

**The Use of Human rights' Language in Syria and Yemen
During Civil Wars.**

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Abstract

“Where, after all, do universal Human rights begin? In small places, close to home—so close and so small that they cannot be seen on any maps of the world ...Unless these rights have meaning there, they have little meaning anywhere.” – Eleanor Roosevelt

The Universal Declaration of human rights attests to the fragile and limited capacity of human rights nature, which requires a set of principles and norms for their voice to be appropriately heard. In terms of their innate dynamics, human rights are not deemed as merely privileges that can be bestowed upon humans, but rather inherent natural rights independent of nothing but the sole quality of being human. Nonetheless, at times, these inherent rights have been colored by rhetoric nuances and used as a Trojan horse for political empowered bodies, such as states or institutions, to interfere both in internal and foreign political affairs and serve as mere debating tools. As in every agreement it is the actualization that realizes what has been agreed or signed upon. Human rights to this date undergo gross violations under the Syrian and Yemeni actors respectively, while at the same time the states representatives engage in human rights language in their official statements. As Henry Kissinger puts it, there are two components in engagement; the things one proclaims will do and the commitment they indicate towards those things.

Chapter 1

Part 1 Introduction

The protests in Yemen seemed to be unfolding under a centralized leadership orchestrated by a coalition of opposing groups and mostly non violent acts between protesters and security forces, calling for political and economic changes and for President Ali Abdullah Saleh to resign. Saleh in his turn, in an effort to settle down social unrests, reacted by moving on to several economic consensuses along with promises not to stand for reelections after his term ended. The power vacuum after Saleh recalled the military from outlying areas to the capital San'a in an attempt to hold on to his power was quickly exploited by Houthi rebels and Al-Qaeda militants. Meanwhile, Saleh had already lost political credibility and as a result, steadily but gradually the social unrest started shifting forms. Given the security forces' increasing violent acts against protestors, combined with political upheaval in the state of Yemen, it was a matter of time for these forms to reshape into the current situation of civil war that the country is facing with, until present times¹

In Syria much like in Yemen, the civil war broke out in a form of responses to protests followed by several concessions made respectively by President Bashar Al- Assad and escalated use of violence from state forces. Similar to Yemen, what started as a limited non-violent protest reshaped itself into a vicious civil war. However in Syria even before 2011, a prevalent regional and global trend started forming sides for or against Assad's government, with Russia and Iran standing up in favor, whereas the US along with several EU countries as well as Qatar, Turkey and Saudi Arabia against it.²

Respective references on the matter of each country's side, attest to the considerable degree of responsibility that both states bear in these wars. Chairperson of the UN Group of Eminent International and Regional Experts on Yemen Kamel Jendoubi, in one of his latest statements claimed that '*Civilians in Yemen are not starving; they are being starved by the parties to the conflict*'. Similarly, the UN's Humanitarian Chief Mark Lowcock's statement that: '*Yemenis are not going hungry. They are being*

¹ Yemen Uprising of 2011–12, Encyclopædia Britannica, January 21, 2020, <https://www.britannica.com/event/Yemen-Uprising-of-2011-2012>

² Syrian Civil War, Encyclopedia Britannica, July 17, 2020, <https://www.britannica.com/event/Syrian-Civil-War>

starved’, attest to a case of deliberate compulsion to human rights’ abuse, in which according to The Group ‘*there are no clean hands in the war; all parties to the conflict bear responsibility*’.³

On the other hand, Paulo Pinheiro - Chairman of the Independent International Commission of Inquiry for Syria (ICCS) - similarly stated in September 2020 that ‘*there are no clean hands in this conflict*’ after the Commission’s report on August 2020, in which is drafted that the government of Syria, has purportedly committed continuing crimes against humanity in accordance with the State’s policy.⁴

Yet both countries make use of human rights’ language in the United Nations General Assembly, hereinafter UNGA, in their statements by the respective countries. This Thesis focuses on the conditions that these rights are used and questions whether human rights language in those speeches, serve as a mere discursive tool that frames normative rather than pragmatic statements, by defending rights to a degree of diplomatic debate. Based on the statements made by both parties and following the latest course of events in Syria and Yemen, it seems that reference to human rights has skillfully shaped the way that officials speak about them, than the way they act towards their implementation. Does endorsement of human rights’ principles, serve as a mere International standard threshold to be crossed in the direction of gaining international benefits?

Human rights field is an evolving one, which creates space for different interpretations by different actors; however the governments have the primer responsibility to respect, protect and fulfill those rights, including violations perpetrated by non-state actors. A second common characteristic that the two states share, apart from the ongoing civil wars, which rate among the eight deadliest wars of the 21st century is the proxy nature of the civil wars.⁵ Therefore, the Thesis will attempt to look into the ways and incentives throughout which certain actors with public influence in Syria and Yemen speak in the name of human rights in times of civil wars in the shadow of proxy wars. The emotional charge and international acceptance that human rights bear as a notion, makes them susceptible to rhetorical use and abuse by political entities. The Thesis argues that each country’s representative make use of the term, as a means to rhetorically justify political legitimacy and military aggression on the base of sovereignty; accordingly it aims to look into the ways in which each country uses norms, and social tendencies to justify their actions during civil wars and create theoretical and ideological coherence within the international community. By doing so, and in terms of scaling violence, the question of whether domestic actors are a greater threat than their foreign counterparts in ensuring their civilians’ human rights is raised.

³ UN News, ‘Yemen: Unchecked violations ‘may amount to war crimes’, Security Council hears, 3 December 2020 <https://news.un.org/en/story/2020/12/1079232>

⁴ United Nations Human Rights Council, [https://www.ohchr.org/EN/Human rights/bodies/HUMAN RIGHTSC/Pages/NewsDetail.aspx?NewsID=26237&LangID=E](https://www.ohchr.org/EN/Human%20rights/bodies/HUMAN%20RIGHTS/Pages/NewsDetail.aspx?NewsID=26237&LangID=E)

⁵ Michael Ray, 8 Deadliest Wars of the 21st Century, <https://www.britannica.com/list/8-deadliest-wars-of-the-21st-century>

A second point of focus is on the use of the term ‘terrorism’ employed by the States representatives. Although human rights and terrorism are essentially contested contexts, the former, likewise the latter has grown into an international catchword. As Kofi Anan stated back in 2005, *‘I regret to say that international human rights experts, including those of the UN system, are unanimous in finding that many measures which States are currently adopting to counter terrorism infringe on human rights and fundamental freedoms.’*⁶ Consecutively, the Thesis argues that the contrasted to human rights term ‘terrorism’ tends to integrate itself in the advocacy of human rights language as a counter factor to their effectiveness. In other words, the vagueness of the word terrorism makes it a rather appealing term for states to use as a tool, to effectively delegitimize other actors and legitimize their own violations. Both terms are highly emotionally charged to the point in which denouncing an essentially diametrically opposite extreme, glorifies the other end and vice versa. Thus, human rights talks, depending on the contextual frameworks that are used, allow for authorities to incorporate those accordingly to fit governmental vested interests.

In both countries’ speeches in the UNGA, there is an evocation in human rights’ violations by non state actors when the very own state actors, seem to act against their own civilians’ human rights.

