

## YEMEN'S CRISIS: INTERNATIONAL RESPONSIBILITY OF THE PARTIES TO THE ARMED CONFLICT

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### ABSTRACT

*This study offers a comprehensive analysis of the intricate legal obligations resulting from Yemen's protracted conflict. The research examines the history of the Yemeni conflict, identifying the main players and their violations of human rights law and international humanitarian law (IHL and HRL, respectively). Using a combination of legal analysis, case studies, and a review of official reports from international bodies, the study methodically investigates specific violations, such as attacks on civilians, the use of prohibited weapons, and the obstruction of humanitarian aid. The study's significance lies in its all-encompassing methodology in evaluating the legal obligations of state and non-state entities engaged in the war. It highlights the responsibilities these parties have under international law, particularly with regard to upholding IHL, safeguarding civilians, and ensuring war crimes are held accountable. The research draws upon primary data from victim and witness interviews, as well as original sources such as UN Security Council resolutions, Geneva Conventions, and legal precedents. The findings demonstrate that major actors, including the Saudi-led coalition, the Houthi movement, the Yemeni government, and other extremist groups, have routinely and widely violated IHL and HRL, resulting in significant civilian suffering and a humanitarian crisis. The study underscores the need for enhanced international efforts to hold violators accountable, including the use of international and national courts, and emphasizes the critical role of the UN Security Council in safeguarding civilians and promoting justice. The research contributes to the broader discourse on international legal responsibility in armed conflicts, offering critical insights and recommendations for legal and humanitarian interventions in Yemen and similar contexts.*

*Key words:* Yemen, armed conflict, international Responsibility, international law, war crimes, humanitarian crisis, civilian protection, key parties.

### INTRODUCTION

Yemen's protracted armed conflict has evolved into one of the most severe humanitarian crises of our time, characterized by widespread violence, grave human rights violations, and a collapsing socio-economic structure (Malgeri & Bennett, 2022). At the heart of this crisis lies the question of international responsibility for the parties involved in the conflict (Malgeri & Bennett, 2022). This article

explores the dimensions of international responsibility, both at the individual and state levels, and examines the legal frameworks that hold these parties accountable for their actions (Global Centre for the Responsibility to Protect, 2021; Watch, 2024). Since the escalation of the conflict in 2015, Yemen has drawn in multiple national and international actors, leading to widespread suffering and significant civilian casualties (Malgeri & Bennett, 2022; Watch, 2024). The warring parties, including Houthi forces, the Yemeni

government, and the Saudi- and United Arab Emirates (UAE)-led coalition, have perpetrated serious violations of international humanitarian law and international human rights law. These violations include unlawful attacks on civilians, arbitrary detentions, torture, and the use of child soldiers (Global Centre for the Responsibility to Protect, 2021; (Watch, 2024).

The international community has a responsibility to ensure that the parties involved in the Yemeni conflict are held accountable for their actions (CCCR, 2023; PRIO, 2023). This responsibility stems from various legal frameworks, such as the Geneva Conventions and customary international law, which impose obligations on states and individuals to respect and protect human rights and humanitarian principles (Watch, 2024). However, the lack of accountability and the pervasive impunity that has characterized the conflict have exacerbated the crisis and fueled further violations (Global Centre for the Responsibility to Protect, 2021; CCCR, 2023).

This article examines the international legal responsibility of the various actors involved in the Yemeni conflict and the mechanisms available for ensuring accountability and justice for the victims. It highlights the urgent need for concerted efforts by the international community to address the crisis and to hold perpetrators accountable for their actions, in order to pave the way for sustainable peace and justice in Yemen.

The study utilizes a qualitative research methodology to explore the legal responsibilities of the parties involved in the Yemeni conflict. This multidisciplinary approach integrates legal analysis, case studies, and a thorough review of secondary sources, including United Nations Security Council resolutions, the Geneva Conventions, relevant treaties, and reports

from international human rights organizations. The study is grounded in a comprehensive examination of primary sources such as legal documents, international treaties, UN reports, and official documents from organizations like Human Rights Watch and Amnesty International. Additionally, firsthand accounts and insights are gathered through interviews with victims, witnesses, and legal experts, providing a detailed understanding of the violations of International Humanitarian Law (IHL) and Human Rights Law (HRL).

The study systematically examines the application of international legal frameworks, with a focus on the Geneva Conventions and their Additional Protocols, the Rome Statute of the International Criminal Court, and relevant UN Security Council resolutions. Legal precedents and case law are analyzed to assess the civil and criminal responsibilities of both state and non-state actors. Case studies of specific incidents involving key parties, including the Saudi-led coalition, the Houthi movement, the Yemeni government, and militant groups, are used to illustrate patterns of behavior and the legal responsibilities of each party under international law. The data is analyzed using thematic analysis to categorize and interpret the findings, identifying recurring themes related to IHL and HRL violations, legal obligations, and accountability mechanisms. The analysis also includes a comparative evaluation of international legal standards against the actions of the conflict parties.

## BACKGROUND OF THE YEMENI CONFLICT

The Yemeni conflict has its roots in a complex interplay of political, social, and economic issues that have plagued the country for decades. The crisis intensified following the Arab Spring in 2011, when widespread protests against long-time President Ali Abdullah Saleh erupted, reflecting deep-seated dissatisfaction with

ineffective governance and economic hardship. Saleh, who had ruled since 1978, was ultimately forced to step down in 2012 as part of a Gulf Cooperation Council (GCC)-brokered transition plan, handing power to his deputy, Abdrabbuh Mansur Hadi. However, this transition failed to bring stability to Yemen, as the new government struggled to address the country's pressing issues, including rampant unemployment, food insecurity, and widespread corruption (CFR, 2023; IWM, 2023).

In 2014, the Houthi movement, also known as Ansar Allah, capitalized on the government's weaknesses and seized the capital, Sana'a. This Shia Muslim group, which had long felt marginalized by the Sunni-dominated government, quickly gained control of significant portions of the country, prompting President Hadi to flee to Saudi Arabia (Britannica, 2023). The Houthis' rise to power was marked by their demand for greater political representation and their opposition to perceived foreign interference, particularly from Saudi Arabia and the United States. The conflict escalated dramatically in March 2015 when a Saudi-led coalition intervened militarily to restore Hadi's government. This coalition, which includes the United Arab Emirates and several other Arab states, launched airstrikes against Houthi positions and imposed a naval blockade aimed at preventing Iranian support for the Houthis. The coalition's involvement significantly intensified the war, leading to widespread destruction and a humanitarian crisis of unprecedented scale (CFR, 2023; Al Jazeera, 2023).

As the conflict continued, various local and regional actors became involved, further complicating the situation. The Southern Transitional Council (STC), a separatist group seeking greater autonomy for southern Yemen, emerged as a significant player, often clashing with Hadi's forces and the Houthis (CFR, 2023). Additionally, extremist groups such as Al-Qaeda in the Arabian Peninsula (AQAP) and the Islamic

State (IS) exploited the chaos to expand their influence, contributing to the fragmentation of the country and the deterioration of security (Britannica, 2023). The ongoing conflict has led to one of the worst humanitarian crises in the world, with millions of Yemenis facing starvation, disease, and lack of access to essential services. The United Nations has repeatedly warned of the dire consequences of the war, estimating that over 60% of the deaths in Yemen since the conflict began can be attributed to indirect causes, such as malnutrition and lack of medical care (CFR, 2023; Global Conflict Tracker, 2023).

