



The Investigation of Yemen Crisis from the Perspective of International Law and the Actions of Iran and Saudi Arabia

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Abstract

During long centuries Middle-East has been always called the place of international conflicts and disputes and Yemen crisis also appeared in a case which was not merely caused by domestic players' disputes rather with the presence of regional and trans-regional forces such as Saudi-Arabia, United Arab Emirates and some of regional and western countries it found new dimensions for itself. The aim of this study is the investigation of Yemen crisis and the effect of foreign players from the perspective of international law. The theoretical framework of present study is focused on legal legitimacy of Iran and Saudi Arabia's actions in the Yemen crisis from the perspective of humanitarian laws and the process of forming and aggravation of this conflict in which Iran and Saudi Arabia have a determinative role.

Keywords: Use of Force; The Principles of The Charter of the United Nations; Military Intervention-Yemen; Iran; Saudi Arabia

Introduction

One of the most important regional problems is the issue of Yemen which is of great importance from the point of view of law. In the early hours of March 26th 2015 a military intervention by the code-name of Operation Decisiveness Storm was launched by an air strike from the coalition of regional Arab countries led by Saudi-Arabia. The run of this operation was amongst Muhammed Ben Salman's first actions after being appointed as defense minister. Then Houthi militia (Ansar-ul-Ilah Movement), which were fighting representatively for Iran according to the belief of Riyadh state, had ousted the current Yemeni president Abdrabbuh Mansur Hadi from the country by taking the control of Sanaa. In this operation, countries such as Qatar, Kuwait, UAE and Bahrain as Saudi's allies and countries like Sudan, Morocco, Egypt, Jordan and other ones were cooperating with Riyadh for military weapon delivery. Saudi Arabia also intended to make countries like Pakistan join as its allies for military invasion to Yemen. With the aim of denying military intervention in territorial integrity of Yemen, Saudi-Arabia announced that the military measures of Arab countries coalition led by this country was done in response to Yemen Legitimate President's request. The military aims of this operation included: the reinstatement of legitimacy to the Yemen Legal President Abdrabbuh Mansur Hadi, the repulsion of Houthi militia from urban areas and streets and the disarmament of Houthis.

America's support for Saudi Arabia and promises of logistic support to this coalition facilitated the legitimacy that it was seeking in international arena for this country. In addition, the consensus of Arab countries in Security Council and their wish of arms embargo against Ansar-ul-Ilah Movement was another winning card for legitimacy of Riyadh's measures¹.

This paper tries to evaluate and analyze legal legitimacy of Saudi Arabia and Iran's measures over Yemen crisis and, meanwhile, to investigate Saudi Arabia's relations with its neighbor (Yemen) and also Iran's relation with Yemen.

Saudi Arabia's Relations and Yemen

This country has territorial conflicts in southern area with its neighbors; this country's boundaries with its two neighbors Yemen and Oman has not been determined since it includes a large vast area from Red Sea to Rub' al Khali and Al-Buraimi oasis which is disputed (this area is located in the boundary of Oman, UAE and Saudi-Arabia).

In 1969, Southern Yemen attacked Saudi Arabia's boundaries with the help of Russia and China and during its advances Jazan airport was on the threshold of fall. But this war was ended with no result. After the unification of two Yemens in 1990, this united Yemen gained power against its rival then Saudi-Arabia fell into struggle to do something and established a military base 5 kms away from the country's boundary in the disputed region with Yemen which could foment disputes between two countries and from the other side in March 1992 Saudi-Arabia issued the order of evacuation for Yemen-protected oil companies busy oil exploring activities in the disputed area. Another issue is in the context of disagreements between Yemen and Saudi-Arabia over Asir region. This region was separated from Yemen in 1934 not accepted by Yemen and these two countries didn't achieve any positive results in their Geneva talks in 1992. In contrast, Yemen wanted changes in borderlines and Jazan, Najran and Asir areas which are oil-rich regions. The condition of boundary lines of this country has still remained insoluble².

