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SAUDI'S WAR AND IRAN'S PROPAGANDA AMIDST YEMENI CRY FOR HUMANITARIAN LAW

AUTHORED BY - KARTIK SRIVASTAVA

Abstract –

from the very long time the middle east has been known for international conflict and disputes .yemen crisis which is considered as one of the biggest dispute that assisted in middle east was not caused because of domestic players but it causes because of the involvement of regional and transregional forces such as saudi arabia ,and united arab emirates the main aim of the research paper is to analyze in detail the yemen crisis and to find out the reason for such international dispute . The paper would also try to find out the role of foreign players in the Yemen dispute with respect to humanitarian laws . The paper would discuss in detail the provisions and laws that were being violated by the member states during the war . The broader framework of the research is focussed on the legal legitimacy of Iran and Saudi Arabia actions in the Yemen crisis .

Research question

- What are the political and economic causes that lead to the Yemen crisis ?
- What are the roles played by Saudi Arabia and Iran in the Yemen crisis?
- How saudi arabia break the rules of international humanitarian laws by interfering in yemen dispute

Hypothesis-

Saudi Arabia intervention in Yemen lead to major violation of international law principles. According to the hypothesis, the Yemen crisis is a complex and multifaceted conflict fueled by a mix of internal political and economic challenges, regional rivalries, and external interests. Any efforts to address the crisis must take into account these complex factors and involve sustained international engagement.

Introduction

Yemen crisis a historical background

Yemen civil war began in 2014 when Houthi insurgents who had the history of rising up against the sunnis attacked yemen and took control of yemen capitals . Sanas, the largest city of Yemen, was captured by the insurgents and then they demanded lower fuel prices and a new government .When the negotiations between the group and the government failed , rebels seized the presidential palace and forced Abdrabbuh Mansu the president of yemen to resign. In the beginning of 2015 the gulf states along with saudi arabia launched a tactical operation against the houthi insurgents . The operation includes multiple air strikes in their territory and all this operation was done with the help of logistical and intelligence support from the United states of america . Hadi after the resignation left Yemen and later returned to Aden in 2015 . The UN effort to maintain peace in the territory took a back seat in summer 2016 . Later in july 2016 the houthis insurgents and the former president ali abdullah saleh decided to come together and formed a political council to govern sana and yemen . later in 2017 sallah separated with the houtis and he urged his follower to take arm and revolt against houthis . saleh was killed and his full force was defeated within 2 days . The intervention of many regional powers including Iran and gulf states which was led by Saudi Arabia has led to the division of sunni and Shia in Yemen . The intervention made the situation in Yemen worse . Many weapons shipments were blocked by Saudi Arabia in the gulf of aden and in response to this Iran supported the yemen by dispatching more naval convoys which further scaled the military tensions .

Major humanitarian problems

The conflict in Yemen has led to big human rights violations . The country is marked as the country which suffered the worst humanitarian crisis . The UN estimates that a total of 1310000 deaths took place in Yemen not because of direct war but because of indirect causes like food insecurity , lack of health services . There were about 25 million yemeni who were in dire need of assistance but unfortunately no help was able to be reached to them . more than 5 million were affected because of famine and a cholera outbreak has affected more than 1 million people . all these incidents are being known for violating human rights.

Root causes of yemen crisis : what factors triggered the civil war in yemen

The Yemeni Civil War in 2014 was a complex conflict with various factors and actors involved. However, some of the root causes of the conflict are:

1. **Political instability:** Yemen had been facing political instability for several years, and the situation worsened after the Arab Spring protests in 2011. The government's response to the protests, corruption, and economic struggles were some of the reasons that led to political instability.
2. **Sectarianism:** Yemen has a history of sectarian tensions, particularly between the Zaidi Shiite Muslim minority and the Sunni Muslim majority. This divide was exploited by various actors, leading to increased sectarianism and violence.
3. **Economic challenges:** Yemen is one of the poorest countries in the Middle East, and the economy was struggling due to corruption, unemployment, and lack of resources.
4. **Houthi insurgency:** The Houthi rebel group had been fighting the Yemeni government for many years. The group gained momentum in 2014 and took control of the capital city, Sana'a, in September 2014. This led to the collapse of the government, which triggered the civil war.
5. **Regional rivalries:** The conflict in Yemen was also fueled by regional rivalries, particularly between Saudi Arabia and Iran. Saudi Arabia, a Sunni-majority country, saw the Houthis as an Iranian-backed Shia group, and they intervened in the conflict to prevent Iran from gaining influence in Yemen.

