

The Yemen Armed Conflict in the Perspective of International Humanitarian Law

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Abstract: *Since the Arab Spring, Yemen became the center of worst humanitarian crisis in modern history. This paper investigates the fundamental causes of the current conflict in Yemen and also explicates the legal dimension of International humanitarian law. Political marginalization, social disenfranchisement, economic collapse, the failure of the Yemeni government to address and resolve the socioeconomic frustration of ordinary citizens and corrupt leaders are few reasons which led to the brutal civil war in Yemen. This systematic failure of government and intervention of regional players for their dominance and ascendancy created political uprising, violence, and institutional collapse. Thousands of civilians have died, millions of people had been displaced and millions are on the brink of starvation. Several solutions were proposed by introducing the federal system, decentralization of state's power, improving basic infrastructure, negotiations with Houthis but none of these reforms implemented properly. This paper also scrutinized the intervention of regional actors in this ferocious conflict and how regional and international actors violated International Humanitarian law.*

Key Words: Yemen Conflict, Worst Humanitarian crisis, Regional Intervention, Saudi-led Coalition, International Humanitarian law, Human Rights Violation, Political Upheaval.

Introduction

In 2011, the Arab Spring started rapidly spreading throughout the Middle East and North Africa by kicking-off countries like Tunisia, Egypt, Libya, Syria, Bahrain, and Yemen, etc. when it has entered into Yemen then the country was already suffering from corrupt authorities, political instability. Myriads of social problems were there, and this uprising further tenuously affected the country. The substantial reason behind current political tensions in Yemen was resulted from political transition because following the monarchic style of government, Abdullah Al-Saleh doesn't want to leave the presidential power. [Chatham House. \[2015\]](#). Traditionally, Yemen has always been an unstable form of government and it had remained in conflict for decades. Since the Arab spring, the situation became more violent than ever before and now the country is in the grip of lethal and brutal conflict that brings its population into the brink of famine, starvation, and economic bankruptcy. This ongoing conflict in Yemen is the outcome of different national, regional and international power struggles, exasperated by a proxy war between two regional players Saudi Arabia and Iran. [Feierstein, G. M. \[2019\]](#). Creating from the reunification of two separate states, one communist and another Islamist in the 1990s, this country got charismatic leaders in the 1970s but due to internal interest-based clashes always left a vacuum for a strong leader to lead this shattered country. [Yemen \[2020\]](#). During Arab Spring, the country was demanding reforms in the constitutional and political structure of government, it spreads to the massive street protests and forced President Abdullah Al Saleh to step aside after ruling the country for 33 years. His successor Abdrabbuh Mansur Hadi took over the control of the state but he also drastically failed to improve the economy and to prevent the country from consistent attacks by Al-Qaeda and Houthis. [Sharp, J. M. \[2019\]](#).

The inevitable push for constitutional reforms by disenfranchised Shia population and northern Shia militias called, Houthis launched the full-scale strikes and uprising in the country, they started confronting and attacking state's institutions. [Hennessey, K. \[2015\]](#) More tragically, By September 2014, the Houthis become allied with Former President Abdullah Al Saleh and had captured the capital city Sana'a by forcing President Hadi into exile. On the other side, the Yemeni troop's loyalty and

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sincerity were there with internationally recognized Hadi government supported by Saudi led coalition Arab states, they have been fighting to eradicate the entity of Houthis from Yemeni land. Later on, the conflicts had been marked by shifting loyalties from both sides, Abdullah Al Saleh killed by Houthis in 2017 when it has signaled that Al Saleh is joining the alliance with Saudi Arabia and gradually the situation became miserable and worse in a wider context. [Wintour, P. \(2019\)](#) Most importantly, the conflict by some analysts seen as the proxy wars between regional archrivals Iran and Saudi Arabia, which is true. The Yemeni Shia community and Houthis are backed by the Iranian government. Similarly, back in 2014, the Saudi Royal family has predicated the establishment of the Shia government in Yemen which was explicitly not acceptable to Riyadh and in this way, Saudi Arabia stepped in a new quagmire in Yemen against Iran. [Darwich, M. \(2018\)](#) in this paper, we will analyze the root causes of the Yemeni civil war and will identify the regional intervention in Yemen.

