as the reason for its existence is mainly in protecting all human souls During ACs, regardless of conflict reasons and motivation [9].

One of the key instruments of IHL is the Geneva Conventions, which were adopted in the aftermath of World War II and have since been ratified by a large majority of countries worldwide. The Geneva Conventions establish the obligations of parties to an armed conflict to protect and care for wounded and sick combatants, prisoners of war, and civilians. They also prohibit acts such as torture, inhumane treatment, and indiscriminate attacks on civilians. In addition to the Geneva Conventions, there are other important international treaties and conventions that contribute to the development and implementation of IHL [10]. For example, the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction (commonly known as the Ottawa Convention) aims to eliminate the use of anti-personnel landmines, which pose a significant threat to civilian populations even after the cessation of hostilities. Similarly, the Convention on Cluster Munitions seeks to address the humanitarian impact of cluster munitions and reduce the risk they pose to civilians [11]. A “Major A.C” on the other side is a war between nations in which fighting between Government forces (classified as legitimate) and their rivals bring somewhere around 1000 passings over the contention [12].

The definition provides that in an AC, one party should be from the government of state. Such definition would then differentiate between ACs and small or middle scale skirmishes. The definition further describes five elements necessary for the conflict to be considered as an A.C:

- 1) The use of armed force;
- 2) 25 fights related passings each year and per incongruence;
- 3) Parties which must consist of a government at one side;
- 4) State in which the conflict takes place and;

5) Incongruence relating to the government and the contradiction [13]. However, the definition itself implies a conflict that is situated within the state so as to say, internal conflict. Observations made by Wallenstein [14] on the occurrence of A.Cs from 1989 to 2000 provides three categories of A.Cs, each is distinguished according to battle-related deaths count:

- Minor A.C—Number of fight-related killings during conflict is less one thousand.
- Intermediate A.C—Number of fight—related killings during conflict is more than 1000, but less than 1000 at whatever year.
- War—Number of fight—related killings exceed 1000 in any given year.

Wallenstein [14] also notes that the last two categories (intermediate AC and

war) are considered as major ACs. Many complex factors lead to ACs and one of the most causes of AC is ethnic and religious differences. Ethnic and religious enmities, mass violations of human and minority freedoms, and ethnic purging coming about because of outrageous types of patriotism proliferated by disdain communities are factors that compound the clash. The general straightforwardness with which arms are dealt from one side of the planet to the other, especially in nations and districts burdened by nationwide conflicts, is likewise a contributing variable. Albeit not in itself a reason for clashes, the wide accessibility of such weapons will in general fuel them, sabotage nonaggression treaties in circumstances where soldiers have not been totally incapacitated, heighten brutality and wrongdoing in the public eye, and hinder monetary and social turn of events. It is estimated that some 500 million light weapons are in circulation in the world. Yemen is the second most heavily armed country in the world after the United States (54 guns for every 100 residents) [15].

Overall, international treaties and conventions play a crucial role in shaping and advancing the principles and norms of IHL. They provide a legal framework that guides states and other parties in their obligations to protect civilians and ensure the humane treatment of individuals affected by armed conflicts. By adhering to these treaties and conventions, states demonstrate their commitment to upholding the fundamental principles of humanity, impartiality, and the protection of vulnerable populations in times of armed conflict.

2.2. Armed Conflict History in Yemen

Yemen has always been divided along the north-south divide, each having its own ideological stance and belief to assert into a “unified Yemen”. Before the unification of Yemen materialized on May 1990, the north-south relation was in tumultuous state particularly during the 1970s and early 1980s—characterized by the competing interstate relation between the city of Sanaa in the north and Aden in the south respectively trying to assert their dominance over each other until now [16].

The flame of Saada that was ignited in 2004 by the Houthis was never subsided. Over the time, it gradually escalated into open rebellion, which reignited in 2009 and eventually drawn Saudi Arabia to provide assistance to Yemeni government. The insurgence was quieted with a ceasefire but later found its way again following the Arab Spring in 2011 in which Houthi leader, Abdul Malik al-Houthi denounced Salih and demanded for his resignation. The election of President Hadi in 2012 did not have any significant effect on the Houthis. They boycotted the single-candidate elections in early 2012 and demonstrated their opposition to extending Hadi’s term in 2014 [17]. The year also saw the increasing hostility between Sunni tribes and Houthis group in Northern Yemen, which slowly spread to different areas including capital of country (Sana’a). A battle followed the fuel subsidies cut made by Hadi’s government in September 2014 that led to negotiation in which the Houthis forced Hadi to stop the violence.

The aftermath left the Houthis with considerable power and influence over Yemeni institutions and politics due to the resignation of Hadi's government [18].

