

BMAL 2019

Special Council on Regional Conflict and Instability

Yemen

Topic 2: Considering protections for refugees, migrants and displaced persons, with an emphasis on improving aid to those in conflict affected regions.

#### I. Past and Current International Action

The refugee crisis is rapidly expanding in its role as a long-enduring issue; without further intervention, little hope may be had for improvement. International measures have been taken in furtherance of this goal. As a first step, solidifying a universal understanding of refugees, the United Nations established the 1951 Convention Relating to the Status of Refugees. This Convention—along with definitively setting the conditions prescient to the consideration of persons as refugees—protects the displaced from return to their country while at risk of perilous conditions (United Nations, *Convention and Protocol* 14-16, 29). This protection, and others found in the Convention, were further expanded upon by the United Nations' 1967 Protocol Relating to the Status of Refugees, which afforded the same protections to a wider range of peoples (United Nations, *Protocol Relating* 48). In addition, the establishment and continuation of the United Nations High Commissioner for Refugees (UNHCR) made—and is making—significant strides toward a goal of greater stability and security for refugees. The UNHCR is dedicated to the general aid of refugees, and was established as a reaction to the brutality and hardship experienced by refugees as a result of World War II, although the office

persists to this day in a broader capacity (“History of UNHCR”). The UNHCR has, for instance, provided substantial humanitarian aid to refugees and internally displaced persons (IDPs) in, and from, Lebanon since 2006 (*UNHCR Global 1*); this pattern of aid has manifested itself in a multitude of regions throughout the world, thus allowing the UNHCR the installation of itself as a prevailing humanitarian power. Further multinational institutions have been chartered with analogous direction, such as the International Organization for Migration (IOM), which indicates a desire “[t]o enhance the humane and orderly management of migration and the effective respect for the human rights of migrants in accordance with international law” (“Mission”). Although the IOM has a focus on statal aspects of refugee crises—that is, the IOM works closely with governments to provide aid in their struggles with migration—it greatly benefits the ability of migrants and refugees to exist in a supported manner. Moreover, the role of the World Health Organization (WHO) has been expanded to allow the agency a role as a facilitator for the protection of health for migrants, refugees, and IDPs (United Nations, *Promoting the Health 5*).

Action has not merely been limited to the United Nations and its associated organizations, however. The Arab League has provided measures intended to limit the detriment at which refugee crises come at, for both refugees and their host nations. For instance, the 1994 Arab Convention on Regulating Status of Refugees in the Arab Countries was an unratified Convention that, among other articles, established a set of rights which refugees may be guaranteed while residing in Arab countries party to the agreement—such as the freedom to not be expelled without proper reason, to not be withheld from return without proper reason, and to not experience restricted movement (*Arab Convention 1*). Notwithstanding these efforts made toward improving the refugee condition, the Convention did not succeed in garnering the support

necessary to be ratified, and thus failed (1). Through this, a display of the challenges facing new solutions may be realized; the consensus in regards to the desire for the betterment of refugee conditions does not exist in the same capacity in the Arab League as it may in the United Nations.

## II. Yemen's Position

Yemen has a unique perspective on refugee crises, owing to a myriad of aspects and influencing factors. Yemen has implemented a generally progressive refugee policy; in 2018, 271,347 refugees resided in Yemen (*UNHCR Submission 1*). In further reflection of this statement, Yemen is the only country residing upon the Arabian Peninsula to have ratified the aforementioned 1951 and 1967 Convention and Protocol, respectively (“Yemen Fact Sheet” 1). These two documents have protected a range of freedoms for refugees. The prevalence of the refugee crisis in Yemen has contributed to the presence of the state as a de facto leader in the Arab world on refugees, migrants, and IDPs.

Many of the adverse effects experienced by refugees, migrants, and IDPs revolve around the inability of these persons to attain a reasonable livelihood, due to the lack of an education; education is considerably less prevalent in conflict-stricken regions—the regions exporting refugees—than it elsewhere (*Humanitarian Aid for Education 2*). Without education, improvement to the condition of refugees cannot be made in a timely manner. Education is required for the self-determination of refugees, a fundamental freedom necessitated for all. Furthering Yemen's progressive approach to this issue, and aiding in the achievement of livelihoods for many, Yemen has implemented an agency titled the Adventist Development and

Relief Agency (ADRA), which provides job training for a wide range of refugees. As of 2011, ADRA was training 2,000 refugees in practical and marketable skills (“ADRA Helps”). Upon getting a job with these new skills, these refugees will have bettered their condition and ensured freedoms to themselves through their newfound security. This policy of education as a means of allowing those in crisis to create their own protection reflects the value of autonomy so central in Yemen.