Islamic Republic of Iran Relations and Yemen

In 1960's the ousted Shah supported Yemeni fighters against Marxist groups. Before Islamic Revolution the two Yemens had no specific position in Iran's foreign policy. After 1979 and the beginning of war between Iran and Iraq, Northern Yemen under the leadership of Ali Abdullah-Saleh stood by Persian Gulf countries and Southern Yemen under the leadership of Nasser Muhammed stood by Iran. Iran's relations with Southern Yemen had sufficient development whilst the relations with Northern Yemen were under the influence of taking-positions of Persian Gulf cooperation council. After Iran and Iraq war, the relations of two countries had no specified definition and with the unification of two Yemens in 1990 a new period of relations between Iran and Yemen initiated and gradually it began to improve. Many agreements between two countries in different areas were signed. In 2000, Ali Abdullah-Saleh travelled to Tehran and Mr. Khatami the current President travelled to Sanaa in 2003. Nearly 40% of population of this country consists of Zaidi Shia Muslims which are considered the second great population in Yemen³.

The Roots of Crisis in Yemen

The 2011 crisis is the continuation of crises which this country had been stricken by through years. With the emergence of change pattern in Tunisia and then in Egypt, popular movements in Yemen took the shape of a civil framework to itself. Actually, the opposition elites found an opportunity for public mobilization after years and used it for uprising against regime. What differentiates Yemen from Tunisia and especially from Egypt is enjoying a tribal society, a society in which tribal and phylar conventions takes the place of law and state in many issues and regions. This factor caused guesswork at the probability of Yemeni's recourse to weapons against the government repression but despite the bounty of the existence of weapons in this country (over 6 million weapons for the population of 26 million people of this country) Yemenis continue their protests in a civil and civilized manner even against killing protestors. Of course, this sort of behavior had its roots in Yemenis' experiences against Saleh's regime from one side and the other two experiences of Tunisia and Egypt from the other side. In verifying the roots of Yemen recent crisis it is needed to consider variety of crises that their aggregation eventually

caused the entire Yemen to enter a comprehensive crisis, this time this crisis includes not only a region or a clan and or a tribe like Houthis in north or separatists in south but also the entire Yemen with its different groups and clans. Collectively, Yemen's protests have its roots in economical ineffectiveness and prevalent corruption in government, political suppression and abuse of political participation, government's weakness and ineffectiveness in resolving little crises which had put Yemen in the threshold of bankruptcy and eventually in Yemen social transformations. Various players led these changes and that most of them were young people, opposition parties, army and tribes. The sum of this ineffectiveness and the synchronization of all of these players caused Yemen to enter the stage of making an era in its contemporary history⁴.

In the continuance of the process, Yemen crisis has passed five different stages from the beginning. The first stage is related to the limited primary protests which were led by revolutionary young people, the second stage is related to the expansion of the crisis in which more opposition groups and players joined the protesters, the third stage or third period in the Yemen crisis process was that Yemen's ruler Ali Abdullah Saleh went to Saudi-Arabia after being wounded but in contrary to many analyses and public expectations, Saleh returned to Yemen once again and with the intensification of clashes, the fourth stage of Yemen crisis began.

Finally, with Ali Abdullah Saleh's agreement with Persian Gulf cooperation council and the hand-over of power to his deputy, Yemen crisis entered the fifth stage that is the hand-over of power⁵. Mansour Hadi Abdrabbuh, Ali Abdullah Saleh's deputy, gained power but the failure of new government in dividing power amongst protest groups caused discontent growth to the extent that the government forced to sign an agreement of peace and participation with the opposition. According to this agreement, Yemen president was obliged to prepare necessary grounds for the formation of national unity government with the participation of opposition and revolutionary groups (Houthis). In a way that presidential election had to be held in a bi-annual transmission phase during which national talks begin for the legal hand-over of power, but in contrary to the agreement, Mansour Hadi held a comedy election in February 21st of 2012 which was against Yemen constitution (principle 108 of Yemen constitution) since he himself was the only candidate of it and finally the holding election commission announced that Mansour Hadi was elected as president acquiring 6 million votes. However, the opposition and revolutionary groups boycotted the election for the reasons of: not being competitive and pre-determined results and the interventions of foreign parties, but with the intervention of Persian Gulf Cooperation Council as the Arabs regional mediatory agency, it was arranged that Mansour Hadi to be the transitional president for 2 years from 2012 to 2014 and in 2015 the presidential election to be held. During this period, national talks was in progress and suddenly Mansour Hadi announced his resignation and on February 21st 2015 whilst his transitional presidential term was also ended he went to Eden and from there to Oman and then to Saudi-Arabia and he requested from Saudi-Arabia for help which was the breach of the laws of Yemen in order to return to power⁶.