The tension escalated once more in January 2015 that saw the Houthis seized presidential compound in Sanaa, which incited the ousting of President Hadi and responsible members of his government and quickly met with response by Saudi Arabia [19]. Later, the Houthis moved into the disintegration of parliament and the development of Progressive Board, which implying their growing influence and power over Yemeni politics [20]. In a month after his arrest, President Hadi managed to slip out from the capital. His move was to publicly denounce Houthis action as illegitimate and at the same time indicating that he would remain as Yemeni president [21]. This was followed with a turn of event, when ousted president Salih went public and denounced Hadi, which partially confirm the allegation that he has been backing the Houthis insurgency from the shadow. U.N bodies and agencies estimated that 23.4 million in need of some form of assistance and 15.8 million in need of protection in Yemen [5].

2.2.1. The Main Actors Involved in the A.C in Yemen

1) The Government of Yemen

Since the start of the conflict, the Yemeni government has received assistance from the Gulf Arab states led by KSA and the US to reinstate Hadi as the president of Yemen. Amongst countries involved in assisting Yemen are KSA, Bahrain, the UEA, Kuwait, Morocco, Egypt, Qatar, Jordan, and Sudan from Arab states along with US and United Kingdom who provide logistical supports and intelligence to the Saudi-Led Coalition (S-L.D). The government of Yemen (legitimate) consists of the partisan blocs including the Yemeni Congregation for Reform (Islah), some members of the General People's Congress (GPC), who support Hadi's government, and Yemeni Socialist Party (YSP) (named the National Liberation Front prior to 1978).

2) Al-Houthis group (De Facto Authorities)

The Houthi or known as Ansar Allah (Partisan of God) emerged in the late 1980s as a vehicle for religious and cultural revivalism among Zaydi Shiites in northern Yemen that formerly ruled the North under the Imamate until the establishment of YAR in 1962. The Zaydis are a minority in the Sunni Muslim-majority country but predominant in the northern highlands along the Saudi border. The Houthis are Zaydi revivalist that felt threaten by the dominant Sunni or Wahabbi identity. The Houthis became politically active after 2003, and they rebel on government and a history of rising up against the Sunni groups and country leadership, believe that leadership is their right. The insurgence of the Houthis is closely referred to the unresolved military aggression in Saada, started in 2004 with the quasi-police attempt to arrest Husein al-Houthi, former parliament member, that quickly escalated into an A.C However, al-Houthi's death had only made the conflict worsen with on-off battles taking place until 2007 when the Houthis—during the time was led by Hussein al-Houthi's brothers Abd-al-Malik and Yahya—was accused of threatening a Jewish community

in Saada. They took control of Yemen's capital and largest city, Sana'a, demanding lower fuel prices and a new government.

The Houthis since before the start of conflict has always been associated and accused to be the proxy for Iran due to their shared religious lines (Shia). Both the US and Saudi Arabia have accused Houthis to receiving training and weapon from Iran. A statement made by US Secretary of State, John Kerry, claimed that there were supplies coming from Iran for Houthis, involve traveling of Houthi people to Iran and Lebanon for military trainings as well as channeling aids and money for the rebels and supporting them with weapons.

3) The Al-Qaeda in Arabian Peninsula (A.Q.A.P)

Al Qaeda in the Arabian Peninsula (A.Q.A.P) first gained control of territory in 2011 when it took advantage of political chaos, which eventually aims to establish the caliphate [22]. The AQAP is viewed as the most active and dynamic branch of al-Qaeda and presented a significant threat to the security of the region of the Middle East. In 2012, during rehearsal for Yemen's Unity Day, a suicide bombing that claimed over 120 people's lives had been claimed responsibility by the AQAP. The organization then moved to the key stronghold in Southern Yemen and planted mines that threaten the lives of civilians. During the early phase of the Yemeni civil war in 2015, the AQAP took advantage of the turmoil and captured Mukalla where they established their base [23]. The city was later recaptured by the S-L.D in 2016. Despite the continuous efforts by the US and coalition to contain AQAP, the conflict in Yemen actually enabled the organization to expand its power and influence. The key source of AQAP's survival was its focus on sustaining its relationship with locals in areas they established, which had rendered the efforts to oust them difficult [24] [25].

4) The Southern Transitional Council (STC)

On 11 May 2017, Aidrous Al-Zubaydi, Aden's former chief representative, remained before the banner of previous Yemen's south and reported the making of a 26-part Southern Temporary Committee (S.T.C) [26]. As per Southern Development individuals, the declaration was the summit of conversations that had been happening for quite a long time. Nonetheless, the cycle was catalyzed following A.Cs at the Aden Air terminal in mid-April between the leader of the U.N-upheld government of Yemen, Hadi President, and afterward lead representative Aidrous [26]. On 27 April 2017, Hadi answered by terminating Aidrous as well as Ben Brik, Yemen's previous clergyman of state [27].