It is estimated that in Yemen, around 67% of all reported civilian fatalities during the war period have been caused by coalition airstrikes, making the Saudi-led coalition the actor most responsible for civilian deaths.⁷ The Saudi-led coalition performed about two thousand air raids targeting on civilians and 1.2 thousand raids targeting infrastructure in Yemen between March 2015 and March 2018.⁸ Saudi-led coalition and its allies remain responsible for the highest number of reported civilian fatalities from direct targeting, with over 8,000 since 2015. Hadi appeals to the International Community and donors for humanitarian aid - financial at its biggest part - and while denouncing the violations, atrocities and devastating acts of terror perpetrated in his country by Houthi rebels, at the same time he invites the Coalition to intervene in Yemen with detrimental consequences to Yemeni civilians, in the name of legitimacy’s restoration.⁹

On the other hand, according to the Syrian Network for human rights, Syrian, Iranian and Russian forces count for 94% of all victims in Syria with 92.17% caused by Syrian regime forces and Iranian

⁶ United Nations Press Release, ‘Secretary-General Offers Global Strategy For Fighting Terrorism, In Address To Madrid Summit’, <https://www.un.org/press/en/2005/sgsm9757.doc.htm>

⁷ <https://acleddata.com/2019/10/31/press-release-over-100000-reported-killed-in-yemen-war/>

⁸ <https://www.statista.com/statistics/941046/yemen-air-raids-by-saudi-led-coalition-by-non-military-target/>

⁹ "Statement by the Command of the Coalition to Restore Legitimacy in Yemen." Defense & Aerospace Week, 2017, 30.<https://www.prnewswire.com/news-releases/statement-by-the-command-of-the-coalition-to-restore-legitimacy-in-yemen-300549845.html>

militias, whereas 99.2% died suffering tortures imposed by the Syrian Regime Forces.¹⁰ Since 2011, Syria claims that foreign intervention is the main issue that affects Syria's Human Rights violations, promotes terrorism and imposes sanctions, therefore afflicts human suffering. According to the UN, as stated during discussions held between Bashar al-Assad and the UN envoy Staffan de Mistura in 2015 on Aleppo fighting, the conflict in Syria was even at that time reported as one which had triggered the largest humanitarian crisis since the Second World War, with 7.6 million people displaced 3.2 million refugees, over 150.000 people dead, at least 680.000 injured and 12.2 million people in need of humanitarian assistance.¹¹ Assad's regime seems to disregard the human rights' violations perpetrated by the state and the brutality with which the regime has pursued its own survival at the expense of his people and by exploiting human rights language, shifts the blame to foreign intervention.

1.1 Methodology

¹⁰ Syrian Network for Human Rights, https://sn4humanrights.org/wp-content/pdf/english/207_thousand_civilians_were_killed_by_hands_of_the_Syrian_alliance_Iranian-Russian_en.pdf

¹¹ UN envoy and Syrian President discuss political solution to conflict, Aleppo fighting 'freeze', M2 Presswire, 11 February 2015, <https://global-factiva-com.ezproxy.leidenuniv.nl:2443/ga/default.aspx>

The thesis approaches a qualitative research and examines the respective countries under a case study method with a view to draw on the outcomes through a comparative scope. Therefore, the methodology is primarily based on the UNs documentation of the speeches in question, academic publications, reports and scholars' reviews on Middle Eastern countries. For this purpose it draws on official statements addressed by governments' representatives in the UNGA with reference to human rights, since the outbreak of civil wars in each country, until current times.

By looking into the use of human rights talks in the UNGA, the research will attempt to shed light on the motives behind human rights language based on International theories of compliance. The literature review provides possible explanations pertaining to the reasons as to why these states have ratified human rights treaties therefore, it can provide information about the incentives of the states towards their implementation or not. The thesis considers the field of International relations along with speech act theories – on the rhetoric of underlying intentions - as the basis of analysis. For this reason, following the theories that explore why states comply, the speeches presented in the UNGA will be seen through the prism of speech act so as to test the theories of compliance.

The thesis builds on the premise of Compliance theories on Internalization of International Laws as to explore the nature of human rights establishment; whether it serves genuine or superficial intentions in the direction of human rights. Compliance theories can highlight the reason behind human rights' ratification treaties. These theories can evaluate the treaties' ratification, in terms of the level of importance they bear and the influence they can possibly have. Through that prism the Thesis also tries to assess whether domestic state actors are of greater threat than their counterparts - non-state actors or foreign actors - what is the meaning of the word 'terrorism' and what goals it serves when uttered by both states respectively. Accordingly this process facilitates the tracing of motives and interests behind the statements.

Therefore an answer can be drawn on the questions of what is the meaning of human rights' language use in the UNGA by Syrian and Yemeni officials, whether they are mere rhetoric tools or not and what are the goals they serve. Both Syria and Yemen have been involved in civil wars with detrimental casualties for both sides. Given the enormous extend on humanitarian crisis that besets both States, one might wonder on a vicious competition about which side is entitled to 'the worst humanitarian crisis ever'.

The structure consists of four chapters. The first one aims to include a comprehensive literature review on the theories about compliance as well as certain conceptual reviews by scholars with reference on the respective countries. The second and third chapter explores the implementation of compliance theories and the dynamics behind the statements made by Syrian representative in the UNGA in a discourse analysis, in an attempt to interpret and evaluate how these actors negotiate human rights' conceptions and examine the nature of statements in the sense of intentions and means that they serve.

Namely the second chapter tests the internalization process of human rights principles in Syria and brings up the speeches of Syria's representative in the United Nation, Mr. Walid Al-Moualem, Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of the Syrian Arab Republic, on a discursive analysis on the statements pertaining to human rights and under the influence of non-state as well as foreign actors' interference, from 2011 to 2019.

Respectively, the third chapter addresses Yemen's case, and unfolds respectively with President Abdrabuh Mansour Hadi Mansour speeches, and the Ministers of Foreign Affairs of the Republic of Yemen, Mr. Abubakr A. Al-Qirbi, Mr. Jamal Abdullah Al-Sallal and Mr. Mohammed Abdullah Al-Hadhrami covering the same points and period of 2011 to 2019, whereas the fourth chapter includes respective conclusions.

As already stated, the Thesis is based on the representatives' speeches in The UNGA. Although the United Nations, hereinafter UN, have often received heavy criticism on their institutional structures that consequently affect their credibility on both functional and moral grounds, this study unfolds assuming the UN as a leading International Organization towards peacekeeping and conflict resolutions, provided that the latter constitutes the most representative body of the UN in which member states, annually, hold and share their views on International Peace and Security issues.¹²

¹² Errol Mendes, and Ozay Mehmet. *Global Governance, Economy and Law : Waiting for Justice*. Routledge Studies in International Law. London: Routledge, 2003,p.12-17
<http://search.ebscohost.com.ezproxy.leidenuniv.nl:2048/login.aspx?direct=true&db=e000xww&AN=95148&site=ehost-live>

Part 2: Literature Review

1.2 International Relations Approaches

1.2.1 Theories on Compliance

The history of theoretical framework that shapes how human rights have evolved and perceived has been marked by influential thinkers in the course of time with Thomas Hobbes, John Locke and Jean Jacques Rousseau, introducing and reflecting on the notion of social contract.

Contemporary political thinkers driven by these foundational theories have shaped human rights according to contemporary concepts and needs. As can be noticed, human rights' notions have indeed evolve throughout the last centuries and contemporary theories following the stream that shapes societies in a given time and space frame; encompass more complex concepts that condition the needs of defining such notions. According to a significant number of literature on the matter of reasons that lead to human rights' treaties endorsement as well as the types of regimes that are given better chances to respect and implement these treaties, liberal societies and democracies share a high rate in effectively doing so.