The Breach of Yemen Sovereignty and the Invasion of Its Territorial Integrity

Saudi Arabia by the excuse of Mansour Hadi's request for help, formed a coalition and attacked that country and UN security council also tried to legitimate it in resolution 2216. In the introduction of this resolution, UN Security Council invoked to a letter issued by Mansour Hadi addressing the president of this council at the date of march 24th 2015 and based on it the security council said that the military intervention was in accordance with a legal request which had been done. From one side this is an invitation for foreign military suppression against a nation which lacks any legal face; meanwhile, the person who requested it did not have any legal position at the time of the request.

Mansour Hadi officially laid down his office two months before his request at the date of January 22nd 2015 and therefore the revoke of security council to his letter is not justifiable and it cannot be accepted by resorting to force to attack a nation enjoying the principle of self-determination and is trying to acquire its rights through democratic ways, even if we recognize Mansour Hadi as the real president of Yemen and of course we do not recognize him as this since Mansour Hadi's resignation is invoked to the article 114 of Yemen constitution which is amongst the cases of the termination of presidential term of

office. Based on human rights and international humanitarian rights Mansour Hadi could not request from another country to militarily attack Yemeni civilian citizens and it is against international imperative laws. This foreign invasion is the breach of the principle of self-determination. Mansour Hadi, at the time of the request, had no legal position in Yemen. He is only recognized as a Yemeni resigned president and a Yemeni citizen having no legal status in Yemen.

In other words, UN Security Council is not qualified to decide a president for an independent country which has a constitution and is a living nation. Since the election of president, according to the principle 105 of constitution, should be done based on the constitution not based on the UN Security Council. However, issuing constitutional declaration in the framework of fate principle, Yemeni people revolutionary council assigned the formation of presidential council to the parliament⁷.

Consequently, Mansour Hadi's request cannot be a foundation for the legitimacy of Saudi regime's attack on Yemen and Mansour Hadi is also an accomplice in war crimes by Saudi-Arabia and US-Arab coalition against Yemeni people. Invasion and attack on non-military sites, civilians, medical centers, prevention from humanitarian aids are among cases that indicate Mansour Hadi's illegitimate request⁸.

The Illegitimacy of Saudi Arabia's Intervention in Yemen from International Law Perspective

Considering the centrality of UN charter in the actions of countries and in international arena and since Saudi Arabia and allied countries have resorted to this charter; it is necessary to analyze and criticize articles and clauses concerned with the topic.

In chapter 1, The clause 3 of the article 2 of the charter:

"All member nations shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

This clause explicitly bans member nations from recourse to unpeaceful instruments.

In addition, in article four member nations have been banned from the threat of force or use of it or any other way that is in contradiction with UN purposes against the territorial integrity or political independence of any state.

In chapter 2 and according article 6, the charter explicates that:

"A member of the United Nation which has persistently violated the principles contained in the present Charter may be expelled from the Organization by general assembly and upon the recommendation of the Security Council."

Being blameworthiness of any member nations' recourse to force against other member nations which has contradiction with UN purposes (international peace and security...) can be explicitly inferred from the totality of the above instances.

From the other side chapter six of the UN Charter designated for the peaceful settlement of disputes has prescribed member nations should seek a suitable solution before any action by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement and resort to regional agencies or arrangements or other peaceful means of their own choice. (clause 1, article 33)

What is considerable in this chapter is the way that security council intervene to resolve these conflicts and based on this first of all the council calls upon the parties concerned to settle their disputes with mentioned ways (clause 2, article 33), otherwise the parties (not just one party) should refer these disputes to the Security Council (article 37) and more important than all is the role which has been considered at the end of this chapter and it is only the role of making recommendations to the parties to a dispute.