These factors, among others, contributed to the outbreak of the Yemeni Civil War in 2014. The conflict has continued for years and has resulted in a humanitarian crisis, with millions of people facing starvation and displacement¹.

What are the political, economic and social factors that led to yemen crisis

The roots of the crisis in Yemen are complex and multifaceted, with political, social, economic, and regional factors contributing to the ongoing conflict.

¹ 'Yemen "worst humanitarian crisis in the world": EU', Al Jazeera News, 5 August 2018; United Nations Human Rights Office of the High Commissioner (OHCHR), Yemen: an 'entirely man-made catastrophe'—UN human rights report urges international investigation, media release, United Nations, 5 September 2017.

1. **Political Factors:** Yemen has a history of political instability, with frequent changes of leadership and a lack of effective governance. The current conflict began in 2014 when Houthi rebels overthrew the government of President Abdrabbuh Mansur Hadi, who fled to Saudi Arabia. This sparked a coalition-led military intervention by Saudi Arabia and its allies, who sought to restore Hadi's government².
2. **Economic Factors:** Yemen is one of the poorest countries in the Arab world, with a weak economy and high levels of poverty. The conflict has further devastated the country's already weak infrastructure, leading to a collapse in basic services like healthcare, water, and electricity. This has created a humanitarian crisis, with millions of Yemenis in need of aid and facing food and water shortages.
3. **Social Factors:** Yemen is a deeply divided society, with a complex mix of tribal, religious, and regional affiliations. The conflict has exacerbated these divisions, pitting different groups against each other and leading to a breakdown in social cohesion³. The situation has also created a refugee crisis, with thousands of Yemenis fleeing to neighboring countries to escape the violence.
4. **Regional Factors:** The conflict in Yemen has regional dimensions, with Iran backing the Houthi rebels and Saudi Arabia leading a coalition of Arab states supporting Hadi's government. This has turned the conflict into a proxy war between Iran and Saudi Arabia, exacerbating tensions in the region and making a resolution to the crisis more difficult.

Saudi arabia intervention in the conflict

- Saudi Arabia intervened in the crisis on the request of the mansur hadi . On the request of Hadi they formed a coalition and attacked that country . The main question whether the intervention by Saudi Arabia in Yemen has violated international law principles or not has to be looked at from two perspectives.
- In March 2015, a coalition of countries led by Saudi Arabia launched a military intervention in Yemen, aimed at restoring the internationally recognized government of President Abdrabbuh Mansour Hadi, who had been ousted by Houthi rebels. The intervention has been ongoing since then, with the coalition conducting airstrikes and ground operations against Houthi targets in Yemen

² 'Saudi-led coalition sends thousands of troops towards Hodeidah', *al-Jazeera*, 31 October 2018.

³ *Yemen: averting a destructive battle for Hodeida*, International Crisis Group, 11 June 2018.

- Critics of the intervention argue that it violates international law, particularly in terms of the principles of sovereignty and non-intervention in the affairs of other states. The UN has documented numerous incidents of civilian casualties resulting from coalition airstrikes, which have raised concerns about possible violations of international humanitarian law.
- However, supporters of the intervention argue that it is justified under international law, particularly in terms of the right to self-defense. They argue that the Houthi rebels, who are backed by Iran, pose a direct threat to Saudi Arabia's security and stability, and that the intervention is necessary to protect Saudi national interests.

In summary, the question of whether Saudi Arabia's intervention in Yemen constitutes a breach of international law is a matter of interpretation and debate, and may depend on one's perspective and legal analysis of the situation.

Saudi arabia intervention a breach of international law principles

Un charter is one the main foundations on which full international law depends and since Saudi Arabia and its allied countries have ratified un charter it is necessary to analyze the articles of un charter and to see to what extent Saudi Arabia has violated the charter⁴ .