There are several theories that try to answer the question 'why do states comply with international Laws'. On the issue of possible reasons as to why states ratify human rights treaties' and to what ends, there are several theoretical approaches to human rights' compliance by states. The state's compliance issue has generated several theories as to when and how states comply on international rules such as the 'coercive centered' theory, 'naming and shaming', the 'spiral mode' or the 'transnational legal process'.¹³

Coercive centered theory argues that compliance of states with human rights derives from coercive mechanisms; when powerful states exert pressure to weak states through sanctions or other measures or when powerful institutions effectuate human rights by threatening actions towards compliance.

The naming and shaming theory is one of the most frequent and prominent approach that the UN bodies have engaged with. It engages in public reporting and in certain cases in condemnation of violations. As a practice, is classified as a confrontational approach.

¹³ Damian Etone (2019) Theoretical challenges to understanding the potential impact of the Universal Periodic Review Mechanism: Revisiting theoretical approaches to state Human Rights compliance, *Journal of Human Rights*, 18:1, 36-56, DOI: 10.1080/14754835.2019.1579639

Koh's constructivist approach, explanation as in '*Why Nations Obey International Law*', is based on the internalization process – in which the notion of compliance with International Human Rights Law can be realized, through repetitive cycle of 'interaction', 'interpretation' and 'internalization'. In his paper on '*How is International Human rights Law enforced*', argues that the 'transnational legal process' theory can potentially lead to the law enforcement through interaction, interpretation and internalization. He suggests that the transition from power to legal forces attests to a shift from external to internal factors, thus from coercive to constitutive behavior. However Koh admits to the process's limitation as to explain the way in which norms might gain public legitimacy. But what is a reasonable required time lapse for states that have been traditionally ruled by autocratic regimes that renders human rights internalized effectively in a society?

Criticism on that theory argues that it provides little foresight on the features and types of norms which become internalized. Additionally, according to Oona Hathaway, the theory addresses those who deliberately, seek to "bring international law home" such as, such as lawyers, activists and politicians.¹⁴

The '*spiral model*' as introduced by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, serves as an explanatory tool on states compliance with human rights norms and lies on the premise that International human rights norms' diffusion, depends on national and transnational networks that advocate and exert pressure. The model as a constructivist approach, explores the process that internalizes International norms and emphasizes the importance of human rights moral ideology along with the mobilization of domestic and transnational actors opposition to rules towards this process of change. This model consists of five steps that lead to this change.

The process is introduced by the state's repression from authoritarian regimes. Violations of norms trigger domestic human rights organizations to bring these violations to the International Community attention and exert pressure towards rights' acknowledgement by the states. A successful outcome of this first step, predicts that as the states are confronted with accusations of human rights violations, deploy the superiority of the state's sovereignty over human rights concerns in an attempt to refute and deny violations. During this phase coercive strategies might arise. This phase is the most significant one as it lies on the state's vulnerability to external pressure and the pressure exerted by human rights networks and has the potential to lead to long-term improvements on human rights' practices within a state. It is characterized as 'tactical concession'.

¹⁴ Hathaway, Oona A. "Do human rights Treaties Make a Difference?" *The Yale Law Journal* 111, no. 8 (2002): 1935-2042, p.1964.doi:10.2307/797642

The fourth stage, that of ‘prescriptive status’ entails internalization of human rights’ norms and practices through recognition of these norms’ credibility and establishment of human rights institutions in the state. During this phase human rights’ internalization has the potential to force states to accept essential governmental change or proceed to liberating their policies. During the last phase governments institutionalize International human rights norms into state practices. The Thesis will examine the internalization through the spiral model since it applies better to repressive regimes or weaker states and provides insights on the systemic process towards internalization.¹⁵

As one can notice in the cases of Syria and Yemen respectively human rights’ field is severely abused. Whereas Yemen seems to be open in engaging with international institutions on human rights practices and monitoring mechanisms, Syria, due to territorial disintegration has not been able to hold up to human rights principles.

¹⁵ Risse, Thomas, and Stephen C. Ropp. “Introduction and Overview.” Chapter. In *The Persistent Power of human rights: From Commitment to Compliance*, edited by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, 3–25. Cambridge Studies in International Relations. Cambridge: Cambridge University Press, 2013. doi:10.1017/CBO9781139237161.003.

1.2.2 Why Do States Comply?

Abram and Antonia Handler Chayes argue that states compliance to treaties is the outcome of the states' purposive to maintain their status in the International community.

Rights' treaties can sometimes require a change in the state's policies. While democratic states are more likely to afford such a change, non-democracies rate low chances in their willingness to comply. In '*Who Cares about International human rights*', Trachtman illustrates some leading based reasons for ratifying human rights' treaties, even at the expense of a state's policy amendments. He first reviews the '*Minimizing Costs*' theory. Citing Hathaway, he argues that the conditions, on which a country signs a treaty, are in inverse proportion to the cost deriving from it. The higher the costs, the lesser the extent of commitment. As Hathaway puts it in '*Do human rights make a Difference*', human rights Law as part of the International Law, unlike the persuasive International Law of markets that gives substantial grounds for compliance, human rights' International Law due to its low or little cost that non-compliance inflicts, provides little to low incentives for countries to comply. Non-democratic regimes for the sake of expressive benefits might ratify human rights treaties with weak enforcement mechanisms that would not denote a credible commitment towards political change.¹⁶

A second reason, lies on the motives implied by the maximizing benefits of adhering to human rights obligation in terms of reciprocity, retaliation and reputation. Those might include foreign aid, international respect - as in legitimacy gains - or facilitation in trade agreements. These two theories can be thus seen as reflecting the 'punishment' and 'reward' theory respectively.

A third reason dwells in the 'signaling theory', which entails social behaviorism features. Signaling theory accounts for an attempt by states to communicate and gather information about each other and can possibly advance cooperation as well as attract external benefits.¹⁷ States might gain legitimizing benefits from signaling, as through signaling, states avow that governments are adherent actors.¹⁸ The signaling model can stimulate investment, since investors rely on the existence of constitution or a country's membership in international or regional human rights treaty regimes as a

¹⁶ Oona A. Hathaway, "The Cost of Commitment," *Stanford Law Review* 55, no. 5 (May 2003): 1821-1862

¹⁷ Moore, David H. 2003. "A Signaling Theory of Human rights Compliance." *Northwestern University Law Review* 97 (2): 879-910. p. 906.

<http://search.ebscohost.com.ezproxy.leidenuniv.nl:2048/login.aspx?direct=true&db=aph&AN=15093304&site=ehost-live>.

¹⁸ Hafner-Burton, Emilie M, and Tsutsui, Kiyoteru. "Human rights in a Globalizing World: The Paradox of Empty Promises." *The American Journal of Sociology* 110, no 5 (2005): 1373-411

measure of the country's credibility to trade. Economic growth thus, can be stimulated by countries that engage in human rights protection since the latter acts as a signaling to investors, that a country has a low discount rate, therefore it renders it internationally trustworthy.¹⁹

Consecutively the 'lock in' theory can be seen as a deterrent practice, in the sense that it can grant states - especially newly formed democracies - the right to pin down on the treaty's principles. From a behavioral economic perspective, human right treaties' 'lock in', may be understood as a tool that enjoins 'automatic system' while empowers the 'reflective system'.²⁰

The forth reason calls for a '*choice for human rights law rules*' which is labeled by Trachtman as '*locking In through Supplementary human rights*' and is the result of globalization. Such a situation occurs when the latter interferes with domestic human rights' balance. In this case the need to protect human rights internationally arises in order to balance former human rights.