Additionally, Yemen has followed other action that clearly emphasizes the great importance it places upon the protection of refugees, migrants, and IDPs. In Somalia, current conditions are such that it is unfavorable to reside there; as such, many persons from Somalia travel across the Gulf of Aden into Yemen (*UNHCR Submission 2*). These people experience great unilateral support from the Yemeni government, which allows them access to the country without impediment, in addition to the previously outlined rights and protections (2). The considerable support for a group of people without significant backing nor livelihoods for themselves is especially applicable in demonstrating the humanitarian role that Yemen plays when it comes to the admittance of refugees. The *prima facie* approach utilized affords notable improvement over other methods, and prioritizes the people of the conflict over much else. As previously iterated, this indicates the progressive attitude towards refugees in Yemen.

The relevance of internal policy relating to IDPs is especially important in Yemen when considered in relation to the strikingly high number of them existing within the nation’s borders; one tenth of the population is internally displaced (1). This high number places great strain upon the infrastructure of Yemen, as the country works to maintain reasonable living standards for those that necessitate aid. As such, Yemen should be looked toward when deciding policy for the

broader Arab states, both in regards to refugees and IDPs; Yemen has placed itself in a position through which it may demonstrate the effectiveness of implemented strategy and action to an extent greater than may be expected of a developing nation.

### III. Proposed Solutions

Yemen recognizes the immediate need for measures to protect migrants, refugees, and IDPs. The conditions to which they are subjected are abhorrent, and mustn't be tolerated should the Arab nations wish to exist in a modern capacity appropriate to the 21st century. No single solution may achieve the degree of change Yemen finds to be satisfactory. As such, Yemen puts forward these three solutions, which should be implemented together for the result most advantageous to displaced persons.

First, Yemen posits that the achievement of the responsibility of the Arab states to enact significant action through which protections of refugees, migrants, and IDPs may be guaranteed lies in the ability of the states to definitively express a set of guiding principles and goals dictating this aforementioned goal. It is all too easy for a nation to stray from that which they should follow if there is nothing clearly setting a path. As such, Yemen proposes a protection roadmap—the Roadmap for the Protection of Displaced Persons (RPDP). This roadmap would prescribe responsibilities to national governments in relation to protections for these groups and clearly communicate a timeline upon which these responsibilities should be achieved. The specifics of the roadmap should be decided in collaboration with all states party to it, reliant upon a simple majority vote, with special consideration for the immediate needs of refugees, migrants, and IDPs—nearly all of whom are inherently in such a position that they may not make

their own voices heard. The roadmap should have goals set in such a fashion that they may have appreciable results over the short term, while simultaneously ensuring the longevity of protections. Yemen believes that an overarching plan is necessary due to the vastly differing policies of Arab League member states. Accordingly, through adherence to the roadmap, significant progression may be realized.

Second, Yemen introduces a suggestion for the creation of the Arab Relocation Committee (ARC)—an intergovernmental body committed to the efficient and effective relocation of refugees, migrants, and IDPs into Arab states. The greatest portion of the suffering of these groups intrinsically occurs prior to their arrival at a secure region with the facilities and capability to aid them; as such, a body by which this gap in protections may be lessened may greatly improve overall protections for harmed groups. The UNHCR exists to an extent in this capacity; however, this body would be regional, and thus able to exercise greater specific control over policy. The same actions do not work in all locations, so the decentralization of large bodies similar to the UNHCR may aid in the protection of refugees, migrants, and IDPs. The adverse effects of decentralization, including the likely presence of differing ideals between the body and the UNHCR, can be corrected or allowed for while the body experiences strict adherence to control by the Arab League, which would preside over it. It is further suggested that the body works in a close relationship to the UNHCR, as the UNHCR has seen significant effort come to fruition prior to now. A body such as this would allow for the solidification of the security of basic rights for these groups detailed as the ease through which relocation occurs increases; distinct improvement may be made this way.