Since March 2015-16, Saudi launched the bombing campaign supported by major powers like USA, France, and UK along with Saudi led coalition forces. [Rezk, D. \(2017\)](#) they have provided arms supply, modern warheads, lethal armament, and logistic support to KSA to defeat the Houthi militias and to restore the Hadi's government but this strategy hasn't worked properly. [Yemen crisis \(2020\)](#) The Yemen civil war had been killed 90,000 people and it has internally displaced more than three million Yemeni people. In the current scenario, the Saudi blockade of Yemeni ports is cutting off Iranian logistic and financial support to Houthi groups, which further deteriorated and intensified the Humanitarian crisis in Yemen. [Beaumont, P. \(2019\)](#). According to Amnesty International reports, 30 million Yemeni people need humanitarian assistance, and more than 15 million people are at the risk of starvation. Coppi, G. (2018). United Nations declared the Yemen conflict as a worst humanitarian crisis in the modern world history. Coppi, G. (2018b). Half of the Yemen's population are facing food insecurities; millions of Yemeni people had been displaced due to this conflict. This paper will delineate the various events that caused this war and will also discuss the humanitarian situation. Similarly, the main focus will be the legality of use of forces in Yemen conflict by all the involved state and non-state actors. In the end, this paper will investigate that what are the legitimate and illegitimate forces according to International humanitarian law.

Origin of the Yemeni crisis: Post Arab-Spring Scenario

The origin of the current Yemeni crisis goes back to 2011 when a massive protest in the capital of Sana'a demanded an end to the country's political elite. [Vom, B., G.](#) Like other Arab Spring Uprisings, it has been commenced with good intentions to bring structural reforms, enforce rules and law, curb-off the menace of violence and to eradicate the roots of corruption but unfortunately, this had unfolded into the exact opposite direction. This dispute ignited domestic clash between President Abdullah Al Saleh and military Head General Ali Mohsin Al-Ahmar.¹⁶ This long dispute goes back years and years, there was strong conflict between both of them. Basically, Saleh wanted to appoint his son Ahmed Al Saleh as the supreme military leader in the country but Al-Ahmer didn't accept it because he knew that it'll cause the division within government and military institutions. [Gasim, G. \(2018\)](#)

Similarly, the Shia militia group known as Houthis, headed by Abdul Malik Al Houthi strengthened his network into the tribal areas of Yemen especially, in the Shia majority regions on the northern side of the country. [Serebrov, S. \(2017\)](#) the pro-Saleh and pro-Al Ahmer confronted each other at every front rather than fighting against rebellions and Al-Qaeda. This paved a way for Iran to enter into the battlefield to support Houthis led Shia movement because Yemen having bordered with Saudi Arabia provided a geopolitical opportunity for Iran to open a new front against KSA to continue the Iranian-Saudi cold war rivalry. As both regional powers don't want to publicly engage against one another in a military campaign, so, both used proxy groups to get upper edge and dominance in the region. [Brandt, M. \(2017\)](#) Iran had deployed its naval troops into the Gulf of Aden to combat piracy and illicit transportation of crude oil but in reality, it was something different to support the Houthis movement in Yemen and to keep a check on Saudi Arabia. In response to this campaign, KSA started a series of airstrikes against Houthis near the border areas. [Factbox \(2018\)](#) The country was on the verge of collapse, then Saudi Arabia in the pretext of Gulf Cooperation Council stepped into the matter to mediate and encourage both factional forces to avoid any further confrontation. Actually, this should be noticed that KSA was least concerned about Yemeni uprising but as much as it was extremely anxious about expending pro-Iranian proxies in the middle eastern region like; Syrian Civil war, Hezbollah, Shia support into Iraq, Qatar uprising and Bahrain conflicts. This increasing quagmire forced KSA to adopt some strict measures to contain Iranian dominance. [Hook, B. \(2019\)](#)

Besides this, KSA forced Saleh to resign and to step-down from power but in the end, he refused to

sign an agreement and that renewed the protests within the country. These efforts were to overcome the internal clash between Yemeni state and non-state actors because Saudi Arabia felt fear that if we haven't resolved this matter then Iran might strengthen muscles at Arabian Peninsula. Later on, Abdullah Saleh was attacked with C-4 explosives. Though he had survived but 40% of his body has been burnt. [Yemen president attack 'was bomb'. \(2011\)](#) Due to his severe injuries, he resigned and appointed Vice-president Abdrabbuh Mansur Hadi to lead the country. The newly appointed President had tried to restore the civil-military relations by reorganizing the military but he couldn't be succeeded. [Yemen \(2012\)](#). Contrarily, in this period, the Houthi militia consolidated its position into strong tribal force with the help of Iranian financial and military support. Also, the Al-Qaeda in Arabian Peninsula gets the advantage of political chaos in the country and intensified its operations to capture vast territories on the southern side of the country, they did that in a very short period. [Clark, T. & Marwah, S. \(2018\)](#)

The situation was getting more complicated as the country was facing problems like; massive protests, Houthi uprising in the north, Al-Qaeda getting control of southern side, a power struggle within military and governments, Saudi interventions and Iranian proxies led to the political conflict which changed into a brutal civil war of Yemen. To bring institutional and constitutional changes into the country, Hadi government rigorously toiled to introduce the federal system by giving more autonomy and by distributing power into six provinces of the country. [Safer world. \(2015\)](#). But the Houthi community which is more than 35% of the country's population demanded more autonomy which always led to the stand-off. [Salmoni, B., Loidolt, B., & Wells, M. \(2010\)](#). They have tried to use force against fragmented Yemeni military to capture the Capital Sana'a because the Yemeni military was engaged at the southern side to beat-up Al-Qaeda. Similarly, Hadi has also deployed troops at the northern side to counter Houthis but it hadn't worked. This strategic notion must be understood that engaging at multidirectional fronts couldn't give desired results, Hadi did that and he lost at every front.