In chapter 1, The clause 3 of the article 2 of the charter:

"All member nations shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

This clauses expressly ban that member states cannot resort to unpeaceful instruments . it should be the duty of the member states to make sure that all the conflicts should be settled peacefully.

In chapter 2 and according article 6, the charter explicates that:

- "A member of the United Nation which has persistently violated the principles contained in the present Charter may be expelled from the Organization by general assembly and upon the recommendation of the Security Council."

⁴ S Oakford, 'Saudi Arabia kills civilians, the U.S. looks the other way', The New York Times, 19 August 2016.

- The article clearly mentioned that if any member states violate any of the principles of UN charter then in that case he can be expelled from the organization . since Saudi Arabia used clear force against its member states which is a clear violation of the UN charter .

Chapter 6 un charter

- Chapter 6 of the UN charter states that there should be peaceful settlement of disputes . It also says that the members should seek a suitable solution before resorting to any action. The possible solution that can be used by the states can be mediation , conciliation , arbitration , judicial settlement . This provision is mentioned under article 33 clause 1.
- The best thing in this charter is the methods that the security council adopts to settle this dispute. First of all the parties are called to settle their dispute through the above mentioned ways , which is mentioned under article 33 clause 2 . if the dispute doesn't get settled internally then in that case the security council intervenes⁵ .

Chapter 7 un charter

- Chapter 7 of the charter is mainly concerned with breach of peace and the act of aggression by the member states . The provision related to this is mentioned under article 39-51⁶ .
- Article 51 of the charter states "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.Measures taken by Members in the exercise of this right of self–defense shall be immediately reported to the Security Council..."
- In the present case the principle that makes this invasion by Saudi Arabia bad in law is clause 1 of article 53 which states that before adopting any violent means against member states the state has to first take authorisation of the security council . This step was not complied by Saudi Arabia before they invaded Yemen .

The resolution 2216 dated 14th april 2015 clearly tells that the security council has closed its eyes and has been neglecting the Yemen issue . The invasion by Saudi Arabia has created huge

⁵ A Eshaq, A Fothan, E Jensen, T Khan and A Al Amodi, 'Malnutrition in Yemen: an invisible crisis', *The Lancet*, 389, 7 January 2017, pp. 31–32.

⁶ I Craig, 'Bombed into famine: how Saudi air campaign targets Yemen's food supplies', *The Guardian*, 12 December 2017.

destruction in Yemen . Many civilians , innocent children have lost their lives . This shows that the resolution has lost its legitimacy . not only un charter the current invasion by saudi arabia has also led to the breach of charter of islamic cooperation organization (OIC) and arab union . these two charter clearly mentioned that the islamic countries should settle their dispute in the framework of IOC and arab union charter .

Saudi arabia by not consulting to any of this two organizations before initiating attack on Yemen clearly violated the provision of the above mentioned charter.

The breach of human rights by saudi arabia in yemen

The Saudi Arabia intervention in Yemen can be construed as the breach of human rights in multiple ways . Saudi Arabia has breached the principles of universal declaration of human rights . At the same time the article 6 of the ICCPR also talks about the right to life and protection of dignity which is again violated by Saudi Arabia . it clearly states that no member states can deprive people of their basic rights . Apart from this many other rights such as rights of children and elderly people , right to health, right to dignity , right to food , housing , safe drinking water are the basic human rights which the Yemeni citizens were deprived of because of the Saudi invasion . The use of bombs by Saudi Arabia in Yemen cities is another gross breach of human rights violation of the Yemeni citizens . Many people lost their lives because of the bombing and many were denied access to proper health care services .All these incidents were reported by human rights organizations and also there were proper photos and documents which supplement this incident.

International humanitarian laws that applies to the above issue

International humanitarian laws are the set of laws that determine the rights of individuals and the rights of countries during armed conflict. It also states the duties of the individual and countries during such disputes. In short, humanitarian laws are the human rights at the time of war⁷ .

⁷ H Al-Mekhlafi, 'Yemen in a time of cholera: current situation and challenges', *American Journal of Tropical Medicine and Hygiene*, 98(6), 2018, p. 1558.