Finally, Yemen urges members to consider the implementation of a close relationship between the Arab League and NGOs to monitor the state of migrant, refugee, and IDP rights and freedoms. Specifically, Human Rights Watch (HRW) should be looked toward to aid in this endeavour, although other NGOs may also be used in similar capacities, and likely with similar success. HRW has a long history of effective monitoring of human rights abuses throughout the world (“About Our Research”). Considering that it already has performed past monitoring and analysis in the same nations as exist in this Arab League, it would be prudent to further utilize the organization. NGOs should be used hand-in-hand with the previous proposition to create a body dedicated to relocation; they may observe the body to ensure that it is free, fair, and just in the application of its duties. The preexisting role of HRW is to hold accountable governments and groups that act to the detriment of guaranteed rights and freedoms. By specifically focusing that role on displaced persons in Arab countries, HRW may ensure their protection, should a government or the aforementioned body, if implemented, regrettably decide to take action deemed detrimental to the rights of refugees, migrants, or IDPs. Although other action may be taken with the express goal of furthering protections for these endangered groups, not much secures the longevity of protection—a necessary device—to the same degree as monitoring by NGOs.

Topic 3: Discussing foreign influence in ongoing conflicts in order to prevent destabilization from outside actors.

#### I. Past and Current International Action

Foreign influence in domestic matters is an ever expanding issue in the modern day. The root of this issue is the potential for foreign influence to perpetuate conflict or contribute to the destabilization of a region, intentionally or not. The Middle East is a region ripe with conflict, especially in the Arab States, and thus has played a prominent role at the forefront of this issue, although past international law has applied sweepingly to the entire world. Through the close study of actions taken with the intent of the furtherance of the restoration of sovereignty to nations in conflict, a better understanding of this subject matter may be had.

First, in a resolution put forth by the United Nations General Assembly in 1970, international law in relation to intervention by foreign nations is detailed. The United Nations takes a stance strongly in support of non-intervention, clearly stating, “No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently,...forms of interference...are in violation of international law” (United Nations, *Declaration on Principles 7*). The establishment of such deep-rooted protections of states’ abilities to maintain sole possession of national sovereignty creates an environment hostile to foreign influence, and thus the adverse effects that may come with said influence. International law is especially relevant to the topic of foreign influence, as nations engaged in proxy-wars frequently hail from opposite sides of the globe; for these nations,



international law is the only overarching power setting and enforcing limits on their ability to wage war and interfere in foreign autonomy.

The extent to which foreign influence may exist has been further limited by the International Court of Justice (ICJ). In the judgement for a 1986 court case between the United States of America and the Republic of Nicaragua over alleged American support of paramilitary activities in Nicaragua, the ICJ emphasized the importance of non-intervention by affirming that, “The principle of non-intervention involves the right of every sovereign State to conduct its affairs without outside interference; though examples of trespass against this principle are not infrequent, the Court considers that it is part and parcel of customary international law” (*Military and Paramilitary* 6, 96). Similar to the previous statement by the United Nations, this court case expands upon an international understanding of the responsibility of states to not interfere in other nation’s domestic matters. The combination of these two documents demonstrates a pattern of past politics as being strongly against foreign intervention. With modern political developments, this cohesive idea may be fracturing; however, this case, and the previous resolution, are important to the greater image of action surrounding foreign intervention in conflict-stricken areas.

## II. Yemen's Position

Yemen maintains that there exists a difference between positive and negative foreign influence; it is not an intrinsically negative aspect of the relationships between countries, but rather has the potential to become one. Should this occur, a continuation of conflict may be created, as actors on both sides receive backing contributing to their power—both militaristic and

not. This power makes the defeat of either one side more difficult, leading to long-lasting conflict at the cost of all involved.

As an instance of the negative possibility of foreign influence, exists the relations between Houthi rebels and Iran in Yemen. Houthi rebels fight against government forces while concurrently taking significant aid and general support from the nation of Iran (“War in Yemen”). Through this, they have been able to secure a range of relatively advanced weapon technologies from Iran (“Yemen Says”). With greater technology comes the extension of this conflict to be indefinite. It no longer exists as a fight between small forces, it rather becomes the playing field for a broader conflict; it becomes a proxy-war. Yemen regards this existence in a negative light. The sovereignty of the nation of Yemen is challenged by this unilateral foreign influence over an essentially terrorist group (“Yemen: Houthi”). Although policy has not been explicitly taken towards the prevention of this influence, Yemen has previously condemned the influence exerted by Iran. One such instance of this condemnation was the proclamation by the foreign minister for Yemen, in front of the United Nations, that Iran was to blame for the conflict ongoing in Yemen (“Yemen Foreign”). In combination with reports detailing the extent of the influence (Roth), it may be posited that greater awareness of the prevalence of this issue has been raised. This awareness is the first step towards the prevention of further influence, or even a rollback of already existing control.