Overall, the Yemeni conflict is deeply rooted in historical grievances and exacerbated by political failures, external interventions, and the rise of various armed groups. Understanding this background is essential for addressing the ongoing humanitarian crisis and seeking a sustainable resolution to the conflict.

#### KEY PARTIES INVOLVED IN THE CONFLICT

The armed conflict in Yemen involves multiple parties, both state and non-state actors, each bearing international responsibility for their actions and omissions during the hostilities. This responsibility can be attributed to individuals and states alike, as they engage in activities that violate international humanitarian law (IHL) and international human rights law (IHRL):

1. Houthi Movement (Ansar Allah): The Houthis, officially known as Ansar Allah, are a Shia Muslim group originating from northern Yemen. They have gained control over significant portions of the country, including the capital, Sana'a. The group emerged as an opposition movement in the early 2000s and has since evolved into a powerful military force, often supported by Iran. The Houthis have been implicated in numerous human rights violations,

- including attacks on civilians, the use of child soldiers, and the diversion of humanitarian aid (Wilson Center, 2023; Council on Foreign Relations, 2023).
2. **Yemeni Government:** The internationally recognized government, led by President Abdrabbuh Mansur Hadi, has been operating from exile since the Houthis seized control of the capital in 2014. The government is supported by a Saudi-led coalition, which has been involved in military operations against Houthi forces. The Yemeni government has faced criticism for its inability to protect civilians and for its own human rights violations during the conflict (CFR, 2023).
  3. **Saudi-led Coalition:** Comprising Saudi Arabia, the United Arab Emirates, and several other Arab states, this coalition supports the Hadi government in its fight against the Houthis. The coalition has been accused of conducting airstrikes that have resulted in significant civilian casualties and damage to infrastructure, raising questions about its adherence to IHL (CFR, 2023; UN, 2023).
  4. **Southern Transitional Council (STC):** The STC is a separatist group in southern Yemen that seeks independence or greater autonomy from the Yemeni government. The STC has engaged in armed confrontations with both the Houthis and the Hadi government, complicating the conflict dynamics and contributing to the overall instability in the region (CFR, 2023).
  5. **Al-Qaeda in the Arabian Peninsula (AQAP):** This Islamist militant group has exploited the chaos in Yemen to expand its influence and conduct operations against both the Houthis and the Yemeni government. AQAP has been involved in various attacks and has taken advantage of the power vacuum created by the ongoing conflict (CFR, 2023; Britannica, 2023).
  6. **Islamic State (IS):** Another militant group, the Islamic State has sought to establish a foothold in Yemen amidst the turmoil. Like AQAP, IS has taken advantage of the conflict to carry out attacks and expand its operations, further complicating the security landscape in Yemen (CFR, 2023).

## VIOLATIONS AND RESPONSIBILITIES

### VIOLATIONS OF PARTIES TO ARMED CONFLICTS IN YEMEN

The table outlines the severe human rights violations and breaches of International Humanitarian Law (IHL) committed by various parties involved in the Yemeni conflict. These violations highlight the extensive harm inflicted on civilians, exacerbating an already dire humanitarian crisis. The following table shows the Violations by Key Parties in the Yemeni Conflict.

TABLE 1. Violations by Saudi-led Coalition in the Yemeni Conflict

Violation	Description	Resources
Airstrikes	Conducting airstrikes that have hit hospitals, schools, markets, and residential areas, leading to significant civilian deaths and injuries.	UN Human Rights Council Report, 2019.
Blockades	Imposing blockades that restrict the flow of food, medicine, and other essential supplies, exacerbating the humanitarian crisis.	UN Office for the Coordination of Humanitarian Affairs (OCHA), 2020.

Detentions and Torture		Engaging in arbitrary detentions and torture of detainees.	Human Rights Watch, 2020.
Attacks on Civilian Infrastructure		Damaging essential infrastructure such as water systems and sanitation facilities.	Amnesty International, 2018.
Use of Cluster Munitions		Employing cluster bombs in civilian-populated areas, causing widespread harm.	International Crisis Group, 2021.
Targeting Workers	Aid	Attacking or obstructing humanitarian aid workers and operations, limiting access to essential assistance for civilians.	Médecins Sans Frontières, 2017.
Starvation as a Tactic	a	Using starvation of civilians as a method of warfare by restricting access to food and other essential resources.	UN Panel of Experts on Yemen, 2018.
Indiscriminate Attacks		Conducting attacks without distinguishing between military targets and civilian objects, leading to unnecessary civilian harm.	Amnesty International, 2019.
Violations of Children's Rights		Recruiting and using child soldiers in armed conflict, as well as causing harm to children through attacks on schools and hospitals.	UNICEF, 2020.

The coalition's airstrikes have frequently targeted civilian infrastructure, leading to numerous civilian casualties and the destruction of essential services like hospitals and schools. The use of cluster munitions and blockades has further compounded the suffering, with allegations

of starvation being used as a tactic of war. These actions not only violate IHL but also demonstrate a disregard for civilian protection, which is a cornerstone of international humanitarian principles.

TABLE 2. Violations by Southern Transitional Council (STC) in the Yemeni Conflict

Violation	Description	Resources
Clashes with Government Forces	Fighting with Yemeni government forces, leading to civilian casualties and displacement.	UN Human Rights Council Report, 2020.
Arbitrary Detentions	Detaining individuals without due process or legal justification.	Human Rights Watch, 2021.
Abuse of Detainees	Engaging in the mistreatment and abuse of detainees.	Amnesty International, 2019.
Human Rights Violations	General involvement in actions that breach human rights standards.	UN Group of Eminent International and Regional Experts on Yemen, 2020.

The STC's clashes with government forces and arbitrary detentions reflect ongoing internal power struggles that directly impact civilian safety and rights. The abuse of detainees and general human rights

violations indicate a failure to adhere to both national and international legal standards, highlighting the need for greater accountability within the faction.

TABLE 3. Violations by Militant Groups (AQAP and IS) in the Yemeni Conflict

Violation	Description	Resources
Targeting Civilians	Conducting bombings and attacks aimed at civilians and civilian infrastructure.	UN Human Rights Council Report, 2019.
Recruitment of Child Soldiers	Recruiting children into their ranks, violating their rights and placing them in harm's way.	Human Rights Watch, 2020.
Bombings	Executing suicide bombings and other explosive attacks in public areas.	Amnesty International, 2018.
Attacks on Aid Workers	Attacking and kidnapping humanitarian aid workers.	UN Office for the Coordination of Humanitarian Affairs (OCHA), 2020.
Use of Improvised Explosive Devices (IEDs)	Planting IEDs in civilian areas, causing injuries and deaths among non-combatants.	International Crisis Group, 2021.

The actions of these militant groups, including targeting civilians, using child soldiers, and employing IEDs, are clear violations of both IHL and international human rights law. These groups exploit the chaos of the conflict to further their agendas, causing significant harm to civilians and destabilizing the region further.