The aim of Houthi was not to govern the country, but they were demanded to get representation in the statecrafts. In 2014, both actors under the UN-peace talks signed an agreement by giving representation to Houthi in local government but Hadi was not in favour of this ceasefire. Gradually, to decrease the dominance of a single faction in the federal system, Hadi brings a new candidate for Prime Minister Position "Ahmed Awad Bin Mubarak" but he was rejected by Houthis and later on kidnapped by Houthis group. The clash was there between both factional forces, Hadi cabinet gave up and resigned from Presidency. He fled to Saudi Arabia and it's expected that Hadi has arranged a deal with KSA.

The situation of the Yemen civil war is quite similar to Lebanon and Syria as the country is divided into different parts. After 2016, the Saudi with the help of GCC and USA support launch airstrike operation to attack Houthis majority areas to restrict the Iranian area of influence in the Arabian Peninsula. Analysts believed that the airstrikes are not to destroy the Houthi group but to bring them back at the table for negotiations. In short, the more airstrikes will continue, the more Houthis will get close to Iran. Similarly, the more Yemen and Saudi government will engage in airstrikes with Houthis, the more Al-Qaeda will get influence in the country. In December 2017, the former president Abdullah Al Saleh was assassinated at the check post outside the capital Sana'a, this attack was carried out by Houthi fighters. [Saleh's \(2019\)](#) He had been killed because he urged the government and security forces to stop taking any orders from the leader of Houthis. As per Houthis perspective, Saleh shifted his loyalty towards Saudi Arabia, and they considered this shift as a betrayal. What commenced as a family clash had been altered into political instability and chaos amongst the elite of the country which divides the country into several factional forces. This civil war changed Yemen in the bloodiest war Zone Theater and battlefield. In the future, it will obviously ensure the presence of Al-Qaeda in the south and the Houthis militia group in the north. The conflict will remain a geopolitical front between Iran and Saudi Arabia for a long time.

Key Players Involved in the Conflict

The intervention of non-state actors and external actors as a driver of the Yemen Civil war is not something new, its history goes back through many years. In Earlier 19th and 20th centuries, the Ottoman Empire and British competed here for national interests and to influence the Arab world. Feierstein, G. M. (2019). They have marked the first territorial boundary by dividing Yemen into Southern and Northern part. Similarly, in the mid-twentieth century, Saudi Arabia and Egypt competed for protecting their respective Muslim identity. Feierstein, G. M. (2019b). In 2016, Saudi Arabia along with its coalition forces initiated the Operation Decisive Storm in Yemen to pulverize and root-out the Houthis, Al-Qaeda and Hezbollah from Yemen. [Chatham House. \(2019\)](#) The international community

also stepped in the conflict to pursue their policy interests but it hasn't brought any beneficial outcomes. Here we will look at the strategic interests of all regional actors in Yemeni civil war.

The Houthi Movement

In the 1990s, this political movement was established by Hussein Al-Houthi to revive, restore and defend their respective religious ideology named as "Zaidism" against Saudi religious Ideology of Wahhabism. [Brandt, M. \(2017\)](#) this sectarian initiative of the Houthi movement initially struggled to develop its muscles and power in the tribal region of the Arabian Peninsula. When the USA attacked Iraq in 2003, the Houthis group strongly condemned and opposed the US-led invasion of Iraq. Yemeni President at that time, Abdullah Al-Saleh supported USA's attack and Houthis group tried to attack him for his support of the invasion. This group also toiled to create a strong coalition force in the northern side of Yemen by reorganizing the tribal factions that wanted to abolish and remove the Saleh's authoritarian rule. During the Arab Spring, the Houthis improved themselves and expanded their sphere of influence and got support from other groups across the country.