Not all aid may be negative, however. Yemen has seen significant benefit derived from a close relationship with the state of Saudi Arabia. A Saudi-led coalition has intervened on behalf of the Yemeni government in fighting against the Houthi rebels (Congressional Research 3). This coalition works closely with the government in Yemen in the endeavour to reinstate security and

stability into the region, with an end goal of having the Yemeni government in complete charge of the nation (1). A range of action has been taken by the coalition, with airstrikes against Houthi strongholds being prominent (3). This influence has not destabilized the autonomy of the state of Yemen; rather, it has come to its benefit. The close link between Yemen and the Saudi-led coalition has allowed for significant strides in the prevention of Houthi gains. Should support be pulled out, Yemen would be less well-equipped in the battle against a group of rebels that already has significant backing from another nation (“War in Yemen”). Yemen posits that aid from the Saudi-led coalition contributes to a strong presence of the nation while maintaining its sovereignty.

### III. Proposed Solutions

The complex presence of the issue of foreign influence exerted over a sovereign nation requires a careful approach. Action must be taken to limit the extent to which ruinous alliances may harm the human condition as a whole, such as through considerable support of terrorist activities and embargo violations (Congressional Research 5; Gladstone). However, this action must be limited in its scope such that nations may continue to exist in mutually beneficial symbiotic relationships with other nations, a practice necessary to sustained existence in this globalizing world. The following three proposals put forth by Yemen provide for the creation of policy disallowing and allowing for the aforementioned relationships, respectively.

As a first step, the Resolution for the Preservation of National Sovereignty (RPNS), describing a comprehensive list of actions with the potential to be taken by foreign countries and deemed to impede on national sovereignty, should be created. Following the creation of such a

document, the Arab League should vote to instate sanctions or embargoes on nations that it finds in violation of this list, following due and unbiased research into the situation to avoid rash decisions. The inherently negative aspect of foreign influence, being the potential for states greedy for expanded control on the global stage to further their sphere of control, may be countered through this. These nations would be under threat of experiencing the antithesis to what they desired—sanctions have the potential to limit their ability to exercise authority over others. The Arab League has the ability to unilaterally affect change in the world, due to the broad scope of its powers and members. Yemen concludes that under threat of the exertion of this power, foreign nations would not over-exercise their authority, thereby protecting the sovereignty of other states.

Supplementary action should be taken through the expansion of the Arab Monetary Fund to further provide for loans to Arab states experiencing less than economic prosperity. This expansion would be funded by wealthier members of the Arab League, on a mandatory or voluntary basis. At their roots, the problems surrounding foreign influence exist because of a need exhibited by a range of relatively impoverished nations for aid; they simply cannot exist in a satisfactory capacity without it. This need is further amplified by conflict. Consequently, the nations turn toward world powers to develop relationships in which they may gain aid, monetary or not. Frequently, this aid does not come without greater control over the nation receiving aid by the nation providing it. For this reason, Yemen presumes that monetary aid by the Arab states themselves, by extension of the Arab Monetary Fund, would circumvent this issue. Not only would the aid be provided by states with which the receiving state already exists in an equivalent capacity to, thereby reducing the potential for a disproportionate relationship, the aid would be

distributed by a multitude of nations. This prevents the one-on-one link between nations that has been seen in problematic situations before, such as in the previously described situation between Iran and the Houthi rebel faction in Yemen. A relationship such as this one increases the ease with which greater control may be applied to the receiving nation; if there were many states providing aid, or a body facilitating aid, such as the Arab Monetary Fund, greater autonomy could be realized.

Ultimately, Yemen believes that the creation of a body solely dedicated to mediation between opposing groups is necessary to further the goal of limiting harmful foreign influence in conflicted regions. While the aforementioned policy proposals would see great improvement to the stabilization of conflicted regions through the prevention of adverse foreign influence, they do not individually extend far enough. Instead, they should be instituted in combination with this new body, the express goal of which would be to eliminate the requirement for prevention of harmful influence in conflicted regions by eliminating the potential for conflicted regions to exist in the first place. Although Yemen realizes that this is an idealistic goal, it affirms that through efforts made towards this goal, progress may be seen in the sovereignty of nations. Furthermore, Yemen asserts that this proposal would have a second benefit. Conflicted regions are not only harmful to national sovereignty, they are harmful to those that reside in them. Through the creation of this body, living conditions in these regions may be elevated. With these two benefits, Yemen postulates that this body would greatly benefit the Arab world.

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