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Study Guide



UNHRC

Human Rights Condition in Yemen

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1.Introduction to the Committee

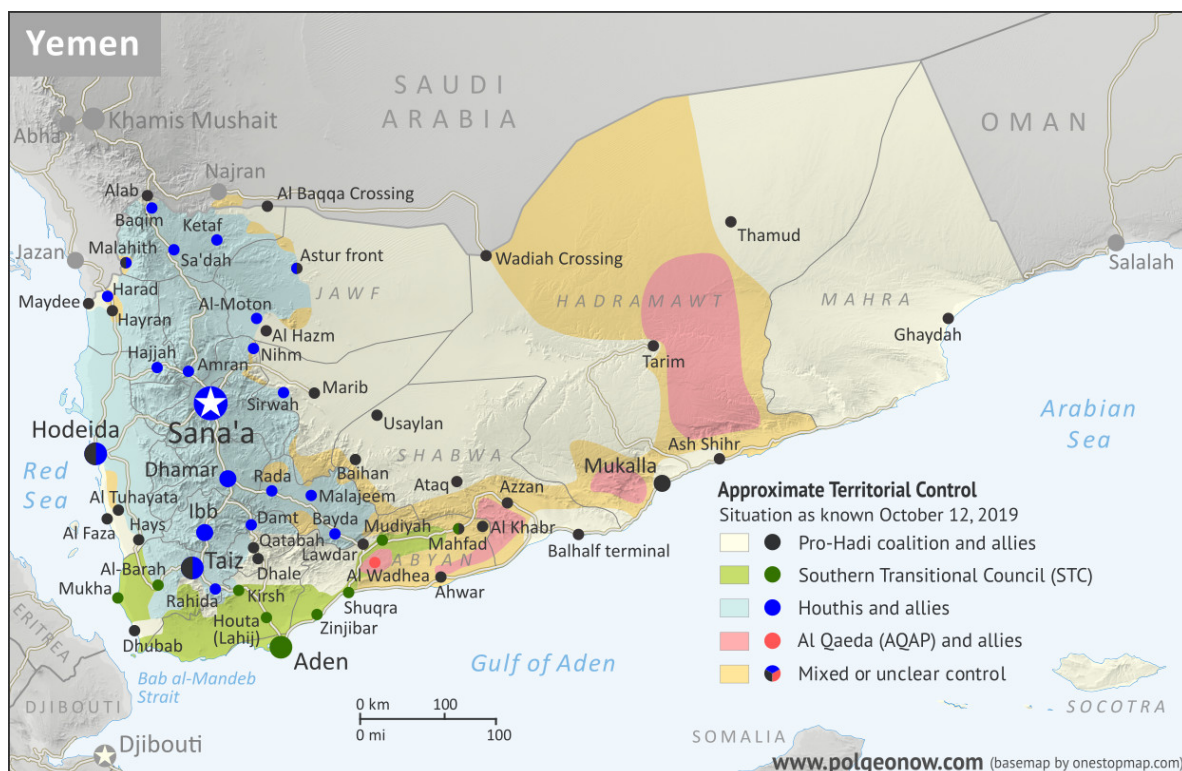
The Human Rights Council was created on 15 March 2006 and it constitutes an intergovernmental body with 47 member states elected by the General Assembly. The HRC is responsible for ensuring and strengthening the promotion and protection of human rights on a global scale as well as addressing cases of human rights' violations and making recommendations upon them. Furthermore, the Council cooperates closely with the Office of the High Commissioner for Human Rights and with all relevant UN Special Procedures established by its predecessor, the Commission on Human Rights, such as the special rapporteurs, the special representatives, independent experts and working groups which examine and publicly report on human rights violations.

Its resolutions are not legally binding however their content is a considerably significant legal tool for understanding international human rights norms. While thinking about the committee and the work you hope to accomplish in it, keep in mind one final point. All issues concerning human rights law are of great national concern to all nations.



2. Introduction to the Topic

Yemen is known to be the poorest Arab country. After losing control of the capital Sanaa to Yemen's northern **Houthi** movement, which is aligned with forces loyal to the former president Ali Abd Allah Salih. The Yemeni President Abd Rabbu Mansur Hadi turned to Saudi Arabia for help. In March 2015, Saudi Arabia and its coalition of nine states began a bombing campaign in Yemen. Prior to the conflict, Yemen was already 90-percent dependent on imported food and had been battling a severe water deficit. A twenty eight-month-long siege of its civilian population has left the country in a situation that some humanitarian groups deem to be worse than the crisis in Syria. These situations the country of Yemen is obliged to face have caused sincere damages to the country.





3. Definition of key terms

1. Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.

2. International human rights law lays down the obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

3. The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 by General Assembly resolution 217 A (III) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.