During the transition of power from President Saleh to Mansur Hadi in 2012, the Houthis also participated and took part in the National Dialogue Conference, which helped Houthis to legitimize themselves in the state's affairs. [Brandt, M. \(2017\)](#) similarly, one of the prominent positive outcomes of this conference was the proposal for a federal division of Yemen into six regions by giving representation to every political entity included Houthis majority northern region. Being the 35% of the Yemeni population, the Zaidi (Houthis) demanded more autonomy but these dialogues couldn't get proceeded and deadlock between government and Houthis remained there. Houthis by taking advantage of political instability in early 2014 launched an attack to capture the capital city Sana'a. [Riedel, B. \(2017\)](#)

Paradoxically, Houthis formed an alliance with their enemy former President Abdullah Al-Saleh to overthrow and remove the Hadi's government. This new strategy led to capture the capital, which further weakened the state and created a great breach between northern and southern region. This point is noticeable that why Houthis decided to form an alliance with ex-President Saleh against the government. [Riedel, B. \(2017\)](#) When Abdullah Saleh shifted power to Abdrabbuh Mansur Hadi then Houthis were anxious that it's possible in future the Yemen main opposition party, Salafist Islah could take over the political dominance in Yemeni statecrafts. In 2015, the Houthis group strengthened and fortified their control by attacking Presidential Palace, Hadi escaped to port city Aden and fled to Saudi Arabia. Houthis push towards southward enforced Saudi Arabia to launch an airstrikes operation to obliterate Houthis which led to the deaths of thousands of Yemeni civilians. [Brandt, M. \(2017b\)](#) Major global actors like; USA, UK and France provided logistical and intelligence support to KSA to wipe out the Houthis. Still, Houthis with the support of Iran are doing attacks and intensifying their operational activities to halt Saudi Arabia from intervention.

In 2017, various southern factions came to be agreed on single agenda and gradually, this movement evolved and altered into the Southern Transitional Council (STC). [Brandt, M. \(2017c\)](#) After Houthis, this group started to get more representation in Yemen, and they even got financial and logistic supports from Yemeni southern leaders and UAE which helped them to fortify their footholds in Southern side of Yemen. Being a member of Saudi led coalition, United Arab Emirates also gave them financial support to operate against the Houthis, Hezbollah, AQAP and ISIS. [Brandt, M. \(2017d\)](#)

Saudi-Iran arch rivalry and proxies in Yemen

Traditionally, Yemen wasn't as such divided along with sectarian lines but after Iranian and Saudi Arabia intervention in Yemen increased the external sectarian pressure in the country. These sectarian pressures have ignited domestic tensions in Yemen and have disrupted the peace and stability of this particular region. If we delineate about Iran's role in the Yemen civil war, then Tehran is considered as a major and principle foreign supporter of Houthis movement. More precisely, Iran and Houthis share commonalities along with religious ideology. So, Iran always supported them unconditionally to dominate the Middle East with their ideology. [Hill, G. \(2017\)](#).

In addition, Saudi Arabia official reason for entering in Yemen conflict was to assist legitimate Hadi's government against the non-state insurgent groups like Al-Qaeda and Houthis. But the reality is that KSA's motivation behind the intervention in Yemen is to contain interference and influence of Iran. Saudi Royal family viewed Iran's like a rising political and military power in the Middle East which would obviously threaten the Saudi sphere of influence. [Hill, G. \(2017b\)](#) ideologically, the Houthi

movement was extremely motivated and inspired by the Iranian Revolution. As far as the Iranian regional security dynamics are concerned, this connection helped Iran to keep a check on its regional rivals by supporting them. Contrarily, Saudi Arabia's involvement in Yemen is extensively long-lasting and this intervention dates back to the earlier period of Saudi political history. In the 1930s, the Kingdom of Saudi Arabia fought a war with Yemeni people and captured three provinces. [Gerges, F. A. \(2019\)](#)

Experts believe that Iran doesn't have any historic intervention in the modern era but this assumption was repudiated by Late Former President Saleh and he routinely alleged that Tehran is actively supporting the Houthis in Yemen and Hezbollah in Syria against Saudi Arabia. To support this argument, when Saleh claimed Iranian assertive role in Yemen then this assisted Saleh to get support in political transition during Arab Spring Uprising. [Day, S. W. \[n.d.\]](#) When Houthis had established de-facto control of capital city Sana'a, Iran had expanded its support to Houthis to increase attacks against KSA. After launching Operation Decisive Storm by Riyadh then Iranian support for the Houthis became more visible and overt as Iran strongly claimed that "It is intended to support the Yemeni people as they resisted outside aggression". [Al-Jaber, K., & Thafer, D. \(2019\)](#)

ISIS and Al-Qaeda in the Arabian Peninsula: (AQAP)

During Yemen civil war and internal political instability, Al-Qaeda has entirely get benefited from this political turmoil. In 2015-16, when Hadi government was engaged with Houthis to counter them at the northern side then AQAP had captured the Yemeni coastal city Mukalla and released 300 inmates from prison. Experts reiterated that these released inmates were members of Al-Qaeda. [Yemen \(2015\)](#) Although, Saudi led coalition got recover a vast territorial area from them but still, this militant group expanded its control towards Aden city and almost seized major parts of the city. One of the significant reasons behind Al-Qaeda growing influence in Yemen is that AQAP provided immediate justice, security and public services to Yemeni ordinary people. These facilities were neglected by Hadi's government but contrarily, it has reinforced support for the Al-Qaeda by common people. In addition, after analyzing the situation of civil war in Yemen, the U.S. State Department gave warning to GCC and to Saudi led coalition that Yemen's instability has unexpectedly debilitated the counterterrorism efforts. [Byman, D. L. \(2017\)](#)

Most amazingly, Trump's administration launched more than 100 airstrikes against ISIS, Al-Qaeda and Houthis in just three years, compared to the Obama administration's who did 180 airstrikes in eight years. But still, peace and stability are nowhere. Both militant groups having strong guerilla fighters which are directly intimidating regional countries and it's also a serious concern for the USA to wipe them off.