The last reason '*the preference modification*' reflects a constructivism and sociological approach and argues that states commit to human rights treaties based on agreement on the treaty's normative principles.

Beth Simmons also provides evidence on the influence exerted by neighboring countries in a given region and argues that it is an underestimated factor for policy convergence, as these countries are more likely to accord with a legal commitment that their regional countries have endorsed. Therefore, regional countries behavior can have a significant degree of influence on commitment and compliance.²¹

Oona Hathaway in an analysis on whether countries comply or adhere to human right treaties draws on two respective approaches; 'rational actor models' and 'normative models'. According to the normative approach human rights treaties can have an effect in complying with human rights' practices; non-compliance occurs from the limitations imposed by a treaty's obscure language, or the members' limited capacity to implement their commitments. In other words, normative approach claims that compliance cannot be exclusively defined by self-interest, but rather from the persuasive power of legitimate, legal obligations.

On the other hand rationalist approach holds a slightly ambiguous notion on its prediction on compliance and effectiveness; however, for the most part it claims that compliance depends on the state's interests, whether these are geopolitical, reputational or domestic. Whereas some neorealist scholars argue that a state's commitments to human rights treaty can be indeed genuine, a majority of realist scholars

¹⁹ Faber Daniel A. 'Rights as Signals.' *The Journal of Legal Studies* 31, no.1 (2002):83-98.

²⁰ Joel P. Trachtman, "Who Cares about International human rights: The Supply and Demand of International Human Rights Law," *New York University Journal of International Law and Politics* 44, no. 3 (Spring 2012): 851-886 p.873

²¹ Simmons, Beth A. 'International Law and Sate Behavior "Commitment and Compliance in International Monetary Affairs.'" *The American Political Science Review* 94, no.4 (2000)"819-35.

argue that human rights' ensuring are no more than mere rhetoric that governments use as liberal arguments, to justify their actions, driven by wealth and power.

Her findings, suggest that despite the normative theory prediction, treaties' ratification seem to be related more often than not with worse human rights' practices, whereas contrary to the realist theory predictions, ratification of a treaty is not merely epiphenomenal. On the other hand, liberal theory seems to be consistent with its predictions that democracies are more likely to comply with human rights' treaties and have better ratings. Accordingly, Oona Hathaway provides evidence that fully fledged democratic states have better rates in complying with human rights' practices.²²

However, Hathaway argues that compliance of human rights treaties' should be examined through the prism of dual roles; instrumental and expressive, that explains the law's influence on practical and theoretical sense. She suggests that this analysis provides the answer that explains the interaction between ratification and implementation of a treaty. Some important conclusions of Hathaway's analysis lie in the suggestions that if the instrumental power of human rights' treaties had prominent control, human rights' ratification and practices would be of a linear relationship; the rewards for positions that human rights treaties offer, weakens the pressure for change in practices. Additionally, when governments are under pressure to comply with international norms, can play the treaty membership card as evidence of its commitment to uphold the treaty's norms without necessarily respecting the treaty's provisions.²³

Furthermore, Goldsmith and Posne, argue that states comply with International Law, driven by self - interest motives. Therefore, compliance occurs as a byproduct result of a state's interest convergence with the principles of a given law. On the matter of human rights treaties ratification by states, they draw on three models of compliance; 'coincidence of interest', 'cooperation' and 'coercion'. Cooperation lies in a form of cash exchange whereas coercion in the form of economic sanctions and military threats. They argue that most human rights practices can be seen through coercion or coincidence of interest and that there is no evidence that connects ratification of human rights treaties with a treaties' practices. Inefficiency of the treaty's ratification enforcement mechanisms counts for one of the reasons as to why states might ratify human rights treaties.

An interesting point in their analysis is argues that, the International Covenant on Civil and Political Rights might serve as a 'standard of civilizations' for the 20th century, since the former, acts as an informative sign of the '*code of conduct*', which powerful liberal democracies regard as an essential prerequisite, thus smaller or weaker states through ratification increase their chances in receiving aid

²² Hathaway, Oona A. "Do Human R Treaties Make a Difference?" The Yale Law Journal 111, no. 8 (2002): 1935-2042, p.1964.doi:10.2307/797642

²³ Hathaway, Oona A. "Do human rights Treaties Make a Difference?" The Yale Law Journal 111, no. 8 (2002): 1935-2042, doi:10.2307/797642.

while decrease the chances of being faced with economic pressures or military and diplomatic threats. The treaties as such, define the liberal states human rights' standards. States that fail to commit to human rights treaties give out a signal that are not worthy of benefits that a state with respect to human rights can be entitled to, as in gaining recognition and trade benefits.²⁴

What follows in the upcoming chapters with respect to Syria and Yemen accordingly illustrates the ties that both countries built with international networks whether economic or institutional which might attest to the compliance models related to international gains.

²⁴ J. L. Goldsmith and E. A. Posner, *The Limits of International Law* (Oxford University Press, New York, 2005), p. 107-134, <https://iuristebi.files.wordpress.com/2011/07/the-limits-of-international-law.pdf>

1.2.3 Liberal states and Human rights

As has been discussed previously, human rights' treaties do not provide self evidence proofs that states necessarily comply with the treaties' commitments. Ratification of a human rights' treaty and implementation of the treaty's provisions are often distinct practices. Emilie M. Hafner-Burton and Kiyoteru Tsutsui in '*The paradox of empty promises*' argue that a ratification decision can often denote a mere signal that the government is a law-abiding actor without necessarily complying with the treaty's practices. Therefore, due to the expansion of International Human Rights Law, the integration of states into international society has created a convergence in socio-political structure, in harmony with international models. In this view, governments can potentially ratify human rights treaties as a means towards being granted legitimizing benefits in the International Community, despite some countries' incompetency to comply with the treaties' provisions. Therefore, states that ratify human rights treaties can be seen as law-abiding actors without necessarily complying with the treaties' practices.²⁵

The dynamics that shape the language of human rights claim that, the influence they exert on sovereignty can be explained through a state's governmental type and the link of that type to human rights' practices. On that link, a leading number of scholars hold the view that liberal states - democracies are more likely to hold to human rights' treaties, since liberal states, favor the liberal theory that creates an intertwined basis of interference among states' politics, as it aggregates state actors, groups' interests and political institutions.

A liberal approach argues that human rights' ratification implies an international legal obligation that empowers domestic groups with the ability to press political institutions towards compliance with these obligations.²⁶

Robert Keohan clarifies that liberal democracies can affect to a great degree whether transnational norms lead to internalization or not. For that reason he gives four conditions that have more chances to meet in liberal than in non-liberal states. These are, '*transparency*', '*professional connection's*' in the sense that when domestic professionals favor transnational norms over the states' position they might dissociate from the latter, whereas when states are able to cut ties with them, they are less likely to undergo through pressures to change their policies. Third condition is '*connections to issue advocacy*

²⁵ Hafner-Burton, Emilie M., and Kiyoteru Tsutsui. "Human rights in a Globalizing World: The Paradox of Empty Promises." *American Journal of Sociology* 110, no. 5 (2005): 1373-411., doi:10.1086/428442.

²⁶ Goodman, R. "Measuring the Effects of Human Rights Treaties." *European Journal of International Law* 14, no. 1 (2003): 171-83.

networks'; as states democratize they are less likely to repress these networks through which social movements often gain information and moral support. The fourth condition for Keohane is '*accountability of elites to publics*', since in the absence of it; policy change is less likely to be created.

