

Crimes against humanity of Saudi Arabia & UAE in Yemen

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1. Background

The worst humanitarian crisis is currently raging in Yemen. Yemen is the poorest nation on the shores of the Arabian Peninsula. The wars in Yemen have made things worse. Humanity also trembles at the sight of the atrocities taking place here. The 21st century, on the one hand, speaks volumes about the progress of human beings, on the other hand, it speaks volumes about the cruelty and barbarism of human beings against human beings. Human lives are worse than animals because of the bloody war in Yemen. Even animals would cry when they saw the atrocities against human beings there. Nevertheless, the world is insensitive to these atrocities and humanity is being trampled mercilessly¹.

The war in Yemen start in 2014-2015, when Shia insurgent has restricted to Iran and had revolted against the Sunni state that has been occupied Yemen's largest city and capital Sana'a, demanding lower fuel prices and the establishment of a new government. After failed negotiations and widespread protests, the rebels occupied the presidential palace in January 2015 and forced President Abd Rabbu Mansour Hadi and his government to resign. Since March 2015, the Saudi Arabian Gulf Coalition, with the help of logistical support and US intelligence, has carried out economic isolation and air strikes against the Houthi

¹<https://www.bbc.com/news/world-middle-east-29319423>

rebels.² As a result, Hadi gave up his retirement and returned to Aden in September 2015. Since then, the struggle has continued rising substantially the number of casualties and the pain among the Yemeni people. In the summer of 2016, the United Nations worked to facilitate peace negotiations between allied insurgents and Yemen's international government. The government of Husseis and former President Ali Abdullah Saleh were overthrown in 2016 and have been in power for nearly 30 years, and announced the establishment of a "political committee" for the governments of Sana'a and other regions [1].

However, in December 2017, Saleh broke with Houthis and asked his followers to use them to defend themselves. Saleh was killed and his troops were defeated in two days. Since April 2015, due to Saudi Arabia's naval blockade, regional forces have intervened in the conflict in Yemen, including the Gulf countries led by Saudi Arabia and UAE, and may also lead to the interception of many Iranian arms shipments to the Houthi rebels in the Gulf of Aden. He later sent a naval frigate, which increased the risk of military escalation between the two countries.

²<https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.cfr.org/global-conflict-tracker/conflict/war-yemen&ved=2ahUKEwj25P3ZlbzwAhXeQUEAHbABBmIQFjAKegQIFxAC&u sg=AOvVaw3-uUcIroJrIGFRClkWYRjh>

At the same time, the conflict continues to hit Yemeni civilians severely, making Yemen the worst humanitarian crisis in the world.

In this context, the United Nations estimates that more than 15,000 civilians have been killed or injured, 4 million have been displaced from their homes and 22 million Yemeni still need help, 8 million are at risk of starvation, and more than 1 million are affected by the cholera and measles epidemic, in addition to the unknown impact of the Covid-19. Violation of human rights and humanitarian law: Islamists claim that along with the ongoing civil war, the United States continues to carry out counter-terrorism operations in Yemen, relying mainly on-air strikes against militants and al Qaeda in the Arabian Peninsula, which continues play a central role in the scarcely-populated areas of east Yemen. The United States has carried out about 34 terrorist attacks in the country. About 133 were launched in 2016. In April 2016, the United States deployed a small unit to provide advice and assistance to the Saudi army in order to return versus the AQAP territory and obliterate the biggest threat for the US in the country. In Yemen, UN soldiers and militants are believed to be connected to AQAP, and an unknown number of Yemeni civilians were killed due to terrorists attacks mainly in the south and in populated areas of Aden[3].

1.1 Yemen Formed

- ❖ **1967:** A few years after the independence uprising in Great Britain, Britain withdrew from the south and merged its old territories into the People's Republic of Yemen.
- ❖ **1969:** The Communist coup changed the name of the South to the People's Democratic Republic of Yemen and passed it on to the Soviet bloc.
- ❖ **In 1970:** The Republican army won the civil war in North Yemen.
- ❖ **1972:** There was a border conflict between the two Yemen; the Arab League negotiated a ceasefire in 1978-Ali Abdullah Saleh became the President of North Yemen in 1979-Two Yemeni.
- ❖ **1986:** A new battle between people-thousands of people died in the power struggle in the South Yemen Civil War, effectively replacing the previous generation of officials and forming a new government. Atas took over and began to work on the reunification of the two countries.

1.2 Uneasy Unity

- ❖ **May 1990:** Two Yemenis merged to form the Republic of Yemen, Ali Abdallah Saleh (Abdallah Saleh) became president, and the Soviet bloc was dissolved. Tensions between the old states still exist.
- ❖ **May-July 1994:** President Saleh declared a state of emergency and fired Vice President Ali Salim Bede and other southern officials who announced their separation from the South before leaving the National Army. The May-July 1994 civil war followed and the leaders of the Yemeni Socialist Party were defeated and fled to exile.
- ❖ **1995:** Eritrea and Yemen clashed on the controversial Hanish Islands. In the Red Sea. International arbitration handed over most of the islands to Yemen in 1998 [5].

1.3 Attacks by Al-Qaeda

- ❖ **October 2000:** The aircraft carrier USS Cole was damaged by the al-Qaeda terrorist attack in Aden. Seventeen American employees were killed.
- ❖ **February 2001:** Violence before controversial local elections and referendums to support the renewal of the presidency and powers. Yemen has deported more than 90 foreign Islamic clerics to suppress al-Qaeda.
- ❖ **October 2002:** Al-Qaeda attacked the super tanker MV Limburg in the Gulf of Aden, causing serious damage to it, causing 12 crew injuries and 1 death. Due to this, Yemen lost port revenue.

1.4 Houthi Insurgency

- ❖ **June to August 2004:** Hundreds of people were killed in the northern resistance against the Shia uprising led by Hussein al-Houthi.
- ❖ **March to April 2005:** A period of new battles between government forces and supporters of the murdered rebel pastor Hussein and others. More than 150 people were killed.
- ❖ **January to March 2007:** Dozens of people were killed or injured in clashes between northern security forces and Houthi rebels. Insurgent leader Abdul Malik al-Houthi agreed to a ceasefire in the summer. Twelve people were killed at the U.S. Embassy in Sana'a.

1.5 Reforms Demands

- ❖ **November 2008:** Police fired a warning at an opposition rally in Sana'a. The protesters called for electoral reforms and new ballot boxes.
- ❖ **August 2009:** The Yemeni army begins a new offensive against the Houthi rebels in the northern Saada province.
- ❖ **September 2010:** Thousands of people fled the government's offensive against separatists in the southern Shabwa province.
- ❖ **September 2011:** Anwar al-Awlaki, the US leader of Al Qaeda in Yemen, was killed by the US military.

1.6 Government Unity

- ❖ **November 2011:** President Saleh agreed to transfer power to his deputy Abdrabbu Mansour Hadi after months of protests. A united government is being formed, including the opposition prime minister.
- ❖ **February 2012:** Abdrabbuh Mansour Hadi (Abdrabbuh Mansour Hadi) took office after the undisputed election, but has been unable to withstand al-Qaeda attacks in the capital for a year.
- ❖ **February 2014:** The Presidential Council approved the draft federal constitution to address the grievances of the Houthis and the southern states, but the Houthis took control of most of Sana'a in August and rejected the deal.

1.7 Civil War and Saudi-led Coalition

- ❖ **2015 March:** After Hadi's repeated appeals, the Saudi Arabian Coalition (including the Egypt, United Arab Emirates, Jordan, Morocco, Bahrain, Kuwait and Sudan) launched a decisive Operation Storm to support the initial coalition. "collapsed. Air strikes on Houthi targets, deploys small ground forces, and implements a naval blockade. The United States announces its intention to support the alliance's efforts.
- ❖ **April 2015:** "Resume Operation Hope"-the alliance announces Operation "Decisive Storm" The Saudi Arabia announced that it will enter a stage called "Operation Hope Restoration." Despite this announcement, the Saudi Arabia-led coalition is still bombing the Houthi positions. Furthermore, the Saudi Arabia campaign in Yemen is increasing arms sales. After the bombing, Houthis occupied the town of Atak. Due to this, three Saudi Arabian military officers were killed in the Houthi attack on the Saudi Arabia border, Saudi Arabia is strengthening border security. The Houthi fighters also returned. Condemned the UN Security Council's resolution to impose an arms embargo against the organization, calling it an "aggression."
- ❖ **May 2015:** Ali Abdullah Saleh has been previously accused of assisting the Houthi rebels. In May, Saleh and his loyal Yemeni army

announced a formal alliance with the Houthis. The Houthis and Saudis assent to a 5 day "humanitarian ceasefire." US President Barack Obama held a meeting of the Gulf Cooperation Council at Camp David to resolve the Yemen crisis. However, only two states sent leaders in August 2015. After months of fighting with AQAP fighters and Sunni tribes , the Houthis controlled the entire Shabwa province³

- ❖ **September 2015:** After Saudi Arabia-backed government forces and Hadi supporters took back the port city from the Houthi army, President Hadi returned to Aden.
- ❖ **April 2016:** The United Nations promotes dialogue among the Houthi coalition, the Hadi government and former President General Saleh.
- ❖ **October 2016:** According to reports, both parties to the conflict violated the ceasefire agreement. The United Nations and other agencies try to mediate peace negotiations and political decisions. The Houthis are responsible for launching rocket attacks on Saudi Arabia, including the capital Riyadh.

³<https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.amnesty.org/en/latest/news/2015/09/yemen-the-forgotten-war/&ved=2ahUKEwj25P3ZlbzWAhXeQUEAHbABBmIQFjAVegQIGBAC&usg=AOvVaw2QgZrsdfQ78OfZQ150-Dji>

- ❖ **November 2017:** Aid organizations and observers condemned the Yemen crisis as one of the worst humanitarian emergencies in the world. Civilian casualties, cholera outbreaks and possible famine will put thousands of people on the brink of starvation⁴.
- ❖ **November 2017:** Saudi Arabia intercepted a missile launched at Riyadh airport, accusing Iran, Lebanon Hezbollah and Houthis intensifying the war.
- ❖ **December 2017:** After Saleh changed course and stood with the coalition-led Saudi Arabia, the former president was killed in clashes between Houthis and the forces loyal to Saleh. As a result, Houthis took control of northern Yemen Most areas. However, Saudi Arabia's strong opposition to the leadership coalition. Supporters of President Hadi control most of southern Yemen. He called for a large-scale uprising against Saleh's son Ahmed Ali Saleh and vowed to kill his father, Houthis [3].
- ❖ **January 2018:** In the shooting incident, the Separatist Movement Supported by the UAE, the Southern Revival Committee (STC), tried to revive the

4

<https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.nationsonline.org/oneworld/History/Yemen-history.htm&ved=2ahUKEwjz1MytlrzwAhUE0BoKHeFtAHw4ChAWMAJ6BAgEEAI&usg=AOvVaw16rFMlxaj2pv8DAVLAXV3Y>

formerly independent southern Yemen and took control of Aden, the capital and government seat of southern Yemen. In March, more than 22 million Yemeni needed humanitarian assistance.

- ❖ **2018:** The United Nations appointed Martin Griffiths, a British diplomat, as the Secretary-General's Special Envoy for Yemen. March to May 2018-Fighting intensified on the west coast of Yemen. Saudi Arabian security personnel lost dozens of lives in air strikes and raids. Saleh Ali al-Sammad, the chairman of Yemen's Supreme Political Council, was killed by a joint drone attack, making him the highest-ranking Houthi since the establishment of the coalition government in 2015. After more than 22 people were killed in an air strike at a wedding, international opposition to the coalition's actions has grown.
- ❖ **2019-2020:** The UAE Armed Forces occupied the island of Socotra, seaport and airport. It has increased tensions with Yemeni. The President of Yemen, Abdrabbuh Mansour Hadi (Abdrabbuh Mansour Hadi) will work with the Crown Prince of the United Arab Emirates, Mohammad bin Zayed Nahhan (Mohammad). bin Zayed Al Nayhan) and the alliance will begin its offensive in the port city of Hodeida in July. 41 people were killed in an air raid on a school bus, most of them children.

- ❖ **2021:** According to reports, the bombs used in the air strikes were provided by the United States, and public opinion about the United States' support for the war effort faded. Washington Post columnist Jamal Khashoggi was murdered [6].

1.8 Foreign Intervention

The intervention of forces in the conflict zone in Yemen, including the Gulf States led by Iran and Saudi Arabia, may plunge the country into a larger gap between Sunni and Shias with grave consequences for the whole region. Since April 2015, the maritime blockade has come into effect. Iran subsequently dispatched a sea frigate and risked further escalation of hostilities between the two countries by sending also its Revolutionary Guard to train the Houthi [12].

Although, the conflict stems from the failure of political change and should have brought stability to Yemen, as the Arab Spring uprising forced its former dictator, Ali Abdullah Saleh, to hand over power to Abdrabbu Mansour Hadi (Abdrabbu Mansour Hadi) the Deputy Prime Minister in 2011. President Hadi struggled to deal with many challenges, including jihadist attacks, separatist movements in the south, continued loyalty of security forces to Saleh, and corruption, unemployment and food insecurity as well as the continued pressures by the IMF to adopt an strict economic policy based on austerity. Anshar Allah defended the Shiite Muslim minority Zaidi in Yemen and led a series of rebellions against Saleh in the past ten years, using the weakness of the new president to control northern Sa'ada and surrounding areas and practically replacing the functions of

the central government, claiming the monopoly of violence. Many ordinary Yemenis, including Sunnis, support the Houthis who also enjoy loyalty of many different tribes among the country [14].

In late 2014 and early 2015, insurgents gradually occupied the capital Sana'a. Saudi Arabia and eight other Arab countries (mainly Sunni) launched an air campaign to defeat the Houthi and end Iran's influence in Yemen's government. The alliance received logistical and intelligence support from the United States, Britain and France. When the war began, Saudi officials predicted that this would only last for a few weeks and that their well-equipped forces would prove themselves. But the four years of military stalemate followed and the dissatisfaction rose among the Saud. In August 2015, the southern port city of Aden helped drive the Houthis and its allies out of the city and succeeded to recapture much of the south in the next few months. The Hadi government established a temporary residence in Aden, but it is struggled hard to provide basic services and security, forcing the president to find shelter in Riyadh, under the protection of the Saudis. The president is still a resident of Saudi Arabia.