Not long after Aidrous's excusable, a mass convention contrary to President Hadi's choice was coordinated by the Southern Development which called later (Southern Movement), an alliance of political groups supporting different levels of political independence for Southern Yemen and privately known as Al-Hirak. Broadcasting the Noteworthy Aden Statement, the dissenters continued to approach Aidrous's expulsion from office as a demonstration of hostility towards the South by Hadi, making reference to Hadi's role in overcoming the South in the 1994 nationwide conflict [28]. The area of the assembly in Khor

Maksar, in Aden—the site of horrendous fighting during the Conflict of Aden in 2015—further highlighted the difficulties of the Southern battle. The statement proceeded to “approve” Aidrous to make a “public political initiative” to address the South in view of the “legitimate authority from the desire of individuals of the South.” During the week that followed, Aidrous recorded gatherings with common society, ladies’ associations, ancestral pioneers, and Southern legislators before openly reporting the development of the STC [26].

Table 1 shows the main actors involved in the A.C in Yemen since 2014, loyal and allied groups, parties and forces, as well as the parties supporting the main actors.

2.2.2. Losses Caused by the Armed Conflict in Yemen

The armed conflict in Yemen has resulted in profound and devastating losses, affecting the country’s population and infrastructure:

1) Humanitarian Losses: The conflict has led to a staggering loss of life, with thousands of civilians killed and injured. Millions of Yemenis are in urgent need of humanitarian assistance, including food, shelter, and medical care.

2) Children and Education: The conflict has disrupted the education system, with many schools damaged or closed. Children have suffered greatly, facing malnutrition, recruitment by armed groups, and a lack of access to education.

3) Healthcare System: Yemen’s healthcare system has been severely strained, leading to a rise in preventable diseases, inadequate maternal and child health services, and limited access to medical facilities.

4) Economic Toll: The conflict has devastated Yemen’s economy, resulting in skyrocketing inflation, unemployment, and a decline in basic services. The currency has sharply depreciated, making essential goods unaffordable for many.

5) Cultural and Historical Heritage: Yemen’s rich cultural and historical heritage, including its ancient cities and landmarks, has been damaged or destroyed due to conflict-related violence.

Table 1. Key parties involved in Yemen conflict.

The Main Actors Involved	Loyal and Allied parties	Supported Parties	Strength	References
The Houthi forces (Ansar Allah)	1) Saleh-Aligned Forces 2) Some Members of GPC	Iran and Hezbollah	Over 100,000 - 120,000 Fighters and followers unarmed loyalists	[29]
The Yemeni Government (Hadi-aligned forces)	1) Yemeni Islah party, 2) Some members GPC, 3) Yemeni Socialist Party (YSP)	The Saudi-led coalition (S-L.D), The United States	Unknown	[22]
AQAP	Islamic State (IS)	Unknown	4000 fighters	[22]
The southern transitional council (STC)	1) Salafi militias 2) The Southern Movement 3) Security Belt forces	UAE	Around 90,000 irregular troops	[22] [30]

It is essential to recognize the immense losses suffered by Yemen and its people as a result of the ongoing armed conflict. The international community's efforts to address these losses and find a peaceful resolution to the conflict are of paramount importance.

2.2.3. Classifying A.C in Yemen

The application of the Law of A.C (L.O.A.C) is determined by the rate to which a legal situation of violence occurred. The International Human Rights Law (I.H.R.L) legislation implements to any form of violence that isn't a full-fledged armed war [31]. However, IHL regulations recognize only two scenarios in which the LOAC applies: International A.C (IAC) and Non-International A.C (NIAC). An A.C between at least two states is known as an IAC, but an A.C between a state and at least one coordinated armed bunch is known as an NIAC (s). The qualification among these A.C circumstances is important because the appropriateness of the Law of A.C (L.O.A.C) is determined by whether the idea of the A.C falls within N.I.A.C or I.A.C [31].

According to the provisions of I.L and the rules of engagement between the parties to the conflict, the A.C in Yemen falls under the criterion of non-international armed types. In the case of the S-L.D involvement, one could argue that the help of forces of government of Yemen has no bearing on the nature the fight in Yemen because the S-L.D mediations don't meet the needed measures for an internationalized A.C based on the data accessible. As a result, the S-L.D doesn't apply in general authority over the Yemeni government troops or issue particular orders to them. Finally, on this premise, it is clear that Iran's engagement and the Saudi-led coalition's intervention do not imply a shift in the war from NIAC to IAC.

3. Research Methodology

In this research, the authors utilized qualitative exploration techniques through previous studies review from significant, and dependable assets. Qualitative examination is an approach that is more exploratory and expects to get a comprehension along with the solutions from the examination directed [32]. Report-based research and Web-based were utilized as the collection of data methods. Also, the authors endeavored to get more data through recently distributed archives like articles, books, reports, diaries, and electronic news to guarantee that the data in this study was refreshed. The authors utilized a study case as the exploration method. Subsequently, this study utilized a blend of distinct and insightful composing methods. The authors endeavored to explain this conversation and the function of I.L in the work to interpret the potential violation issues in Yemen. Additionally, after analyzing U.N. agencies and N.G.Os' performance reports in this issue, the authors checked out at the connection between circumstances and logical results among the factors (*i.e.*, A.C in Yemen and its impacts on civilians), and analyzed and interpreted it by international law. This was finished to answer the recently resolved issue detailing.

