

UMUNC 2020 Issue Brief for Arab League



Aiding the Internally Displaced People and Refugees in Yemen

ODU Model United Nations Society

Introduction: Yemen's IDPs and Refugees

The war in Yemen remains the worst on-going conflict today. Houthi rebel forces control much of the country and regularly attack shipping in the Red Sea and cities in Saudi Arabia with long-range ballistic missiles. The Said-led Arab coalition continues to bomb Yemeni targets, with little concern for civilian casualties and displacement.

Yemen's conflict is by far one of the worst humanitarian crises ever. The United Nations (UN) reported that Yemen has the most people in need of humanitarian aid in the world. At least 14 million Yemenis, out of a total population of approximately 28 million, are feared to be in danger of immediate starvation. Malnutrition and malnutrition-related diseases already are the greatest threat to life there.¹ The number of displaced people is greater than the total for Syria today, greater than Iraq at its worst in 2006-07, and worse than the total displaced during World War Two.

As the Yemeni government battles the Houthi rebels in the on-going civil war, the citizens continue to deal with numerous human rights violations. Complicating the matter is the involvement of regional powers such as the Iran, Turkey, Saudi Arabia, the United Arab Emirates and the United States. While most governments recognize the legitimacy of the Government of Yemen, Iran recognizes the rival Houthi government.².



The internationally recognized government of Yemen is led by President Abd Rabbuh Mansur Hadi. It controls some of the south and much of the east of the country. The overwhelmingly Shi'ite *Houthi* (Ansar Allah or *Supporters of God*) control most of the north of the country. Other major Yemeni factions in the fighting include *The Southern Transitional Council* (STC), a Sunni coalition based in Aden, when possible, dedicated to South Yemen independence, but currently cooperating with the Government of Yemen. In addition to the *Houthi rebel movement*, there is an important faction of *Al Qaeda* (the group responsible for the 2000

¹ Margaret Besheer, 'UN: 14 Million Yemenis Could Soon Be at Risk of Starvation', *Voice of America*, 24 October 2018, <u>https://www.voanews.com/a/un-14-million-yemeniscould-soon-be-at-risk-of-starvation/4626363.html</u>

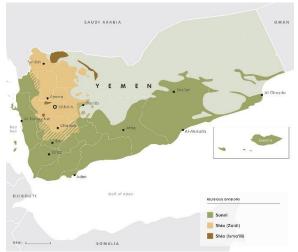
² 'Arab League condemns Iran for handing Yemen embassy to Houthis', *Arab News*, 21 November 2019, https://www.arabnews.com/node/1587481/middle-east



bombing of the destroyers USS Cole in Aden and the 11 September bombings in the United States), in the east of the country.

Foreign forces in the conflict include armed forces from Saudi Arabia and United Arab Emirates, intelligence, refueling and drone strike assistance from the United States, and Iranian support for the Houthis. Mercenaries from Somalia and Sudan play a major role in the fighting, too.

Religious division of Yemen



Since the start of the war back in March 2015, the country's entire health system has been destroyed, thousands of citizens have been killed, and millions are at in risk of famine. UN assistance reaches some 8 million people, but aid is inadequate and spasmodic, subject to the fluctuations of the battlefield and the parties to the conflict on the ground.³

The problem of homeless Yemenis is divided into international refugees and Internally Displaced Persons (IDPs). Refugees, who moved to other countries, have rights under international treaties. IDPs remain in their home country and are only protected by domestic law.





Over 200,000 Yemenis have fled Yemen into surrounding countries, including Oman and Saudi Arabia, becoming official international refugees. Although neighboring countries are not unstable, their own economic systems are not capable of housing the Yemeni refugees.

Over 5 million Yemeni are internally displaced (IDPs), forced from their homes, struggling to survive, but without the protection of formal refugee status. The international community can do much less to help the IDPs normally, since they remain under the sovereign authority of their national government. A series of UN Security Council resolutions called for commitment to the peace process to end the war and asked all parties in the conflict to do as much as possible to help the displaced population.⁴ But the government of Yemen is

on-yemen-peace-process; 'Security Council Authorizes Immediate Deployment of Advance Team to Monitor Force Withdrawals, Ceasefire in Yemen, Adopting Resolution 2451 (2018)', UN News Centre, 21 December 2018, https://www.un.org/press/en/2018/sc13643.doc.htm

³ Ibid.