Chapter 7 of the Charter (articles 39-51) is devoted to the breaches of peace and acts of aggression.

Article 51 of this charter prescribes:

"Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council..."

In this case, the principle that makes the invasion to Yemen distorted, illegitimate, and illegal is the clause 1, article 53 of the Charter which obligates member nations first to gain the authorization of the Security Council to take any action against each other; an action which has not been done by Saudi authorities before invasion to Yemen and this has been done in an obvious and open opposition to the Charter of United Nations.

It is evident that by resolution 2216 dated April 14th 2015 the Security Council has closed its eyes on this Saudi's clear violation.

An invasion that has been led to the massacre of civilians, innocent children and the destruction of Yemen infrastructures and actually the mentioned resolution has lost its legitimacy. It is necessary to mention that the aforementioned reasons can also be known as reasonable in the case of the breach of the charter of Islamic Cooperation Organization (OIC) and Arab Union. Considering this Charter, Islamic countries should settle their reciprocal disputes in the framework of OIC.

It is acted according to this procedure about Arab countries in Arab Union. In contrast to wording of the Charters of these two organizations, Saudi Arabia did not consult with any of these two organizations before launching attack on Yemen. Also, since Yemeni government is not a member of the treaty of the Persian Gulf Council, therefore, no government in Persian Gulf margins can enter Yemen crisis, but since Yemen is a member of Non-Aligned Movement Consequently Non-Alignment Movement has the right to enter this issue.

The Illegitimacy of Saudi Arabia's Intervention in Yemen from Human Rights Perspective

The prohibition of Saudi Arabia's unilateral military action in Yemen can be pursued in a variety of human rights conventions and pacts.

The most important ones of these documents are various clauses of Universal Declaration of Human Rights; however, Saudi Arabia is amongst eight countries that gave abstaining vote to the Declaration at the time of approving it, but its practice, like other countries, was not to take any positions against it during these years and not to do any overt action opposed to the principles of Declaration.

From the other side, the article six of International Covenant on Civil and Political rights, also pointing to the rights to life and the necessity of the protection of this rights by law, has forbidden any arbitrarily depriving people of these rights.

Preserving the rights of children, vulnerable and elderly people, the right to development, the right to peace, the right to have an honorable life, the right to access to food, housing, safe drinkable water, and many other cases are amongst basic human rights which Yemeni citizens have been banned from them during Saudi Arabia's military invasion.

The use of cluster bombs by Saudi Arabia in Yemeni cities bombardment is another gross breach of Human Rights which has been recently bolded especially with a report of Human Rights Organization related this case which proceeded to this issue in a documented way with photos and in details.

It is necessary to express that the ban on cluster weapons has been mentioned in a convention by this name and has found executive guarantee since 2010. However, the non-existence of the names of Saudi, UAE, Bahrain and Saudi Arabia's other companions among 116 current members (up to the middle of June 1994) in Yemeni people bombardments has apparently provided this authorization for the governing Saudi regime to massacre the innocent Yemeni people without any obstacle⁹.

International Humanitarian Laws:

From one side, international humanitarian law is a branch of human rights and from the other side a branch or part of war laws or international disputes, according to the definition international humanitarian laws are international rules whilst determining the right of human individuals and countries in armed conflicts, whether international or non-international, and it clarifies the duties of individuals and countries in those disputes. In fact, humanitarian rights are human rights in the time of war.

From one side, these imperative laws in the time of war and armed conflicts has a nature of human rights since observing it regardless of color, race, religion, language and nationality is intended and from the other side due to concluding contracts and approval of conventions among different states it becomes mandatory; it is tried to give international custom to some of its regulations and to have international law nature and it can be discussed as a branch of it¹⁰.

Perhaps it can be said humanitarian right is a special type of human rights and it can be briefly defined as "the human rights instrument of war" and it can be said it is a branch of human rights which is used in international armed conflicts, and in some specific conditions and circumstances in domestic armed conflicts.