Jack Donnelly credits human dignity a political conception of justice, rather than foundational aspects. As such, human rights are not foundational concepts, but legal and political ones; the elusive term of human dignity for Donnelly undermines the foundational relation between human rights and human dignity. However, beneath this elusive term, he argues that lays a number of foundational meanings that despite their diverse interpretations, give rise to the convergence of the body of International Human rights Law and the majority of the leading comprehensive doctrines in the contemporary world. In '*Human Dignity, Human Rights, and Political Regimes*', Howard and Donnelly examine the types of governments which are counter effective in assuring human rights. They argue that Liberal regimes and human rights are in harmony and can effectively foster and practice human rights, whereas communitarian regimes fail to do so. They also argue that development, seen as an overarching ideology in the Third World, is the moral equivalent of war and demands the individuals' submission to states. Even a genuine regime's commitment to development is bound to ignore individuals' rights in the course of pursuing development. Liberal regimes which combine personal autonomy and equality can commit to social and economic rights in contrast to other types.²⁷

Accordingly, Neil J. Mitchell and James M. McCormick in their analysis in '*Economic and Political Explanations of Human Rights Violations*', reflecting Huntington's view, sustain the notion that modernizing states are supposedly more likely to give in to human rights' violations, given the United States motives to create and sustain favorable conditions for investments, states with economic association with the latter have better chances to violate human rights.

They as well support the idea that liberal regimes rate significantly lower in human rights violations.²⁸

Democratic promotion strategy has served as a practice to grand incentives to countries on the threshold of democratic transitions by the United States. In 1999 certain countries, after being recognized as 'democracy priority countries' were given greater priority in terms of budgeting and network building by the United States. By consequence, democratic views seem to be a sort of prerequisite for countries to

²⁷ Howard, Rhoda E., and Jack Donnelly. "Human Dignity, Human Rights, and Political Regimes." *The American Political Science Review* 80, no. 3 (1986): 801-17. doi:10.2307/1960539.

²⁸ Mitchell, Neil J., and James M. McCormick. "Economic and Political Explanations of Human Rights Violations." *World Politics* 40, no. 4 (1988): 476-98. doi:10.2307/2010315.

enter international networks and capitalize on international acceptance, which in turn undermines the readiness for democratization.²⁹

It is a given that both Syria and Yemen, constitute states in which human rights' violations occur indiscriminately. Syria and Yemen have been for a long time tarnished by totalitarian and autocratic regimes. Yemen's first elected parliament in the 90s decade, marks the transition to democratization and political liberalization, whereas Syria's 'incomplete democracy' attests to a weak Syrian civil society. Whether or not though one can evaluate the adherence to human rights provisions' by states, requires conditions that do not create a blurry picture such as civil wars in these countries respectively.

²⁹ The Third Globalization: Transnational Human Rights Networks," Introduction to the 1999 Human Rights Report, U.S. Dept. of State, Country Reports on Human Rights Practices for 1999 at xv (vol.1) (2000)
<https://www.govinfo.gov/content/pkg/CPRT-106JPRT63935/html/CPRT-106JPRT63935-VolumeII.htm>

1.2.4 Conceptual - Empirical Approaches

Civil wars according to Henry Kissinger owe their emergence to revolutions against the state. Tensions between the subjects and the states appear when people lose faith in governance. Middle East is a region in which multifaceted conflicts give rise to non - state groups which try to claim a position out of self-preservation or predominance. The tensions in the area can be seen through the prism of revolutions against states, conflicts between secular and religious orientation or even among various interpretations of Islam (Shiites and Sunnites), or revolts against the existing International system, as that has been formed after the first World War, marked by the collapse of governing authorities and boundaries.

In some instances and among this chaotic relation of emerging conflicts in the Middle East, every fighting faction is prone to using their geopolitical purposes or religious convictions to engage in conflicts. These two features illustrate the case of both Syria and Yemen's combating sides, in a sense of domestic as well as external influences.

Human rights talks leave space for several actors to communicate and cope with these rights, drawing up on each ones current norms and traditions as long as those can be recognized as sufficiently pertinent to the principles of human rights. On this matter, Jack Donnelly argues that protecting internationally recognized human rights, gains increasing acceptance as a prerequisite for inclusive political legitimacy. However, human rights' norms albeit their international nature, are yet contingent on national implementation since their enforcement relies mostly on the sovereignty of states; the fact that some states are involved in crimes against humanity and other appalling crimes, as in the case of Syria and Yemen, merely reflects that view. Given the universality of human rights, their application and implementation is conditioned by relativity, and thus it is a matter of chance whether one belongs to a state which acts in favor of their implementation or not.³⁰ Furthermore, considering the matter of legitimacy, the significance of the latter in governance is an uncontested issue, regardless of the type of governance.

Similarly, Simmons in '*Justification and Legitimacy*', building on the notion that a state's legitimacy should be distinctively evaluated regardless of the state's righteousness or justice, argues that justification implies proving what one deems as morally or rationally accepted, thus by consequence one

³⁰ Donnelly, Jack. "The Relative Universality of Human rights." *Human rights Quarterly* 29, no. 2 (2007): 281-306. Accessed December 8, 2020. p.283, <http://www.jstor.org/stable/20072800>.

disproves any opposing arguments; in this context justification can be perceived by large as a ‘defensive’ concept employed against objectors.³¹

Levi and Sacks, frame legitimacy in the context of a government’s effectiveness towards their citizens willingness to comply with its rules and regulations. In ‘*Legitimizing beliefs: Sources and indicators*’, they explore the conditions that produce legitimizing beliefs and argue that these require cognitive empirical evidence from the citizens, that the government is effective and just, in terms of security, protection and provisions.³²

On the concept of dispute that surrounds human rights and Muslim societies, Anthony Chase on ‘*Human Rights in the Arab world*’, while admitting to the controversy arousing from such a topic, argues that Muslim societies have often responded when by developing their own principles and sociopolitical theories, away from religious or cultural notions. Moreover, he suggests that the tendency to regard authoritarianism as culturally driven, results in neglecting other political entities. Human rights should be seen under the prism of relevance they bear to political, social and economic perspectives within different societies.³³

With regard to the matter of human rights’ abuses occurring in the Middle East, Valerie Hoffman assumes that governments bear heavy responsibility on the issue, since authoritarian patterns in the region are significant to the abuse of power; and Middle East has fostered some of the most atrocious dictators of the world with Bashar al-Assad, still in power, relinquishing part of the country’s control to rebel forces and ISIS.³⁴

Furthermore, Hoffman concludes that in most Muslim countries human rights’ violations are perpetrated within governments which lack real legitimacy and justified on the premise of the state’s security, contrary to the view that has these violations based on religious grounds. However considering both Yemen and Syria’s implications with foreign actors, religious matters in terms of the dipole between Sunni and Shia proponents often highlight the degree of diversity and the intolerance that each side has on it.

³¹ Simmons, A. John. “Justification and Legitimacy.” Chapter. In *Justification and Legitimacy: Essays on Rights and Obligations*, 122–57.,p.123, Cambridge: Cambridge University Press, 2000. doi:10.1017/CBO9780511625152.008.

³² Levi, Margaret, and Sacks, Audrey. "Legitimizing Beliefs: Sources and Indicators." *Regulation & Governance* 3, no. 4 (2009): 311-33., p.311-314

³³ Chase, Anthony. " Introduction: Human rights and Agency in the Arab World". In *Human Rights in the Arab World*, (Philadelphia: University of Pennsylvania Press, 2006) p. 1-18, <https://doi-org.ezproxy.leidenuniv.nl:2443/10.9783/9780812208849.1>

³⁴ Hoffman, Valerie J. "Islam, Non-Muslim Minorities, and Human rights in the Middle East." In *Making the New Middle East: Politics, Culture, and Human rights*, edited by Hoffman Valerie J., 153-93. Syracuse, New York: Syracuse University Press, 2019. Accessed December 7, 2020. doi:10.2307/j.ctv14h4pr.11.