4. Conflict-affected and high-risk areas are areas in a state of armed conflict, fragile post-conflict areas, as well as areas witnessing weak or non-existing governance and security, such as failed states, and widespread and systematic violations of international law, including human rights abuses.

5. Armed conflicts: International humanitarian law distinguishes two types of armed conflicts, namely:

- international armed conflicts, opposing two or more States, and
- conflicts between governmental forces and non-governmental armed groups, or between such groups only. IHL treaty law also establishes a distinction between non-international armed conflicts in the meaning of common Article 3 of the Geneva Conventions of 1949 and non-international armed conflicts falling within the definition provided in Art. 1 of Additional Protocol II.

6. Houthi: Are officially called Ansar "Supporters of Allah", are members of an Islamic religious-political-armed movement that emerged from Sa'dah in northern Yemen in the 1990s. They are of the Zaidi sect, and are predominantly Shia-led, though the movement reportedly also includes Sunnis. Tension between the Houthis and the Yemeni central government steadily grew in the 1990s, and war broke out in 2004 with the group's founder, Hussein Badreddin al-Houthi, leading a rebellion against then Yemeni President Ali Abdullah Saleh.

7. al Qaida: "The Base", "The Foundation" or "The Fundament" is a militant Sunni Islamist multi-national organization founded in 1988 by Osama bin Laden, Abdullah Azzam, and several other Arab volunteers who fought against the Soviet invasion of Afghanistan in the 1980s.



4. History of the topic

The State was formed in 1990 after multiple wars between the nations of North Yemen, which was once part of the Ottoman Empire and South Yemen, a former British colony that was allied with the Soviet Union. The country was never stable especially after the various tribes control over the oil reserves that are in the south, whilst the political clout is centered in the north. The south launched a brief civil war against the north in 1994 and sporadic rebellions since, while northern tribes — including the Houthis — have battled among themselves. In 2009, Islamist terrorists there created a group they called **al Qaida** in the Arabian Peninsula. These situations that Yemen was obliged to face have caused sincere damage to its cultural heritage.

These growing conflicts in Southern Yemen have a distinct historical path. Aden was the only British colony in the entire Arabian Peninsula administered directly by the British government between 1839 and 1967. The British set up their own administrative, trade and educational institutions in the colony. The city was a cultural place for many ethnic groups including people of Indian and Somali origins.

After the withdrawal of British troops in 1967, Aden joined the rest of the British protectorates in the south to form the People's Democratic Republic of Yemen, with the Yemeni Socialist Party (YSP) eventually taking power. In January 1986, infighting started within the YSP, leading to clashes in the streets of Aden. There is no doubt that this conflict helped accelerate the unification of North and South Yemen in 1990. Ironically, the unification exacerbated Aden's political differences instead of reconciling them. The deterioration of Aden's economic status and the violation of its citizens' political rights following the 1994 civil war led to the creation in 2007 of a movement known as al-Hirak al-Janoubi (the southern movement) that challenged former President Ali Abdullah Saleh's.

In 2011, when Arab spring was going on, Yemen also witnessed protests against 32 year rule of President Abdullah Saleh. So, United Nations passed a resolution which was about transition of power. It gave immunity to the president in exchange of transfer of power to his deputy Mansur Hadi, and thus paved the way for ending violence. New president Mansur Hadi had many challenges against him such as corruption, unemployment, growing Al-Qaida and Houthi insurgency which was steady since 2004.



Insecurity, loss of life in violence, displacement and destruction of infrastructure further worsened economic condition. Apart from these, non-political causes like drought, food insecurity, humanitarian crisis led to mass displacement from the south Yemen. In 2014, armed conflict between government and insurgent broke out. Houthi rebels were supported by forces loyal to ex-president Saleh. President Hadi abandoned his post and went to Saudi Arabia to ask for help. So, Arab coalition led by Saudi Arabia and Sunni countries initiated a military campaign to restore power for president Hadi.

This initiative by Saudi Arabia and other nations was without approval from United Nations. Later US, UK and France gave intelligence and logistical support. They launched bomb attack and air strikes, which finally led to war between Sunni Saudi Arabia And Shia Iran. Meanwhile, Southern Transitional Council, supported by pro-Hadi forces demanding separation of south Yemen.

The devastating war raging in Yemen for the past years is on the verge of entering another stage. This latest turn of events could not only make the ongoing conflict in Yemen worse, but it can lead to more destruction and loss of civilian lives and also threaten the territorial integrity of the country.

5. Discussion of the topic

The armed conflict in Yemen has killed and injured thousands of Yemeni civilians since it began. As of November 2018, 6,872 civilians had been killed and 10,768 wounded. Thousands more have been displaced by the fighting and millions suffer from lack of food and medical care.

Since 2015, Human Rights Watch has documented about 90 unlawful coalition airstrikes, which have hit homes, markets, hospitals, schools, and mosques. Some of these attacks may amount to war crimes.