TABLE 4. Violations by Houthi Movement (Ansar Allah) in the Yemeni Conflict

Violation	Description	Resources
Indiscriminate Attacks	Launching missiles and artillery into populated areas, resulting in civilian casualties.	Human Rights Watch, 2019.
Use of Landmines	Deploying landmines that continue to pose a threat to civilians long after their initial use.	Amnesty International, 2020.
Human Rights Abuses	Enforced disappearances, torture, and recruitment of child soldiers.	UN Human Rights Council, 2018.
Attacks on Civilian Infrastructure	Targeting and damaging essential infrastructure such as schools, hospitals, and water facilities.	UNICEF, 2019.
Siege Warfare	Imposing sieges on cities, restricting access to food, water, and medical supplies.	UN Office for the Coordination of Humanitarian Affairs (OCHA), 2019.
Arbitrary Detentions	Detaining individuals arbitrarily, often without charge or trial.	Human Rights Watch, 2020.
Recruitment of Child Soldiers	Forcibly recruiting and using children in armed conflict.	Save the Children, 2020.
Attacks on Aid Workers	Attacking or obstructing humanitarian aid workers and operations, limiting access to essential assistance for civilians.	Médecins Sans Frontières, 2018.

Violations of Women's Rights	Gender-based violence, including forced marriages and sexual violence.	Amnesty International, 2018.
Starvation as a Tactic	Using starvation of civilians as a method of warfare by restricting access to food and other essential resources.	UN Panel of Experts on Yemen, 2018.
Forced Displacement	Forcing civilians to flee their homes due to violence and intimidation.	Internal Displacement Monitoring Centre, 2019.

The Houthis have engaged in indiscriminate attacks, use of landmines, and siege warfare, all of which contribute to significant civilian suffering. Their recruitment of child soldiers and attacks on aid workers are particularly egregious, reflecting a blatant disregard for international norms and human rights.

The documented violations by all parties involved in the Yemeni conflict underscore a widespread and systemic disregard for the principles of IHL and international human rights law. The international community must intensify efforts to hold these parties accountable and ensure protection for the civilian population. This includes strengthening mechanisms for monitoring and reporting violations, increasing humanitarian assistance, and pursuing legal avenues to prosecute those responsible for war crimes and human rights abuses.

#### RESPONSIBILITIES OF PARTIES TO ARMED CONFLICTS IN YEMEN

The armed conflict in Yemen has led to significant humanitarian suffering and widespread violations of international law. The responsibilities of parties to armed conflicts are enshrined in international humanitarian law (IHL) and human rights law (HRL), which aim to limit the effects of armed conflict and protect those not participating in hostilities. The conflict in Yemen involves multiple parties, including the Saudi-led coalition, the Southern Transitional Council (STC), militant groups such as Al-Qaeda in the Arabian Peninsula (AQAP) and Islamic State (IS), and the Houthi Movement (Ansar Allah). Each of

these parties has been implicated in various serious violations. It is crucial to outline the responsibilities that these parties are bound by to understand the full scope of their obligations and the importance of adherence to international legal standards.

#### 1. Adherence to International Humanitarian Law (IHL) and Human Rights Law (HRL)

All parties to the conflict in Yemen are bound by international legal frameworks that seek to limit the effects of armed conflict and protect those who are not participating in hostilities. This adherence is fundamental to maintaining the basic human dignity and rights of all individuals affected by the conflict.

#### 2. Protection of Civilians

The protection of civilians is a cornerstone of IHL and HRL including:

- (a) **Avoiding Indiscriminate Attacks:** Parties must distinguish between combatants and non-combatants. They are prohibited from conducting attacks that do not discriminate between military targets and civilian objects.
- (b) **Protection of Civilian Infrastructure:** Essential infrastructure such as hospitals, schools, water systems, and residential areas must be safeguarded against attack.
- (c) **Avoidance of Sieges:** Imposing sieges that restrict access to food, water, and medical supplies, thus endangering civilian lives, is prohibited.

### 3. Prohibition of Specific Types of Weapons and Tactics

- (a) No Use of Prohibited Weapons: The use of weapons that cause unnecessary suffering, such as cluster munitions and landmines, is banned.
- (b) Prohibition of Starvation as a Method of Warfare: Deliberately using starvation against civilians is a violation of international law.

### 4. Treatment of Detainees

- (a) Humane Treatment: All detainees must be treated humanely, without torture, abuse, or arbitrary detention.
- (b) Due Process: Detentions must follow legal processes and allow for a fair trial.

### 5. Protection of Children

- (a) No Recruitment of Child Soldiers: Recruiting and using children in hostilities is strictly forbidden.
- (b) Protection from Harm: Special care must be taken to ensure children are not harmed in conflict, including avoiding attacks on schools and hospitals.

### 6. Protection of Humanitarian Workers

- (a) Safety of Aid Workers: Humanitarian aid workers must be protected from attacks, abductions, and obstructions that hinder their efforts to assist those in need.
- (b) Unimpeded Humanitarian Access: Parties must allow and facilitate the rapid and unimpeded passage of humanitarian relief for civilians in need.

### 7. Accountability and Justice

- (a) Investigating Violations: Parties are responsible for investigating alleged violations of IHL and HRL committed by their forces and ensuring accountability.
- (b) Cooperation with International Mechanisms: Engaging with international bodies such as the United

Nations and cooperating with investigations conducted by international human rights organizations.

### 8. Obligations Under International Treaties

- (a) Compliance with Treaties: Parties must adhere to international treaties they are signatories to, including the Geneva Conventions and Additional Protocols, which set out the rules of war.
- (b) Respect for Customary International Law: Even non-signatories are bound by customary international law that reflects universally accepted norms and practices in armed conflict.

## INTERNATIONAL LEGAL FRAMEWORK

International humanitarian law (IHL) and international human rights law (IHRL) serve as the foundational legal norms governing the conduct of parties in armed conflicts. Central to this framework are the Geneva Conventions of 1949 and their Additional Protocols, which outline the rules for the protection of civilians and the conduct of hostilities, ensuring that humanitarian principles are upheld even during times of war.

The Geneva Conventions consist of four treaties and three additional protocols that establish comprehensive guidelines for the humane treatment of individuals who are not participating in hostilities, including civilians, medical personnel, and prisoners of war. These conventions set forth critical protections and obligations for all parties involved in armed conflicts, emphasizing the need to safeguard those who are vulnerable during warfare (ICRC, 2021). In addition to the Geneva Conventions, various human rights treaties remain applicable during armed conflicts, reinforcing the obligation of states to respect and protect human rights even in times of war. For example, the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against



Torture (CAT) impose duties on states to prevent abuses and ensure accountability for violations, regardless of the context (UN, 1966; UN, 1984).

The interplay between IHL and IHRL is crucial, as both bodies of law complement each other to provide a comprehensive legal framework aimed at protecting human dignity during armed conflicts. While IHL specifically addresses the conduct of hostilities and the protection of victims of war, IHRL ensures that fundamental human rights are upheld at all times, including during emergencies (Bassiouni, 2008).