More specifically, regarding the case of Yemen, Sheila Carapico, a Yemen expert, concludes that many Yemenis when addressing the international concepts of human rights, they draw upon their own culture, and tradition to protect those rights legally morally and rationally, contrary to the neo-Islamic rejection of human rights. Therefore it is not about traditions and ethics hindering human rights, but rather about existing practices that challenge these declared worldwide ideas.³⁵ In fact Carapico suggests that Yemen constitutes a country whose historical background reflects the emergence, setbacks and refocusing on human rights as an inlaying concept to Yemeni society, familiar and already in harmony with such concepts, as those conveyed by Western societies. She argues that especially from 1950 onwards there was an apparent tendency towards rights and freedoms and an overall ‘call for connection to the civilized world’.³⁶ From 1990s onwards several organizations such as the Yemeni Organization for the Defense of Human Rights and Democratic Liberties and the Yemeni Organization for Human Rights, denoted the spread of the popularized notions of liberty, justice and non-violence, inherent to the discourse of human rights. The politicization of human rights in Yemen is described in an incident, in which she mentions that human rights’ defense and endorsement gained such popularity, that a rights’ inspector expressed concerns about the latter becoming ‘a stick’ with which both political sides beat each other with.³⁷

On the other hand, Syria belongs to these countries that have been widely involved in government atrocities, human rights’ violations and paramilitary activities.³⁸ The Syrian government follows a deliberate tactic of involving civilian militia fighters into the state. Institutionalizing non-military violent local groups constitutes the government’s strategy to carry out the war.³⁹ Syria’s government has been repeatedly reported for training irregular militias. There are various reports that point to Iranian training and support for Syria’s militias.⁴⁰ The government has also regularized militias or armed groups to work alongside regular armed forces.

Several studies substantiate the violent practices prevalent in Syria’s regime and the vast majority of scholars echoes the disastrous and aggressive tactics of the Syrian government during the war.

Amr Hamzawy, a political scientist and human rights’ activists, classifies Syria among countries in which the government employs human rights as a legitimization tool for their strategies, whereas he

³⁵ Carapico, Sheila. "Some Yemeni Ideas About Human Rights". In *Human Rights in the Arab World*, (Philadelphia: University of Pennsylvania Press, 2006)

doi: <https://doi-org.ezproxy.leidenuniv.nl:2443/10.9783/9780812208849>, 137–152, p.152.

³⁶ Ibid, p.142.

³⁷ Ibid. p.148.

³⁸ Üngör, Uğur Ümit. “Shabbiha: Paramilitary Groups, Mass Violence and Social Polarization in Homs.” *Violence: An International Journal* 1, no. 1 (April 2020): 59–79. <https://doi.org/10.1177/2633002420907771>.

³⁹ Kheder Khaddour, ‘Securing the Syrian Regime’, Malcolm H. Kerr Carnegie Middle East Center, June 03, 2014, <https://carnegieendowment.org/sada/55783>

⁴⁰ Aron Lund, ‘Who are the pro-Assad militias?’, ‘Malcolm H. Kerr Carnegie Middle East Center’, <https://carnegie-mec.org/diwan/experts/913>

considers Yemen to be belonging in a group of countries that make relative progress regarding human rights and good governance.⁴¹

Salwa Ismail in her book *'The Rule of Violence'* argues on the establishment of a 'civil war regime' following Hafez al-Assad's accession to power. The term is justified in the context of a government that allowed for polarization conditions to thrive and be exploited in an 'us'- loyalists - versus 'them'- oppositionists - dipole.⁴² In her books she approaches political violence in Syria as a form of governmental power and explores the significance of horror within the framework of cognitive and symbolic use of violence, drawing on Foucault and Agamben theory on 'thanatopolitics'. She further views the violent acts against opposition in Syria as the government's main tactic, in which destruction politics - with a focus on detentions camps and massacre - constitute an inherent feature of the government. These two components, she argues, are used as both physical and mental 'attacks' in the sense that they both disarm and control opponents literally or by demonstrating the regime's power over them.⁴³

In both Syria and Yemen's civil wars, militias or armed groups have been mobilized by state actors, inflicting greater damage in an already tarnished civilian population. There are several definitions on what militias are. Jentsch, Kalyvas, and Schubiger define militias as armed groups which operate either together with governments' forces or separately in order to protect locals from insurgents.⁴⁴

In both respective cases, the fact of multi-actor dynamics within the states as well as foreign actors, are influencing the countries' balances concerning the legitimate actors entitled to lay claims on the language of human rights. Jeremy M. Sharp's report, in which background information on the crisis in Yemen is provided, with respect to the issue on geopolitical interferences in "*The Congressional Research Service Reports*" is tackling the geopolitical influence of internal interventions in the Yemen's civil war. Similarly, Christopher Phillips paints a baffling picture on the international mediators engaged in the Syria's' civil conflict.⁴⁵

The national and international dynamics of states, the allies and foes, and eventually the proxy combatants and deterrence strategies render these civil wars rather complex in terms of analysis; however these components implicitly or explicitly shape the statements made by the respective representatives.

⁴¹ Hamzawy, Amr. "Conclusion: Normative and Political Dimensions of Contemporary Arab Debates on Human Rights". In *Human Rights in the Arab World*, (Philadelphia: University of Pennsylvania Press, 2006), p.198, doi:<https://doi-org.ezproxy.leidenuniv.nl/2443/10.9783/9780812208849.197>

⁴² Ismail, Salwa. "Conclusion: The Rule of Violence – Formations of Civil War." Chapter. In *The Rule of Violence: Subjectivity, Memory and Government in Syria*, 189–201. p.189. Cambridge Middle East Studies. Cambridge: Cambridge University Press, 2018. doi:10.1017/9781139424721.008.

⁴³ Ismail, Salwa. "Introduction: The Government of Violence." 1–29, 2018. doi:10.1017/9781139424721.002.

⁴⁴ Jentsch, Corinna, Kalyvas, Stathis N, and Schubiger, Livia Isabella. "Militias in Civil Wars." *The Journal of Conflict Resolution* 59, no. 5 (2015): 755-69.p.755

⁴⁵ Phillips, Christopher. *The Battle for Syria: International Rivalry in the New Middle East*.2016.

Chapter 2

Syria

2.1 Compliance and Internalization of Human rights practices in Syria.

Almost half a century of Assad ruling the country many political, civil and military actors found a way to change the status quo in Syria. These distinct actors' different visions on the country's future resulted in introducing themselves as saviors of the state, in order to rule. Prior to 2011, the adverse social conditions coupled with the government's brutal actions on various protests during 2011, resulted in several previously peaceful movements, taking up arms in order to impose their own aspirations towards altering Syria's status quo.

The neoliberal policies of Syria, in the decade following Bashar al-Assad's ascent to power in 2000, were proved to favor mainly the upper class and foreign investors at the expense of the vast majority of Syrians, who had lost their properties and they were struggling to survive. Considerable structural weaknesses in the economic sector initiated a shifting towards a free market economic policy. Syria's shift into a liberal policy was further motivated by the financial influence exerted by the IMF and the World Bank.