⁴ 'Foreign Secretary welcomes adoption of new UN Security Council resolution on Yemen peace process,' *United Kingdom Foreign Office*, 21 December 2018, https://www.gov.uk/government/news/foreign-secretarywelcomes-adoption-of-new-un-security-council-resolution-



barely functional and the opposition Houthi alliance lacks resources.

More aggressive resolutions have been supported in the UN Security Council by the United Kingdom, directed at all parties to the conflict—especially Saudi Arabia and the United Arab Emirates (UAE)—to support an immediate ceasefire and to assure delivery of humanitarian assistance. These efforts have been blocked by the United States, on behalf of Saudi Arabia, a non-member of the Security Council but a close ally of U.S. President Donald Trump.⁵

For the Member States of the Arab League, problems of immediate self-interest and precedent always are important. While the situation in Yemen is complex and a lasting political solution seems remote, the problem is further complicated for the Member States of the Arab League by concerns for the impact of new resolutions on other conflicts. How the Arab League addresses humanitarian problems in Yemen also affects precedents for other acute problems in the Middle East and the Muslim world, such as those in Myanmar, South Sudan or Syria.

Current Situation

The 'forgotten war' has caused the biggest humanitarian crisis in recorded history. 'The war in Yemen is the world's worst humanitarian crisis, with more than 22 million people - threequarters of the population - in desperate need of aid and protection, United Nations Secretary General Antonio Guterres said.'⁶ After 4 years of non-stop conflict and the lack of basic humanitarian necessities, millions are without access to clean drinking water and the country is at high risk of a cholera epidemic.

Yemen has been wracked by chaos since late 2014, when the Houthis and their allies overran Sanaa and other parts of the country, forcing President Abdi Rabbuh Mansour Hadi and his Saudi-backed government to temporarily flee to Riyadh.

The Saudi-led coalition began a military campaign against Iran-backed Houthi militias in March 2015. The coalition sides with President Hadi. The coalition also included the United Arab Emirates (UAE), but in 2019 UAE withdrew most, but not all, its combat forces.⁷

Fighting the government is the Houthi rebel army, a religiously founded organization close to Shi'ite Islam, which has some support from Iran but mostly appears to represent age-old divisions within Yemen. The Houthi rebellion is best known for its determination and unwillingness to compromise.⁸

Food has been used as a weapon of war. 'Yemen's situation is now catastrophic, with nearly half of all children aged between six months and five years old chronically malnourished.'⁹ Over 12 million Yemenis are going hungry as wheat and other staples are in increasingly short supply. Over 15 million are without access to health care as most hospitals have shut down due to lack of medical supplies and power shortages. The majority of the country's people have nowhere to go within the region.

⁵ Julian Borger, 'Yemen ceasefire resolution blocked at UN after Saudi and UAE 'blackmail', *Guardian*, 29 November 2018, <u>https://www.theguardian.com/world/2018/nov/29/unyemen-ceasefire-resolution-blocked-saudi-uae-blackmail</u> ⁶'Yemen War Is World's Worst Humanitarian Crisis, UN Says', *CNN*, 3 April 2018.

https://edition.cnn.com/2018/04/03/middleeast/yemenworlds-worst-humanitarian-crisis-un-intl/index.html

⁷ Declan Walsh and David D. Kirkpatrick, 'U.A.E. Pulls Most Forces From Yemen in Blow to Saudi War Effort', *New York Times*, 11 July 2019 https://www.nytimes.com/2019/07/11/world/middleeast/ye

men-emirates-saudi-war.html
⁸ 'Arab League Voices Concerns over Crisis in Syria and

Yemen'" *Middle East Observer*. 30 March 2017, https://www.middleeastobserver.org/2017/03/30/33893/

⁹ "Yemeni Revolution". Wikipedia.



The war in Yemen has elements of a 'proxy war,' featuring not only local rivalry, but also outside powers asserting their interests against each other. In this case, the Yemeni conflict is to some extent a proxy for Iran and Saudi Arabia, as they fight for regional influence.

Yemen is in some ways the perfect place for proxy conflict, where outside countries can fight on land, air and water. Siding with the Houthis are Iran. Hezbollah (the political part ruling much of Lebanon), and in a distant sense the Democratic People's Republic of (North) Korea. Siding with the Hadi government are the Yemen National Army, Saudi Arabia and United Arab Emirates, with varying degrees of assistance from France, Morocco, Qatar, Senegal and the United States.