Contemporary Political arena in the Arabian Peninsula and Legality of Use of Force in Yemen

Recently, the Houthis have been intensifying the attacks on the Saudi-led coalition included mainly gulf countries.⁴⁸ When Houthis captured the capital city then they also took control of missiles and other armaments in Sana'a. Since then, Houthis have frequently used medium range missiles to attack major cities of KSA.⁴⁹ As a result, Saudi-led coalition launched a series of operations to recover capital city from Houthis but this regional intervention unfortunately, caused worst humanitarian crisis which is an obvious and serious concern for whole world. According to UN charter, "the use of force in other sovereign territory is prohibited and considered as unlawful act".⁵⁰ Iran accused KSA's use of force in Yemen illegitimate and contrarily, KSA referred the UN Charter that legitimate Hadi government invited Saudi Arabia to restore peace and stability in Yemen. [Tzimas, T. \(2019\)](#)

Primarily, Iran accused "KSA for intervening in Yemen by breaching the Article 2(4) of UN Charter which restrict the foreign intervention, [Visser, L. \(2019\)](#) but later on, According to United Nations Resolution 2216 (2015), UN confirmed the Hadi government request to Saudi-led coalition for using the force that paved a way to legalize use of force." [Security Council \(2015\)](#) According to International humanitarian law, "the intervention by foreign state actor through invitation by legitimate government comes under legal authority." [Byrne, M. \(2016\)](#) Similarly under Customary International Law, "actions taken by Saudi-led coalition also don't breach International Humanitarian Law by using force against non-state actors in Yemen because this intervention and their actions are acknowledged by state authority." [International law \(2015\)](#) But, the American drone strikes don't come under these assumptions and their use of force is declared as illegitimate use of force and reprobated by Yemeni government. [International law \(2015\)](#) Legalizing the use of force by Saudi-led coalition to strike against Houthi's network which led to thousands of civilian casualties caused catastrophic situation in Yemen.

How International law could legalize use of force and lethal action by foreign states to kill thousands of civilians? This should be questionable and International community must be accountable for creating a terrible disaster.

The Arab countries also endorsed the use of force undertaken by Saudi-led coalition and supported the Joint Defense as per Article 51 of UN Charter. [Note verbale \(2015\)](#) at the other hand, "International Institutions urged these states to pursue neutral stance, to promote diplomatic talks and political settlement because here's the serious concern of civilian people." [New realities \(2019\)](#) Furthermore, According to EU representative, "military actions couldn't bring peace and stability at any condition but only broad political consensus through diplomatic negotiations can provide a sustainable solution." [Statement \(2020\)](#).

If we argue about current situation at Arabian Peninsula then there are several conflicts and disagreements within the coalition, UAE is gradually trying to withdraw from Yemen. [Imad K. Harb. \(2019\)](#) Even UAE officials convinced the Iranian government for negotiation. They have reached out Iran to find out some alternative for holistic nexus. Since then, the Saudi led coalition launched a ferocious and lethal airstrikes campaign to terminate the Iranian-backed Houthis from Arabian Peninsula. While focusing at regional intervention in Yemen, "the world has seen very devastating and dreadful effects on ordinary Yemeni people as thousands of civilians had been killed, millions of people are internally displaced and more than 22 million people are on the brink of starvation and famine." [Laub, Z. & Robinson, K. \(2020\)](#)

According to the United Nations and Amnesty International reports "the Yemen civil war had been turned into the world worst humanitarian crisis." [Humanitarian \(2019\)](#) To be more Precise, these lethal interest-based civil wars nothing have to do with Yemeni civilians but they are suffering by proxies of other actors. There are still two things which might have the potential to change that war. "Firstly, the current intensification and consolidating ability of the Houthis to severely hit back the Saudi led coalition is strengthening their position in Yemen. Secondly, the coalition forces might revoke their support with Saudi Arabia against any conflict because neither they want to get engage in any rivalry nor they have the intention to bring and bounce back the civil and political chaos in their own countries." [April Longley Alley. \(2019\)](#) recently, the UAE signed an agreement with the Iranian government to strengthen cooperation at maritime border security. But still, the question raised here, Is there any room for diplomatic negotiation between Yemen, Houthis, KSA and Iran to halt this lethal civil war?