4. Results and Analysis

4.1. Effects of Potential Violations Resulting from the Conflict in Yemen

The Group of Experts, N.G.Os, and U.N agencies kept on examining instances of erratic confinement, torment including sexual brutality, different types of abuse and authorized vanishings, committed by gatherings to the contention, expanding upon the past work of the Group. A few infringements falling inside these classifications are likewise managed in different parts of this study. The study highlights the effects of A.C on Civilians in Yemen and appears to be the most significant patterns of potential violations of the I.H.L and the IHRL in Yemen which have been verified to be committed by all parties to the A.C in Yemen. The potential violations recorded were investigated through documented reports, research, and video clips by non-governmental and governmental human rights organizations as follows:

1) Starvation and Denial of Humanitarian Aid

The term “to starve” someone generally implies deliberately subjecting them to extreme deprivation, scarcity of food, and a severe lack of sustenance, resulting in suffering or potential death due to insufficient nourishment. In the context of AC, starvation can occur through both active measures, such as targeting civilian food sources, agricultural areas, and water systems, as well as through passive actions referred to as “omissions.” These omissions involve intentionally impeding or obstructing the prompt delivery of humanitarian and emergency assistance to civilians in need, either by denying consent for aid operations or by willfully obstructing the distribution of essential supplies [33].

IHL is broken when an air blockade endangers civilian lives or property, or when the suffering of civilians surpasses the blockade’s anticipated military advantages. Targeting people with purposeful intent and denying them needs like food, water, and health is a possible war crime and a major infringement and abuse of IHL. According to the International Criminal Court’s Rome Statute (I.C.C) from 1998, making considerable misery or substantial injury to the body or to one’s physical or mental health on purpose is regarded as a “serious violation.” [33].

Although Yemen is not the sole country that experiences the food crisis, Yemen remains in a food crisis situation among the Arabian countries. According to Integrated Food Security Phase Classification (IPC), Yemen’s food insecurity has nearly touched the highest level which is an “Emergency” level [34]. Moreover, agriculture may be a sector that is mostly destroyed by the conflict. It makes food production in Yemen decreases and causes depression [35].

2) The Indiscriminate Ground Attacks

The aimless assaults and the issue of indiscriminate ground attacks are a grave violation of international humanitarian law and represent a blatant violation of the principles of distinction and proportionality. According to established principles, such attacks are strictly prohibited as they fail to differentiate between

military targets and civilian populations. International humanitarian law, embodied in conventions such as the Geneva Conventions, emphasizes the protection of civilians during armed conflicts. Indiscriminate ground attacks not only disregard the fundamental principles of distinction and proportionality but also undermine the basic rights and dignity of individuals caught in the midst of violence. Efforts must be intensified to enforce and uphold international humanitarian law, holding accountable those responsible for such indiscriminate attacks and ensuring the safety and well-being of civilian populations in conflict-affected areas [36].

3) The Air Attacks

The preclusion of “random” attacks (Air Fighting Guidelines, second sentence of Article 24, para. 3) demonstrated significantly more hazardous. The text offers no exact meaning of “aimless”. However, this word before long found its direction into the jargon of the law of war, it was officially characterized just later in the 1977 Convention I extra to the Geneva Shows (G. Cs) (Article 51, paras. 4 and 5). For absence of a firm definition, “indiscriminate” has regularly been misjudged [37]. For a similar explanation, it has frequently been condemned as unreasonable, particularly regarding the words toward the finish of the sentence wherein it shows up: “...the airplane should swear off assault”. This has traditionally been interpreted as meaning that an attack is prohibited if there is even a possibility of harm to the civilian population. However, the accompanying material leads to a significantly different conclusion.

The alarming statistics provided by human rights groups reveal a distressing reality of indiscriminate ground attacks perpetrated by the Saudi-Emirati-led Coalition in Yemen. The reported 89 assaults on people and civilian-related objects across 10 governorates in 2017 resulted in a devastating loss of life. The death toll of 357 civilians, including 161 children and 45 women, and the injury of 294 others, including 101 children and 56 women, highlight the indiscriminate nature of these attacks [38]. The Coalition’s targeting of fishermen, homes, marketplaces, schools, and farms further emphasizes the violation of international humanitarian law and the tragic impact on Yemen’s civilian population. Such incidents underscore the urgent need for accountability, justice, and greater efforts to protect the lives and well-being of innocent civilians caught in conflict zones.