#### INTERNATIONAL RESPONSIBILITY OF INDIVIDUALS

Individual criminal responsibility arises when individuals commit war crimes, crimes against humanity, or genocide. In the context of Yemen, substantial evidence indicates serious violations of international humanitarian law (IHL), such as attacks on civilians, the use of child soldiers, and the torture of detainees, which may constitute war crimes (ICRC, 2021). The principle of individual accountability for war crimes and human rights violations is a fundamental aspect of international law. It ensures that individuals, irrespective of their status or position, can be held accountable for atrocities committed during conflicts. This principle was notably reinforced following World War II, with the establishment of the Nuremberg Trials, which emphasized that "crimes against international law are committed by men, not by abstract entities" (Bassiouni, 2008).

The recognition of individual criminal responsibility is enshrined in various international legal instruments, including the Rome Statute of the International Criminal Court (ICC), which asserts that the most serious crimes of concern to the international community must not go unpunished (Rome Statute, 1998). This statute provides a framework for

prosecuting individuals for war crimes and crimes against humanity, thus promoting accountability and deterring future violations. Moreover, the enforcement of individual criminal responsibility poses challenges, particularly in contexts where state apparatuses are implicated in the commission of crimes. Issues such as state immunity and the complexities of collective responsibility can complicate the prosecution of individuals involved in mass atrocities (Gallmetzer & Klamburg, 2005). Nonetheless, the ongoing efforts to hold individuals accountable for their actions are crucial for achieving justice for victims and reinforcing the rule of law in international relations.

#### INTERNATIONAL LEGAL RESPONSIBILITY OF THE STATE

States involved in the Yemeni conflict, including Yemen, Saudi Arabia, and Iran, bear international legal responsibility for breaches of their obligations under international law. This responsibility encompasses actions taken by state organs, such as armed forces, as well as actions by private individuals or entities acting under the state's direction or control. International law imposes specific duties on these states to adhere to humanitarian norms and to take measures to prevent and punish violations committed by their nationals or within their territories. According to the International Law Commission (ILC), a state is responsible for internationally wrongful acts that result from its own conduct, including breaches of treaties and violations of customary international law (ILC, 2001).

For instance, the principle of state responsibility is well articulated in the ILC's Articles on the Responsibility of States for Internationally Wrongful Acts, which outline the conditions under which a state may be held liable. These conditions include the existence of a legal obligation, the commission of an act that breaches that obligation, and the resulting injury or

damage to another entity (Crawford, 2013). Moreover, states are required to provide full reparation for any injury caused by their unlawful actions. This reparation can take various forms, including restitution, compensation, and satisfaction, depending on the circumstances of the breach (Britannica, 2023). The situation in Yemen illustrates the complexities of state responsibility, particularly regarding non-state actors like the Houthi movement. While traditional views of international law primarily attribute responsibility to state authorities, there is an evolving recognition of the obligations of non-state actors under international humanitarian law (Just Access, 2020).

#### INTERNATIONAL RESPONSIBILITY AND ACCOUNTABILITY

The principle of international responsibility asserts that both states and non-state actors must be held accountable for violations of international humanitarian law (IHL) and international human rights law (IHRL). The international community plays a vital role in monitoring, documenting, and responding to these violations through various mechanisms.

1. United Nations: The UN has established investigative bodies, such as the Group of Eminent International and Regional Experts on Yemen, to document violations and report findings to the Human Rights Council. This group is tasked with conducting comprehensive examinations of alleged violations committed by all parties since the onset of the conflict, including identifying responsible parties and making recommendations for accountability (UN Human Rights Council, 2021).
2. International Criminal Court (ICC): Although Yemen is not a party to the Rome Statute, the ICC could potentially exercise jurisdiction if the UN Security Council refers the situation in Yemen to the Court. This referral would enable the

ICC to investigate and prosecute individuals for war crimes and crimes against humanity, thereby reinforcing the principle of accountability for serious violations (Human Rights Watch, 2015).

3. Universal Jurisdiction: Some countries have enacted laws that allow for the prosecution of serious international crimes, regardless of where they were committed, under the principle of universal jurisdiction. This legal framework enables states to hold individuals accountable for atrocities, such as war crimes and genocide, even if those crimes occurred outside their borders (Just Access, 2020). This principle serves as an important tool for ensuring that perpetrators cannot evade justice simply by virtue of geography.

#### INTERNATIONAL LEGAL RESPONSIBILITY OF STATES

The international legal responsibility of states involved in the Yemeni conflict encompasses both civil and criminal liability for their actions and omissions during the hostilities. This responsibility arises from violations of international humanitarian law (IHL) and international human rights law (IHRL) committed by state actors and non-state armed groups alike. States may incur civil responsibility when they breach their obligations under international law, resulting in harm to individuals or other states. This includes providing reparations and ensuring that such violations do not recur. The Geneva Conventions and their Additional Protocols establish a legal framework that mandates the protection of civilians and the conduct of hostilities, thereby holding states accountable for their military actions (ICRC, 2021). In addition to civil liability, states can also face criminal responsibility for war crimes, crimes against humanity, and other serious violations of international law. This includes actions taken by state forces or those acting on behalf of the state that lead to significant civilian harm or breaches of IHL. The principle of universal jurisdiction allows

other states to prosecute individuals for these crimes, regardless of where they were committed, thereby reinforcing accountability (Human Rights Watch, 2015).

The situation in Yemen has highlighted the complexities of assigning responsibility, particularly concerning non-state actors such as the Houthi movement and terrorist organizations. While traditional views of international law primarily ascribe responsibility to state actors, the evolving nature of conflicts has led to increased scrutiny of the actions of non-state groups and their compliance with international legal standards (Just Access, 2020). Despite the clear obligations under international law for both state and non-state actors to respect IHL, the ongoing conflict in Yemen has been marked by widespread violations, leading to significant humanitarian crises and raising urgent questions about accountability and justice for victims (UN, 2019).

#### CIVIL RESPONSIBILITY OF PARTIES TO THE CONFLICT

##### 1. The Concept of Civil Responsibility and its Conditions

Civil responsibility refers to the obligation of parties to provide reparations for harm resulting from their wrongful actions. In the context of armed conflict, this entails compensating victims for damages incurred due to violations of international humanitarian law (IHL). Civil responsibility arises when a state fails to fulfil its international obligations, resulting in injury to another state or its citizens. To establish civil responsibility, several conditions must be met: there must be an internationally wrongful act, demonstrable damage or injury, and a clear causal link between the wrongful act and the harm suffered (ICRC, 2021). This framework ensures that parties are held accountable for their actions and that victims receive appropriate reparations.

In armed conflicts, the legal foundations for civil responsibility are anchored in various international treaties, including the Geneva Conventions and their Additional Protocols, which outline the responsibilities of warring parties to protect civilians and ensure humane treatment (UN, 2019). Additionally, customary international law reinforces these obligations, emphasizing the necessity of adhering to humanitarian principles during hostilities (Chatham House, 2024). The implications of civil responsibility extend beyond mere compensation; they also involve commitments to prevent future violations and to restore the rights of affected individuals. This comprehensive approach is essential for ensuring justice and accountability in the aftermath of armed conflicts.

##### 2. Civil Responsibility of Parties to the Conflict

The parties engaged in the Yemeni conflict, including the Houthi movement, the Yemeni government, and the Saudi-led coalition, bear civil responsibility for their actions, which have resulted in considerable harm to civilians and infrastructure. These groups may incur liability for violations of international humanitarian law (IHL) and international human rights law (IHRL), encompassing acts such as assaults on civilian populations, destruction of essential infrastructure, and hindrances to humanitarian assistance (Global Centre for the Responsibility to Protect, 2021).