At the same time, the Houthis were not expelled from Sana'a and northwest Yemen, but they were able to stop the siege of the third city of Tez and regularly attack Saudi Arabia with ballistic missiles and drones, causing serious material

but also moral damage to their superior adversary. Aerial attacks on the Abkaik and Khurais oil fields have destroyed nearly half of the country's oil production, accounting for about 5% of global oil production. The Houthis are responsible for this, but Saudi Arabia and the United States see Iran behind the attacks and further ignite the tension between Riyadh and Tehran. Local branches of the Arabian Peninsula (AQAP) and hostile Islamic State (IS) groups used this chaotic situation to invade southern territories and carry out deadly attacks, especially in Aden. In November 2017, a coalition led by Saudi Arabia strengthened the blockade of Yemen and expressed its hope to stop Iran from sending weapons to the rebels.

Furthermore, Tehran denies the allegation, but the restrictions have led to a sharp increase in food and fuel prices, which pushed more and more people into food insecurity and led to the dominance of the black market economy. In total control of the capital's operations, Saleh was killed and his forces were rapidly defeated. In June 2018, the coalition forces attempted to launch a large-scale offensive to Houthis, to occupy the city of Hudaydah in the Red Sea to break the deadlock on the battlefield and squeeze the rebels of their resources. As the city's port is the main lifesaver for nearly two-thirds of Yemen's population and henceforth its control is of primordial importance for the Houthis.

The United Nations warned that destroying the port would be a "turning point," after which it would be impossible to avoid the massive loss of life due to starvation caused by the lack of aid reaching those in need. After six months of fighting, the opposing parties reached a ceasefire agreement in the Swedish-hels negotiation talks. The "Stockholm Agreement" stipulates that they will move their troops out of Ceuta, establish a prison exchange mechanism, and resolve the situation in Taiz. As of July 2019, the United Arab Emirates (UAE), Saudi Arabia's main ally, has not fully deployed the Hudaydah force, raising concerns that the Stockholm Agreement will collapse and the Hudaydah battle will resume.

During the war, in the face of international criticism of his actions, he announced the withdrawal of troops from Yemen. In August, fighting broke out between the government forces supported by Saudi Arabia and the Southern Transitional Committee of the Southern Allied Forces supported by the United Arab Emirates. (STC) Troops loyal to STC accused Hadi of mismanagement and connection with Islamists [30].

Additionally, they took over Aden and refused to let the government return. It was not until November that Saudi Arabia signed a power-sharing treaty. The UN has aimed that this deal would end the civil war, but the hostilities between the Houthis and the coalition-led forces suddenly escalated in January 2020

including various fights on different fronts, missile strikes and air strikes. In April 2020, UTK declared autonomy in Aden and violated the peace agreement signed with an internationally recognized government, which will govern the port city and southern provinces.

In the same month, a unilateral ceasefire was announced for the coronavirus pandemic, but Houthis refused to cease fire and called for the lifting of the air and sea blockades of Sana'a and Ceutada. After six months of fighting, the warring parties reached a ceasefire agreement in the Swedish talks.

In addition, The "Stockholm Agreement" stipulates that they will move their troops out of Ceuta, establish a prisoner exchange mechanism, and resolve the situation in Taiz. Although hundreds of prisoners have been released since then, the Ceutatar troops have not yet been completely redistributed, which is cause for concern. Regarding the "Stockholm Agreement" will collapse, and the battle against Ceutada will continue. In July 2019, the United Arab Emirates (UAE), an important ally of Saudi Arabia during the war, was criticized by international forces and announced the withdrawal of its armed forces as the costs of the conflict were starting to outweigh the benefits of the engagement. In August, fighting in the south broke out between the government forces backed by Saudi Arabia and the seemingly allied Southern Transitional Committee of the Southern

Separatist Movement backed by the United Arab Emirates. Troops loyal to the STC accused Hadi of mismanagement and ties to Islamists and defected. Furthermore, Saudi Arabia announced a unilateral ceasefire on the coronavirus pandemic that month, but Houthis refused. -Call for the lifting of the air and sea blockade of Sana'a and Hudida [23].

1.9 Pro Government and Government Forces

Armed forces of Hadi sway the 4 oil provinces Al-Mahra and Al Jawf in the north. In the past few days, Marib and Al Jawf have been trying to control this oil-rich area. In Abyan, after nearly a year of fighting between the two sides, with the support of the United Arab Emirates, government forces were deployed together with the Southern Telecommunications Force.

The state troops include 310,000 former soldiers and tribes . Poorly equipped government forces rely on Saudi Arabia economically, logistically and militarily.

1.10 Houthi Rebels in Yemen

The Iran-backed Houthis controls the capital Sana'a and other densely populated provinces in the north, central and west of the country, and clashed with coalition government forces led by Saudi Arabia and the STC. Their control of Sana'a and their development towards Al Jawf, Marib and Al Bayda. Al-Hodaydah, Hajj, Sa'ada and Al-Dali remain on the outskirts of Taiz. The rebels also launched drones and missiles. Attack targets in Saudi Arabia including the capital Riyadh, sparking outrage among the Saudis, who continued to target Iran for this development. The Armed Conflict Location and Event Data Project (ACLED), which tracks political violence around the world, estimates that the number of Houthi soldiers is about 200,000, and two-thirds of them have been recruited since the outbreak of the war. Nevertheless, even if Iran's aid was scarce in the beginning of the conflict, after the capture of the capital Tehran send substantial shipments of ammunition, weapons as well as members of the IRGC and Hezbollah to train them.

Chapter 2

Human Rights Violation

2. Humanitarian Rights Violation

Though, the movement of Houthi forces from northern area of Yemen to Sana'a in 2014, the country's violence has injured 9,755 civilians and 8,736 in the ongoing conflict. On the one hand, there is an alliance between the Houthi rebels and the loyalists. However, for former President Ali Abdullah Saleh (Ali Abdullah Saleh), current President Abdullah Liga Mansoor Hadi (Abdullah Liga Mansoor Hadi) sided with the coalition led by Saudi Arabia with support, which has evolved into a complex alliance and developed in many ways.

Saleh split in December 2017, and former coalition partners Saudi Arabia and the United Arab Emirates disagreed with the UAE's support for the Southern Separatist Transitional Council and the seat belt force. Divided, broken alliances and new lines of conflict are not encouraging as it becomes more and more complex. The participation of countless people will quickly resolve the conflict. Between them stood young and old civilians facing an uncertain future [39].

According to UNICEF reports⁵, in 2015 and 2020, 3,163 children in Yemen were killed and 5,670 injured. On average, 53 children die every month, and another

⁵ <https://www.unicef.org/emergencies/yemen-crisis#:~:text=Yemen%20is%20the%20largest%20humanitarian%20crisis%20in%20the%20world%2C%20with,more%20than%2012%20million%20children.&t>

92 children are permanently injured or disabled. Most of them were destroyed by explosives. The airstrikes launched by the Saudi Arabia-led coalition supported by the British and American armies appeared to have caused 67% of civilian casualties in the Yemen war and caused most violence against children. Since the beginning of the conflict, air strikes have killed 1,372 children and injured 916. In addition to that, many children have recruited children as soldiers from all warring parties according to the UN. As the report signals “Some Yemeni boys were sent to Saudi Arabia for military training, then deployed back to Yemen to fight against Houthi forces. Houthi forces recruited children, including girls, at schools, and used boys for combat and girls as spies, recruiters of other children, guards, medics and members of the Zainabiyat [female security forces].”⁶

ext=Now%2C%20with%20COVID%2D19%20spreading,an%20emergency%20within%20an%20emergency.

⁶ <https://www.hrw.org/world-report/2021/country-chapters/yemen#351320>

2.1 Threats of Injury and Death for Children in Yemen

It was at this time that an Asian country intervened supported a commentary 2(4) exception to the U.N Charter, and fashioned the Saudi-led coalition. On March twenty six, 2015, Asian country began a military intervention aboard eight alternative Arab states. The U.S., France and U.K. conjointly began actively strengthening the coalition with logistic support. Despite the apparent lawfulness of the Coalition's initial use of force, the Coalition has after been characterized as a defendant of the violation of every international humanitarian law and human rights law.

A year later, the continued deterioration of the conflict means that in the foreseeable future, the probability of a decisive victory for both parties in the conflict is still very small. Although the conflict continues to damage the lives of the Yemeni people, serious violations of children's rights have increased dramatically in the past year, and continued fighting threatens the safety of Yemen's children every day.

Since March 2015, a total of 3,081 civilians have been killed; almost one third are children; at least 856 children have been killed and 1,249 others injured. This is equivalent to the conflict directly causing the death or injury of six children every day. The rate of recruitment of children by armed actors has increased, and

although the number of confirmed cases is relatively small (763), the actual number is believed to be much higher and difficult to report due to the constraints of the conflict. Children were also kidnapped and detained arbitrarily⁷.

There are also reports of rape and other forms of sexual violence against children⁸. Both the school and the hospital are registered. They were attacked and humanitarian assistance to children and their families was denied. The result was a serious child protection crisis with a score of 7. According to Action against Armed Violence, 4 million children need help to be protected. In 2015, 6,119 civilians in Yemen were killed or injured by explosive weapons, more than any other country in the world last year, affecting 93% of civilians. All victims of the use of explosive weapons in densely populated areas.

Furthermore, many of the attacks are alleged to violate international humanitarian law because they are indiscriminate and disproportionate to military objectives, or because Save the Children is preparing for an emergency drug delivery that has just arrived in Hodeida. Possible measures to distribute ports throughout Yemen have not been taken to protect civilians and civilian property.

⁷ <https://www.bbc.com/news/world-middle-east-53062126#:~:text=The%20UN%20secretary%20general's%20report,and%201%2C447%20children%20were%20maimed.>

⁸ <https://www.amnesty.org/en/latest/news/2019/03/yemen-taiz-authorities-must-tackle-child-rape-and-abuse-under-militia-rule/>

All parties are expected to be responsible for such violations. However, the United Nations disproportionate the number of child casualties caused by airstrikes and the damage to civilian infrastructure caused by coalition airstrikes. However, international law prohibits the use of cluster munitions as well as the violence vis-à-vis civilian population.

In addition to life-threatening under fire and bombs, the large number of landmines planted during the conflict, unexploded ordnance (UXO) and ammunition also threaten the lives of children. In the four provinces of Abyan, Aden, Lah, and Tez, improvised explosive devices (IEDs) have built thousands of new anti-personnel mines (according to the 1997 12 "Demining Treaty", prohibited by international law), anti-tank mines and improvised mines. The explosive device was registered in the second half of 2015. 13 According to the Yemen Explosives Demining Commission (YEMAC), this is a specialized demining organization that cooperates with Save the Children to educate children and their families on current skills and without using such weapons. The problem of landmine danger is mainly that these mine clearance operations in these areas may take up to three years. Yet at the same time, these weapons are still in danger of death and serious injury to children.

Similarly, the impact of conflict is also devastating for children. A sample study of 150 children showed that they participated in the "Save the Children" day care activities or our mine awareness programs in Aden and the governor of Lahui, and found that 70% of the children had severe psychological symptoms. Those are related to stress and trauma, including anxiety, low self-esteem, sadness, lack of concentration and problem-solving skills. Save the Children has provided psychological support to more than 30,000 children, but this is just a small fraction as in the end they need the surrounding environment to recover⁹.

⁹ <https://www.unicef.org/protection/sexual-violence-against-children>

2.1.1 Shelling on Children

As reported by AOA as the flare-up of the Yemen war, Houthi insurgent have continuously fired mortars and rockets into tenement, injuring and killing more than 199 children. After the Houthi forces withdrew, the residential area of Taize in the third district of Yemen such big cities are constantly being bombed. The Houthi troops repeatedly fired Katyusha missiles and mortars at residential areas from a small hill in the Al-Havban area [19].

In August 2015, five children were killed in three bomb attacks on Houthi. Three of them were killed in rocket attacks near the football field. During the 10 days in May 2017, indiscriminate killing killed 190 civilians, killed at least four children, and injured ten others. On June 8, 2016, three children were killed in an indiscriminate rocket attack on a residential area, with devastating consequences for the well-being of Yemeni children¹⁰ who also suffer from numerous other problems related to the war.

2.1.2 Millions of Children are suffering from Malnourished and Hunger

Food shortages and rising rates of child malnutrition also threaten children's lives and well-being, which are the direct consequences of conflict. More specifically, according to the International Committee of the Red Cross (ICRC) reported in October 2019 that 50 percent of Yemeni children are experiencing irreversible stunted growth.¹¹ As of March 2015, more than 44% of Yemen's population could not meet their basic food needs. Due to 12 months of ground fighting, de facto seaport bombing and airport blockade, and obstacles to aid delivery, an estimated 14.4 million people (55% of the population), including nearly 8 million people are facing severe food shortages. Yemen relies on imports to meet its needs for food, medicine and fuel. When the conflict escalated recently, in fact, the coalition forces also imposed blockades on the air and sea to prevent arms smuggling with devastating consequences for the civilian population.

The import of most of its staple foods has exceeded 90%, which is used to terminate the commercial and humanitarian supplies to Yemen. Reduced imports of food and other necessities, coupled with insecurity and restrictions on access to humanitarian aid. Despite the de facto blockade and January 2016 food imports reaching their highest level since July 2015, there is a huge gap in supply

¹¹ <https://www.hrw.org/world-report/2021/country-chapters/yemen#351320>

and reduced demand as well as an urgent demand for imports to return back to the pre-crisis levels, especially after imports fell sharply again in February. This requires the full implementation of United Nations-sponsored verification and inspection mechanisms to build trust among importers, reduce bureaucracy, and ultimately decrease fuel shortages in all provinces due to the difficult security situation¹².

Moreover, the staff of Save the Children said that in areas such as Taiz, Mecca Province and Hodeida, there is almost no fuel, which is a direct result of unsafe and related transportation difficulties. In addition, severe shortages of other commodities have also been reported, especially in conflict-affected areas, where people continue to face severe restrictions on access to humanitarian aid and basic commercial commodities, and the process have therefore skyrocketed making unreachable even through the black market. In January, certain areas of the city of Taiz are the front lines. In the current conflict since August 2015, Yemen's gross domestic product (GDP) is estimated to have fallen by nearly a third in the past 12 months even though the "economy of war" and the widespread trade via the black market cannot be exactly measured.