4) The Enforced Disappearance

The International Convention for the Protection of all Persons from Enforced Disappearances does not apply to Yemen (ICPPED) [39]. Nonetheless, by uprightness of its approval of the ICCPR, Yemen is obliged not to participate in enforced disappearances [40]. Given that the demonstration disregards a scope of common and political privileges, including an individual on the right track to acknowledgment as an individual under the watchful eye of the law [41] and his/her right to freedom and security, including independence from arbitrary detention. Enforced disappearances have been portrayed as a “grave danger to

life,” abusing the right to life, as well as embroiling the denial on torment and other horrible, cruel, or corrupting treatment [42]. While enforced disappearance isn’t alluded to expressly in international H.L deals, the demonstration of vanishing individuals taking no dynamic part in threats disregards the necessity of empathetic treatment. Besides, the demonstration will abuse various commitments under customary international H.L—remembering the disallowance for the arbitrary hardship of freedom, regard for prisoners’ day-to-day life, and authorization to get guests, particularly direct relations, to the degree practicable. It might also prompt torment, horrible treatment, and murder. The consolidated impact of these commitments has prompted an acknowledgment that enforced disappearance is restricted by customary international H.L [43].

The expert group confirmed eight instances of enforced disappearances of men by the Taiz Axis of the Yemeni Government and actors partnered with the Islah Party. People vanished for periods going from a while to over four years, that is to say, since right off the bat in the contention. Moreover, torture and other ill-treatment, including sexual brutality, have happened in cases the group recorded. Now and again, families learn of the destiny and whereabouts of their friends and family just a brief time after they have died.

5) Use and Recruitment of Women and Children

According to the guidelines of Customary H.L, the Protocols’ Geneva, the Convention on the Child Rights, the Convention against the Worst Forms of Child Labor, and more recently, the Statute of the I.C.C, it is illegal for armed organizations and the military to recruit minors. Children under the age of 18 are prohibited from joining military forces or armed organizations in accordance with the most exceedingly Forms of Labor of Child and the Optional Protocols’ Geneva to the Convention on the Child Rights. According to the Geneva Protocols, the oldest applicants should be given preference when hiring among those who are under the age of 18 [44].

Yemen is a signatory to the Geneva Optional Protocols to the Convention on the Child Rights on the use of Children in A.C, this states that “persons under the age of eighteen” “shall not, under any circumstances, be recruited or used in hostilities” by non-state armed organizations. Additionally, the convention establishes 18 as the minimum age for any Forces of National Armed engagement in A.C.

Numerous child troopers have been intentionally enrolled, others stole and some forced into battling to safeguard their families. Men as young as six years old have been selected from classrooms and enlisted into “little boys” squads. To restock military force, young men have been abducted from undesirable urban neighborhoods or from schools. Children are lured into combat by being handed talismans or using “sorcery” charms, and they are trained to believe that they are brave fighters who are protected from injury. Unlucky parents have occasionally volunteered their children to fight for the sake of the survival of the family. Kid policemen who are enlisted come from constantly demolished and undervalued

foundations [45].

The G.C and the two Additional Protocols recommend that children and women be the subject of special respect and be protected by the following agencies: Article 14 of the Fourth G.C stipulates that “it is permissible to establish special safety and hospital zones in which pregnant women and mothers of children under the age of seven are protected from the effects of military operations [46]”:

“The need for this is a hospital, safe areas, and places organized in a way that protects pregnant women and mothers of young children under the age of seven years from the effects of war.”

The Group of Experts archived 259 new instances of children enlisted and utilized in threats by a few gatherings to the contention, among which confirmed 16 individual cases were capable. In any case, this last option figure just records for a fractional image of the scale, nature, and predominance of child enrolment and use in Yemen, which imperil the existence of boys and girls and put them in danger of snatching, dealing, sexual savagery, arbitrary detention, torture, and abuse following six years of contention, glaring infringements of child rights keep on inflicting damage and enduring the turn of events and lives of children in Yemen. Today, these children address half of the 24.3 million individuals needing humanitarian help [47]. Furthermore, because of their reliance on families and communities for help, care, and protection, children in Yemen are in many cases the secondary casualties of infringement against their families, educators, and doctors, whose loss of life, detention, uprooting, or different infringements influence their children, students, and pediatric patients.

Young ladies utilized as scouts or teachers talked openly in schools, colleges, public squares, and private homes to spread Houthi convictions and energize further recruitment. A portion of these young ladies were at last elevated as colleagues Zainabiyat to senior female relatives or Zainabiyat bosses themselves; they then enlisted and prepared more youthful young ladies and partook in the captures of grown-up women [48].

6) The Arbitrary Detention

Arbitrary detention and arrest are forbidden under I.L. When the authorities don't cite a legal justification for the liberty deprivation, the U.N Working Gathering on Detention of Arbitrary views it as arbitrary. Such a loss of liberty occurs when secured freedoms or rights, for example, an expression freedom and belief, are exercised, or when serious potential violations of global measures pertaining to the right to receive a just trial result in the deprivation of liberty having an arbitrarily applied standard. “Arbitrariness” should be perused broadly to envelop qualities of wrongness, shamefulness, absence of consistency, and fair treatment of regulation, according to the U.N Committee for Human Rights (U.N.H.R.C), that supervises state conformity with the ICCPR and offers definitive translation and understanding of the Contract.