Also, some have defined humanitarian rights like this: "*principle and rules that limit the use of violence during armed conflicts and the aim of it is to protect those who are not directly engaged in armed conflicts or are not engaged anymore (that is the wounded, the sick, the shipwrecked, prisoners, and civilians) and to restrict the effects of violence in war in reaching the objectives of war (i.e. to avoid revenge-taking and mischiefs which do not have any effects on war objectives)*"¹¹.

The concept of international humanitarian law has totally superseded the concept of laws of war or more comprehensively armed conflicts laws. Of course, all rules of war are not humanitarian ones. Most of the rules (laws in war) can be considered as having humanitarian nature in contrary to the rules of "laws of war". In regulating laws governing belligerent parties, in some conditions, laws of war allow actions that cannot be considered as humanitarian ones in their nature. Nowadays, what has been known under the title of international humanitarian laws includes two branches of laws, that is Hague laws and Geneva laws, both applicable in armed conflicts; Hague laws, especially the laws related to the rules and conduct of ground war, determines the rights and duties of belligerent parties in their military actions and limits the rights of belligerent parties to use methods and means of warfare of their choice to cause damage to the enemy in an international armed conflict and that Hague laws protects human individuals and/or properties and things which have been or will be damaged in conflicts.

Geneva laws, which protects war victims and attempts to provide the disabled personals of armed forces and people who do not participate in war with the necessary guarantees, includes the conventions of 1864, 1906, 1929, and especially 1949.

However, initially these two branches continued to grow and develop somewhat disparate from each other but gradually they form an integrated complex system that the two additional protocols of 1977 play role in its evolution.

The Classic objectives of humanitarian laws are the mitigation of the amount of human suffering in the stream of armed conflicts and limiting destructive effects of war, but today the objective of humanitarian laws is to secure respect to the human dignity, human top position, the guarantee of the right

to life and basic human rights and as a whole the generalization of human rights norms in supervisory international laws over armed conflicts, the prosecution, the trial and the punishment of war criminals.

The acceptances of two additional protocols of 1977, which contain regulation fully concordant with the rules of human right, have been done to secure this objective. Countries, individuals, UN, and probably other international organizations, national liberty movements, insurgents and the International Committee of Red Cross, all in their positions as protecting power, are considered as the followers of international humanitarian laws." Humanitarian laws are mandatory for all parties of an armed conflict; there is a consensus that since the objective of international humanitarian laws is the protection of individuals, a country cannot be deprived from its benefits and advantages due to the violation of the imperative rule of the prohibition of recourse to force¹².

The Basic Principles of International Humanitarian Laws

Usually, every law structure or concept is founded on a series of principles and fundamentals, and also all concluded rules and regulation are also designed in accordance with the framework of the mentioned principles and finally they get ratified.

For instance, the laws of war are founded on the basic principle of the prohibition of recourse to force and therefore recourse to force and military force against other followers of international system have been codified just in two categories of legitimate defense and collective security and also under special conditions and policies in the area of military attack against the offending member of international community.

In the area of humanitarian laws, as it has been mentioned, the basic principle is founded on maintaining and protecting the rights of individuals and human beings including soldiers and civilians in war and that it forms the framework and cornerstone for humanitarian measures in this category with the following basic principles:

1. The principle of human behavior without discrimination (human behavior with all people from every race, gender, nationality, without discrimination)
2. The principle of military necessity (for any military attack there must be justifiable reasons)
3. The principle of limitation (no use of weapons that cause excessive injuries and damages)
4. The principle of distinction (the distinction between properties, buildings, and military and civilian places)
5. The principle of proportionality (the proportionality between attack and counter attack should be observed)
6. Good-faith principle (applying peaceful methods in the settlement of international disputes with good-faith to end conflicts and cessations of hostilities)¹³.