¹² <https://www.savethechildren.net/news/yemen-over-two-million-children-expected-go-hungry-or-starve-2021-save-children>

Nevertheless, in this chaos the inflation rate has risen to more than 30%. As a result, many families have lost their livelihoods, and there is no social safety net, and rising prices mean less food. There will no longer be millions of poor children. According Save the Children reporter in Sa'ada Province, due to the loss of income and the resulting severe poverty, the families we are talking about are reducing the frequency and nutritional value of daily meals. Some families are still alive with bread and yogurt as staple foods, such as vegetables and meat [38].

2.1.3 Elimination of Water and Health Facilities Threatening the Children's Lives

Since March 2015, about 600 hospitals and medical institutions have been reportedly closed due to damage, destruction or lack of key personnel or materials. An air strike in June 2015 caused nearly 5,000 residents to lose two months of primary care, after which alternative treatment facilities were established. Even if international humanitarian law requires overall parties in an armed conflict to protect health facilities, such as health centres and civilian hospitals, little has been done to protect or even support the Yemeni health system.

Furthermore, Yemen has a high child mortality rate, and it is not surprising that many new-borns are born underweight (30%). In Yemen, the birth of a child is a real problem because it usually occurs outside of the health center, without the supervision of a medical expert. This is extremely dangerous for babies as well as for mothers. Malnutrition is also a major problem in Yemen, as can be seen from record numbers. Malnutrition has many harmful effects on young Yemenis. For example, almost one-third of children between the ages of 2 and 5 suffer from severe intellectual disability; insufficient drinking water can also affect the

health of children causing a series of severe injuries and long-term health problems. Poor hygiene and hydration are the main reasons for the spread of epidemics and the deterioration of previously benign diseases¹³. As already mentioned, cholera, measles and the final blow of the Covid-19 pandemic has forced the health system to each knees and the total number of sick and infected people is still under-reported due to the lack of independent monitoring and the absence of standard health services.

¹³ <https://abcnews.go.com/International/wireStory/million-yemeni-children-starve-2021-75848584>

2.1.4 Saudi Arabia-led Coalition Launched Air Strikes on Schools

The Saudi Arabia-led coalition has fired approximately 245 air strikes on schools, further deteriorating their well-being and their access to education. In 2015, the Saudi Arabia-led coalition carried out 57% of the attacks on schools, a number confirmed by confirmed by the United Nations. A raid in the northern Haidan province destroyed a school, killing 13 students and wounding 29 others. On August 9, 2018, an air strike at the busy Dahayan bazaar killed a school bus, killing 26 children and 19 others. In Yemen, 3.4 million out-of-school children are at increased risk of being recruited and kidnapped by armed groups, as they constitute the only effective force in the conflict areas. In addition young girls are three times more likely to suffer forced marriages than women. June 2020 the numbers reached their highest level since June 2018, and the number of children affected by explosive violence is expected to increase [12]. The use of school facilities such as in Shabwah as a military barracks and detention facility for the government forces and for weapons storage, manufacturing, and training for the Houthis is also an additional phenomenon that not only deprives children from the capacity of receiving some form of education but also may threaten other functioning school facilities.

2.2 Use of Cluster Munitions by UAE & Saudi

Cluster munitions fired by the Saudi Arabia-led coalition and UAE create a long-term threat and widespread to children of Yemen. Furthermore, since 2015, the Saudi Arabia- led coalition has used cluster munitions at least 23 times, at least between July 2015 and April 2016. In 2017, 17 civilians and 56 civilians were killed. The coalition led by Saudi Arabia used seven different types of cluster munitions. : Here, the British-made CBU-87, CBU-105 sensor weapons, Brazilian ASTROS-II missiles, M26, BL755 and CBU-58 missiles are manufactured. The ammunition can transport up to 652 sub-munitions. Although the direct damage due to cluster munitions can be devastating, usually due to the shape and size of these sub munitions, the damage they cause is indistinguishable. Sadly, children in Yemen use to play with them, unaware of their lethal nature. According to a report by Amnesty International, in January 2016, a 13-year-old boy was injured in a cluster munitions explosion and described his condition. In 2016, an 8-year-old boy passed away and his brother had a jaw [32].

Since then, he has lost three fingers after the ammunition exploded. In 2016, a 12-year-old boy died after playing with sub munitions found while grazing goats. His brother was seriously injured. The indiscriminate nature, visual appeal and

strength of cluster munitions poses threat to children. Since 2017, the use of cluster munitions has decreased. Unless a comprehensive plan to deal with unexploded ordnance is developed, unexploded submunitions will continue to harm Yemeni children.¹⁴

¹⁴ <http://www.the-monitor.org/en-gb/reports/2019/saudi-arabia/cluster-munition-ban-policy.aspx>

2.3 Physical Destruction

The physical injuries caused by air strikes, landmines and bombings are not the only catastrophes that Yemeni children suffer. According to Save the Children, the hotbed of explosive violence has had a devastating impact on their mental health in the past five years. A study of 912 children in Sana'a, the capital of Yemen, found that 79% of them suffer from traumatic stress disorder. In a similar survey of 1,250 children, 20% said they were always afraid, and 52% said that Yemeni children never felt safe when they suffered the same trauma as children in other conflict areas, such as nightmares and bedwetting, urine, increased alertness, pain, feeling isolated, depressed, anxious and aggression [18].

Furthermore, these problems can seriously affect the development of children, limit their ability to participate in daily life, and affect their daily functions. In Yemen, every psychiatric nurse takes care of 300,000 people, and there are only two child psychiatrists. Hiattas cares about the entire population of Yemen. As a result, children in Yemen are unlikely to receive assistance. In the last five years of the conflict, Yemeni children were severely affected by explosive damage and unfortunately, this situation is unlikely to disappear anytime soon.

Similarly, the deliberate and systematic destruction in Yemen has caused a humanitarian disaster. 93% of children need humanitarian assistance. Two

million children are not in school, and one in five is homeless. Severe malnutrition currently threatens the lives of 400,000 children under 12 years of age. 5. By the end of 2020, half of children under five may be at risk. Malnutrition disables 45% of children under 5 years of age, causing irreparable damage to their physical and mental development. 10.2 million children have no access to medical care and rely on UNICEF and other non-governmental organizations for basic vaccines, water, sanitation and personal hygiene. In addition to that according to UNICEF and other agencies, an estimated two million children have dropped out of school since 2015. The United Nations further estimated that only two-thirds of schools were functioning, even prior to COVID-19 restrictions. In April 2017, Yemen suffered the worst cholera outbreak in the world. 3 million cases, 25% of which are children under 5%. Air strikes, cluster munitions, landmines and shelling destroyed Yemen, killed and injured thousands of children, and destroyed almost all important infrastructure in Yemen, leading to a humanitarian disaster that could lead to death. There were thousands of people before the conflict ended [35].

2.4 Landmines

In 2019, 46 landmine incidents were reported in Watan, in which 23 civilians (among them 12 children and 4 women) were killed and 60 civilians (among them 31 children and 8 women) were injured. These incidents were concentrated in Jauf in Shabwa and Hudaydah in Jauf, Hajj to Mecca, Teiz, Saada, Ardale and Alberta provinces. The Ansar Allah (Houthis) team buried these mines. Since the beginning of the conflict, landmines have continued to kill Yemenis affecting both militias and non-combatants. The use of mines has exacerbated food insecurity and impeded aid workers from reaching vulnerable communities. Nevertheless, the civilians of the country women and children are the main victims of landmines affecting primarily those who use public roads frequently when collecting water, firewood and livestock.

Henceforth thousands of Yemenis choose bad roads to avoid dangerous normal roads. As for the production, storage and distribution of anti-personnel mine, the convention obliges all States parties to destroy all stockpiles, dissolve anti-personnel landmines and support landmine victims. Treaty for Landmine Ban of September 1, 1998. Landmines, including anti-vehicle mines, should not be used and kill indiscriminately, as all anti-personnel landmines do not distinguish between civilians and combatants. In addition the society combats with their

devastating effect long after the conflict ends, as civilians continue to die because of landmines, and their removal is not only a dangerous process but also very expensive. All in all, without criminal intent, their use is considered war crime and violates the 1997 Mine Ban Treaty, to which Yemen is a party.

2.5 Extreme Hunger

Mostly because of the war, Yemeni civilians face tremendous pressure in 2019 to meet their basic survival needs. The practices of the parties to the conflict have exacerbated the severe humanitarian conditions that Yemen faces the country's worst humanitarian crisis. 112 incidents once again raised concerns about the use of hunger as a weapon of war, including attacks on important targets in 17 provinces and repeated obstacles to humanitarian aid in Yemen: Al-Hodeidah, Al-Jawf, Amran, Lahj, Marib, Taiz , Shabwa, Aden, Saada, Elbada, Al Marwit, Amanat, Aishima, Damar, Pilgrimage, Ibrahimovic, Rema and Aidali public markets), ground and aerial combat, farms, food warehouses, fishing boats, cattle and wells. Human Rights Watch documented in September 2020 that Houthi authorities, Yemeni government and affiliated forces, and the UAE-backed STC were severely restricting the delivery of desperately needed humanitarian aid. In addition, anti-personnel mines have been laid on agricultural land and valleys, and humanitarian aid workers have been killed. In 2019, Mwatana recorded about 77 cases of opposition or obstruction of such humanitarian activities and a total of 26 air strikes, 10 mines, 4 arbitrary and 14 indiscriminate killings and the arrest of 9 aid groups have also been reported. Of these, 83 incidents occurred with the participation of Ansar Allah (Houthis) who

impose hundreds of regulations and lengthy delays in approving aid projects while blocking aid assessments required to identify people's needs, seeking to control aid monitoring, and dictating aid recipients in order to divert aid to authority loyalists. On the other hand the combined forces of Saudi Arabia and the United Arab Emirates committed 15 incidents and forced the Sanaa International Airport, substantial for importing humanitarian assistance, to remain closed since August 2016. [29].

In addition, the rebels have caused ten of those and the state army have been responsible for eight incidents .The West Coast Joint Force, supported by the United Arab Emirates, was responsible for two incidents: the incident was in charge of the Southern Transitional Council, and the incident was jointly in charge of the Transitional Council forces supported by Houthis of Anshar Allah and the UAE. Furthermore, Mwatana has unable to regulate. The attack has injured many civilians, who are already facing serious risks from food shortages. The warring parties contributed to the humanitarian disaster in Yemen and some demonstrations have taken place to demonstrate the dire situation of the population. This does not come as a surprise as the most serious problem in the Yemen conflict is the destruction of civilian infrastructure and the sharp deterioration of economic and financial results. This has caused great difficulties

for the alliance of Saudi Arabia and the United Arab Emirates to restrict the import of Iranian fuel and rocket fuel. The blockage, along with the destruction of some of Yemen's ports has exacerbated the suffering of civilians. International airports for Yemeni overseas commercial and humanitarian flights that require medical assistance.

Furthermore, local warring factions such as the Ansar Allah (Houthis) group and forces loyal to internationally recognized governments have introduced fees and cumbersome bureaucratic procedures, making it difficult to conduct business and have caused prices to augment. They have also severely limit the number of humanitarian workers on the ground as they are not allowed to move freely in different parts of the country. They also lead to price increases and insufficient supply of raw materials such as fuel. One-third of the Yemeni population is food-insecure, and an estimated 358,000 children under the age of five suffer from severe acute malnutrition.

2.6 Air Strike

In 2019, Mwatana recorded at least 64 airstrikes by a coalition led by Saudi Arabia and the United Arab Emirates, targeting civilians and civilian objects in ten provinces of Yemen:., Kudida, Dahar, Taiz, Pilgrimage Al-Dalea, Al-Bayda, Amran, Saada, ,Amanat Assema , and Abyan. In these attacks, at least 293 civilians were injured, including 95 children and 49 women, and at least 380 civilians were injured, including 111 children and 57 women. Districts, prisons, markets, bridges, schools, and commercial and service facilities. Through investigations, including interviews with witnesses, victims and medical staff, Mwatana did not find any military targets near or near the area. In the few cases where Mwatana identified military targets near the attack site, the damage caused to civilians by the offensive was huge and disproportionate. In both attacks, Mwatana found no evidence that coalition forces warned civilians about the attacks and therefore the death toll was augmented[14].

Additionally, the norms and principles of international humanitarian law provide protection for civilians and others who are not involved in armed conflicts. International humanitarian law obliges all parties to the conflict to take necessary measures to minimize human suffering while complying with the norms of international humanitarian law. All parties to the conflict must distinguish between

military targets and civilian targets, and conduct all hostile actions against military targets. It also requires all parties to the conflict to take all possible preventive measures to minimize harm to civilians. Before launching an attack, all parties of the conflict must consider the potential damage to civilian lives and the relative value of military objectives, and avoid excessive attacks. If unscrupulous attacks and disproportionate attacks are carried out with criminal intent, they are considered war crimes.

2.7 Ground Attacks

In 2019, Mwatana recorded approximately 124 ground attacks, in which 132 civilians were killed, including 27 women and 73 children, and at least 329 civilians were injured, including 57 women and 202 children. These incidents occurred in the provinces of Lahui, Taiz, Al-Dalea, Aden, Marib, Sa'ada, Hajj, Al-Khudaydah, Ibrahimovic and Al-Jawf, Abyan. The Ansar Allah (Houthis) group carried out 67 attacks. Saudi Arabian ground forces launched 11 attacks, government forces launched 15 attacks, UAE-backed West Coast coalition forces launched two ground attacks, and Ansar Ala (Houthis) and government forces jointly took charge of 11 incidents. In one case, it fell on the ground and government forces in Saudi Arabia. Mwatana was unable to determine the culprit in the other three attacks. In addition, according to the U.S. state department there were numerous reports of existing or former members of the government security forces committing arbitrary or unlawful killings. Politically motivated killings are also widely committed by Houthi forces, militant secessionist elements, and terrorist and insurgent groups claiming affiliation with al-Qa'ida in the Arabian Peninsula (AQAP) or ISIS.