Also fighting for control is the Yemeni branch of the well-known international terrorist organization, Al-Qaeda. This is the same organization responsible the September 11 attacks in the United States. Their now-dead leader Osama bin Laden was a Saudi Arabian citizen but with a Yemeni heritage. The Yemeni terrorist branch is a third, separate force in the conflict.

There are many problems which need to be addressed with the conflict, but the UN approach stresses that civilians need to be allowed to continue their lives in peace, with minimal disruption, spared from the horrors of conflict. As the war begins to worsen, a political solution is now even more critical as we see warring parties' splinter. The ongoing violence makes humanitarian access to those most in need challenging or impossible.

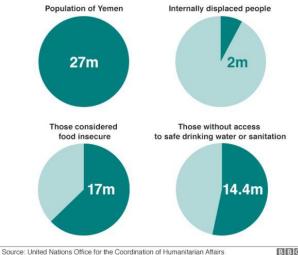
With fighting continuing unabated, many Yemenis feel compelled to flee conflict regions

or escape the country entirely. The government says there are also between 1.7 and 2 million internally displaced people, asylum seekers and migrants in Yemen, 460,000 of whom need humanitarian assistance to survive.¹⁰ Some humanitarian organizations report this number is a significant underestimate. Independent observers say at least 14 million Yemenis, out of a total population of approximately 28 million, lack reliable access to food.¹¹

Background

The current state of Yemen was formed in 1990. when the Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen) were unified. The result of





BBC

unification is the most populous country on the Arabian Peninsula, and the poorest. The northern part of Yemen is nearly 100 percent Muslim, including both Sunni and Shi'ite residents. The south is predominantly Sunni Islam, with small populations of Christians and Hindus.

¹⁰ "Yemen Conflict: How Bad Is the Humanitarian Crisis?" BBC News, 28 March 2017. Accessed December 03, 2018. https://www.bbc.com/news/world-middle-east-34011187

¹¹ Margaret Besheer, 'UN: 14 Million Yemenis Could Soon Be at Risk of Starvation', Voice of America, 24 October 2018, https://www.voanews.com/a/un-14-million-yemeniscould-soon-be-at-risk-of-starvation/4626363.html

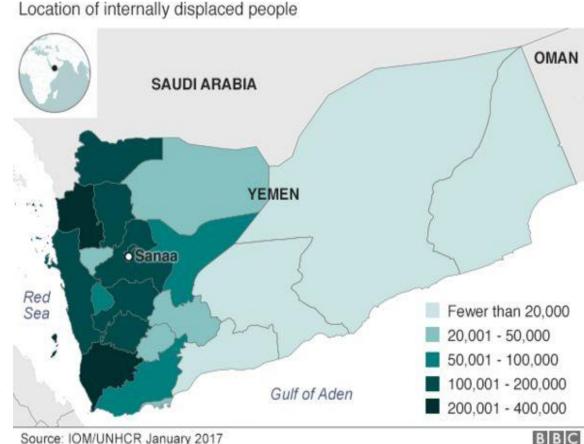


People forced to flee their homes in Yemen

The current conflict began with the Yemeni Revolution on 27 January 2011. Also known as defections from the military, as well as from Saleh's government, effectively rendered much of the country outside of the



In its early phase, protests in Yemen were initially against unemployment, economic conditions and corruption, as well as against the government's proposals to modify Yemen's constitution. The protesters' demands



Source: IOM/UNHCR January 2017

then escalated to calls for the resignation of Yemeni President Ali Abdullah Saleh. Mass government's control, and protesters vowed to defy its authority.¹²

Over 15,000 protesters then took the streets of Sana'a, Yemen's capital on 27 January 2011. The protests led then-President Saleh to announce that he would not run for reelection in 2013. Protests continued, culminating in protests in Sana'a and Aden, 'Day of Rage,' which saw crowds of Yemeni men and boys storm the streets to fight against government security forces. These protests threatened to overthrow

https://www.amnesty.org/en/latest/news/2015/09/yementhe-forgotten-war/

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¹² "Yemen: The Forgotten War, " Amnesty International. 17 September 2018,



the state and created a chaotic enjoinment in which the rebel Houthi movement began to mobilize in an effort to take power. As summarized by one observer:

It wasn't until March 25, 2015 when an international coalition led by Saudi Arabia began to launch air strikes against the Houthi armed group in Yemen, sparking a fullblown armed conflict. Over the following three years, the conflict in Yemen is showing no real signs of abating. Horrific human rights abuses, as well as war crimes, are being committed throughout the country by all parties to the conflict, causing unbearable suffering for civilians. While coalition forces relentlessly bomb from the air, rival factions are fighting a battle on the ground. On one side are the Houthis, a Yemeni armed group whose members belong to a branch of Shi'a Islam known as Zaidism. On the other side are anti-Houthi forces allied with the current president of Yemen, Hadi, and the Saudi Arabia-led coalition. Civilians are trapped in the middle - more than 15,000 of them have been killed and injured and a humanitarian crisis has spiraled. For three years, much of the world has ignored this raging conflict and heard little about its devastating consequences.13

Role of the International Community

The basic obligation of the international community to act to suppress and end the conflict in Yemen comes from the UN founding documents.