Since the onset of the conflict, there have been numerous documented violations, including indiscriminate attacks and targeted strikes against civilian areas, which have led to significant civilian casualties and suffering. Reports indicate that over 19,200 civilians have been killed or injured due to coalition airstrikes alone, highlighting the severe impact of military operations on non-combatants (Global Centre for the Responsibility to Protect, 2021). Moreover,

the actions of all parties involved have contributed to what the United Nations has termed the world's largest humanitarian crisis, with millions in need of urgent assistance and protection (Human Rights Watch, 2015). The legal framework surrounding these responsibilities is grounded in both treaty law, such as the Geneva Conventions, and customary international law, which mandates the protection of civilians during armed conflicts (ICRC, 2021). The pervasive impunity and lack of accountability for these violations further complicate the situation, as victims of these actions continue to suffer without recourse to justice (Just Access, 2020). Therefore, it is imperative that all parties recognize their civil responsibilities and take immediate steps to mitigate harm to civilians and comply with international legal standards.

### 3. The Legal Basis for the Liability of Parties to the Conflict

The liability of parties involved in the Yemeni conflict is founded on several key international legal instruments, primarily the Geneva Conventions, which establish the obligation to protect civilians and delineate the responsibilities of warring parties. These treaties, along with their Additional Protocols, provide a comprehensive legal framework for addressing violations of international humanitarian law (IHL) during armed conflicts. In addition to treaty law, customary international law plays a significant role in defining the civil responsibilities of parties to the conflict. Customary norms, which arise from consistent state practice and are accepted as legally binding, reinforce the obligations outlined in treaties such as the Geneva Conventions. This body of law obligates all parties, including non-state actors, to adhere to humanitarian principles, regardless of their recognition or status in the international community (Human Rights Watch, 2015).

Furthermore, relevant United Nations Security Council resolutions contribute to the legal obligations of the parties involved in the conflict. These resolutions often call for adherence to IHL and emphasize the need for accountability for violations, thereby reinforcing the legal framework governing the conduct of hostilities in Yemen (UN Security Council, 2019). The combination of treaty obligations, customary law, and Security Council mandates establishes a robust legal basis for holding parties accountable for their actions in the Yemeni conflict. This framework is essential for ensuring that violations are addressed and that victims receive justice.

### 4. Obligations of Parties to the Conflict Arising from the Establishment of Their Civil Responsibility

Once civil responsibility is established, parties involved in the conflict must take several actions to address the consequences of their wrongful conduct. They are required to halt any ongoing violations, provide restitution and compensation to victims, and implement measures to prevent future occurrences of similar violations. This encompasses not only reparations for those affected but also proactive steps to ensure that such actions do not recur. The obligations of parties to an armed conflict are grounded in international humanitarian law (IHL), which mandates that all parties must respect and protect civilians and civilian infrastructure. This includes taking necessary precautions during military operations to minimize harm to non-combatants (Chatham House, 2024). Furthermore, parties are expected to cooperate in ensuring compliance with these legal standards, which may involve sharing information or resources to uphold humanitarian protections (ICRC, 2021).

Additionally, the Geneva Conventions outline specific responsibilities for parties to ensure the humane treatment of individuals affected by the conflict,

including the wounded, sick, and those no longer participating in hostilities (ICRC, 2016). Failure to meet these obligations can result in further legal accountability and the need for international oversight to ensure compliance and facilitate justice for victims.

#### CRIMINAL RESPONSIBILITY OF PARTIES TO THE CONFLICT

The criminal responsibility of parties to the conflict in Yemen can be pursued through various mechanisms, including international courts and tribunals, as well as national courts.

##### 1. The Extent of the Jurisdiction of the Criminal Court to Try War Criminals in Yemen

The International Criminal Court (ICC) has jurisdiction over the most serious crimes of concern to the international community, including war crimes, crimes against humanity, and genocide (UNHR, 2002). However, the ICC's ability to exercise jurisdiction in Yemen is limited by the country's non-ratification of the Rome Statute, which establishes the Court's legal framework (GON, 2023).

Under the Rome Statute, the ICC can only investigate and prosecute crimes committed in the territory of a State Party, a non-State Party that consents to the Court's jurisdiction, or a non-State Party that is referred to the ICC by the United Nations Security Council. Since Yemen is not a party to the Rome Statute, the ICC can only exercise jurisdiction over crimes committed in Yemen if the situation is referred by the UN Security Council (GON, 2023; UNHR, 2002). The ICC has been investigating the situation in Yemen since 2014, focusing on alleged war crimes, crimes against humanity, and genocide committed by various parties to the conflict. However, without a referral from the Security Council or Yemen's accession to the Rome Statute, the ICC's

ability to prosecute individuals for these crimes remains limited (GON, 2023).

##### 2. Forming a Special Court for War Criminals in Yemen

An alternative to the International Criminal Court (ICC) for addressing war crimes in Yemen is the establishment of a specialized tribunal, similar to the Special Court for Sierra Leone. This tribunal would be specifically designed to handle the atrocities committed during the Yemeni conflict, akin to the Extraordinary Chambers in the Courts of Cambodia. Establishing such a court would require the approval of the Yemeni government and substantial support from the international community, as the involvement and cooperation of key stakeholders are critical for this judicial mechanism to effectively hold perpetrators accountable and ensure justice for victims (AP News, 2020).

The creation of a special court could provide a more immediate and context-specific avenue for justice, particularly given the ICC's jurisdictional challenges stemming from Yemen's non-signatory status to the Rome Statute. This approach would facilitate the prosecution of individuals responsible for war crimes within a framework sensitive to the local context and the specificities of the conflict (JusticeInfo, 2023). Moreover, a dedicated tribunal could enable a more focused investigation and prosecution process, addressing the unique challenges posed by the Yemeni conflict. It could also serve as a platform for restorative justice, allowing victims to have their voices heard and participate in the judicial process (Amnesty International, 2019). However, the success of such a court hinges on the political will of the Yemeni authorities and the commitment of the international community to support the establishment and functioning of this tribunal. Without such backing, the prospects for accountability and justice for the victims of war crimes in Yemen may remain bleak (ECCHR, 2020).

### 3. Trial of War Criminals in Yemen before the Courts of States Signatories to the Fourth Geneva Convention

States that are parties to the Fourth Geneva Convention can utilize universal jurisdiction to prosecute individuals implicated in war crimes related to the Yemeni conflict, allowing them to hold offenders accountable regardless of where the crimes occurred. This principle enables nations to take legal action against those accused of serious violations of international humanitarian law, even if there are no direct connections to the prosecuting state. Under this framework, these countries are required to either prosecute or extradite individuals suspected of committing grave breaches of the Geneva Conventions, irrespective of the accused's nationality or the location of the offense. This obligation is rooted in the provisions of the Geneva Conventions, which mandate that each High Contracting Party must actively seek out and prosecute individuals responsible for such violations (ICRC, 2013).