Moreover various privatization and liberalization policies began to arise, as Bashar allowed for international organizations, like IMF, to intervene in economic reformations within his country, holding up to a reputation of a modernizer and a reformer, following his father's succession to power. In 2005, some reforms, aimed at boosting Syria's financial structures, such as the 'social market economy', was adopted by Baath's party. This new strategy was implemented in order to encourage private accumulation through the market. Until the end of 2010, new laws were implemented with a view to contribute to the economy's liberalization process. Prior to the uprising, inflows in investment drove a boom in different sectors, namely in sectors of trade, banking, tourism, housing and construction.

Regarding human rights' presence in the country, Syria has been a signatory of several Treaties promoting peace and human rights.⁴⁶ Syria voted for Universal declaration of human rights in 1948,

⁴⁶ Moodrick-Even Khen, Hilly, Nir T. Boms, and Sareta Ashraph, eds. "Table of Treaties." Other. In *The Syrian War: Between Justice and Political Reality*, xvii-xviii. Cambridge: Cambridge University Press, 2020.

signed the Geneva Conventions in 1953, and the Additional Protocol I with regards to protection of victims in international armed conflicts in 1983.

In the course of uprisings, the Syrian society tried to promote human rights and peace in places where the government was absent. Since 2011, when the Syrian Civil War broke out, an enormous number of violent actions have been reported along with various violations of the humanitarian law, which respectively afflicted Syrian civilians, who suffered tortures, enforced disappearances, killings and bombings among numerous cruelties. These atrocities, according to the UN, have already caused more than 60.000 casualties, while in current times, it is estimated that about 12 million Syrian are in need of humanitarian assistance. According to the UN, it is the government that should shoulder this burden, support and protect its people and ensure human rights' implementation principles in Syria.

The Civil War in the country began with the protests of Arab Spring, against President Bashar al-Assad. However, what started as a protests movement, after the government's violent tactics in order to suppress it, stated taking the form of uprisings, which consecutively shifted to armed conflicts, resulting in a civil war. Assad's strategy reaction was centered on a "total war" tactic against government opponents.⁴⁷ These opponents while at the beginning of the clash seemed to be labeled as rebellions, however given that actual terrorist groups emerged in the country, the rebellions were renamed to terrorists under a generalization scheme of those opposed to the government. After many years of fighting in the country, it seems that each party continued - one way or another to perpetuate severe violations of the international law, thus the government took actions against this situation in order for stability to be restored. However, soon after, the country suffered huge turmoil, with various horrific violent acts inflicted upon civilians; reports according to many international organizations indicate the use of chemical weapons, tortures, enforced disappearances along with human rights' defenders prosecutions

A prominent feature of the Syrian civil war is the dire violation of IHL and the Syrian government is reported as sharing an essential part in these violations, by using siege tactics, arrest campaigns - often ending up in disappearances - and abductions.⁴⁸ The six point peace plan, presented by Kofi Annan in March 2012, directed towards applying a policy on the ceasefire of military hostilities, and humanitarian aid supply to areas afflicted by conflicts, eventually failed to fulfill its goal.

⁴⁷ Zisser, Eyal. "The Syrian Government's War against Its People." Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashraph, 56–78. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.004

⁴⁸ Ashraph, Sareta. "All the Red Lines: The Syrian Conflict and Its Assault on International Humanitarian Law." Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashraph, 79–106. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.005

Not much later, the Geneva Communiqué followed in June 2012, a serious effort towards a political solution. Geneva Communiqué was an agenda pointing- among others- towards a transitional governing body, a reform of the constitutional order, and free multi-party elections, with an aim to result in a peaceful transfer of power. Even though Lakhdar Brahimi, a UNs diplomat, in 2012 called for an immediate implementation of the communiqué, only after further negotiations were made by US and Russia, the Government and the opposition managed to hold the Geneva II conference in Switzerland in 2014. However due to the Government's insist on handling the terrorism issue before anything else and the opposition's party reluctance on that order, the Conference failed to reach any concrete resolution or achieve any desired outcome.

The case in Syria might fit the first step of the spiral model, which calls for actions against repression, overthrow of the status quo and liberal reforms, fits the first step of the spiral model.

However, the outbreak of civil war which led to Syria's territorial disintegration seems to have failed to prompt Syria into the next phases of the spiral model; although the element of denial was present, any further steps to the next phases were eventually stifled by the unfortunate turn that the situation in Syria took. Given the present conditions in Syria, it is therefore meaningless to argue over internalization of human rights in the country, when one cannot at first place argue over human rights at all. Legal obligations that bound Syrian authorities to respect, protect, promote and implement the International human rights treaties that the country has joined are therefore cancelled out on the whole.

2.2 Representation of the Syrian Government in the UNGA

The government's involvement in human rights' talks as stated previously is presented through governmental representation in the UNGA; particularly in Syria's participation since 2011 which was attended consecutively by Walid Al-Mualem, the Minister of Foreign Affairs of the Syrian Republic.⁴⁹

In 2011 the year that marks the civil war outbreak, Al-Walem on the sixty sixth Session of the General Assembly, frames his speech around the word 'reform' and stability. Paving the ground on asserting that Syria is a role model for peace and secularism, moves on to make a clear-cut point using rhetorical coercion on the abuse of human rights by the US and the EU respectively on account of having a word in Syria's domestic affairs. *'Any objective and realistic analysis of the events in and around Syria will demonstrate clearly that one of the purposes of the unjust anti-Syria campaign currently under way is to attack this model of coexistence, which has been a source of pride to our people'*. He continues with an even stronger statement by inveighing against Western hegemony-providing this way indirect criticism-for promoting an Israeli expansionist agenda in the Mediterranean.

However, during 2011, The Iranian Revolutionary Guards IRG, and Hezbollah militiamen responding to the Syrian invitation to assist the Syrian Armed Forces against rebel forces, started flowing into the country only to be followed soon after by a numerous influx of foreign forces, including Russia, US, European coalition forces, Jordanian air force, Kurdish militias, the (YPG), Iraqi, Afghani, Pakistani, and Malaysian Shi'a militias, Iraqi Sunni jihadist, Turkey's armed forces; and Turkman militias⁵⁰.

In the report of the Independent International Commission of Inquiry in Syria though (IICIS), the State of Syria is reported as bearing responsibility for violations against fundamental Human Rights and international law, committed by military and security forces.⁵¹The use of human rights' language in this case, serves as a communicative tool for counter argument statements against the accusation by the international community towards the states abusive tactics.

⁴⁹ Dag Hammarskjöld Library ,<https://ask.un.org/faq/97169>

⁵⁰ Levanoni, Moran. "Proxy Wars in Syria: Exploitation of the Palestinian Issue in the Syrian Crisis." Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashraph, 165–79. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.008., p. 165

⁵¹ Report of the independent international commission of inquiry on the Syrian Arab *Republic, A/HUMAN RIGHTSC/S-17/2/Add.1, p.19, https://www.ohchumanrights.org/Documents/Countries/SY/A.HUMANRIGHTSC.S-17.2.Add.1_en.pdf

A repetitive notion circulating the 2012 speech implies the government's compliance to International norms and laws. That serves the need of signaling the state's law-abiding features, thus building up on reputational gains and moral authority claims, but also delegitimizing foreign interference in domestic affairs. On the basis of this compliance, launches a reverse argument targeting Qatar, Saudi Arabia, Turkey, the United States, and France and accusing them of inducing and supporting terrorism in Syria, contrary to their International responsibility against such acts.