A central principle of the United Nations is the protection of humanitarian rights. Article 14 of the Universal Declaration of Human Rights (UDoHR) of 1948 states, 'Everyone has the right to seek and to enjoy in other countries asylum from persecution,'¹⁴ From this declaration the United Nations' commitment to the protection and assistance of refugees, internally displaced persons and asylum seekers began.

According to the United Nations High Commissioner for Refugees (UNHCR) there are 51 million forcibly displaced people worldwide, all of whom have been uprooted from their homes and must seek asylum elsewhere. This is the most since the end of the Second World War seventy years ago. Such numbers testify to the several problems of internal warfare and armed conflict in countries as diverse as Afghanistan, Central African Republic, Democratic Republic of Congo, Colombia, Iraq, Libya, Myanmar, South Sudan, Sudan, Syria, and Yemen.

While humanitarian obligations are universally accepted, their interpretation depends not only on international law, but also on domestic law of welcoming countries as well as their government policies. Virtually all states say they respect the needs and rights of refugees and internally displaced people but the willingness to accept refugees varies greatly. Countries like Ethiopia, Germany, India, Kenya, Jordan, Pakistan, Russia, Sweden, Turkey and Ukraine, for example, are widely recognized for their willingness to accept refugees. Countries like Australia and the United States have more complicated policies and take far fewer.

Forcibly displaced people globally are categorized as being either internally displaced, asylum seeking, or a refugee. The definition of each category according to the UN High Commissioner for Refugees (UNHCR) is as follows:

¹³ "Yemen Conflict: How Bad Is the Humanitarian Crisis?" *BBC News*. <u>https://www.bbc.com/news/world-middle-east-34011187</u>

¹⁴ 'The Universal Declaration of Human Rights,' *UN News Center*. n.d., http://www.un.org/en/documents/udhr/



- asylum seeker deemed to not be a refugee may be deported by the country they denied seeker resides in.¹⁶
- was determined in the 1951 Convention relating to the Status of Refugees, it was decided to be someone who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.'¹⁵ International refugees are under the authority of international treaties and the UN High Commissioner for Refugees (UNHCR). The Convention of 1951 and the Protocol of 1967 will both be discussed in more detail in later sections.

Refugees - the definition of a refugee

• Asylum Seekers - Asylum seekers are people who self-identify as international refugees. The difference is they have not been processed through the host state's national asylum systems to have been deemed a refugee. This means that any **Internally Displaced Persons (IDPs)** -Internally displaced persons are people who have fled their homes to find safety to avoid persecution or out of necessity like a refugee, but they have not crossed an international border. This means they remain under the jurisdiction of their home country (even if their country is the persecutor) and retain the same rights that the country that they are citizens of guarantees. They are not under the responsibility of international law or international institutions like UNHCR.

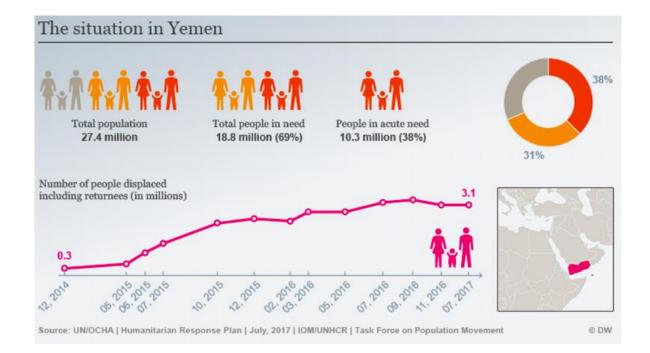
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OLD DOMINION

These displaced people are the inevitable result from any armed conflict, large scale natural disaster, or oppressive government. These people have largely no voice, and the United Nations and its member states are tasked with protecting their basic rights.