The Illegitimacy of Saudi Arabia's Intervention in Yemen from Humanitarian Laws Perspective

Heavy military attacks and the bombardment of residential and non-military area of Yemeni people by Saudis have been followed by the deaths of civilians especially women, children and elderly people. Also, the destruction of urban infrastructures like electricity, water and the hospitals in Yemen are among Saudis' objectives to make Yemeni people kneel down. These damages and aggressions were in contrast with UN announcement approved under the title of "Geneva announcement" to protect children dated September 16th 1924 and also child rights convention approved on November 20th 1959 and also the announcement of UN general assembly dated December 14th 1974 concerning the protection of women and children in times of crisis and armed conflicts and the article 77 of first additional protocol to Geneva conventions of 1977 related to special respect for children against any form of attack "disrespectful";

Also, in the resolutions 2444 dated December 19th 1968, 2597 dated December 16th 1974, 2675 and 2674 dated December 9th 1970 concerning the protection of human rights and fundamental principles referent to the protection of civilians in the time of armed conflicts, this approach has been indicated. Whilst these definitive and obligatory documents have forbidden any violence against civilians in conflicts among countries, with the protection of America and the Security Council and the tolerance of Islamic countries, Saudi's military men were attempting these acts round the clock. In international humanitarian laws and after the suppression and the widespread violation of the rights of oppositions and the state opponents, the issue of observance of humanitarian in non-international armed conflicts in second additional protocol to the four Geneva conventions have been paid attention and it was decided to pay special care to minimum human considerations not only in international armed conflicts but also in civil wars¹⁴.

Human Rights Watch criticized the violation of humanitarian rights by Saudi-Arabia and the coalition member nations and wanted the reduction of harm and damages to civilians; also these countries were asked to provide the possibility of sending humanitarian aids to needy individuals and in its letter addressing the king of Saudi-Arabia and US defense department these countries were asked to examine the cases of the violation of humanitarian rights in attack on Yemen and Saudi-Arabia and the coalition member nations were asked to end the violation of humanitarian rights in Yemen as soon as possible¹⁵.

Referring to the deterioration of human conditions, Human Rights Watch Organization expressed its deep concern over the reports of international humanitarian organization such as International Committee of Red Cross and Doctors Without Borders¹⁶.

The International Committee of the Red Cross (ICRC)

The establishment of the international committee of the Red Cross (ICRC) goes back to 1860s and it was founded by Henri Dunant a Swiss businessman. ICRC is a humanitarian non-governmental institution which is subject to Swiss rules. Since ICRC is fulfilling its duties based on granted powers by Geneva protocols and conventions and these internal documents have recognized a special status for ICRC, some authors believe that however ICRC is a non-governmental institute but it is subject to international laws. Anyway, regardless of veracity of this interpretation, undoubtedly, ICRC has a special and superior status which makes it distinctive from other non-governmental organizations. This special state is, from one side, due to power and authority that humanitarian treaties grant it and from other side it is due to the trust which governments have toward its political impartiality and just behavior.

The article four of ICRC statute announces the execution of delegated missions by Geneva protocols and conventions among the duties of ICRC. The statute commissions ICRC to operate as an impartial entity in domestic conflicts in the time of war and in arriving at this conclusion it tries to make the military and civilian victims of these sorts of conflicts benefited by help and protect at any time. Also, ICRC should play a role as a mediator among governments in humanitarian issues and subjects. In addition, ICRC plays a main role in the promotion of development, the spread of information and the education of international humanitarian laws.

ICRC has recently found an increasing and very important role in affording humanitarian aids to the political prisoners of other countries engaged in wars and domestic armed conflicts. In contrast with the traditional humanitarian non-governmental organizations, ICRC does not trust on what has been reputed and circulated about treating with war prisoners, civilians and political prisoners. The procedure used by ICRC is the very cautious and knowingly intervention and negotiation with the responsible and official authorities.

As a rule, ICRC does not diffuse its findings about the violation of human rights and abuse of people, rather it delivers its reports only to the related authorities. But if the mentioned authorities diffuse some part of ICRC's report or diffuse an ICRC's distorted report, then in this case ICRC will diffuse its report for public¹⁷.