The law states that anyone who is in custody, whether they are captured com-

batants or civilians, should be protected from acts that cause extreme harm to their life and well-being. This includes acts like murder, mutilation, severe torture, and other forms of suffering. Additionally, it is important to treat individuals with dignity and respect, and not subject them to humiliating or degrading treatment. These principles are outlined in the four Geneva Conventions of 1949, specifically in Common Article 3. It's important to note that these protections apply during Non-International Armed Conflicts (NIACs). Furthermore, punishments can only be imposed by a court that is considered to be "normally constituted" and adheres to internationally recognized standards of a fair trial [49]. This ensures that justice is served and that individuals are not subjected to arbitrary or unjust treatment.

7) The Torture

Under I.H.L and I.H.R.L, torture and other cruel or humiliating treatment are never acceptable justifications. Both the Customary I.L and Article 5 of the Universal Declaration of H.R expressly forbid torture.

It is essential for every state to adhere to the provisions outlined in Article 11 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This article emphasizes that each state must establish regulations and procedures governing the conduct of interrogations, as well as the treatment and conditions of individuals subjected to arrest, detention, or imprisonment. In 1991, Yemen ratified the Convention against Torture, signaling its commitment to preventing instances of torture and ensuring the protection of human rights. By ratifying the convention, Yemen has acknowledged its obligation to uphold the principles and standards set forth in the treaty to prevent and combat torture and other forms of inhumane treatment or punishment [50].

Ansar Allah (the Houthis) serious 29 episodes in four Yemeni governorates, Sa'ada, Sana'a, Taiz, and Al-Hudaydah, including three situations where torment prompted passing. It likewise dedicated 52 cases, in which equipped gatherings—associated to the Saudi-Emirati-drove Alliance and supportive of Hadi powers completed in six Yemeni governorates: Lahj, Aden, Marib, Abyan, Hadramaut, and Shabwah, including 14 situations where torment prompted demise in 2017 [15].

According to the findings reported by Ashley [15], it has been documented that Ansar Allah (the Houthis) carried out 29 serious incidents in four governorates of Yemen, namely Sa'ada, Sana'a, Taiz, and Al-Hudaydah. These incidents included three cases where torture resulted in death. Additionally, there were 52 documented cases involving armed groups affiliated with the Saudi-Emirati-led Coalition and pro-Hadi forces in six Yemeni governorates: Lahj, Aden, Marib, Abyan, Hadramaut, and Shabwah. Among these cases, 14 instances were reported where torture led to death in 2017.

8) Attacks on Infrastructure

The International Humanitarian Law (IHL) provisions address the Armed

conflict issues related to attacks on infrastructure including Hospitals, Medical centres, schools, colleges, and other civilian targets (places, properties, buildings, etc.) include [51]:

- **Protection of Civilian Objects:** According to IHL, civilian objects, such as hospitals, medical centres, schools, colleges, and other non-military targets, are protected from attack. Parties involved in a conflict are prohibited from targeting or intentionally destroying such objects. This provision aims to safeguard the lives and well-being of civilians and ensure that the essential infrastructure necessary for their survival remains intact.
- **The distinction between Civilian and Military Targets:** IHL emphasizes the distinction between civilian and military targets. Military objectives are those that make a significant contribution to military action and whose destruction, capture, or neutralization would provide a definite military advantage. On the other hand, civilian objects are not legitimate military targets unless they are being used for military purposes at that time. Attacking civilian objects, which do not serve a military purpose, is considered a violation of IHL.
- **Prohibition of Indiscriminate Attacks:** IHL prohibits indiscriminate attacks that do not distinguish between civilian and military targets or where the expected harm to civilians is excessive in relation to the anticipated military advantage. Parties to a conflict must take all feasible precautions to avoid and minimize harm to civilians and civilian objects.
- **Protection of the Civilian Population:** Parties involved in a conflict have the responsibility to protect the civilian population and civilian assets from attacks. This includes refraining from besieging civilian areas that are not legitimate military objectives and ensuring that civilians are not subjected to unnecessary harm or suffering.
- **Prohibition of Using Civilian Objects for Military Purposes:** IHL also prohibits the use of civilian objects, such as schools, hospitals, and houses, for military purposes unless their temporary and exceptional use is justified by military necessity. Using civilian objects for military purposes can put civilians and these objects at risk, violating the principles of IHL.

The purpose of these provisions is to mitigate the impact of armed conflicts on civilians and ensure their protection, as well as to maintain essential civilian infrastructure necessary for their well-being. Parties to a conflict are obligated to uphold these principles and ensure compliance with IHL to minimize the humanitarian consequences of war.

The expert Group (panel) on POC following UNSC affirmed that the Dhamar Junior college was utilized by the Houthis group to lead cross examinations of male regular citizens who had been randomly captured and confined without charges. Many were gotten from other confinement offices, remembering the Al-Saleh detainment office for Taiz [52].