The application of universal jurisdiction serves as a vital mechanism for ensuring accountability and justice for victims of war crimes in Yemen. It allows for the prosecution of offenders in jurisdictions that may not be directly involved in the conflict but are committed to upholding international humanitarian standards. This legal avenue is particularly important in situations where local judicial systems are unable or unwilling to address such serious crimes effectively. However, the effectiveness of universal jurisdiction can vary significantly among states, depending on their legal frameworks and political will to pursue such cases. Some countries have enacted robust laws that facilitate the prosecution of war criminals, while others may lack the necessary legal provisions or face political obstacles in pursuing justice (ICRC, 2021).

### 4. Trial of War Criminals in Yemen before National Courts

National courts in Yemen and other nations have the authority to prosecute war criminals under their domestic laws, provided these laws are consistent with international humanitarian standards. These courts can exercise jurisdiction based on the nationality of the perpetrator or victim, as well as the location of the alleged crime (Sana'a Center for Strategic Studies, 2023). However, the capacity and willingness of these courts to conduct fair trials are often hindered by the ongoing conflict and the prevailing political climate. The Yemeni judiciary has faced significant challenges, including political polarization and a lack of resources, which undermine its ability to handle complex cases related to war crimes effectively (Associated Press, 2022). The deterioration of judicial infrastructure and the backlog of cases further complicate the pursuit of justice for victims of war crimes in the region.

Efforts to establish a robust legal framework for accountability have been complicated by the fragmented political situation in Yemen. The judiciary's credibility has been severely impacted, raising doubts about its impartiality in politically sensitive cases (European Center for Constitutional and Human Rights, 2022). As a result, achieving justice for victims remains a daunting task amidst the ongoing humanitarian crisis and instability in the country. In light of these challenges, it is crucial for the international community to support the strengthening of Yemen's judicial system and to explore alternative mechanisms for accountability, including the establishment of special tribunals or the use of international legal frameworks to ensure that perpetrators are held accountable for their actions (Amnesty International, 2022).

## 5. Adherence to Some Defences to Deny Criminal Responsibility

In war crime trials, defendants may present several defences, including claims of lack of intent or duress. However, these defences are subject to thorough examination, and international law typically imposes strict limitations on their use in cases involving serious human rights violations (International Residual Mechanism for Criminal Tribunals, n.d.; Case Western Reserve University, 2020). Additionally, parties involved in the conflict might seek to invoke defenses such as superior orders, military necessity, or self-defense to evade criminal responsibility. Nevertheless, under international law, these justifications are constrained and do not exempt individuals from accountability for war crimes or crimes against humanity (Legal Tools, 2023; Cornell International Law Journal, 2023).

The case law of the Second World War International Military Tribunals revealed an inconsistent approach to the availability of duress as a full defense in situations involving the killing of innocent civilians (GCHR, 2023). While some cases, such as the *Einsatzgruppen* case, demonstrate that duress should be available in those situations, others, like the *Hölzer* case, argue otherwise (GCHR, 2023). The *Erdemovic* case before the International Criminal Tribunal for the former Yugoslavia (ICTY) represents a significant development in the defense of duress (GCHR, 2023; Case Western Reserve University, 2020). While the majority of judges rejected the notion that duress could be a complete defense when the crime involves the killing of civilians, Judge Cassese and Judge Stephen dissented and argued otherwise (GCHR, 2023; Case Western Reserve University, 2020). The establishment of the International Criminal Court (ICC) marked a clear departure from the majority opinion in the *Erdemovic* case, as the defense of duress was codified in Article 31(1)(d) of the Rome Statute (GCHR,

2023; Case Western Reserve University, 2020).

## EFFORTS FOR PEACE AND JUSTICE

Efforts to end the conflict in Yemen and ensure accountability encompass several key initiatives:

1. **Peace Talks:** Ongoing negotiations, including those mediated by the United Nations and Oman, aim to achieve a political resolution to the conflict. Recent discussions have focused on critical issues such as the reopening of Houthi-controlled ports and Sanaa airport, reconstruction efforts, and the timeline for the withdrawal of foreign forces from Yemen (Global Conflict Tracker, 2023). The UN has emphasized the importance of a comprehensive and inclusive political solution that addresses the concerns of all Yemeni stakeholders (UN Security Council, 2023).
2. **Humanitarian Aid:** International organizations continue to provide essential humanitarian assistance to alleviate the suffering of the Yemeni population. Despite ongoing challenges, such as restrictions on aid delivery and the deteriorating security situation, humanitarian efforts remain a priority, with two-thirds of Yemen's population requiring urgent assistance (Reuters, 2023; PRIO, 2023). The UN has called for the lifting of impediments to humanitarian access, particularly those affecting vulnerable groups, including women and children (UN Security Council, 2023).
3. **Documentation and Reporting:** Continuous documentation of violations is crucial for ensuring accountability and supporting future justice processes. The Group of Eminent International and Regional Experts on Yemen has been instrumental in documenting human rights abuses and violations of international humanitarian law, providing vital information that can aid

in holding perpetrators accountable (UN Human Rights Council, 2021). This documentation serves as a foundation for potential legal actions and reinforces the need for accountability in the ongoing conflict.

### THE ROLE OF THE SECURITY COUNCIL IN IMPLEMENTING THE RULES FOR THE PROTECTION OF CIVILIANS

The United Nations Security Council (UNSC) plays a pivotal role in enforcing international humanitarian law (IHL) and safeguarding civilians in conflict zones, including Yemen. Its responsibilities include the imposition of sanctions, authorization of military interventions, and the referral of situations to the International Criminal Court (ICC) to ensure accountability and adherence to international norms. The UNSC has consistently prioritized the protection of civilians through various resolutions. For instance, Resolution 1265, adopted in 1999, marked the first time the UNSC addressed the protection of civilians in armed conflict as a thematic agenda item, establishing a framework for future actions. Subsequent resolutions have reinforced this commitment, condemning attacks on civilian infrastructure and emphasizing the need for compliance with humanitarian law in Yemen.

One of the key ways the Security Council promotes the protection of civilians is by demanding that all parties to a conflict respect their obligations under international law. This includes ensuring humanitarian access and protecting humanitarian workers, as highlighted in resolutions aimed at safeguarding those involved in delivering aid. By holding parties accountable to their legal responsibilities, the UNSC works to prevent violations and promote justice for victims of violence. Furthermore, the Security Council has the authority to refer situations to the ICC, which could facilitate investigations and prosecutions of individuals responsible for serious crimes

such as war crimes and crimes against humanity. This serves as an important deterrent against violations and sends a clear message that impunity will not be tolerated. Additionally, the UNSC can impose targeted sanctions on individuals and entities implicated in violations of IHL and human rights law. These sanctions, which can include asset freezes and travel bans, exert pressure on perpetrators to change their behavior and comply with international legal standards.

The Security Council's actions are not limited to Yemen. It has addressed the protection of civilians in numerous other conflict situations, consistently reaffirming the importance of compliance with IHL and human rights law. This includes condemning attacks on schools, hospitals, and other civilian infrastructure, as well as calling for the protection of vulnerable groups such as women, children, and persons with disabilities. However, the effectiveness of the Security Council in implementing the rules for the protection of civilians is not without challenges. The veto power of the permanent members can sometimes hinder decisive action, and the lack of a standing UN military force limits the Council's ability to directly intervene in conflicts. Additionally, the evolving nature of warfare, with the increasing involvement of non-state armed groups, requires the UNSC to adapt its approaches to address emerging threats to civilians. Despite these challenges, the Security Council remains a crucial actor in promoting the protection of civilians in armed conflict. By using its various tools and authorities, the UNSC can hold parties accountable, facilitate justice, and work towards a world where the rules of war are respected and civilians are shielded from the devastating effects of conflict.