All parties to the Yemen conflict continue to launch indiscriminate ground attacks on civilians using large-scale, inaccurate weapons in most of the attacks. Many

of these attacks have affected residential areas and crowded markets, forcing hundreds of people to leave their neighbourhoods in search of safer places. With the intensification of hostilities in densely populated areas, some combatants were sent to residential areas and houses to seek shelter, and to prepare and conduct military operations. This put civilians and their property at risk, leading to the death of many innocent people who were used as human shield to protect the retreating combatants. In addition their property and important infrastructure (such as roads, water supply and hospitals) were damaged [9].

However, International humanitarian law prohibits indiscriminate killing and injury. International humanitarian law prohibits the use of unguided weapons that cannot be aimed at specific military targets. Hence, the parties to the conflict must choose the means of attack and weapons that can be used for military objectives, and minimize both. During hostilities, belligerents must distinguish between military and civilian targets. International humanitarian law requires those who wage war to protect civilians in these areas. Avoid spotting military targets in or near densely populated areas. The parties to the conflict must also avoid the occurrence of expected civilian casualties or damage to civilian property that are not in proportion to the expected direct military gains. Deliberately treat it as a war crime.

2.8 UAE Secret Prisons

After a human rights organization accused the United Arab Emirates of operating dozens of secret prisons in Yemen, these organizations called on the Gulf States to close all these institutions on Monday. The Geneva Institute for Human Rights and Freedoms stated that the Emirates' armed forces deliberately detained "thousands" in these prisons. Yemenis, including political opponents, opinion leaders and even civilians, have not received any charges or disobedience to justice, urging the UN Security Council to work hard to close these prisons and bring criminals to justice. In a video message on December 26, the organization cited one of its September reports on Yemen's prisons controlled by Saudi Arabia and the United Arab Emirates, which found dozens of prisoners "suffered to cruel torture. Prisoners' placement [20].

"The cases where the violence disappeared and all rights including fair trial are guaranteed. Yemen is one of the poorest countries in the Arab world. Civil wars have been plagued by civil wars since 2014, when the Houthi rebels backed by Iran escalated into crisis in 2015 and the Saudi Arabia-led Arab League launched a devastating The air movement to curb the expansion of the Houthi territory, killing 200,000 people, and exacerbating the humanitarian crisis currently intensifying after the outbreak of COVID-19. It was reached by Prime Minister

Abdul Malik in accordance with the "Riyadh Agreement" between the Yemeni government and the separatist Southern Transitional Committee backed by the UAE.

2.9 Killing of Media Persons by Saudi Arabia

In an air strike in Sana'a on Monday April 21, 2015, a TV news reporter and three employees of the Yemen Satellite TV were killed and at least 13 employees were injured. The air strikes have been clearly reported by the news media. UAE was responsible for the killing of media Persons in Yemen.

An explosion occurred in the Fat Attan metropolitan area, killing TV reporter Mohamed Shamsan. CPJ Middle East and North Africa Coordinator, Sheriff Mansour, said: "The deaths of journalist Mohamed Shamsan and today's Yemeni staff demonstrate that Yemen's media climate is extremely dangerous¹⁵." The party respects the civilian status of journalists, refrains from attacking the media, and ensures that the press can safely carry out its important work. The guards Monir Aklan and Hazzam Mohamed Zeid; according to the radio, there is also the accountant Amin Yehia (Amin Yehia). Ten other employees who were not confirmed at the station were injured, and four of them were in critical condition. The channel's YouTube channel showed graphic depictions of damage to the building and Shamsan's head injury. The video also shows employee Nabil el-Ayani, who said he and Shamsan "exploded" about 30 meters from the train

¹⁵ <https://apnews.com/article/caf5ba7c24894021b76ff39aec7a8c7d>

station. After the explosion, debris hit their car. He said that Shamsan was killed and his other colleague, Abdullah al-Shakeri, was injured [39].

The station's website stated that the head of the station, Mohamed al-Radmi, accused the Saudi Arabia-led coalition of attacking the station. According to news reports, the station is allied with former Yemeni President Ali Abdullah Saleh (ally of the Houthis). On Sunday, the radio station aired an interview with Saleh, who has been in hiding since he resigned in February 2012 due to public protests. In this interview Saleh criticized President Abdu Raba Mansour Hadi and the Saudi-led airstrikes of the coalition. On March 30, Brigadier General Ahmed Asri, spokesman for the Saudi Arabia-led coalition, said at a press conference that media supporting the Houthi movement would be targeted, but did not disclose the specific method, leaving no doubt that journalists and other non-combatants will be put in danger.

The Saudi Arabian Embassy in Washington stated that the airstrikes destroyed a large weapons arsenal on Mount Fagh Atan, but did not comment on Yemen today. The email sent by CPJ to the Saudi Arabian Embassy in Washington did not return immediately. According to the New York Times, the airstrike took place near an air base in the mountains and was bombed by bombers for several days. According to him, residents believed that the bomb had hit an underground

ammunition depot. A coalition of 10 countries led by Saudi Arabia is attacking Sana'a (now a stronghold of the Houthi militia) almost every day.

Nevertheless, according to Amnesty international: "All parties to the conflict continued to suppress freedom of expression and association through arbitrary detention, enforced disappearance, harassment, torture and other ill-treatment, and unfair trials."¹⁶

¹⁶ <https://www.amnesty.org/en/countries/middle-east-and-north-africa/yemen/report-yemen/>

2.10 Arbitrary Detention

A report released by Human Rights Watch on Wednesday said that the Saudi army had severely abused civilians in eastern Yemen in the past year, including torture, enforced disappearance and arbitrary detention. Several Yemenis told Human Rights Watch that they were held in a secret detention center in the provincial capital and tortured. The report recorded 16 cases of arbitrary detention, and at least five detainees who had been "forced missing" for several months were illegally transferred to neighbouring Saudi Arabia, without any further evidence of their status.

Michael Page, deputy director of Human Rights Watch, said that the severe abuse of al-Mahra residents by the Saudi armed forces and their Yemeni allies is another type of terror that can be included in the list of illegal activities in the Yemeni coalition led by Saudi Arabia [32].

Human rights violations and war crimes committed by the United Arab Emirates have not received any condemnation from the Saudi Arabia-led coalition on the alleged violations. Recently, it has become a hotbed of tension between local residents and the Saudi armed forces. With the support of Saudi Arabia, the armed forces arrested dozens of Yemenis who flooded the streets of the province to protest the presence of Saudi Arabian troops in the area. The troops

used real bullets to disperse the people, without any attempt of their prosecution [23].

Moreover, former detainees told Human Rights Watch that Yemeni forces, with the support of Saudi Arabia, took them from the street to an unofficial detention center, where they were beaten and electrocuted until they confessed to the forgery allegations and vowed to abandon all charges concerning opposition activities. In addition multiple reports show the poor detention conditions inside these detention centers and in fact a reporter who was only referred to as Bathham in the report said that Saudi agents electrocuted him and starved to death in a dirty cell that looked "like a garbage dump." A Saudi Arabian said that they knew nothing about their children for months. Then suddenly, they received a phone call from Saudi Arabia's prison, where many Yemenis were detained for free. The deputy director of the region Page called on the governments of Saudi Arabia and Yemen to release unreasonably detained civilians and investigate allegations of widespread abuse in accordance with international law.

2.11 Abuse of Migrants

For decades, immigrants from Africa have been traveling in Yemen looking for work in Saudi Arabia. Since 2010, more than 347,000 migrants and refugees from the Red Sea and the Gulf of Aden have landed on the coast of Yemen. Their numbers rose sharply and then declined in July 2013, which may be due to Saudi Arabia's repression of undocumented migrant workers, but rose again in March 2014. Due to the flow of migrants, billions of dollars of smuggling and extortion flourished in Yemen, making the country a hub for illegal activities. According to government officials' estimates of Harad, a dry border town in northern Yemen, human trafficking and smuggling account for about 80% of the economy.

Since 2006, Yemeni smugglers in Harada and surrounding areas have discovered a particularly cruel way of making money: arresting migrants in Ethiopia and transporting them to remote refugee camps, where they are extorted for money from their family and friends of these migrants prolonging the immense pain and suffering. The UAE was the main body who was responsible for immigrant rights violations in Yemen [14].

In an interview with Human Rights Watch, migrants who survived or fled the area referred to it as a "torture camp." Their reports, as well as the reports of traffickers, smugglers, government officials, medical personnel, and humanitarian

workers, portray a strong network of illegal operations, which they claim is linked by officials of all levels and positions in Yemen. Officials at least accepted bribes to settle their property. Closing eyes may play a more active and insidious role in surgery.

Except for a series of raids by the Yemeni government that ended in 2013, the authorities did not take any action to stop human trafficking. Officials are more likely to warn traffickers of robbery, arrest them and release them from prison, and in some cases actively support traffickers. Between June 2012 and March 2014, smugglers captured and detained migrants. Human Rights Watch interviewed 67 people, including 18 male migrants from Ethiopia, of which 4 were child migrants, 10 were smugglers and as well as medical staff and government officials, journalists, activists and diplomats.

Furthermore, the migrants told Human Rights Watch that they were attacked by armed men as they disembarked from a crumbling boat off the coast of Yemen. These militants belong to gangs. Its network extends to smugglers and human traffickers in Djibouti, Somalia, Ethiopia and Saudi Arabia. When immigrants move from one country to another, they sell African immigrants from one gang to another through unions. But in Yemen, immigrants no longer have a choice. Smugglers and human traffickers along the coast of Yemen pay each migrant for

the crew's expenses, and then ask Africans for money. They will be tortured by people who cannot or refuse to pay in remote refugee camps. When the smugglers arrived at the camp, they said to the immigrants: "Welcome to hell."

A long-term humanitarian worker estimates that the number of camps in Harada and its surrounding areas is about 200. Some camps are just a walled yard. Smugglers have dozens or even hundreds of immigrants. Sometimes tarps are hung on telephone poles to stop them. They escaped from the fire. Sometimes there is no protection. More complex campsites have watch towers and concrete buildings. Cruelty is a smuggling tool. The migrants interviewed by Human Rights Watch described how the kidnappers tortured them to force them to call their family members and ask them to be beaten. One person said that he saw someone's eyes cut off by a bottle of water. [10, 23 39].

Another said that the trafficker wrapped his thumb with metal wire, hanged him for 15 minutes, then tied a string to his penis and then took money from it. He filled a bottle of water. In addition, others reported seeing or hearing traffickers raping women in the group. Health workers at Harada Medical Center said they often see migrant injuries, including rape, thumb dangling injuries, cigarette burns and molten plastic. Human Rights Watch witnessed the treatment of more than 1,100 immigrants in Harada in the past four years, and that more than half of

them have been tortured which sometimes torture ended in death. An Ethiopian man told Human Rights Watch that he saw traffickers tie a man's penis with a rope and beat him with a wooden stick until the person died in front of them. Another said that the smuggler killed two people with an axe knife. The hospital's chief doctor Harald said that the hospital receives the bodies of at least two immigrants every week. Smugglers sometimes tortured Africans until they were about to die, then drove into the wall of the Harada Immigration Assistance Centre run by the International Organization for Migration and threw a person there. In another incident in April 2020, reported by the Human Rights Watch the Houthis forcibly expelled thousands of Ethiopian migrants from northern Yemen, forcing them to the Saudi border while they had killed dozens among them. At the same time Saudi forces fired on the fleeing migrants, killing dozens more, while hundreds of survivors escaped to a mountainous border area until Saudi officials allowed hundreds to enter the country.

The Yemeni government's failure to investigate and prosecute serious violations of migrants by individuals and organizations, or failure to investigate and prosecute government officials for participating in these abuses, violates Yemen's obligations under international human rights law. International human rights organizations have clearly stated that the government has a positive

obligation to protect people from violations of the right to life and personal integrity. The failure of the government to prevent, investigate or punish such violations may itself lead to violations of these rights. It is not part of the United Nations Trafficking Protocol. However, the crime described in this report is human trafficking. This includes transportation, resettlement and protection of migrants by force or threat of force as enslavement. For Yemen, "trafficking" migrants means that the Yemeni Constitution and international law prohibit torture and other cruel, inhuman or degrading treatment.

Although the Convention against Torture does not technically mean to cause serious suffering or torture to non-governmental officials, the convention still requires the government to respond to such acts by non-state actors. The Committee against Torture has clearly stated that government officials may be involved in torture and other ill-treatment by non-state actors. He was also involved in the abuse of immigrants, was detained and handed over from Harad to traffickers. They also often shoot immigrants [31].

Furthermore, the migrants said they saw the bodies scattered in the border desert, while humanitarian workers and officials said they found dozens of migrants' bodies and were shot dead in the local morgue. The Yemeni government must develop a comprehensive strategy, including raids,

investigations and monitoring, to stop torture camps. Officials must work with humanitarian organizations to ensure that all released migrants are provided with adequate food, shelter and medical services, following the obligations that rise from the Geneva Convention. The government must pass agreed laws and to conduct law enforcement activities to identify and prosecute traffickers and security forces suspected of conspiring with traffickers, regardless of their rank. Institutions should take appropriate disciplinary actions against workers involved in human trafficking. Parliament should pass anti-trafficking laws before parliamentary review and finalize draft laws on refugees and asylum-seekers. Yemen must ratify the United Nations Trafficking Protocol. Alliance and hisThe members of the Gulf Cooperation Council and member states including Saudi Arabia should urge the Yemeni government to take action to end the collusion between security forces and traffickers and ensure that the military and police completely close torture camps.

2.12 Violence against Women

In Yemen, after nearly five years of war, the population in need of assistance accounts for 80% of the total population, but women are the hardest hit by the conflict. Even before the war broke out, Yemen was one of the most difficult places for women to live. Deep-rooted patriarchy means that many women and girls cannot obtain family finances, make family decisions or even travel freely. Women have limited access to education, livelihoods and health services. Since 2006, Yemen has been the last in the World Economic Forum's Gender Gap Index, and was named the worst place for women in the world in 2017. The conflict in Yemen has affected the lives of women and girls in four ways [32].