Under international humanitarian laws there are two branches

- Hague laws
- Geneva laws

Both of these laws are applicable in armed conflict. Hague law basically deals with the rules and provisions that would be applicable to ground war, it determines the rights and duties of belligerent parties, it also limits the use of weapons and methods that the parties use to damage the enemy parties. It also protects the rights of properties and humans that get affected by this war. Geneva laws are the set of laws that protect the war victims, disabled persons of armed forces who get injured after the war. The rights of war victims and disabled people are taken care of by Geneva laws. Geneva laws include the convention of 1864, 1906, 1929, and 1949. Later the two additional protocols of 1977 helped the Geneva laws in its further evolution. The primary objective of humanitarian law is to reduce the amount of human suffering and to make sure that the rights of individuals get protected at all costs. The classic objective of humanitarian laws was also to limit the after effects of war on people. But today the modern concept of humanitarian laws has been evolved and it is more human-centric. It protects human dignity, it keeps humans at the top most hierarchy, and makes sure that human dignity gets protected at all costs. It makes sure that war criminals are not tried and prosecuted in an illegal way. The two additional protocols of 1977 were added with the sole objective to achieve the above-mentioned goals. All countries, individuals, UN, Red Cross are considered as the believer and followers of humanitarian laws principles. Humanitarian laws are mandatory for all the parties who are engaged in armed conflict.

Basic principles of international humanitarian laws

All laws that exist are made on certain guidelines and principles and are designed under the set of parameters which later get ratified by the parties

For instance the laws of war are framed on certain principles that the countries should try to avoid using force. Humanitarian laws are formed on the basic principle of protecting the rights of human beings and individuals. Below mentioned are the set of principles which apply during war times.

Saudi arabia intervention in yemen : humanitarian law perspective

Saudi Arabia engaged in heavy bombardments on residential and civilian areas which not only led to casualties but it had resulted in destruction of cities. Among the casualties most deaths were caused by women , elderly and children⁸. Saudi Arabia tried their best to make Yemenis surrender and hence they targeted their basic services like hospitals , schools etc .All these attacks were in clear violation of an announcement under the title Geneva announcement to protect children and women . The said announcement was made effective on September 16 1924 .there are also the violation of child rights convention approved on 20th november 1959 and also the announcement of un general assembly dated 14th december 1974 which was mainly related to protection of women and children .apart from all this there was clear and gross violation of article 77 of the additional protocol of geneva convention of 1977 which was again related to protection of women and children from attacks . Also, in the resolutions 2444 dated December 19th 1968, 2597 dated December 16th 1974, 2675 and 2674 dated December 9th 1970 which were mainly related to protection of individuals at the time of war were also violated . Human rights watch had deeply criticized the grave violation of humanitarian principles by Saudi Arabia . multiple supports were send by these organization to help the civilians and to provide aid . king of saud arabia and us defense department were asked to measure the casualties of human rights violence and the member states were asked to end this violence asap⁹ .

Iran aid to yemen : humanitarian law perspective

Iran aid to Yemen was a good step and was recognized under Iranian red crescent society . Article 4 and article 3 of the statute determines the duties of the Iranian country toward other countries . It says that it should help other countries who are going through war and they should send relief measures to aid and support the injured . they should try to defend human values , should establish friendship and should try to maintain peace . ircs should try to send aid to other countries in the form of cash , human services etc . In the time of war they would provide equal support and aid to belligerent parties as well without any discrimination and the belligerent parties should try to

⁸ T Juneau, 'Iran's policy towards the Houthis in Yemen: a limited return on a modest investment', *International Affairs*, 92(3), 2016, p. 651.

⁹ A Barker, 'Yemen cholera cases hit 1 million in "hideous milestone" for worst outbreak on record', *ABC News* online, 22 December 2017.

respect their services equally¹⁰.

The representative of Saudi Arabia Red Crescent denied the request of IRCS to send their representative to help the Yemeni people. Iran was constantly urged to help the needy people of Yemen. The foreign minister of Iran requested the UN secretary general to allow them to help the Iranian people in whatever way they can¹¹.