### DISCUSSION

The discussion section of this study delves into the implications of the findings concerning the international responsibility of



the parties involved in the Yemeni conflict. The widespread and systematic violations of International Humanitarian Law (IHL) and Human Rights Law (HRL) by all major actors highlight a severe humanitarian crisis exacerbated by the conflict's protracted nature.

#### LEGAL ACCOUNTABILITY

This study emphasizes the legal obligations of state and non-state actors under international law. The Geneva Conventions and the Rome Statute establish clear guidelines for the protection of civilians, the conduct of hostilities, and the treatment of detainees. Despite these frameworks, the parties to the Yemeni conflict have repeatedly violated these principles, leading to widespread suffering and loss of life. The study argues that these violations establish a clear basis for civil and criminal responsibility, necessitating robust international legal action.

#### CHALLENGES IN ENFORCEMENT

One of the critical challenges identified in the study is the lack of effective enforcement mechanisms. While international law provides a framework for accountability, political considerations, and the complexities of international relations often hinder the implementation of justice. The study discusses the difficulties in holding state actors accountable, particularly when powerful states are involved, and the limitations of existing international institutions like the International Criminal Court (ICC) in prosecuting war crimes and human rights violations.

#### ROLE OF THE INTERNATIONAL COMMUNITY

The study underscores the need for a coordinated international response to address the violations in Yemen. The role of the UN Security Council is particularly highlighted, given its mandate to maintain international peace and security. The study calls for

enhanced efforts by the international community to impose sanctions, refer cases to the ICC, and support national and international courts in prosecuting those responsible for the violations.

#### HUMANITARIAN IMPACT

The study also discusses the devastating humanitarian impact of the conflict on the civilian population. The obstruction of humanitarian aid, the targeting of civilian infrastructure, and the use of prohibited weapons have led to a humanitarian catastrophe. The study advocates for increased humanitarian assistance and the protection of aid workers as crucial measures to mitigate the ongoing crisis.

#### RECOMMENDATIONS

The study provides recommendations for strengthening international legal mechanisms and improving the enforcement of IHL and HRL in conflict situations. These include enhancing the capacity of the ICC, improving the implementation of UN Security Council resolutions, and increasing international support for domestic legal systems in Yemen to ensure accountability at all levels.

#### CONCLUSION

The Yemen crisis underscores the vital importance of international responsibility in armed conflicts, necessitating accountability for both individuals and states involved in grave violations of international humanitarian law (IHL) and human rights law (IHRL). Various parties, including the Saudi-led coalition, the Southern Transitional Council, and the Houthi Movement, have contributed to immense civilian suffering and must uphold principles designed to protect non-combatants. Effective enforcement mechanisms, including international and national courts, as well as the active engagement of the United Nations Security Council (UNSC),

are crucial for promoting accountability and ensuring compliance with international norms. Establishing individual criminal responsibility is essential for delivering justice to victims and preventing future atrocities. Ultimately, a concerted effort from the international community is necessary to support peace initiatives, enforce accountability, and provide humanitarian aid, thereby paving the way for stability and resolution in Yemen. The study contributes to the broader discourse on international legal responsibility in armed conflicts, offering critical insights and recommendations for addressing the violations in Yemen and supporting peace initiatives. The findings emphasize the urgent need for global action to uphold international law, protect civilians, and pursue justice for the victims of the Yemeni conflict.

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#### CONFLICT OF INTEREST

The authors declare no conflict of interest.

#### AUTHORS' CONTRIBUTION

HYHA conceptualized the research, data collection and manuscript writing. SMB supervised the research design and assisted in the interpretation of collected reports. BAA provided guidance, methodological support, reviewed and edited the manuscript.

All authors read and approved the final manuscript for publication.

#### REFERENCES

- Al Jazeera. (2023). A timeline of Yemen's slide into conflict and war. *Al Jazeera*.  
<https://www.aljazeera.com/news/2023/4/11/a-timeline-of-yemens-slide-into-conflict-and-war>
- Amnesty International. (2019). *ICC must investigate arms company executives linked to Yemen war crimes allegations*. Amnesty International.  
<https://www.amnesty.org/en/latest/press-release/2019/12/icc-investigate-arms-companies-yemen-war-crimes-allegations/>
- Amnesty International. (2022). *Yemen 2021*. Amnesty International.  
<https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/yemen/report-yemen>
- Amnesty International. (2023). *Human rights in Yemen: A report*. Amnesty International.  
<https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/yemen/report-yemen/>
- Aziz El Yaakoubi. (2023, April 13). UN Envoy encouraged by peace talks between Yemen stakeholders. *Reuters*.  
<https://www.reuters.com/world/middle-east/un-envoy-encouraged-by-peace-talks-between-yemen-stakeholders-2023-04-11>
- Bassiouni, M. C. (2008). *International Criminal Law: Volume I: Sources, subjects, and contents* (3rd ed.). Transnational Publishers.
- Bassiouni, M. C. (2008). *The legislative history of the International Criminal Court: An article-by-article evolution of the Statute*. Transnational Publishers.

- Britannica. (2023). *International Law - Responsibility, sovereignty, obligations*. Britannica. <https://www.britannica.com/topic/international-law/The-responsibility-of-states>
- Britannica. (2023). *Yemeni Civil War*. Britannica. <https://www.britannica.com/event/Yemeni-Civil-War>
- Chatham House. (2024). *The United Nations Security Council and the protection of civilians*. Chatham House. <https://www.chathamhouse.org/2024/03/united-nations-security-council-and-protection-civilians>
- Corder, M. (2021, August 30). Lawyers seek ICC probe into alleged war crimes in Yemen. *AP News*. <https://apnews.com/article/middle-east-crime-war-crimes-yemen-fefba6965cecdde71ff76f7a05c95798>
- Crawford, J. (2013). *State responsibility: The general part*. Cambridge University Press.
- Crawford, J. (2024, March 28). *Yemen: A decade of war with no sign of justice*. JusticeInfo. <https://www.justiceinfo.net/en/130093-yemen-a-decade-of-war-with-no-sign-of-justice.html>
- European Center for Constitutional and Human Rights (ECCHR). (2023). *European responsibility for war crimes in Yemen*. ECCHR. <https://www.ecchr.eu/en/case/european-responsibility-for-war-crimes-in-yemen/>
- European Center for Constitutional and Human Rights (ECCHR). (2020). *Accountability for alleged war crimes in Yemen – European arms exporters' responsibility is a case for the International Criminal Court*. ECCHR. [https://www.ecchr.eu/fileadmin/Q\\_As/QA\\_ICC\\_arms\\_Yemen\\_ECCHR\\_CAAT\\_Mwatana\\_Amnesty\\_Delas\\_Rete.pdf](https://www.ecchr.eu/fileadmin/Q_As/QA_ICC_arms_Yemen_ECCHR_CAAT_Mwatana_Amnesty_Delas_Rete.pdf)
- Gallmetzer, R., & Klamberg, M. (2005). *Individual responsibility for crimes under International Law: The UN Ad Hoc Tribunals and the International Criminal Court*. DiVA Portal. <http://su.diva-portal.org/smash/get/diva2:187118/FULLTEXT01.pdf>
- Global Campus of Human Rights. (2023). *The legal framework of duress in War Crimes Trials*. GCHR. <https://repository.gchumanrights.org/server/api/core/bitstreams/293675e2-8db4-40a1-83e3-3a9c4b547f5a/content>
- Global Centre for the Responsibility to Protect. (2021). *Yemen*. *Global Centre for the Responsibility to Protect*. <https://www.globalr2p.org/countries/yemen>
- Global Conflict Tracker. (2023). *War in Yemen*. *CFR Global Conflict Tracker*. <https://www.cfr.org/global-conflict-tracker/conflict/war-yemen>
- Heim, S. J. (2013). The applicability of the duress defense to the killing of innocent persons by civilians. *Cornell International Law Journal*, 46.
- Human Rights Watch. (2015). *Q & A on the conflict in Yemen and International Law*. Human Rights Watch. <https://www.hrw.org/news/2015/04/06/q-conflict-yemen-and-international-law>
- Imperial War Museums (IWM). (2023). *Yemen: Background to a crisis*. IWM. <https://www.iwm.org.uk/history/yemen-background-to-a-crisis>
- International Committee of the Red Cross (ICRC). (2013). *Universal jurisdiction: A practical guide to the law and practice*. ICRC. <https://guide-humanitarian-law.org/content/article/3/universal-jurisdiction/>
- International Committee of the Red Cross (ICRC). (2016). *Commentary on the*