9) Use of Landmines and Cluster Weapons

Landmines can have significant clinical, ecological, and financial results.

Children are especially at risk from people killing mines, which come in a variety of sizes and forms since they are unable to read warning warnings and may mistake them for toys. Children are destined to pass on landmine injury due to their small bodies. The gatherings to the contention will go to all viable lengths to forestall, and anyway limit, damage to civilians and civilian items as per the arrangements of this Article and for the insurance of civilians. Furthermore, while participating in threats, the gatherings to the contention should recognize civilian and military targets as per IHL [53].

It's vital to take note that regulations planned to guarantee the security of civilians during threats should be followed in any event, when attacks are made against contenders or military targets. For example, the parties to the conflict should study and assess the sort, nature, conceivable effect, and scope of the weapons they utilize and decide if an alternate method could all the more likely serve the interests of individuals and different substances. They should concentrate on the area and decide whether they intend to use it for military tasks or to have soldiers there. The gatherings to the contention ought to just utilize exact weapons in a way that limits the dangers of causing civilian fatalities or potentially wounded in thickly populated regions where a tactical objective is arranged. These weapons are utilized to send off aimless assaults. Landmines caused countless casualties. In Yemen, around 1,000,000 individuals were killed [54].

The International Humanitarian Law (IHL), since its humble beginnings, has focused on addressing the devastating power of weapons, as highlighted by Abdullah Al-Ashhaal [55]. One of the underlying principles of IHL can be derived from the laws of war and fundamental human rights, which establishes the equation that "combatants should not cause unnecessary harm to their adversaries; that does not align with the purpose of the conflict, which is the destruction or incapacitation of the enemy's military capabilities." The concept of harm is superseded by the principle of humanity, ensuring that the harm inflicted does not exceed the objective of the war [56].

10) Spread of Diseases and Epidemics

Long periods of conflict have contributed to the cholera epidemic in Yemen, which has grown to become the largest in epidemiological records since it began in April 2017 with more than 1.2 million cases [57]. After the outbreak had been underway for around 16 months, oral cholera vaccines were distributed. The epidemic emphasizes the importance of ongoing discussions amongst international humanitarian health organizations about whether and how much they should emphasize preventing the spread of infectious diseases in humanitarian situations. By taking into account the consequences of A.C on general health and holding the world's political leaders accountable for their actions, the general health community is firmly supporting peace and the protection of human health, will stay significant [38].

On their Yemen webpage, the International Rescue Committee (I.R.C.) de-

scribed providing health, nutrition, Water, Sanitation and Hygiene (WaSH) infrastructure, essential medications, and medical supplies. They also included supporting a direct humanitarian air service, peace, and educating medical personnel on how to treat cholera [57]. In a Lancet appeal, I.R.C employees went on to describe the use of mobile health teams, the establishment of community health volunteer networks, the provision of equipment, drugs, and supplies to seven hospitals, and the provision of malnourished children with treatment and counselling referrals [58]. In addition to sending clinical supplies like IV liquids, ORS, anti-microbials, and chlorine tablets for cholera to the board, the International Committee of the Red Cross (ICRC) reported supporting 17 cholera therapy offices, paying attention to nearly one out of every five cholera cases in Yemen, and supporting 17 cholera treatment offices. They also sent designers to the country to re-establish water supply frameworks [59].

11) Displacement and Asylum

Refugees and inside displaced people are the side effects of wars, and public viciousness roused by ethnic or religious disdain, oppression, and bigotry. Refugees might be really focused on by a perceived international office (like UNHCR). Yet, no international association has an equal power to mediate for the benefit of the removed who didn't cross a line, albeit all the time inside displaced individuals have unquestionably experienced comparable circumstances as refugees in having to flee their homes. Yemen's internally displaced people experience a variety of social, economic, and political changes that impact their living conditions.

The political and financial power of the public and the global economy are at risk from inner displacement. In many AC instances, cruelty originating in one nation usually spreads to all regions, forcing neighboring nations to bear the worst of enormous evacuee streams. In fact, even nations on the continent may need to deal with influxes of despondent evacuees.

4.2. Analysis of Potential Violations and Their Impacts

This analysis delves into various violation types, the number of civilian casualties (CC), the parties involved, and the resources affected. These violations encompass a wide spectrum of challenges faced by the Yemeni population, ranging from starvation and denial of humanitarian aid to indiscriminate attacks, enforced disappearances, recruitment and use of children and women, arbitrary detentions, torture, the use of landmines and cluster weapons, attacks on vital infrastructure, the spread of diseases and epidemics, and the displacement and asylum-seeking of millions of people. Each of these categories' sheds light on the complex humanitarian crisis unfolding in Yemen and underscores the urgency of addressing the multifaceted issues faced by its civilian population. **Table 2** provides a comprehensive overview of the profound and far-reaching effects of potential violations on civilians during the armed conflict in Yemen.

Unicef, [72] has proven that the establishment of conflict-free zones is to be

Table 2. Details of effects of potential violations on civilians during the A.C in Yemen.