2.12.1 Intensified Violence against Women

Before the war, violence against women and girls was widespread in Yemen. The conflict has exacerbated the situation: According to the United Nations, the number of attacks and abuses against women has increased by 63%. Yemenis and single, divorced or female families are the most vulnerable. In a patriarchal society like Yemen, men are regarded as the "protective layer" of the family. Without this protection, women will suffer physical abuse, and because the crisis has disrupted water supply and local markets, women face greater risks when collecting water for their families or traveling long distances to obtain basic services. The economic collapse and the shift in gender roles as women seek jobs outside the home to support their families have led to a surge in leadership. Approximately 3 million women and girls in Yemen are at risk of gender-based violence. However, there is no legislation specifically protecting them. Criminals can go unpunished, and victims of sexual violence and abuse have limited access to specialized medical treatment and advice. Moreover, because humanitarian agencies responding to crises are focused on saving lives, many agencies do not prioritize the needs of these vulnerable survivors.

Henceforth according to UN reports, gender-based violence has significantly increased during the war. The Office of the Special Representative of the UN

Secretary-General on Sexual Violence reported in June that women and children were more likely to experience of sexual violence, and noted that female political leaders and activists have been systemically targeted by the Houthis since 2017. Women have experienced systematic threats, prostitution charges, physical harm, arbitrary and secret detention, and sexual violence. However, even though many of such incidents have been reported by the various NGOs, there were no reliable rape prosecution statistics, and the number of rape cases was unknown. Human rights NGOs stated their view that underreporting of sexual and gender-based violence cases was common.

2.12.2 Women Starved

Before the war, Yemen was already one of the countries most stricken by hunger in the world. Now it sways on the edge of hunger. At the current rate of decline, it will take 20 years for Yemen to return to the already terrible state of child hunger. The economic crisis, the collapse of basic services, the reduction of food and fuel imports, and the reduction of food production have caused alarming levels of hunger. Malnutrition caused by the conflict along with destroyed health, water and sanitation services, have impacted 1.1 million pregnant women and young mothers that are alarmingly malnourished. The country's health system is struggling to cope with this situation, which may get worse as the supplies and humanitarian aid is scarcer than ever before. An estimated 6 million women of childbearing age lack access to basic reproductive health services. The United Nations believes that even giving birth to women is "great danger" as they do not possess the means to cope with the extreme situation that characterises the country.

More than 4.7 million children have encountered difficulties in receiving education. Numerous schools were destroyed and many teachers who did not receive a fixed salary started looking for other options. The deteriorating economic situation of their families forced their children to drop out of school to

find work. The conflict has delayed the improvement of girls' access to education for two decades. More than 36% of girls do not go to school. As the war continues to plunge families into poverty and parents increasingly marry their daughters, its legislative proposal sets 18 years as the minimum age for girls to marry and go to school.

2.13 Medical Care is Target

During the conflict in Yemen, the lack of protection of hospitals and civilian infrastructure became an ongoing situation. In 2015, Amnesty International witnessed an attack by combatants from both sides in or near the Tavra hospital in July 2015. According to international humanitarian law, medical facilities enjoy special protection from attacks and cannot be used for military purposes. Unless they are used by the conflicting party to take harmful actions against the enemy outside of humanitarian roles, they will continue to be protected.

In addition, treating wounded soldiers or combatants is part of the hospital's humanitarian function, and medical institutions will never be attacked. Even if the hospital is being used to attack the enemy, a warning must be issued within a reasonable time frame, and the attack can continue only when such a warning is heard. Amnesty International has documented terrorist attacks by all parties to the Yemen conflict, including war crimes. During a visit to the eastern region of Taiz in November 2016, investigators interviewed witnesses including medical staff and victims of the attack. In early October, anti-Houthi forces attacked a local market called Sofitel in a Houthi-controlled area. In the attack on the Sofitel Market, at least three civilians were killed and four injured.

The anti-Houthi movement in the southern city of Taiz in Yemen used militants and military personnel near the target to harass and intimidate hospital staff and endanger civilians, Amnesty International said during a visit to the tower earlier today. This month, investigators from the organization interviewed 15 doctors and other medical staff, who described how anti-Houthis have harassed, detained or even threatened to kill them in the past six months [10].

The Houthi forces launched a campaign of fear and intimidation against medical personnel in Taiz State. Philip Luther said: "By placing combatants and military personnel near medical facilities, they endangered the safety of hospitals and violated the obligation to protect civilians under international law." Amnesty International's Director of Research and Propaganda in the Middle East and North Africa. "There is no excuse for harassing medical workers or preventing doctors from doing life-saving work. International humanitarian law prohibits attacks on medical workers or medical facilities, and may constitute war crimes [11].

2.14 Hospital Shutdown

In at least three cases, hospitals were closed due to external threats to staff. In the latest incident on Monday, November 21, an anti-Houthi force raided and closed the Al-Thawra Hospital, the largest public hospital in Taiz State. Witnesses said that three armed men broke into the hospital office and threatened to kill the medical staff. Houthi combatants (one of them is a minor) were evacuated from the intensive care and rehabilitation department, but were interrupted by medical staff but the third Houthi fighter died during treatment. And dialysis, although fighting has broken out again since the first week of November. "A basic rule of international humanitarian law is that the injured, whether civilians or combatants, must be recruited and supported. Philip Luther said: "The anti-Houthi forces' retaliation against medical personnel for performing their duties is shocking and unacceptable".

2.15 Medical Staff Threatened

Several doctors told Amnesty International that the anarchy that plagued Taiz created a security vacuum and exposed them to greater threats from anti-Houthi forces trying to control the hospital. One of the administrators described anti-Houthi people and said that they often go to the hospital to treat combat-wounded fighters. Doctors told Amnesty International that when anti-Houthi fighters were rejected due to lack of hospitals, they sometimes resorted to violence or abuse. In other cases, medical staff said that doctors were forced to use their guns to do their jobs [30].

Al-Jamhuri, a hospital doctor interviewed by Amnesty International, said that the man was told that his son was a Houthi fighter with a minor leg injury and that he did not need first aid or was of no avail and opened fire at the hospital. His outbreak of violence injured hospital staff and killed a patient. The hospital staff also said that militants refused to leave their weapons outside, and often insulted doctors and fights with medical staff, thus causing internal problems. “[Combatants] threatened us and undermined the management and decision-making of the hospital. If we face them, they threaten to kill us. Destroy the affairs of the hospital”.

2.16 Military Positions setup near Hospitals

The staff of Al Tawrah Hospital told Amnesty International that armed personnel had established defensive positions, including parking cisterns around the hospital complex, and asked the staff and local authorities not to do this, ignoring the hospital's buildings, staff and the patients who would be put in great danger, in the context of revenge. Director Al-Tawra said that the hospital's guards could not deal with the soldiers: "There are dozens of armed men in the hospital. Should I go to the hospital or the camp?"

If you refuse, please go to the hospital. This one was in the hospital. Doctors who have lived and worked until July said that on average, militants attacked from the hospital at least twice a week. The Houthi forces retaliated violently in and around the hospital. On September 28, the Houthi forces launched an attack. The shell hit the hospital, damaging its solar panels, water tanks and water pipes, and temporarily reopened it. The doctor at Al Jamhuri Hospital also told Amnesty International: "They will not shoot from our house."

The hospital has three doors and armed guards. There are people in the hospital, but they are not armed. The guards outside have pistols and grenades. He also said that in early November, due to a mortar attack, the roof of the hospital was

torn on the ground. He said: "It was only 12 meters from where he fell to our work. "He added that there are currently as many as 50 employees present [7].

2.17 Enforce Disappearance and Torture

In June 2019, Human Rights Watch notified that since June 2019, with the support of Saudi Arabia that the Yemeni armed forces have substantially endangered Yemenis in Al Mahra, Yemen's Far East Province. The abuse includes arbitrary arrest, torture, enforced disappearance and illegal displacement from Saudi Arabia. The UN and human rights organizations continued to report that torture and other forms of mistreatment were common in ROYG-, Houthi-, and Emirati-controlled detention facilities. Furthermore, a UN Group of Experts report stated it believed that parties to the conflict were continuing to engage in enforced disappearances, which include politically motivated kidnappings of individuals associated with political parties, nongovernmental organizations (NGOs), and media outlets critical of the legitimate government or the Houthi movement. Especially the Houthis have targeted civilian family members of the Hadi security officials as well as foreigners, including those believed to be working for foreign diplomatic mission¹⁷. In addition, the armed forces supported by Saudi Arabia are arbitrarily arresting anti-Saudi protesters and other residents unrelated to the protests in Almaar, the capital of Almahk. "Juda," the resident told Human Rights Watch.

¹⁷ <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/yemen/>

The detainees said they were accused of supporting opponents in Saudi Arabia. They were interrogated and tortured in an informal detention facility at the city's airport, where Saudi officials controlled pro-Yemeni Saudi forces. It lasted three to five months until he illegally transported her to Saudi Arabia and did not provide any information about her whereabouts.

Michael Page, deputy director of human rights in the Middle East, said that the severe abuse of the residents of Mahara by the Saudi armed forces and their Yemeni allies is another terror, which can be included in the list of illegal activities of the Saudi Arabian coalition in Yemen. bell. If Saudi Arabia resorts to these abuses and does not hold anyone accountable, it will seriously damage its reputation in the eyes of Yemenis. Human Rights Watch interviewed four former Yemeni detainees, two detainees' relatives and four detainee's friends, as well as seven Yemeni activists, five journalists, four internationally recognized Yemeni government officials and Houthi representative. Human Rights Watch also reviewed a document signed by the Yemeni governments political and security secretary Mahala, which involved the arrest of a man at Al-Qaeda airport, and a short videotape showing how a seriously injured man described how Attack him. Arbitrary arrest. He was tortured in an airport prison. Participants provided the

names and photos of the six prisoners who they said were forcibly transferred to Saudi Arabia.

Human Rights Watch documented the arbitrary arrest of 16 people in Al Mahra Province by Saudi Arabia and Yemen's allied forces between June 2019 and February 2020. The security forces of Saudi moved eleven of the sixteen to Saudi Arabia. Five of them were taken to the prison in Abha, the capital of Asir Province in June. After that, their family members said that their family knew their whereabouts.

Before the transfer, these families had not received information about the whereabouts of the three of them. The remaining six people were arrested from northern Yemen, while an al-Mahra activist and two Houthi sources said that Saudi Arabia released five other people who were not handed over to Saudi Arabia. In September 2019, the armed forces arrested Yemen near the border with Oman and released him after ten days of detention. The government has not denied that the Omani armed forces are in Yemen, nor has it denied that their armed forces' allegations of human rights violations in Yemen are "unfounded".

Four internationally recognized Yemeni government officials, former detainee and militant President Abdul Rabo Mansour Hadi told Human Rights Watch that Saudi officials and the Yemeni armed forces supported by Saudi Arabia are in Al

Mahra The Al Gaida Airport operates an informal detention center. The seal of President Hadi's office was dated April 2019 and was inspected by Human Rights Watch. It was related to the arrest of a man in the "Central Political Security Agency" of Yemen's national intelligence service.

The four former detainees said that Saudi Arabian officials were present when they were arrested and questioned at the airport. The three said they were tortured by Yemeni officials in the presence of Saudi officials, forcing them to sign a pledge to end protests against the Saudi armed forces and their Yemeni allies' actions in Al Mahra, and to cooperate with Saudi Arabia's opponents. To end, Human Rights Watch wrote to Al-Mahra Governor Raja Bakrit, who was replaced by Mohammed Yasser on February 26, 2020. Human Rights Watch also wrote to Yemen's Human Rights Minister Mohammed Asker; Saudi Arabia-led coalition spokesperson Turki al-Malki; Saudi Arabia's Foreign Minister Prince Faisal bin Fahhan bin Abdullah Inquired about the alleged abuse of his forces in Al Mahra. Currently, they have not responded. [22].

Summary

All parties to the Yemen conflict continue to violate international humanitarian law and human rights with impunity. The internationally recognized government of the Saudi Arabia-led coalition supporting Yemen and the Houthi armed forces continue to launch attacks, causing extensive material destruction and civilian casualties. The parties to the conflict have carried out arbitrary detention, disappearance, persecution, torture and other forms of ill-treatment and unfair trials of people who are only guided by their political, religious or professional contacts or peaceful activities. The parties to the conflict obstructed the flow of necessities such as food, medicine and fuel, while the Houthi forces continued to impose arbitrary restrictions on humanitarian organizations, using their aid as political tool used to strengthen their power.

The outbreak of the COVID-19 pandemic has put more pressure on an already exhausted health system. A health system where only 50% of hospitals and medical institutions operate. In addition, compared with 2019, humanitarian aid funds have been reduced by 50%, which further aggravated the pandemic's impact on sanitation system residues, exacerbated food insecurity, and restricted people's access to clean water, sanitation and public Opportunities for service.

The cumulative effects of conflicts and pandemics have particularly affected persons with disabilities, women, children and migrant workers while many others were sentenced to death for various crimes. Nevertheless the situation does not seem to come to an end as the international community stays relatively inactive in the image of the numerous violations of the international law threatening not only the lives of those already at risk but also the legitimization of the international humanitarian law per se.

Chapter 3

UNO Conventions, ICC & Saudi Crimes in Yemen

3 UNO Conventions, ICC and Saudi Crimes in Yemen

Saudi Arabia is Britain's largest purchaser of weapons and one of the most authoritarian regimes in the world. British-made bombs and missiles used in military aircraft played a central role in the Saudi-led coalition's attack on Yemen. The Saudi Arabia-led Yemen attack killed thousands of people and triggered a humanitarian disaster. Despite repeated evidence of violations of international humanitarian law, the British government continues to send weapons to Saudi Arabia for use in Yemen. The British government admitted that Saudi Arabia used British weapons produced by companies across the UK in the attack. Yemen clearly violated the British arms sales guidelines and European and international laws. The military support of the Saudi Arabian regime has allowed them to participate in their criminal activities. The government refuses to act, so we must do it [22].

3.1 UK Weapons used by Saudi Arabia

As previously stated, the British government admitted that the coalition led by Saudi Arabia used weapons from companies across the UK to target Yemen, generating billions of dollars in arms sales. The aircraft used for the bombing was provided by the United Kingdom. The equipment used by Saudi Arabia in their intervention in Yemen includes typhoon and tornado aircraft, paving bombs, brimstone, and storm shadow missiles. Given the central role played by British armaments, they undoubtedly played a role in hundreds of attacks.