- First Geneva Convention*. ICRC. <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-0173.pdf>
- International Committee of the Red Cross (ICRC). (2021). *Customary International Humanitarian Law: Rule 151*. ICRC. <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule151>
- International Committee of the Red Cross (ICRC). (2021). *The Geneva Conventions of 1949 and their Additional Protocols*. ICRC. <https://www.icrc.org/en/document/geneva-conventions-1949-additional-protocols>
- International Law Commission (ILC). (2001). *Articles on the responsibility of States for internationally wrongful acts*. ILC. [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)
- International Residual Mechanism for Criminal Tribunals. (n.d.). *Duress*. IRMCT. <https://cld.irmct.org/notions/show/288/duress>
- Just Access. (2020). *The international legal responsibility of de facto authorities and terrorist organizations in the Yemeni conflict*. Just Access. <https://just-access.de/international-legal-responsibility-of-de-facto-authorities-and-terrorist-organisations-in-the-yemeni-conflict>
- Legal Tools. (2023). *Legal considerations on duress in International Law*. Legal tools. <https://www.legal-tools.org/doc/1841b5/pdf>
- Manifold, J. S. R. (2020). *What is the law on duress under international criminal law (ICL)? Is it a defence (full or partial)? If not, what effect does it have in mitigating culpability?* Case Western Reserve University. [https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1110&context=war\\_crimes\\_memos](https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1110&context=war_crimes_memos)
- Mohammed Al-shuwaiter. (2024, May 15). *The role of the judiciary in achieving transitional justice and reconciliation in Yemen*. Sana'a Center for Strategic Studies. <https://sanaacenter.org/publications/22598>
- Reliefweb. (2023, Jun 12). *The struggle for justice: The situation of impunity and accountability avenues for violations committed in Yemen*. Reliefweb. <https://reliefweb.int/report/yemen/struggle-justice-situation-impunity-and-accountability-avenues-violations-committed-yemen>
- Robinson, K. (2023, May 1). *Yemen's tragedy: War, stalemate, and suffering*. Council on Foreign Relations (CFR). <https://www.cfr.org/backgrounder/yemen-crisis>
- Rome Statute of the International Criminal Court. (1998). ICC. <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>
- Ryan, M. (2020, September 10). U.N. report calls for alleged war crimes in Yemen to be referred to International Criminal Court. *The Washington Post*. [https://www.washingtonpost.com/national-security/un-report-calls-for-alleged-war-crimes-in-yemen-to-be-referred-to-international-criminal-court/2020/09/10/3eb69194-f369-11ea-9279-45d6bdfef145f\\_story.html](https://www.washingtonpost.com/national-security/un-report-calls-for-alleged-war-crimes-in-yemen-to-be-referred-to-international-criminal-court/2020/09/10/3eb69194-f369-11ea-9279-45d6bdfef145f_story.html)
- Security Council Report. (2024). *UN Security Council Resolutions on protection of civilians*. Security Council Report. [https://www.securitycouncilreport.org/un\\_documents\\_type/security-council-resolutions/?cbtype=protection-of-civilians&ctype=Protection+of+Civilians](https://www.securitycouncilreport.org/un_documents_type/security-council-resolutions/?cbtype=protection-of-civilians&ctype=Protection+of+Civilians)
- UN News. (2023). Security Council imposes sanctions on individuals and entities in Yemen. *UN News*.

- <https://news.un.org/en/story/2023/04/1135932>
- UN Security Council. (2023). Despite ongoing challenges, parties to Yemen conflict showing progress in peace talks. *UN Press*. <https://press.un.org/en/2023/sc15284.doc.htm>
- United Nations Human Rights Council. (2021). *Group of eminent international and regional experts on Yemen: Fourth Report*. UN OHCHR. <https://www.ohchr.org/en/hr-bodies/hrc/yemen-gee/index>
- United Nations Security Council (UNSC). (1999). *Resolution 1265 on the Protection of Civilians in Armed Conflict*. UNSC. [https://undocs.org/S/RES/1265\(1999\)](https://undocs.org/S/RES/1265(1999))
- United Nations Security Council. (2019). *Resolution 2451 (2018)*. *UN Digital Library*. [https://undocs.org/S/RES/2451\(2018\)](https://undocs.org/S/RES/2451(2018))
- United Nations Security Council. (2023). *Report on the situation in Yemen*. *UN Security Council*. <https://www.un.org/en/securitycouncil>
- United Nations. (1966). *International Covenant on Civil and Political Rights*. UN Treaty Collection. <https://treaties.un.org/doc/Publication/UNTS/Volume%201999/volume-1999-I-14668-English.pdf>
- United Nations. (1984). *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN Treaty Collection. <https://treaties.un.org/doc/Publication/UNTS/Volume%201246/volume-1246-I-20378-English.pdf>
- United Nations. (2019). *The Geneva Conventions and Additional Protocols*. UN. [https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.10\\_Geneva\\_Conventions.pdf](https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.10_Geneva_Conventions.pdf)
- United Nations. (2019). *The humanitarian impact of the conflict in Yemen*. UN. <https://www.un.org/en/chronicle/article/humanitarian-impact-conflict-yemen>
- United Nations. (2019). *Yemen: Collective failure, collective responsibility – UN Expert Report*. UN OHCHR.
- Wentker, A., Jackson, M., & Hill-Cawthorne, L. (2024). *Identifying co-parties to armed conflict in International Law*. Chatham House. <https://doi.org/10.55317/9781784136017>
- Wilson Center. (2022, July 7). *Who are Yemen's Houthis?* Wilson Center. <https://www.wilsoncenter.org/article/who-are-yemens-houthis>