¹⁵ UNGA. 1951, 1967. Convention and Protocol relating to the Status of Refugees. http://www.unhcr.org/3b66c2aa10.html





Landmark Resolutions

The 1951 *Convention Relating to the Status of Refugees* and the 1967 Protocol is split into 6 chapters that cover the topics, general provisions regarding refugees and IDPs, juridical status of refugees, the right to gainful employment, welfare, administrative measures to be taken by the host state, executory and transitory provisions, and final clauses. Each chapter is made of articles and within these the rights of refugees were enumerated.

The general provisions section of the treaty enumerate the basic rights of a refugee and establishes legal definitions for refugees and internally displaced persons (IDPs). The convention defines a refugee as someone forced to flee the country of their residence,

...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The second agreement, the Protocol relating to the status of refugees, in 1967, goes on to clarify several key rights, they include: refugees are to be granted the same rights as legal alien residents and can freely practice religion. The Protocol also ensures refuges the ability to live under the same circumstances as though they were not a refugee, the protection against discrimination, the obligation to abide by the laws and customs of their host state.

The 1967 Protocol also addresses the judicial rights of refugees, and inside of the chapter the rights to have access to courts, they have the same protection of their intellectual and personal property as anyone else, and the right to free



association and to gainful employment. In short, refugees have the right to work as they wish so long as they follow the laws of their new country of residence. Refugees must receive a food ration and the option of public education; otherwise they are to be treated as any other alien would. The rest of the Protocol is directed at the states of residence, to assure refugee relief and establish a system to make sure refugees and IDPs get the help they need. One topic central to the Convention and Protocol is the prevention of the process of *refoulement*, the process of returning asylum seekers back to their country or origin and specifying the circumstances when return to acceptable and when it is not.

146 UN Member States are parties to either the Convention of 1951 or the 1967 Protocol, but a few key states remain outside the Convention and Protocol, including several in the Middle East. These include Jordan, Pakistan, India, Syria, Iraq, Lebanon, Oman, the UAE, Cuba, Indonesia, Uzbekistan, Mongolia, Nepal, Bangladesh, Sri Lanka, Surinam, Bahrain, Kuwait, Bhutan, North Korea, and Eritrea.

The role of the Arab League

Founded in 1945 largely to deal with the challenge of a Jewish state in the Middle East to Arab interests, the Arb League has long struggled to formulate a united position on other issues, especially internal-Arab divisions. Its emphasis on *consensus decision-making* makes it especially difficult for the Arab League to stand out when internal Arab matters are being debated.¹⁷

The Member States of the Arab League generally support the Hadi government and the Saudi-led coalition supporting it. The Yemen government represents the country in the Arab League, where it has strong support from allies like Saudi Arabia and UAE, turning the Arab League into a voice against Iranian influence and efforts to support Houthi rebels. It is important to note that Iran, which supports the Houthi rebellion, is not a member of the Arab League.

Yemeni President Hadi told leaders at the 28th Arab League summit in Jordan that his forces and their allies were close to a major victory that would serve as a debilitating blow to Iranian interests in the region. "This is the storm that has shattered the dreams and ambitions of the Iranians ... now currently we are on the verge of a great victory," he said, thanking Saudi Arabia, the UAE and other Arab states which have backed him with military might in his fight against Houthi rebels. In his speech, which lasted more than 20 minutes, Hadi called Tehran "the true sponsor of terrorism" and described Iranian involvement in the Middle East as a "conspiracy".

President Hadi's speech stood out in a summit where other leaders alluded to Iran's influence in the region without naming the power. They prefer to speak of general principles rather than blaming specific countries. "We reject any intervention in the internal affairs of Arab countries," the League's leaders said, referring to Tehran, in a declaration at the end of their one-day meeting. In another apparent reference to Iran earlier in the day, Saudi Arabia's King Salman warned of the "interference" and infringement on the sovereignty of Arab countries by outsiders.¹⁸

The Arab League has not passed resolution explicit on the war or the fighting, reflecting internal divisions over the best way to deal with Houthi challenge and uncertainty over the Arab League's role in direct security/military affairs.