The Establishment of Red Crescent Society and the International Committee of the Red Cross in Iran

Iranian government established its own national society in 1992 but instead of using the symbol of Red Cross or Red Crescent, it chose the symbol of the Red Lion and Sun as its own society. The symbol of the Lion and Sun was approved as the third symbol internationally protected in Geneva conference in 1929. After that time the three symbols of the Red Cross, Red Crescent and the Red Lion and Sun were recognized as official and international symbols and ultimately it was approved in the text of the four Geneva conventions ratified in 1949 as the third international symbol which is under the protection of international humanitarian laws.

After the victory of Islamic revolution in Iran in 1980, the government of Iran by sending a letter announced Swiss government, as the trustee and preserver of the four Geneva conventions, that it has suspended the use of the Red Lion and Sun symbol and would use the symbol of Red Crescent instead of it. After that the Red Lion and Sun society changed its name to the Red Crescent Society of Islamic Republic of Iran.

Iran Aids to Yemen from Humanitarian Laws Perspective

In the paragraphs 4 and 6 of the note 1 of the article 3 and also in article 4, the Iranian Red Crescent Society (IRCS) statute determines IRCS duties at the levels of the country and abroad as: to send aids and relief and therapeutic agents to other countries if necessary and to attempt to alleviate human sufferings and contribution in the health issue of society and to defend human values and to attempt to establish friendship, mutual understanding and lasting peace among nations and that the sent aids by IRCS to other countries are in the forms of material, cash or human services and that in the time of war it would provide the belligerent parties with its human aids equally and without any discrimination and the belligerent parties are obliged to respect and cooperate with IRCS and its agents¹⁸.

The representative of Saudi-Arabia's Red Crescent did not accept the request of the representative of IRCS to help Yemeni people in the Asia-Pacific 10th international conference¹⁹.

And Iran's foreign minister announced Iran's readiness for cooperation and urgent sending of humanitarian and health aids to Yemeni needy people to UN Secretary General in a four-article plan about Yemen crisis of which one of the items was about the issue of Yemeni people's access to humanitarian and health aids without any obstacles²⁰.

And also the secretary general of Red Crescent in a visit with Gilles Carbonnier the vice-president of the International Committee of Red Crescent informed of our country readiness to increase its cooperation and interaction with International Committee of Red Crescent to help alleviate human sufferings in Yemen and he emphasized by adhering to the principles of the movement IRCS has never withhold help from Yemeni people and added, "It is needed to enter in Yemen crisis in any form and rush to help Yemeni people and of course there is danger and insecurities in this way, but this is also a part of the activities of the Committee and we are concerned that conservative behaviors cause reduction in being influential in Yemen for International Committee of the Red Crescent since in a conflict that one side is powerful and the other one is weak it is natural the powerful one makes insecure the environment for the Committee and other societies and does not allow them to have activity". He expressed, "the ways for sending food to Yemeni people are currently closed" and said "in these conditions hunger is used as a weapon against humanity and as far as we cannot help solve this problem these conditions will continue and this equilibrium never gets balanced and I emphasize that IRCS is decline to be part of help chain to Yemeni people with the support of International Committee of Red Crescent"²¹.

Conclusion

In Yemen Mansour Hadi's government has lacked the necessary legitimacy to continue governance and the intervening role of Saudi-Arabia with the help of some Arab and western countries and by the breach of international rules has cause the formation of two aftermaths. The first one with a

violent approach and military actions has added to the fire of war. The second one with the aftermath of disregarding of all international rules and resolutions caused the decrease of their value and credit and powerful western countries, given that they are supporting Saudi-Arabia's policies, make far the conditions for a permanent and stable peace with their relative silence over the breach of international and humanitarian rules and in the other side Iran due to its historical relation with Houthis has constantly tried to remove the imposed besiege with its human and logistic help and this measure has caused Iran to be alleged as an intervening country in Yemen crisis and it has been a base for Saudi-Arabia and its allies to place in the opposition front and the continuance of this procedure has caused peace process to become slow and for this purpose the settlement of his conflict is tied to direct negotiation between Iran and Saudi-Arabia with an emphasis on preserving international rules and sharing all political, racial and religious groups in the process of political participation and the formation of Yemen state and international organizations and institutions should play a more bolded role so that international rules find their lost position again.

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