Yemen Humanitarian Crisis in Modern History

The 21st century marked Yemen's civil war as a greatest humanitarian and staggering crisis. [April Longley Alley. \(2019b\)](#) But the question here is that why after using strong military forces and advanced sophisticated technologies for a long period of time, a search for peace and stability remains elusive and difficult in the country. International humanitarian law is explicitly annihilated and abolished by major actors through the medium of their national interests. Prior to this brutal civil war, Yemen contains a 50% ratio of the poverty rate and it's considered as Arab poorest and impoverished state. [Althibah, A. M., Kebsi, T. A., Breisinger, C., Engelke, W., Tandon, S. A., Raouf, M., & Wiebelt, M. \(2019\)](#). As per United Nation 2019 reports, "the country is suffering from an unprecedented humanitarian crisis."⁶⁶ "More than 30 million Yemeni people are striving to get a single piece of bread, food insecurity and worst human rights abuses bring the country on the verge of famine, starvation and collapse."⁶⁷ What we can imagine from a country where millions of people are facing a shortage of food and thousands of people are dying ruthlessly from famine. [Lackner, H. \(2019\)](#). After 2016 Saudi blockade of Yemeni port cities, the situation got terrible and devastating because it had restricted supplies of foods and medicine to ordinary people. Diseases are growing rampantly, just Flu and cholera cases reported in 2019 are more than ten thousand. [Health crisis in Yemen. \(2019\)](#)

According to Armed Conflict Location and Event Data Project (ACLED), "since 2016 more than 100,000 people have been died due to lack of health, food and infrastructure facilities and the number is still growing." PRESS release (2020) If we demonstrate about the root causes of this bloodiest humanitarian catastrophe in Yemen then it's a by-product of military intervention in this region. There are two significant reasons behind this continuous political instability. Firstly, it's becoming explicitly arduous to arbitrate or mediate the competing geopolitical and geostrategic interests of contracting actors. Secondly, having a monarchic form of government in Gulf countries, it's also difficult to challenge or stop any regional military intervention. [Černý, K. \(2017\)](#) Similarly, these proxies between Iran and Saudi, the fight between Houthis and the Yemeni government have terribly violated humanitarian laws

by killing civilians, destroying educational institutions and hospitals. According to United Nations Human Rights affiliated organizations “these violations included punishments, torture, arbitrary arrests, and forced disappearances.” [Watch, Human R. \[2018\]](#)

How International Humanitarian law perceives the armed conflict in Yemen?

International humanitarian law (IHL) also known as law of war is categorized into International and non-international conflicts. According to Geneva conventions 1949, “IHL apply to any kind of armed conflict between two or more than two states. Even though several state actors are involved in the Yemen conflict and the armed conflict directly does not involve one state actor engaged with another state, so, it wouldn't be considered as an international armed conflict but rather a non-international armed conflict.” [Bhuiyan, M. J., & Khan, B. U. \[2019\]](#) All contracting parties in Yemen's armed conflict including state and non-state armed groups are liable and responsible to adhere and follow the International Humanitarian Law. According to Geneva Conventions of 1949, “every party must ensure mutual respect for the laws of war at any condition.” [Clapham, A., Gaeta, P., & Sassòli, M. \[2015\]](#) Similarly, this assumption doesn't based on reciprocity but all the state and non-state actors involved in conflict must ensure the implementation of IHL but here in Yemen conflict, the situation is quite opposite. Each party is striving to achieve their personal and national interests at the cost of human lives as we have seen thousands of casualties in this brutal conflict; human rights violation is at peak and millions of people are dying due to famine, starvation. Who should be accountable for this lethal and deadliest war? International community along with bulk of human rights organizations are watching the on-going battlefield but they are least concerned regarding violation of Yemeni people human rights. Consequently, if they haven't ceased these violations then in future, such armed conflicts could lead to genocide and it could bring egregious consequences to the world peace and stability.

“All the parties involved in Yemen conflict are signatories to several human rights treaties including; the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”. ([Treaty bodies External treaties](#)) At the one side, these covenants ensure the protection of human rights but contrarily, the effective implementation of these treaties is still a question mark on Human rights organizations. Certain fundamental human rights including “the right to life and the right to be secure from torture and other ill-treatment, the prohibition on unacknowledged detention, the duty to ensure judicial review of the lawfulness of detention, and rights to a fair trial—must always be respected, even during a public emergency.” (Universal human rights bodies and international humanitarian law) But when it comes to national interests of states then they don't even care about these basic human rights. The international community should accentuate over the protection of civilian rights otherwise, it would lead to severe catastrophe in near future.