Local investigators found fragments of weapons belonging to British companies, indicating that British weapons were used in attacks on civilians. Typhoon and tornado aircraft of BAE Systems played an important role in this attack, and the government confirmed that they have been used in combat missions in Yemen. During the bombing, several typhoons continued to flow into Saudi Arabia from the BAE Wharton base. At the same time, BAE and the British government are promoting the signing of new contracts.

3.2 Bombs and Missiles

The government also admitted that Yemen used a sophisticated weapon provided by the United Kingdom: Raytheon Paveway IV bomb. In 2014, Raytheon UK won the first 150 million pounds (247 million US dollars) export transaction for Paveway IV. A spokesperson for the Ministry of Defense said that the United Kingdom has trained the Saudi Air Force on the use of Paveway IV PGM500 bombs, MBDA bombs, brimstone and storm shadow missiles, and BAE ALARM (also training for the Hakim Precision Guided Munitions (PGM) A series). Between 1989 and 1998, Yemen used a 500-pound rocket made by GEC-Marconi Dynamics (later acquired by BAE Systems). UAE is responsible for supporting conflicted bodies for spreading war in Yemen [19].

3.3 International Criminal Court

The International Criminal Court should investigate the weapons chief executive in connection with the war crimes allegations in Yemen. Amnesty International has stated that prosecutors of the International Criminal Court should investigate the role of leaders and licensed officials of European defence contractors in violating Yemen's international humanitarian law, which may constitute war crimes, and has joined the European Centre for Constitution and Human Rights (ECCHR).

With the assistance of five non-governmental organizations, the European Court of Human Rights sent a 300-page notice and confirmatory evidence to the Prosecutor's Office of the International Criminal Court (OTP), requesting the International Criminal Court to investigate about the airstrikes illegally killed or injured civilians and destroyed or damaged schools, hospitals and other detention facilities. "The investigation of the International Criminal Court [10].

This move will mark a historic step in making defence executives accountable for their business decisions. The reality is that anyone involved in the sale of weapons to the coalition led by Saudi Arabia and the United Arab Emirates should be accountable. "These weapons bear some responsibility", said Patrick Wilken, Arms Control Researcher at Amnesty International. The prosecutor of the

International Chamber of Commerce can make it clear that if they are involved in the most serious crimes, he will prosecute corporate actors. Nonetheless, some European countries continue to export to coalition members and bomb them.

This kind of export also clearly violates the International Arms Trade Treaty and violates both European and national laws. The government is responsible for approving export licenses, and many defense companies argue that doing so can exempt them from eventual responsibilities. However, government approval does not relieve company executives of their responsibility to respect human rights in all business transactions, including the export of weapons that may be used in crimes in accordance with international law.

Their decision to export weapons that may be used in war crimes and other violations is being questioned. Patrick Wilken said that any business leader can read newspapers and learn that some European governments have failed disastrously assessing human rights risks. They have enough time and a lot of reliable information to reconsider their supply decisions to the company. In view of the terrible events in Yemen, the coalition is not enough to cover up the wrong government decision. Therefore, ICC must investigate arms company executives linked to Yemen war crimes allegations. The European Court of Human Rights and its partners (Human Rights Watch) Amnesty International, and Campaign

against Arms Trafficking (CAAT), Delas Center and Diet Samo Center) called on prosecutors to investigate the duties of senior company officials and senior government officials. Officials of the authorities responsible for issuing arms export licenses could be investigated, considering that they may be conspiring to commit these crimes under international law [33].

The ECCHR embassy targets companies from Spain, Germany, France, Italy and the United Kingdom, which are the alliance's largest exporters of weapons in Europe. According to information on 26 air strikes carried out in residential areas, schools, hospitals, museums and World Heritage sites, these air strikes may constitute war crimes under the Rome Statute of the International Criminal Court. The ICC can strengthen its criminal jurisdiction over genocide, crimes against humanity and war crimes within the jurisdiction of participating countries (all EU countries are parties to the Rome Statute) or several of their citizens.

3.4 Uno Convention and War Crimes

Although the history of prohibiting certain acts in armed conflicts can be traced back many centuries, the concept of war crimes did not develop until the end of the 19th century and the beginning of the 20th century. UNO focused on prohibiting belligerents from using certain means and methods of launching war; since then, other related treaties have been passed.

In the laws of The Hague and Geneva, some, if not all, violations of their norms are considered war crimes. However, there is no single document in international law that codifies all war crimes into law. Such as, International humanitarian law, international criminal law and customary international law treaties. All member states of the United Nations have ratified the 1949 Geneva Conventions, but the additional protocols and other treaties of international humanitarian law have not yet been implemented. However, many of the rules contained in these treaties are considered part of customary law and are therefore binding to all countries (and other parties to the conflict), regardless of whether they have ratified the treaties or not.

In addition, many rules of customary international law apply to international and non-international armed conflicts, thereby expanding the protection of non-international armed conflicts. This is only provided for in Article 3 of the Geneva Conventions and Additional Protocols.

3.5 War Crimes (Article 8)

- I. The courts have jurisdiction over war crimes, especially when implemented in accordance with a plan or policy or as part of a large-scale commission of such crimes.
- II. For the purposes of this Statute, "war crimes" refer to: a serious violation of the Geneva Conventions of August 12, 1949, that is, any of the following acts against individuals or property protected by the Geneva Conventions. :
Intentional homicide, torture or inhumane treatment, including biological experiments; deliberately causing serious suffering, injury or bodily harm; destruction and large-scale embezzlement of property without military necessity, illegal and arbitrary; forcing prisoners of war or other protected persons in hostilities
Serving in the armed forces of the country; deliberately depriving prisoners of war or other protected persons of the right to a fair and regular trial; illegal expulsion, transfer or illegal detention; hostage-taking
- III. Other serious violations of laws and customs in international armed conflicts within the framework of international law include the following:
 - 1) targeted attacks against civilians themselves or against civilians who are not directly involved in hostilities

- 2) Deliberately targeting civilian targets, that is, non- Military objectives
- 3) Deliberately targeting persons, objects, materials, units or vehicles participating in humanitarian assistance or peacekeeping missions under the Charter of the United Nations, provided that they enjoy some sort of immunity from international law.
- 4) Deliberately launching an attack, knowing that such an attack will cause accidental death or injury to civilians or property damage, or long-term and serious environmental damage, in terms of specific global military advantage, is obviously excessive and has direct foresight; Attack in any way or bomb any city, house or building that is not protected and is a non-military target; killing or wounding soldiers who voluntarily surrender after laying down their weapons or without other means of defence.
- 5) Improper use of the ceasefire flag, the enemy or United Nations flags, flags or emblems and uniforms and the unique emblems of the Geneva Conventions, resulting in death or serious injury; the occupying power directly or indirectly deporting some of its civilians to its occupied territories, or deporting all or some of its civilians from the country or deports them Outbound. The population of occupied areas

within or outside the area; deliberately targeting buildings, historical monuments, hospitals and gathering patients and wounded for religious, educational, artistic, scientific or charitable purposes other than religious goals Where people under the control of the enemy have suffered physical injury or any unreasonable medical or scientific experiments.

- 6) Medical, dental, or hospital treatment of the relevant personnel, resulting in death or serious harm to their health; killing or heavily injuring persons belonging to the hostile country or army.
- 7) Destroying or confiscating the enemy's property unless such destruction or confiscation is strictly necessary for war reasons. Declaring that the rights and actions of the citizens of the opposing party have been abolished, suspended or inadmissible in court; forcing citizens of the opposing party to participate in hostilities against their own country, even if they had served the belligerents before the start of the war.
- 8) Plundering cities or places.

- 9) Using poisonous weapons; using suffocation or other gases and similar liquids, materials, or equipment; using spheres that are easy to expand or flatten in the human body, such as a sphere with a hard shell that cannot be completely covered.
- 10) Using weapons, projectiles, war materials and methods that essentially cause unnecessary harm or suffering, or that violate the conditions of the International Law of Armed Conflict.
- 11) Violation of human dignity, especially insulting and degrading treatment; rape, sexual slavery, forced prostitution; forced pregnancy, forced sterilization or any other form of sexual violence referred to in subparagraph 2f also seriously violates the Geneva Conventions; the presence of civilians or other protected persons in order to facilitate certain locations, areas or armed forces to be protected from military operations.

According to international law, use the unique signs of the Geneva Convention to target buildings, materials, medical units, vehicles and personnel; deliberately starve civilians, which is one of starting wars by depriving civilians of important items Such methods include deliberately preventing the provision of humanitarian assistance under the Geneva Conventions; recruiting or recruiting children under

the age of 15 from the national armed forces, or using them to actively participate in hostilities.

- IV. Isolated and sporadic acts of violence or acts of similar nature.
- V. Within the framework of international law, other violations that are not of an international nature and seriously violate the laws and customs of armed conflict are one of the following: deliberately attacking civilians who do not participate in hostilities; deliberately targeting personnel, objects, materials, units or vehicles participating in assistance or peacekeeping missions under the Charter of the United Nations, but only if they have an acquired right to be there; deliberately targeting buildings used for religious, educational, artistic, scientific or other charitable purposes, historical monuments, hospitals and places where the sick and wounded gather; recruiting children under 15 years of age to participate in the armed forces or in groups actively participate in hostilities; ordering civilian actions for conflict-related reasons, unless the safety of the civilians or urgent military reasons require it; damage or confiscation of property belonging to the enemy, unless there is an urgent need for such destruction or capture in a conflict situation;

VI. Section 2 (c) and (e) do not affect the government's responsibility to maintain or restore public order in the state or to protect the unity and territorial integrity of the state through any legal means.

3.5.1 Crime Elements

War crimes are violations of international humanitarian law (a treaty or customary law), and individuals who commit them are held criminally responsible under international law. Therefore, unlike genocide and crimes against humanity, war crimes must always occur in the context of armed conflict, whether it is international or non-international. What constitutes a war crime can vary according to whether the armed conflict is an international conflict or a non-international conflict.

Personal actions and environmental intentions and knowledge. Unlike genocide and crimes against humanity, war crimes can target a wide variety of victims, whether they are combatants or non-combatants, depending on the type of crime. In international armed conflicts, the victims are military personnel, wounded and sick in the field and at sea, prisoners of war and civilians. It applies to personnel who are not actively participating in hostilities, including military personnel who have laid down their weapons due to illness, DS, imprisonment, or other reasons, and personnel "out of combat". In these two types of conflicts, medical and religious personnel, humanitarian personnel and civil defence personnel are also protected.

3.6 Crime Against Humanity (Article 7)

It is not clear under what circumstances the term "crimes against humanity" was first proposed. It is pointed¹⁸ out the use of terms (or very similar terms) related to slavery and slave trade as early as the late 18th and early 19th centuries and described the use of these terms related to European colonialism in Africa and elsewhere, such as the atrocities committed by Leopold II of Belgium in the Free State of Congo. It is referred¹⁹ to the 1915 statement of the Allied governments (France, Britain and Russia) in which the massacre of the Armenians in the Ottoman Empire was condemned as the origin of the term.

According to customary international law and the jurisdiction of international courts (such as the International Criminal Court, the International Criminal Court of the former Yugoslavia and the International Criminal Court of Rwanda), crimes against humanity have occurred Yemen and Libya war. Many states also criminalize crimes against humanity in their national legislation. Unlike genocide and war crimes, which are mandatory norms of international law and that no one can deviate from them, crimes against humanity are not yet formally materialized, although efforts are being made to codify these crimes into any specific

¹⁸ <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml>

¹⁹ <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml>

international legal treaty. The Rome Statute (the Rome Statute) that established the International Criminal Court in 1998 is the latest consensus of the international community on crime against humanity issue, and it is also a treaty containing the largest list of specific facts that may constitute a crime.

For the purposes of this Statute, "crimes against humanity" refers to any of the following acts committed in the context of a full-scale or systematic attack on civilians known to have been attacked:

- ❖ Murder
- ❖ Sabotage
- ❖ Slavery
- ❖ Deportation or forced relocation
- ❖ Population
- ❖ Imprisonment or other cruel deprivation of personal freedom that violates the basic rules of international law
- ❖ Torture
- ❖ Rape

- ❖ Sexual slavery
- ❖ Forced prostitution
- ❖ Forced pregnancy
- ❖ Forced sterilization or any other form of considerable sexual violence

As far as paragraph 1 is concerned, "attack against the civilian population" means an act of repeatedly committing the acts described in war against humanity.

3.6.1 Crime Elements

According to Article 7 (1) of the Rome Statute, crimes against humanity do not need to be linked to an armed conflict and can also occur in peacetime, similar to the crime of genocide. That same Article provides a definition of the crime that contains the following main elements: A physical element, which includes the commission of "any of the following acts": Murder; Extermination; Enslavement; Deportation or forcible transfer of population; Imprisonment; Torture; Grave forms of sexual violence; Persecution; Enforced disappearance of persons; The crime of apartheid; Other inhumane acts. A contextual element: "when committed as

part of a widespread or systematic attack directed against any civilian population”; and A mental element: “with knowledge of the attack” The contextual element determines that crimes against humanity involve either large-scale violence in relation to the number of victims or its extension over a broad geographic area (widespread), or a methodical type of violence (systematic). This excludes random, accidental or isolated acts of violence. In addition, Article 7(2)(a) of the Rome Statute determines that crimes against humanity must be committed in furtherance of a State or organizational policy to commit an attack. The plan or policy does not need to be explicitly stipulated or formally adopted and can, therefore, be inferred from the totality of the circumstances. In contrast with genocide, crimes against humanity do not need to target a specific group. Instead, the victim of the attack can be any civilian population, regardless of its affiliation or identity. Another important distinction is that in the case of crimes against humanity, it is not necessary to prove that there is an overall specific intent. It suffices for there to be a simple intent to commit any of the acts listed, with the exception of the act of persecution, which requires additional discriminatory intent. The perpetrator must also act with knowledge of the attack against the civilian population and that his/her action is part of that attack²⁰.

²⁰ <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml>

3.7 Ethnic Cleansing

According to international law, ethnic cleansing itself is not considered a crime. The term originated from the conflict in the former Yugoslavia in the 1990s and is considered a literal translation of the Serbo-Croatian "etničkočišćenje". However, the exact context that originated this term is not clear. The term "ethnic cleansing" has been used in Security Council and General Assembly resolutions and has been recognized in judgments and prosecutions of the International Criminal Tribunal for the Former Yugoslavia, although it has never been literally applied in prosecutions.