¹⁷ Jonathan Masters and Mohammed Aly Sergie, 'The Arab League', *Council on Foreign Relations*, 21 October 2014, <u>https://www.cfr.org/backgrounder/arab-league</u>

¹⁸ 'Arab League Voices Concerns over Crisis in Syria and Yemen,' *Middle East Observer*. 30 March 2017. <u>https://www.middleeastobserver.org/2017/03/30/33893/</u>



Instead the League has focused more on the humanitarian aspects of the fighting.¹⁹

Arab League Secretary General *Ahmed Aboul-Gheit* is playing a personal role, supporting measures like the power-sharing deal between the internationally recognized government of Yemen and Yemen's Southern Transitional Council (STC), ensuring greater unity in the coalition against the Houthi and Al Qaeda.²⁰

Secretary-General Aboul-Gheit personally pledged to continue defending the government in Yemen. In 2018 he said 'Yemen's security is a key element of the Arab national security system.' He also condemned 'Iranian interference' in Yemen, called Iran 'a serious threat' to Red Sea shipping.²¹

Proposals for action

Major approaches to the crisis of Yemeni refugees and internally displaced persons that the Arab League might consider include:

Monitoring and observing: the most limited action, the least controversial, and perhaps the least effective, is careful monitoring the conflict. Monitoring needs to be formalized, so Arab League Member States get the information they need to make their own decisions on what to do. If the Arab League agrees that no action should be taken, and Member States left free to act as they themselves prefer, monitoring might be the best course of action.

However, not all Member States are agreed on the need for independent fact finding. Many may prefer to keep national control over information. Some, especially those engaged in the fighting, may prefer to control rather than spread information, which could have unpredictable consequences. Or, they may prefer to narrow information gate to information on specific combatants, such Islamic State or the Houthis, and their foreign supporters, such as Iran in the case of the Houthi.

Establish new resettlement and financial obligations for the Member States of the Arab League to accept refugees from the armed conflict, to insure more equitable sharing of the burdens of international humanitarian obligations. This option is welcomed by Member States like *Jordan* and *Lebanon*, which have received millions of refugees from Syria but not from Yemen—and seek a strong precedent for greater Arab League assistance.

Focus on the specific conflict and refugees in specific parts of Yemen and specific situations there. The Yemeni government may prefer this if it senses victory in the war. If it is anxious, however, expect the *Government of Yemen* to support stronger demands, such as an Arab League mandated intervention force.,

Focus on refugees as well as the resolution of conflicts creating the greatest refugee problems, including post-conflict resettlement of refugees and IDPs.

Demand all parties to the conflict—including outside states—stop all military activity throughout the country to permit refugees and IDPs to return to their homes. The resolution also could demand the international community assure donation of massive financial assistance to permit refugees and IDPs to restart their communities, their employment, and survive until initial harvests.

¹⁹ Jonathan Masters and Mohammed Aly Sergie, 'The Arab League', *Council on Foreign Relations*, 21 October 2014, <u>https://www.cfr.org/backgrounder/arab-league</u>

²⁰ 'Arab League welcomes Saudi-brokered Yemen's powersharing deal', *Xinhua*, 6 November 2019,

http://www.xinhuanet.com/english/2019-11/06/c 138531339.htm ²¹ 'Arab League voices support for 'legitimate' Yemen gov't', *Anadolu Agency*, 14 August 2018,

https://www.aa.com.tr/en/middle-east/arab-league-voicessupport-for-legitimate-yemen-govt/1231326



This option may be opposed by the *Government* of Yemen and its supporters, led by the Kingdom of Saudi Arabia. Their cause does not benefit from neutrality.

Demand all outside states such as Iran, Saudi Arabia, Sudan and UAE cease all military action and military assistance to parties to the conflict, to facilitate immediate humanitarian assistance throughout the country. Again, much depends on the specific interests and objectives of the Member States involved.

Demand a specific country withdraw its support, conceivably either Saudi Arabia or Iran, so the side they support—the government or Houthi rebels—can be defeated, allowing the victor to provide humanitarian assistance throughout the country.

Create an Arab League sponsored armed UN

force to guarantee humanitarian assistance reaches civilians throughout Yemen. The force would have to be strong enough to defeat resistance from government or Houthi forces determined to maintain or extend their control throughout the country. It would have to overcome the resistance of outside governments unwilling to risk military involvement there. The easiest way would be the give a new, multilateral Arab League Mandate to the current force lead by the Government of Yemen and Saudi Arabia.

Ask the UN Security Council to authorize creation of an armed UN force to guarantee

humanitarian assistance reaches civilians throughout Yemen. By involving countries outside the region, it could have much greater international legitimacy and coalition capability. A force would have to be strong enough to defeat resistance from government or Houthi forces determined to maintain or extend their control throughout the country. It would have to overcome the resistance of outside governments unwilling to risk military involvement there.

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