Applicability of International Humanitarian Law in Yemen Conflict

It's imperative for every single actor to follow International law and those who break and underestimate International must be accountable for their illegal acts. International Humanitarian Law also emphasize on “impartiality and transparency to effectively implement rules and regulations during armed conflict to avoid crimes against civilian people.” As the Yemen conflict is considered as non-international armed conflict, so, Human Rights Law (HRL) is explicitly applicable in this scenario because HRL strongly focuses on basic human rights either its political, social or economic. [Begum, S. \[2018\]](#). In addition, International Humanitarian Law and Customary Humanitarian Law both are also applicable to Yemeni Conflict. Yemen and Saudi-led coalition both have ratified Geneva Conventions, which is also relevant to non-international armed conflicts. Simialry, Houthis also meet the requirement of additional protocol-II of Geneva Conventions to be considered as non-state actors, So, these laws are directly applying on all of these parties. [The Geneva conventions \[2019\]](#)

Furthermore, Transfer of Arms Treaty is denounced by European states and various western states because it allows member states to supply armament and military technologies to Saudi- led coalition for using it during armed conflict in Yemen. United Kingdom In this regard, United Kingdom initiated a case to stop arms supply to Saudi-led coalition. The serious concern for international community is arms supply to Houthis. Who is responsible for this and who should be held accountable for these crimes against humanity? The use of force by Houthis is declared as unlawful. United Nations and USA accused the Iranian regime of supplying armaments to Houthis network but Iran government denied these allegations and called it the western tactics to defame Iran.

Hudaydah Cease-fire and Stockholm Settlement

In 2014, after getting control of capital city Sana'a, Houthis also forcibly seized the port city of Hudaydah and this development was very strategic for them. This strategic site provides access to the Red Sea and land-locked areas of Houthis controlled areas. Through this port, Houthis can supply all the logistic support to other areas and Houthis also generated revenue through this port by collecting taxes from importers. In 2018, Saudi led coalition forces launched a new Operation "Golden Victory" to retake Hudaydah and get leverage over Houthis, but this exacerbated already worst Humanitarian crisis in Yemen. [Arab states \(2018\)](#) the exerted international pressure by International organizations convinced all the conflicting parties to discuss a comprehensive political settlement in Sweden and to submit an appropriate de-escalating proposal for future peace. Since 2016, these peace talks were formally initiated for peace in Yemen. After a week of consistent negotiations, all contracting sides agreed to sign the Stockholm covenant, this agreement was based on three important attributes included:

1. A cease-fire in the Yemen port city of Hudaydah.
2. Exchange of Prisoner during armed conflict.
3. Establishment of a joint committee to dwindle-down the violence.

All the sides were also agreed to redeploy their forces outside the city and United Nations authorized the creation of a "Redeployment Coordination Committee" to keep a check on cease- fire and redeployment process. After signing the deal, the implementation procedure couldn't be implemented effectively. One of the major reasons behind this that agreement didn't identify which actor would be responsible for security deployment in Hudaydah. In November 2029, United Nations Special Envoy Martin Griffiths reported that since signing the Stockholm Agreement "there have been no major military operations carried out in Hudaydah city, or in the surrounding area, and there has been a sustained reduction in violence, as we have often observed in this Council. Aid continues to move through the ports, and this is by itself a major achievement which continues to benefit the civilian population in Hudaydah." RCC is extensively monitoring frontlines of Hudaydah to sustain cease-fire and to avoid any suffering and casualties of civilians.

Prospects for Peace and Stability

Since 2014, the United Nations have vigorously strived to make some progress regarding negotiations to bring back Houthis at the table, but they remained failed. At the end of 2018, all the contracting parties agreed over the Stockholm agreement and proper mechanism were established but still, its effectiveness and implementation are dubious and questionable. Initially, the Saudi-led coalition claimed that we have exceptionally destroyed Houthi areas. In August 2019, when Saudi along with collation forces were celebrating their victory for reducing the infiltrated activities of Houthis, then the situation got exacerbated when Houthis fired missiles attack on Saudi Aramco oil sites.

UN-backed RCC concluded that the Houthis did not conduct these attacks but Saudi Arabia blamed Iran. It's also predicted that Houthi's willingness of confessing these attacks looks like that Houthis are moving more close to the Iranian regime. If the situation remained messed-up, then Saudi Arabia might increase its commitment of proxies against Iran. In November 2019, Hadi government and Southern Transition Council signed the Riyadh Accord in which both parties were allowed to get equal representation in government. *(The Riyadh agreement)* For political settlement and mitigating the conflict, the United Arab Emirates and Sudan withdrew and reduce their respective forces significantly. In early 2020, Houthis attacks and violence brought myriads of political and social tensions, it has also undermined the progress made by UN-backed peace talks, Stockholm and Riyadh agreements. Nowadays, Oman peace talks have begun and expected to be concluded soon with constructive outcomes.