Violation Types	No of CC	Parties involved	Resources
Starvation And Denial of Humanitarian Aid	19 m people experience food insecurity. 4.71 m women and children are severely undernourished. 17.8 m people do not have access to clean water, including 12.6 m people who really need it. 1.3 m malnourished expectant and nursing mothers.	All	[34] [38] [60] [61]
Indiscriminate Attacks	15.8 m in need of protection. 418 ground attacks 2015-2021.	All	[38] [61]
The Air Attacks	More than 25,000 airstrikes. 2198 airstrikes since 2018. 4252 civilian casualties in an airstrike since 2018. 119 drone strikes since 2018. 109 civilian casualties in an airstrike since 2018.	Coalition	[61] [62]
Enforced Disappearance	770 disappearance case since 2016. 3478 disappearance cases, and at least 128 of those kidnapped have been killed in 2019. 100 cases in 2021.		[45] [63] [64] [65]
Recruitment and Use of Children and Women	10,300 children since 2014. 4418 cases in 2020, including, 2000 cases by Houthi. 50,000 children by Houthi.	Houthis group and STC	[45] [66] [67] [68] [69]
The Arbitrary Detention	1605 incidents since 2016. 1051 incidents by Houthi.		
The Torture	95 incidents in 2017. 344 incidents in 2016.	All parties	[45]
Use of Landmines and Cluster Weapons	1 million people were killed by landmines, 75% of them are children. 300,000 landmines have been defused by coalition*.	Houthis group	[70] [71]
Attacks on Infrastructure	Only 51% of health facilities are functioning, 20% Health facilities providing maternal and child health services. 88 attacks on health facilities by Houthi since 2015. 55 attacks health facilities by IRG forces since 2015. 45 attacks health facilities by coalition since 2015.	All	[38] [72]
Spread of Diseases and Epidemics	21.9 m people lack access to basic healthcare assistances. 195,000 Pregnant women at risk of developing complications. 1.2 m cases got cholera.	all	[72]
Displacement and Asylum	Since the crisis began, 4.3 m people have fled their homes, with about 3.3 m still displaced. 77% of them are women and children. 1 million returnees.	All	[72]

a. Notices (CC Civilian Casualties, HG Houthis group, FP former president (A.A.S), AC Arab Coalition, President Hadi government PHG).

effective in safeguarding children from harm and providing essential services. These zones create a protected environment where children can find refuge and access to basic necessities, such as healthcare and education. By delineating areas free from conflict, humanitarian organizations, and peacekeeping forces can focus their efforts on delivering vital assistance to vulnerable children, mitigating the immediate impact of violence on their lives. These conflict-free zones play a crucial role in promoting the well-being and protection of children in the midst of conflict. In this way, the equipped conflict parties in Yemen ought to have consented to occasional truces to permit health laborers to vaccinate children against normal sicknesses, like cholera, polio, measles, diphtheria, and lockjaw, and to convey medical services and supplies. Such practices have been utilized in El Salvador, Uganda, Lebanon, Afghanistan, and Sudan. In Eritrea, elective locales for schools obliterated by war incorporate caverns, disguised cabins, or under trees. In Sierra Leone, moms and young people were prepared to educate. Sri Lanka utilized public media to connect of-younger students and different areas of the local area. Now and again, professional preparation that prompts business has facilitated the reintegration of previous youngster troopers into the local area.

For lasting solutions to A.C in Yemen, respect for human rights is imperative, with special sensitivity to the human rights of religious and sectarian differences by parties involved. Equally, good governance and the strengthening of civil societies are essential for addressing the deepest causes of conflict: historic antagonism, economic despair, social injustice, and political oppression. The international community is moving also to more effectively assist Yemen which has experienced violent conflicts and is now grappling with the enormous task of finishing the A.C in Yemen despite the looming famine.

5. Conclusions

Since a few years ago, the crisis in Yemen has become a serious problem that has attracted the international community's attention. Suffice it to say that this issue has impacted people's health and is one of the causes of death. In other words, the Yemeni crisis is a problem that is related to issues of human security and protection that require morals. Therefore, this issue is considered urgent to be handled. Yemen's crisis has gotten worse since the civil war between the government under Hadi's presidency and the rebellion group namely Al-Houthi.

Findings include that these factors contribute to human rights potential violations in Yemen. These findings are also in line with a lot of previous research that has been conducted on the factors that contribute to human rights violations. Although to an extent all violations were supported by evidence gathered from various sources, it is important to note that more investigation about potential violations against civilians in Yemen still continues. The implications of my findings are that the human rights violations that persist in Yemen are based on a complex combination of actors who are working in conjunction which each

other as well as for each of their own interests. As turmoil within Yemen's borders continues, it is clear that Yemen's state of human rights organizations has a long road of improvement that lies ahead if it can overcome its perpetual state of conflict.

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Conflicts of Interest

The authors declare no conflicts of interest.

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