Since ethnic cleansing itself is not considered a crime under international law, there is no precise definition of this concept or specific actions that can be considered ethnic cleansing. The UN Committee of Experts responsible for investigating violations of international humanitarian law in the former Yugoslavia defined ethnic cleansing in its interim report S/25274 as "the achievement of racial homogeneity through the use of force or intimidation to expel certain groups of people from the territory Area. The same committee referred to ethnic cleansing in its final report S/1994/674 as "A deliberate policy formulated by one

ethnic or religious group to expel civilians from another ethnic or religious group by means of violence and terror²¹."

The Expert Committee also pointed out some coercive methods of expelling civilians, which may include killing, torturing, arbitrary arrest and detention, extrajudicial executions, rape and sexual assault, aggravation of civilian injuries and imprisonment of civilians in prisons, deliberate military attacks on civilians and civilian areas, the use of civilians as human shields, property destruction, personal theft of property and attacks on hospitals, medical staff and local experts. Committees with the Red Cross/Red Crescent emblems added that ethnic cleansing "constitutes a crime against humanity, and possibly constitute certain war crimes. In addition, crime against humanity may also fall within the scope of the Genocide Convention.

²¹ <https://www.un.org/en/genocideprevention/crimes-against-humanity.shtml>

3.8 Genocide (Article 2)

The term "genocide" was first coined by Polish lawyer Rafael Lemkin in his book "The Axis of Occupied Europe" in 1944. It consists of the Greek prefix Genos (meaning race or tribe) and the Latin suffix Cide (meaning murder). To a certain extent, this term emerged as a response to the National Socialist policy of systematically killing Jews during the Holocaust, and it was also a response to targeted measures to eliminate certain groups during the course of history. In 1946, the United Nations General Assembly (A/RES/96-I) made genocide a crime for the first time, incorporating it in the 1948 Prevention Convention, and as of January 2018, 149 states have ratified the convention. The International Court of Justice (ICJ) has repeatedly pointed out that the principles contained in the Convention are part of common law. Regardless of whether a country has ratified the "Genocide Convention," considering that genocide is considered a crime under international law, states become automatically bound to this. Article 2 also affirmed that the prohibition of genocide is a mandatory norm of international law (or mandatory law) and therefore cannot be abolished.

The definition of the crime of genocide contained in Article 2 of the Genocide Convention is the result of several negotiations and reflects the compromise reached by the UN Member States when the Convention was drafted in 1948.

The definition of the crime of genocide as contained in Article II of the Genocide Convention was the result of a negotiating process and reflects the compromise reached among United Nations Member States in 1948 at the time of drafting the Convention. Genocide is defined in the same terms as in the Genocide Convention in the Rome Statute of the International Criminal Court (Article 6), as well as in the statutes of other international and hybrid jurisdictions. Many States have also criminalized genocide in their domestic law; others have yet to do so. Besides the institution of genocide in international law, many states also criminalize genocide in their domestic legislation.

In Genocide Convention, genocide refers to any of the following acts carried out to completely or partially eliminate a national, racial or religious group: killing members of the group; causing serious physical or mental harm to the group members; intentionally creating living conditions that completely or partially destroy the natural environment where the group resides; take measures to prevent childbirth within the group; and violently transferring children from one group to another.

3.8.1 Crime Elements

Article 1 of the "Genocide Convention" stipulates that the crime of genocide can occur in armed international or non-international conflicts, as well as in peaceful situations. Although the latter is less common, it is still possible. This article establishes the obligations of the contracting parties to prevent and punish the crime of genocide. The broad understanding of what constitutes genocide is often broader than the content of international law. Article 2 of the Genocide Convention provides a strict definition of the meaning of genocide. The crime of genocide has two main aspects: A physical element, which includes the following five acts, enumerated exhaustively: Killing members of the group Causing serious bodily or mental harm to members of the group Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part Imposing measures intended to prevent births within the group Forcibly transferring children of the group to another group The intent is the most difficult element to determine. To constitute genocide, there must be a proven intent on the part of perpetrators to physically destroy a national, ethnical, racial or religious group. Cultural destruction does not suffice, nor does an intention to simply disperse a group. It is this special intent, or *dolus specialis*, that makes the crime of genocide so unique. In addition, case law has

associated intent with the existence of a State or organizational plan or policy, even if the definition of genocide in international law does not include that element.

Importantly, the victims of genocide are deliberately targeted - not randomly – because of their real or perceived membership of one of the four groups protected under the Convention (which excludes political groups, for example). This means that the target of destruction must be the group, as such, and not its members as individuals. Genocide can also be committed against only a part of the group, as long as that part is identifiable (including within a geographically limited area) and “substantial²².” [39]

²² <https://www.un.org/en/genocideprevention/genocide.shtml>

3.8.2 Empirical evidence of crimes in Yemen

As previously portrayed, following the ramifications of the Arab Spring, in 2011, a popular uprising started to emerge in Yemen, which led the country into a brutal Civil War. Since then, the world has witnessed a large escalation of this conflict, with a minority group – the Houthis – developing as an influential actor in the dispute, paralleled with other factions who saw in this upheaval a chance to increase their presence in the region. Besides the domestic parties involved in the conflict, other actors have been participating, with emphasis on Saudi Arabia and Iran, who continue to play power politics in the Middle East and turning regional conflicts into full-scale proxy wars. Moreover, specifically Saudi Arabia, who sees in the Houthis a threat concerning their ties with Tehran, has brought alongside a multinational coalition of forces which is actively interfering in the conflict. This coalition materialized concretely in 2015, and joined Bahrain, Egypt, Jordan, Kuwait, Morocco, Senegal, the Sudan, and the United Arab Emirates. In parallel with these nations, the United States, the United Kingdom, and many others are also participating, even if not directly, providing intelligence and logistic support, and a massive number of weapons and other military equipment to Saudi Arabia and some of the members of the coalition.

With the help of these allies and the military support they are receiving, Saudi Arabia is leading a bloody and violent campaign in Yemen. In the context of Saudi Arabia's intervention on the territory of their southern neighbour, there is widespread acceptance that they have been the perpetrators of plenty of crimes. Nonetheless, it is not an easy task to document these instances and provide relevant proof to back up the generalized idea that crimes are being committed almost on a daily basis on the Yemeni region. Even with these limitations, there is the presence of a substantial degree of empirical evidence of these crimes, and those testimonies will be shown in the following paragraphs.

In a Human Rights Council Report, published in 2018, there is the assertion that most of the attacks that led to civilian casualties during the conflict in Yemen have been perpetrated by the Saudi-led coalition forces. In this Report, there is the mention of strikes targeting places such as residential areas and medical facilities which often kill dozens of civilians. For example, specifically on the context of residential areas, the Group of Experts in charge of the analysis and assessment of the conflict currently raging in Yemen have noted 60 cases of attacks on residential areas which led to more than 500 civilian casualties. Moreover, in respect of attacks on public spaces which, as mentioned in the Report, are often times densely populated, the Group of Experts analysed about

29 events falling into such category that, as a consequence, brought death to more than 300 civilians. This Report does not only scratch the surface of these issues, but even mentions detailed and specific incidents, such as an air attack on the Mahsees Market by the Saudi-led coalition which literally slaughtered dozens of civilians.

Still on the context of the 2018 Human Rights Council Report, the Group of Experts additionally assessed a decent number of attacks on facilities related to medical services – at least 32, according to their intel – demonstrating the coalition’s total lack of attention or consideration for places who fall under a no-strike list. In fact, the evaluation that takes place during the course of this Human Rights Council Report, although not exposing it vehemently, concludes that the process led by the coalition to target specific places is either broken, non-existing, or deliberately used as a mechanism to attack fragile and non-military infrastructures.

Moving forward, the Human Rights Council has been gradually permeating the conflict in terms of their normative involvement and analysis and released another Report in October 2020 regarding the situation of human rights in Yemen, where they pick up on past evidence and compile it with newly gathered intel. The result is similar to the one mentioned on the previous Report – the

evaluation of the conflict and the attacks perpetrated leads to the conclusion that the coalition attacks disproportionately impact civilians. On top of this, there is also the presence of another indicator that does not fall into the category of a direct attack (such as sniper or air strike attacks), but that may have a similar, or an even larger impact on the lives of regular Yemeni folk. This indicator, mentioned in both Reports, is the restrictions on access to several types of basic needs for survival. This metric evaluates a type of behaviour that is also contradictory to international humanitarian law, characterised by the blockage of access to humanitarian relief. Indeed, as portrayed in this Report, the Saudi-led coalition has been imposing what unequivocally is an almost full-scale blockade, targeting naval and airways, which has led to millions of Yemeni civilians in dire need for humanitarian assistance. Not only this, but even previous to this bloody and multifaceted conflict in Yemen, the state imported 90% of its food and other commodities, and considering the active (and, to a substantial degree, successful) obstruction of access to humanitarian aid that is being carried out by the Saudi-led coalition, the situation in Yemen is deteriorating even more.

In the same Human Rights Council Report brought to light in 2020, there are other types of activities executed by the coalition which clarify the type of engagement they are having in the region. This is the case for the evidence

gathered by the Group of Experts which shows situations involving torture or enforced disappearances. Indeed, according to the Report, there is major concern for what appears to be widespread cases of torture and ill-treatment of individuals, from electrocutions, to rape and other types of sexual violence. Moreover, in respect of the detainment of individuals and their consequential arrest, the Report concludes that there is the absolute absence of what is termed “due process”, using evidence of things such as undeclared prisons or the passage of death sentences without proper evaluations.

The reports mentioned here portray only a small glimpse into the situation in Yemen. Additionally, it is virtually impossible to mention all the violations of human rights that are assessed in the Report and that seem to be taking place in Yemen. Nonetheless, reports like these provide useful evidence of categorical abuses which should be placed in the normative scale of decision makers in the context of arms deals and in the provision of logistical and intelligence report to countries like Saudi Arabia which are carrying out what effectively is a full-scale massacre of the Yemeni people.

Chapter 4

4. The complicity of International Community

4.1 The contention and Saudi inclusion

In parallel with many other nations, Yemen was the site of mainstream revolts in 2011. These prompted the tumble of previous president Ali Abdullah Saleh, who had administered the country since its unification in 1990. Yemen additionally had different focuses of contention, including a furnished resistance in the north by a gathering known as the Houthis. There was additionally a moderately dynamic al-Qaeda subsidiary in the country and a developing strain between the public authority and secessionist bunches in the south. After the fall of Saleh, a lopsided change period started, which in the long run crashed in late 2014.

The Houthis at that point exploited the environment of unsteadiness to assume responsibility for the capital, Sanaa, in September 2014, overturning the public authority drove by Abdo Rabbo Mansour Hadi. Toward the finish of March 2015, Saudi Arabia chose to mediate militarily to restore its southern neighbour's removed government. In a setting of expanding local strain also, geostrategic rivalry between Riyadh and Tehran, the Saudis contended that the Houthis were acting as Iranian intermediaries. Saudi Arabia at that point compiled a worldwide military alliance made up principally of Arab nations (UAE, Bahrein, Kuwait, Egypt, Jordan, Morocco and Qatar²) with strategic help and knowledge from the US and the UK. Regardless of the enormous number of nations included in this

coalition, authority behind the alliance has been principally in the possession of Saudi Arabia.

The UAE has likewise assumed a significant part in the conflict. In the course of the most recent years, the contention has become significantly more unpredictable. This is mostly a direct result of the projection of local and global interests. Endeavours for a political arrangement—chiefly through UN-supported arrangements—have run into various hindrances, and a few entertainers have preferred the path of violence. Since 2015, levels of brutality in Yemen have strengthened and the conflict is as of now considered one of the world’s worst. In the course of the last five years, the examination of the Escola de Culture de Pau has distinguished the conflict in Yemen as one of the world's most serious equipped contentions, with amazingly high lethality and an enormous number of civilian casualties.

Assessments by the Armed Conflict Location and Event Information Project (ACLED) show that the conflict has caused the passing of around 100,000 people since 2015, including 12,000 regular citizens executed as a direct aftereffect of the hostilities. From March 2015 to June 2019, the Office of the United Nations High Commission for Human Rights recorded the demise of 7,292 regular folks (counting 1,959 minors and 880 ladies) and 11,630 injured

(counting 2,575 minors and 1,256 ladies) as an immediate result of fierce activities. All things considered, they perceive that the last numbers might be a lot higher, since numerous scenes have not been explored because of limitations forced by the gatherings in question.

4.2 European arms that feed the contention

After the increment in viciousness in Yemen in March 2015, the United Nations endorsed goal 2216 in April. It set up a ban on a few furnished gatherings in the nation, particularly the Houthis. The goal energized the arrangement of arms to the Yemeni rebellion, particularly by Iran. Nonetheless, this measure set in place by the United Nations has not yet demonstrated a deterrent to the supply of weapons from Iran to the Houthis.

Truth be told, during the most recent couple of years, Riyadh has fundamentally expanded its importation of munitions stockpiles and has become the world's most preeminent arms buyer. Indeed, its fundamental providers have been the US and UK, albeit European nations like Germany, France, Spain, Italy or Belgium have additionally provided weapons. In this unique situation, many have requested that the ban be expanded and that the numerous wrongdoings executed as a component of the contention be examined.

Global basic liberties gatherings, for example, Reprieve International and drives advanced by common society, for example, those coordinated by ENAAT (European Network Against Arms Trade) or the crusade "Armas bajo control" in Spain have looked for changes in governmental approaches. They have

additionally tried to criticize and hinder ships stacked with weapons from cruising to Saudi Arabia through fight activities in various European ports. Besides, the European Parliament supported a non-restricting movement approaching the European Union to force an arms ban on Saudi Arabia, at a second when SIPRI cautioned that the Kingdom had expanded its arms buys by 275%.²³ Calls to end the surge of European weapons taking care of the contention in Yemen, and, specifically, the providing of arms to Saudi Arabia, have requested the use of a scope of European, public and worldwide guidelines.