The reluctance of militias to give up and down their arms, and distribution of power between Yemeni political factions are two difficult problems to deal with it and Current peace talks in Oman are focusing on these two issues. The long-lasting political settlement is not possible until and less all three factional forces got their geostrategic interests included Hadi's government, Houthis and STC. Each identical group has a different and unique interest in this region, every single interest should be addressed to reduce the internal and regional tensions. In case of any political transition in government, it will require significant regional and international assistance to fight against internal pressure groups. In addition, conducive efforts are required to restore devastating infrastructure and to address the worst humanitarian crisis. The agenda of peace talks should include that who will be responsible for mediation and which method should be implemented for peace.

Similarly, to strengthen the Yemeni tribal system special incentives should be given to resolve local problems. Another hindrance to finding a solution is the regional confrontation between the Kingdom of Saudi Arabia and Iran. As Yemen's civil war commenced from the domestic issue and now it had been altered into proxies by regional players, these indirect confrontations should be resolved for the restoration of peace in Yemen. According to Saudi Official, "The kingdom does not want to be dragged for much longer into war in Yemen but considering the tension caused by Iran, Saudi Arabia does not want to look weak or show that it is hurting." The Saudi-led coalition is encouraging disarmament of Houthis for a potential solution of the Yemeni conflict. [\(Yemen FM 2018\)](#)

These following queries should be addressed in current peace talks like How Houthis would be tackled in case of violation of any new agreement, In case of Houthis disarmament how the power will be distributed to give them representation in Northern side of Yemen, How the international community will support and restore the unity within Yemeni society, how an effective and authentic federal system for governance will be implemented, how all the strategic interests of political factions would be fulfilled, how a sense of social marginalization and deep-rooted inequality in Yemeni society would be managed, Does fighting against Iranian-backed Houthis can help Saudi-led coalition to prevent growing influence and presence of AQAP and ISIS? I hope, addressing these fundamental problems would assist to bring back the long-lasting peace and stability in Yemen as well as in the whole Arab world. In the end, the international community should work to enhance effective initiatives to respect International humanitarian laws. UNSC along with other affiliated bodies can play an active role to bring all state and non-state actors on the table for negotiations. As declared the world's worst humanitarian crisis, Human rights organizations should strengthen and improve their collective coordination networks for ensuring the human rights protection in Yemen.

Conclusion

"When elephants fight, it is the grass that suffers." This phrase is entirely suiting with the current situation of Yemen. Primarily, this ongoing conflict is the outcome regional and national power struggles, it has been exasperated by a proxy war between two regional players Saudi Arabia and Iran. Both are fighting indirectly against one another and ordinary citizens of Yemen are suffering from it, violation of human rights and international humanitarian law is at peak. Since the Arab spring, the situation became more violent and dreadful than ever before and now Yemen is in the grip of lethal and brutal civil war that brings its population into the brink of famine, starvation and economic bankruptcy. Due to this long-lasting civil war and regional intervention, since then the future of Yemeni citizens are uncertain. Their support with non-state actors makes it more difficult to avoid sectarian violence and struggle in the region. In addition, the continuous deadlock over negotiations, violation of humanitarian laws and bilateral accords make it more arduous to maintain peaceful coexistence and to prevent civil war.

At one side, the United Nations declared intervention of Saudi-led coalition legitimate and permissible against Houthis. Similarly, on the other side, the Houthis aggression against Yemen and KSA is illegal as per international humanitarian law. KSA coalition, Yemen, Houthis and USA have breached and humiliated international law by attacking civilian population. The USA intervention also doesn't have any legal basis to do drone strikes in Yemen but who will dare to ask from them and who will be held accountable for these crimes by killing thousands of Yemeni People? That's the main point of concern. In Addition, the Yemen worst humanitarian crisis will not only deteriorate the peace and stability in Yemen but it's possible that it would cause instability in whole Arab world. The parties involved in war crimes against humanity in Yemen should be held accountable for their atrocities either its KSA, Yemen or Houthis network.

United Nations and the European Union must ensure their support for negotiations and must prevent this civil war by effectively implementing the agreements. In sum up, finding a concrete political solution to reduce Yemeni civil war is imperative for overcoming the regional tensions. The only way forward for peace is to follow the diplomatic channel, otherwise, a temporary solution would deteriorate the situation and ultimately it will renew the tensions. The root causes of civil war-like: political instability, social marginalization, economic inequality and downfall, sectarian violence and discrimination, devastating infrastructure, kleptocracy, mismanagement, growing influence of non-state actors, internal governance clashes, severe civil-military relations and corruption have been discussed very briefly in this research paper. All the political factional forces must set together for peaceful Yemen, otherwise, their internal issues will spoil theregional peace and it will definitely affect the regional countries. Hopefully, following these steps will prevail peace and stability in the whole Arab world!!!!

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