Houthi forces, the Yemeni government backed Yemeni forces have kidnapped people, including children, abused detainees and held them in poor conditions, and forcibly disappeared people perceived to be political opponents or security threats. They held people unlawfully primarily to extort money from relatives or to exchange for people held by opposing forces. The Houthis have released only some of those held.



One cost of Yemen's war has been the closing of space for the civil society. Yemeni activists, journalists, lawyers, and rights defenders worry about arrest, harassment, targeted violence, and joining the list of Yemen's "disappeared." The Houthis have detained students, human rights defenders, journalists, perceived political opponents, and members of the Baha'i religious community.



The UN considers Yemen to be the world's largest humanitarian crisis, with millions of people at risk of starvation and repeated outbreaks of deadly diseases like cholera. Houthi forces have blocked and confiscated food and medical supplies and denied access to populations in need. They have imposed restrictions on aid workers and interfered with aid delivery. Aid workers have been kidnapped and killed while conducting humanitarian operations in Yemen.



A very important matter is that Houthi forces, government forces, and other armed groups have used child soldiers. In 2017, the UN verified 842 cases of recruitment and use of boys as young as 11, to join the Houthi forces. Under Yemeni and international law, 18 is the minimum age for military service.

The UN secretary-general released his annual “list of shame” for violations against children in armed conflict. This list included many of Yemen’s warring parties—the Houthis, Al-Qaeda in the Arabian Peninsula, pro-government militias, and UAE-backed Yemeni forces. The secretary-general placed the coalition on a special list for countries that put in place “measures to improve child protection”. Despite that the situation in Yemen continues to kill children and attack schools and hospitals. The UN Committee on the Rights of the Child found that children “are being killed, maimed, orphaned, and traumatized” by the coalition’s military operations, as well as blocking access of food to the children.



Yemen endorsed the Safe Schools Declaration, thereby committing to do more to protect students, teachers, and schools during conflict, including by implementing the Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict.

Women activists have played an important role during the conflict fighting for better rights protection and protesting mistreatment. Some have been threatened, beaten and kept hostage.



Women in Yemen face severe discrimination in law and practice. Violence against women in Yemen has increased—an estimated 3 million women and girls were at risk of violence by 2018, according to the UN. Forced marriage rates, including child marriage, have increased. Yemen has no minimum age of marriage. They cannot marry without the permission of their male guardian and do not have equal rights to divorce, inheritance, or child custody. Lack of legal protection leaves them exposed to domestic and sexual violence.

The US, UK and France supply most of the weaponry being used, yet they have not stopped supplies. It is expected that violence in the country will continue until some kind of agreement, backed by all members of the UN Security Council, is reached.



6. Questions a Resolution must answer

- 1. What are the main causes of violation of human rights in Yemen?*
- 2. How could states individually face this issue?*
- 3. How could international law combat the issue of child soldiers?*
- 4. What measures could be taken on an international level?*
- 5. How could countries cooperate in order to terminate the issue of starvation and blocking of the humanitarian access?*
- 6. Are there ways to protect activists, journalists, lawyers, and rights defenders - on an international level?*
- 7. How is the Human Rights Council responsible for the protection of women from domestic and sexual violence? What measures could we take for their political rights?*



7. Material for further reading and tips for your research

- <https://www.cia.gov/library/publications/the-world-factbook/docs/profileguide.html>
(Information about your country)
- <https://www.ohchr.org/en/hrbodies/hrc/pages/home.aspx> (What does the Human Rights Council do)
- https://fanack.com/yemen/history-past-to-present/war-in-yemen/endless-war-yemen/?gclid=Cj0KCQiA7aPyBRChARIsAJfWCgKYdpJtmeGrejJouCf2Bdd929Gugpuv4XFDY0u1b-W_x3dC_szbs0AaAvTREALw_wcB
- <https://www.unicef.org/emergencies/yemen-crisis>
- https://helprefugees.org/news/whats-happening-in-yemen/?gclid=Cj0KCQiA7aPyBRChARIsAJfWCgLaUUsv9EKMNvhk7rnlLhTX2j_4nDkZ4lxW3-0IL2IVWlzH6No-dUsaAuxJEALw_wcB
- <https://yemen.unfpa.org/en/publications/unfpa-humanitarian-response-yemen-2018>
- <https://www.un.org/en/sections/issues-depth/human-rights/>



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- ✓ <https://www.hrw.org/news/2020/01/14/yemen-wartime-abuses-face-global-spotlight>
- ✓ https://www.warchild.org.uk/what-we-do/projects/yemen?gclid=Cj0KCQiA7aPyBRChARIsAJfWCgKmf2sj22YM0SK3HfwLdJZ1E11CLWSrO2t_XnV8GfLm6U_iFDdSWwaAu4hEALw_wcB
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