Role of ICRC in yemen

The International Committee of the Red Cross (ICRC) is a humanitarian organization that works to protect and assist victims of armed conflict and other situations of violence. In Yemen, the ICRC has been working to provide emergency assistance and protection to people affected by the ongoing conflict since 1962.

The role of the ICRC in the Yemen crisis has been multifaceted. Here are some of the main activities and initiatives that the ICRC has undertaken in Yemen:

1. Providing humanitarian assistance: The ICRC has been working to provide emergency relief to people affected by the conflict, including food, water, and medical supplies. It has also been providing support to health facilities and helping to improve water and sanitation infrastructure.
2. Supporting health services: The ICRC has been supporting health facilities in Yemen by providing medical supplies, equipment, and training for health workers. It has also been working to improve access to healthcare in remote and conflict-affected areas.
3. Protecting civilians: The ICRC has been working to protect civilians affected by the conflict, including women, children, and the elderly. It has been monitoring the situation on the ground, advocating for the respect of international humanitarian law, and raising awareness about the impact of the conflict on civilians.
4. Visiting detainees: The ICRC has been visiting detention facilities in Yemen to monitor the treatment of detainees and ensure that they are treated in accordance with international humanitarian law. It has also been working to promote the release of detainees and reunite

¹⁰ A Barker, 'Yemen cholera cases hit 1 million in "hideous milestone" for worst outbreak on record', *ABC News* online, 22 December 2017.

¹¹ M Reardon, 'Saudi Arabia, Iran and the "Great Game" in Yemen', *al-Jazeera*, 26 March 2015

them with their families.

5. Promoting respect for international humanitarian law: The ICRC has been advocating for all parties to the conflict to respect international humanitarian law, including by protecting civilians, allowing humanitarian access, and avoiding attacks on civilian infrastructure.

Conclusion

The Yemen crisis is a complex and ongoing conflict that has had devastating humanitarian consequences. The conflict began in 2014, when Houthi rebels, who are aligned with Iran, seized control of the capital city of Sana'a and other parts of the country. This led to a military intervention by a coalition of mostly Sunni Arab states, led by Saudi Arabia, in support of the internationally recognized government of President Abd Rabbuh Mansur Hadi. The conflict has resulted in a significant humanitarian crisis, with millions of people in Yemen suffering from food insecurity, lack of access to healthcare, and other basic needs. The conflict has also resulted in the displacement of millions of people and has exacerbated the spread of diseases such as cholera and COVID-19. Efforts to end the conflict through peace talks and negotiations have been largely unsuccessful, and the situation in Yemen remains very unstable. In recent years, there have been some diplomatic efforts to reach a political solution, including a peace agreement signed in Stockholm in 2018, but implementation of these agreements has been slow and incomplete. In summary, the Yemen crisis remains a tragic and ongoing humanitarian disaster, with no easy or immediate solutions. It will require sustained and coordinated efforts from the international community to address the humanitarian needs of the Yemeni people and find a path towards a lasting political solution to the conflict.

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- "The Yemeni War of 2015: Implications for Saudi Arabia and the UAE" by Christopher M. Blanchard - This Congressional Research Service report provides an in-depth analysis of the Saudi-led intervention in Yemen, examining the regional and geopolitical implications of the conflict.

- "The War in Yemen and the Role of External Actors" by Peter Salisbury - This article in the Chatham House research paper series provides an overview of the Yemen crisis, focusing on the role of external actors such as Saudi Arabia, the UAE, and Iran.
- "Yemen: The Politics of the Yemeni Civil War (2015-2019)" by Elham Fakhro - This paper provides a detailed analysis of the political dynamics of the Yemeni civil war, covering the role of the Houthi rebels, the Yemeni government, and external actors.
- "Yemen: The Forgotten War" by Jonathan Rugman - This book provides a journalistic account of the Yemeni crisis, covering the human toll of the conflict and the international community's response.
- "Yemen: A War Waged On Civilians" by Human Rights Watch - This report documents human rights abuses committed by all parties to the Yemen conflict, including arbitrary detention, torture, and attacks on civilians.