In the first place, with respect to European guidelines, in 1998 the European Code of Conduct on Arms Exports set up the obligation of the sending out nation to confirm the last objective, all things considered, also, to guarantee that the accepting nation regards philanthropic rights. One of the eight standards characterized in the text (basis 3) determines that UE member states are not permitted to sell weapons used to incite or draw out furnished struggles or disturb existing pressures or clashes in the nation of conclusive objective, or that compromise territorial harmony, security or solidness (model 4). For this situation, albeit Saudi Arabia isn't the chief setting of the threats, it has been a functioning antagonistic in the equipped clash in Yemen since 2015.

Second, in regards to pertinent guidelines on a global level, it is imperative to recollect that in 2014 the International Arms Trade Treaty (ATT) came into effect, requiring that all states ensure that their arms exports are not used to execute denials of basic liberties, demonstrations of illegal intimidation or infringement of worldwide helpful and that they do not fall under the control of criminal associations.

A few investigations have noticed the effect of the utilization of hazardous weapons in populated regions, as a consequence of the actions of Saudi Arabia's alliance in Yemen. These have a particular, lopsided effect on women by obliterating key common foundations, intensifying existing social and political imbalances, and expanding the danger of sexual brutality in populaces dislodged by viciousness.

Third, it is significant that European states are committed to regard their public guidelines on the deal and move of arms. On account of Spain, enactment on the fare of arms (Law 53/2007) sets up conditions for refusal or suspension if there is proof that the material gave could upset harmony or strength, intensify clashes or be utilized against the nobility of individuals. In this context, various instances have been found to fall under this scope of this law. Arms sold by Spain to Saudi Arabia have fallen into the hands of the Houthis, including C-90CR rocket

launchers and Alhambra hand projectiles fabricated by the Instalaza organization.

4.3 The Saudi-drove alliance

The Saudi-drove alliance has obliterated schools, homes, markets, and other infrastructures in Yemen. The conditions on the ground, nonetheless, show an explicit negligence for global philanthropic person standards with mass murdering of Yemeni citizens, including women and underage citizens, coupled with mass starvation of blameless non-combatants in Yemen. In spite of overpowering proof of various infringement of global helpful norms, the US, Great Britain, and France keep offering immense arms deals to the Saudi-drove alliance.

Since November 2013, the US has sold more than \$35 billion in arms to the Saudis. An arms bargain approved in November 2015 for \$1.29 billion provided Saudi Arabia with 1,500 warheads and more than 18,000 bombs. The British have provided the Saudi alliance with more than \$9 billion in new weapons since 2013 and almost \$4 billion worth of weapons since airstrikes on Yemen started in January 2015.

It is moral obligation of the nations that offered these weapons to guarantee they are not utilized for destructive infringement of worldwide law and worldwide

philanthropic norms. On March 15, 2016 the Saudi led alliance directed air strikes utilizing bombs provided by the US on a non-military personnel commercial centre in the town of Mastaba (north western Yemen),, executing 97 regular citizens including 25 youngsters [40]. The strike may have executed around 10 Houthi contenders, however, the blow-back was an immensely lopsided loss of guiltless citizens. The Saudi airstrike was infringing upon global standards and laws of war.

Intentional demonstrations of wanton slaughtering of non-soldiers is not exactly a conflict. The Saudi alliance has executed a devastating barricade in Yemen (censured around the world) impeding the progression of food and medication for the Yemeni public while at the equivalent time guaranteeing the consistent progression of arms to the Saudi-drove alliance. Moreover, the developments seen on Yemen show that the Saudi's have an aggregate negligence for global standards on war and that they have been using very destructive weaponry, such as bunch bombs. There is a peaceful accord, the Cluster Munitions Convention (CMC), that boycotts the utilization of this awful weaponry. The US (non-signatory of the CMC) delivers and sells these weapons to the Saudis.

The Saudis are in glaring infringement of US guidelines, yet the former has never really stopped the utilization of bunch bombs on Yemeni regular folks. For the US

furthermore, UK nonetheless, apparently the Military Industrial Complex benefits far exceed the worth of human existence in Yemen. While the progression of weapons and money keeps on thriving, they have chosen to disregard the enormous human enduring in Yemen.

The progression of cutting-edge barbaric weaponry utilized in the Yemeni slaughter continues to be of unlimited use by Saudi Arabia and its alliance accomplices. In excess of 8,000 Yemeni residents (counting 2,000 youngsters) have lost their lives because of air strikes, starvation and helpless clinical consideration because of the Saudi ban. These intolerable destructive demonstrations are consigned to unimportance when multibillion arms bargains are held as motivator to continue to offer arms to the Saudi-drove coalition. Four out of five Yemeni residents are currently needing compassionate guide. The contention has influenced life in 21 of Yemen's 22 territories and gives no indications of easing back. Over 2.5 million Yemenis have been uprooted inside and more than 120,000 have escaped the country. Around 14.5 million don't have a clue when and where the following feast will accompany, and no help seems to be in their sight.

4.4 involvement of United States

The US is associated with Yemen for various reasons. Having a truly long reciprocal relationship with Saudi Arabia, supporting the Saudi-drove alliance empowers them to expand their force in the Middle East, offering weapons to Saudi Arabia and the UAE.

Adding to the monetary benefits that US weapons makers receive through the perpetuation of this conflict, what's more, Saudi Arabia is balancing out the cost of oil for the US. Another angle is supporting Saudi Arabia battling Iran through battling the Houthis and counter fear-based oppressor associations like the IS and AQAP to forestall future assaults on the US homegrown land. The US is expanding its extraordinary financial control over the oil-rich Middle East and staying a worldwide hegemon.

The double dealing approach is in reality something that isn't explicit for the US for this situation, yet may different states guarantee to do helpful mediation while having a public interest and being conflicting.

The expected outcome of medication was motivated by the US strategy to the mediation of Iraq; however the astonishing aftereffect of this examination is that there is no philanthropic concern, in fact, the US association in Yemen is fairly of

sane interest. Investigating the US future contribution in Yemen, there are some indications that their participation might change, following the appointment of Joe Biden as President of the United State. The Biden-Harris presidency has delivered an articulation in the context of changing the relationship with Saudi Arabia. Biden sees the inclusion in Yemen as an unwinnable conflict and wants a changed methodology.

The scientific structure presenting judicious decision against philanthropic activity, and contention that both are not inconsistent, could give a decent scientific base from which to break down other worldwide entertainers' contribution abroad. Iran Press TV delivered a report about the German government supporting a 1.4-billion-dollar arm deals to nations associated with the interventions in Yemen and Libya. To put it another way, the German arms deals demonstrate that the US is not the lone nation utilizing the circumstance in Yemen for public interest.

4.5 Job of the Security Council under the ICC

On 26 May 2004, in an official articulation, the Security Council communicated 'its grave worry over the breaking down philanthropic and basic freedoms circumstance in the Darfur locale. On 31 March 2005 the Security Council made its first reference to the International Criminal Council ('the ICC'). The Council alluded the circumstance in Darfur to the Prosecutor of the ICC. Given the USA's expressed resistance to the ICC, that there was a reference at all could be viewed as a victory for the Court's allies. The International Commission of Inquiry on Darfur started its work on 25 October 2005. Nonetheless, Security Council Resolution 1593 has various hazardous highlights. Its beginning was long and tangled, and it has been seen by some as a substitute for powerful activity by the United Nations to end the philanthropic emergency and precise abominations being submitted in Darfur.

The Commission inferred that the Government of Sudan and the Janjaweed were answerable for genuine infringement of worldwide common freedoms and compassionate law. Government powers and volunteer armies had murdered regular people; occupied territories with violent actions, sexually brutalized people and annihilated and plundered whole towns. Such demonstrations added

up to atrocities and (given that they had been carried out on a far reaching and precise premise) violations against mankind.

The Commission, nonetheless, inferred that the public authority of Sudan had not sought after an arrangement of annihilation, despite the fact that it looked at that as some people would have acted with destructive aim. The Council chose to 'allude the circumstance in Darfur since 1 July 2002 to the Prosecutor of the International Criminal Court' and requested the Government of Sudan and any remaining gatherings to the contention in Darfur to 'collaborate completely with and give any important help to the Court and the Prosecutor' as per the goal.

This was as per the force given to the Security Council under Article 13 of the Rome Statute of the International Criminal Court to trigger the Court's purview.

Nonetheless, the Resolution additionally contained some more dangerous arrangements because of the trade-offs important to guarantee its appropriation [42]. Article 25 of the UN Charter requires part states to "acknowledge and do" choices of the Security Council that are "in agreement" with the UN Charter. Be that as it may, if the peacekeeping exception is resolved to be counter to the

forces conceded to the Security Council, and along these lines not as per the UN Charter, at that point UN part states would not be limited by it.

Then again, if the peacekeeping exception is considered to be inside the forces of the Security, at that point Article 103 of the UN Charter commits UN part states to satisfy their commitments under the Charter over any commitments present in conflicting global instruments, which would incorporate the Rome Statute

The statement followed a report of the UN High Commission for Human Rights 'Situation of human rights in the Darfur region of the Sudan', UN 7 May 2004, in which the High Commissioner reported that massive and gross human rights violations were being committed in Darfur, possibly amounting to war crimes and crimes against humanity.

A treaty appears to be the most appropriate procedure to establish a permanent international criminal court, although the Security Council may be competent to establish such a court itself. However, this would require that the competence of the court be limited to specific situations, since a Security Council decision would be taken *ex post* and not *ex ante*.

4.6 Dread of the United States

The United States' most genuine concern with respect to the ICC is the likelihood that American residents (essentially, American troopers) could be brought before it. As expressed beforehand, the ICC has locale over people who are nationals of signatory states, and over people who perpetrate violations in the regions of signatory states. So if an American supposedly carried out wrongful actions in the domain of a state which is part of the ICC, or in the region of a state which is not a signatory of the court, but that acknowledged the locale of the ICC, at that point the ICC could bring that individual before it. However, the United States has misgivings about the ICC making the assurance of whether a state can complete the examination or arraignment fairly and fears that a choice of the ICC could be affected by outside political powers rather than an exhaustive survey of a state's legal framework.

4.7 The Coalition's military intercession

From elevated fighting, to a true barricade around Yemen, in 2011, support for popular government uprisings in Yemen drove previous long-term President Ali Abdullah Saleh to leave. In September 2014, the Houthi equipped gathering (otherwise called the Houthis or Ansar Allah) assumed responsibility for the Yemeni capital Sana'a forcibly. The move followed an arrangement of more modest outfitted encounters between the Houthi equipped gathering and different powers, including Yemeni government powers, in Saada, Al Jawf and Amran. President Abd Rabboh Mansour Hadi, who supplanted Saleh, escaped to Aden in southern Yemen. In March 2015, the Houthi furnished gathering, along with troops faithful to previous president Saleh, entered the city of Aden. President Hadi at that point escaped to Saudi Arabia.

In March 2015, the Saudi/UAE-drove coalition got associated with the Yemen struggle, at the point when it dispatched the "Conclusive Storm" military air activity because of President Hadi's solicitation for help against the Houthi furnished gathering [44]. Toward the finish of April 2015, Definitive Storm was substituted by Operation "Reestablishing Hope." As well as directing an elevated mission, the coalition forced an accepted maritime bar on zones constrained by

the Houthi-Saleh powers and deterred the Sana'a air terminal. The coalition was, at first, composed by Saudi Arabia, the UAE, Bahrain, Kuwait, Egypt, Jordan, Morocco, Sudan and Qatar. Alliance military exercises are heavily influenced by Saudi Arabia and the UAE. A joint central command in Riyadh, driven by Saudi Arabia, controls air activities in Yemen.

4.8 Conclusion

Complicity is a regulation that credits criminal obligation to the individuals who are engaged with yet don't genuinely execute a wrongdoing. In spite of the appearing straightforwardness of this definition, complicity is an exceptionally unpredictable and hostile idea in homegrown and worldwide criminal law the same. Its capacity is to develop a connection between the assistant and the criminal demonstration of someone else. The Security Council reference of the Darfur case disregarded the financing plan recommended by the Rome Statute. Giving a reference force and deferral power is likewise placing a doubt in the brain of the correct reasoning individuals. For what reason should the Security Council have ability to allude a case except if and until every one of the individuals from the Security Council joins the Rome Statute. The Security Council is so incredible, evidently, that it can arrange a reference and even decline to pay for it, scorning its nose at the Rome Statute and its financing arrangements. The general thought, indeed, that a criminal court ought to have anything to do with issues of harmony and security is fairly peculiar.

Obviously, one can generally legitimize the presence of a criminal equity framework with the prospect that, without it, there would be pandemonium.

Notwithstanding, to permit the choice of cases to be so subject to issues of aggregate security, and to be supervised by a political body worried about it, is at chances with the major objective and exceptional focal point of all criminal courts to arbitrate the culpability of individual suspects. This polarity lies at the core of global criminal equity: indicting singular suspects yet accepting situations when aggregate security requests it.

Summary

Reported by United-Nations, Yemen is facing the worst humanitarian crisis in the world. Since 2015, the war that has swept across the country, killed more than 50,000 people, including many civilians, and destroyed the country's economy and important infrastructure. The conflict in Yemen has developed into the worst hunger pang in the world in more than 100 years. More than half of the population (14 million women, men and children) face the threat of hunger.

Since 2015, the United Nations and its partners have been providing important help and protection there. Here are a few factual actions: The United Nations World Food Program (WFP) distributes 1100,000 tons of food to more than 4,000 locations every month, and obtains more than 7 million from Yemen's World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) the vaccine targets more than 300,000 people infected with cholera. The United Nations Population Fund (UNFPA) provided reproductive health services to 250,000 women and girls. The Office for the Coordination of Humanitarian Affairs

(OCHA) works closely with governments at all levels and humanitarian partners to improve coordination²³

Furthermore, several gaps exist in the United Nations' peacekeeping efforts. The UN Security Council Resolution 2216 to protect human rights in Yemen takes only two parties into account [45]. This is a barrier to reaching an agreement because there are several political factions with competing interests throughout the country.

²³ <https://unfoundation.org/what-we-do/issues/peace-human-rights-and-humanitarian-response/humanitarian-response-in-yemen/#:~:text=According%20to%20the%20United%20Nations,the%20world's%20worst%20humanitarian%20crisis.&text=Since%202015%2C%20the%20UN%20and,providing%20lifesaving%20assistance%20and%20protection>

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