The use of 'terrorism' seems to be affluent in 2012 speech. *'This terrorism is externally supported and is accompanied by unprecedented media incitement seeking to ignite religious extremism sponsored by well-known States in the region'*. These arguments pave the way to foreign interference delegitimization. The speech is a heavily loaded one, to the extent that by just questioning the UN's failure to condemn terrorist acts perpetrated by Al-Nusra Front and other terroristic groups, he is shaking the foundations of fundamental human rights principles attributed to the Security Council. At a later point, Minister Al-Mualem affirms Syria's commitment to implement Kofi Annan's six-point plan and the Geneva final communiqué as a proof of Syria's compliance and respect to norms. However for Eyal Zisser this not the case, since he argues for the governments claims adherence to laws only to justify the inhuman nature of its acts.⁵²

Considering that the respective document reports blatant human rights' violations committed by State officials and armed forces polices, human rights' talks in that year's speech are framed in a manner of launching respective counter-accusations on foreign actors, for supporting 'terrorist acts' in Syria.⁵³

Syria is seen an illegitimate regime, that turns s against its own people. John Baird the Minister for Foreign Affairs of Canada in the same conference stated that. *'We will never support a brutal and illegitimate regime that has unleashed weapons of mass destruction on its own people'*. As in 2012 speech, the following two consecutive speeches in 2013 and 2014 respectively, Al – Moualem rephrases human rights the civil war in Syria as a war against 'terror', and pursues legitimacy recognition by claiming that *'it is Syrians who have the last word on their leader, their representatives, and their sovereignty'*. These words would perfectly serve as an answer to Dmitri Trenin, Director of the Carnegie Endowment Moscow Center, when he presented the Syrian case as a world order issue and raised questions on Syria's legitimacy by questioning Syria's word on the conflict.⁵⁴

⁵² Ibid. 3, 57.

⁵³ Report of the independent international commission of inquiry on the Syrian Arab *Republic, A/HUMAN RIGHTSC/19/69, p. 17, [https://undocs.org/A/HUMAN RIGHTSC/19/69](https://undocs.org/A/HUMAN%20RIGHTSC/19/69)

⁵⁴ Trenin, D. (2012) 'Syria: A Russian Perspective', SADA, 28 June. [http://carnegieendowment.org/sada/index.cfm?fa=show&article=48690&solr_hilite=.](http://carnegieendowment.org/sada/index.cfm?fa=show&article=48690&solr_hilite=)

Building on delegitimizing external actors, he makes extended references in terror actions, terrorist groups and accusations continue to hurdle against what he calls ‘well known’ states which display indiscipline to the norms governing the Security Council by being advocates of terror and aggressive tactics. In pursuit of degrading these “well knows” countries, he notably uses loaded language against the later referring to them as being ‘immoral’, ‘illegal’, imbued by ‘political hypocrisy’, maintaining ‘paranoid policies’, in contrast to references on Syria, depicted as ‘ pluralistic, harmonious, national community’, imbued by ‘harmony’ and ‘understanding’ . On an attempt to gain support he then shifts the attention to terrorist groups active in Syria, stating that ‘*Terrorism means only terrorism*’ .By awakening memories on the US terrorist attacks, he uses the ‘naming and shaming’ model to attack the United States by wondering ‘*how can it be that countries which have already experienced terrorism, be supporters of such an act in his own country*’.

On the Khan Al Asal, case on the use of chemical weapons in 19 March 2013, Al-Mualem claims that the government was the one targeted by such weapons and besides demanding the investigation on who used chemicals, which was rather made around whether chemicals were used, implying the provocative role of US, UK and France behind this investigation. He then asserts Syria’s respect on commitments against the use chemicals proved by Syria’s acceding to the Chemical Weapons Convention, however according to the relevant UNs Mission not only confirmed Syria’s involvement t it, but also its responsibility on the attacks.⁵⁵

In the same speech Al-Mualem accuses the EU and the United States of hindering humanitarian aid to Syrian civilians by ‘inhuman’, ‘immoral’ sanctions imposed by both, at a time when the government works with international organizations and UN towards a plan to lift the suffering of civilians; at the same time government forces have been accused of blocking essential aid provisions to civilians.⁵⁶ Therefore it is evident in this case that human rights language is deployed as a delegitimizing narrative, as well as a means to claim moral authority; an emphasis on their violations gives grounds for indirect legitimacy and reputation gains, by naming and downgrading the presumed rights violators.

At the same time, the respective annual report, finds that anti-government armed forces violations were less intense than those conducted by State and affiliated militia. In the report government forces and

⁵⁵ United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/12/report.pdf>.

⁵⁶ Ashraph, Sareta. “All the Red Lines: The Syrian Conflict and Its Assault on International Humanitarian Law.” Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashuman rightsaph, 79–106. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.005.

affiliated militias are faced with accusation of engaging in tortures, massacres, rapes, and enforced disappearances.⁵⁷

In 2014 Al-Mualem addresses yet another speech on the devastating consequences of terrorism and reminds the Security Council on the concerns that Syria had posed throughout past years on the increasing presence and violent acts by terrorist groups that violate blatantly human rights. On this ground and questioning once again the legality of foreign intervention, he overtly blames the US for supporting these groups stating that *'what we see on the part of the United States Administration is a policy of double standards'*. In another point, he reaffirms the government's support and willingness to cooperate with international organizations to fight terrorism. *'Once again, the Syrian Arab Republic reiterates that it stands with any international effort to combat terrorism' – 'In Syria we respect our commitments and honor our promises and pledge'*. This statement is an indirect utterance towards signaling yet another time the law abiding nature that Syria is willing to display.

'Intentions are meaningless'. Under this quote and while disregarding a countless number of reports and accusations on the government's forces atrocities and human rights violations', he emphasizes that the process towards terrorist combating should be carried out with utter respect towards civilians, national sovereignty and in accordance with international norms.

Bashar Al-Assad reelection in the same year provided a solid ground for the government to pose claims on the legitimacy and democratic representation of the Syrian government, and claims to prosperity, security and stability, although the outcome has been widely contested.

The Committee's annual outcomes continue to issue reports on widespread attacks gross violations of human rights committed systematic and are even targeting protected groups such as humanitarian personnel, hospitals, and cultural property.⁵⁸

2015 constitutes an incisive speech, with sharp remarks and statements. *The inhuman sanctions imposed by the European Union and the United States of America have exacerbated the hardships of Syrian civilians*. The need for foreign intervention to end in Syria is stressed throughout this session as in all preceding ones, in a form of direct accusation of the International community of remaining silence against criminal acts towards Syrian people, perpetrated by what he calls 'well known' states which fail to implement Chapter VII SCs resolutions. At a later point under the 'shaming' but not 'naming' tool he uses an explicit utterance to undermine the respect for rights and democratic values of the United States

⁵⁷ A/HUMAN RIGHTSC/23/58, https://undocs.org/A/HUMAN_RIGHTSC/23/58, A/HUMAN RIGHTSC/22/59, https://undocs.org/A/HUMAN_RIGHTSC/22/59, A/HUMAN RIGHTSC/24/46, https://undocs.org/A/HUMAN_RIGHTSC/24/46

⁵⁸ A/HUMAN RIGHTSC/25/65, https://undocs.org/en/A/HUMAN_RIGHTSC/25/65

by attacking its alliances, thus damaging their credibility and legitimacy when the latter interferes within the Syrian conflict. *How can the former accept such practices as sexual jihad, slaughter, cutting off hands and the systematic destruction of history, monuments and culture?*

On a following point, Iran is praised upon its agreement on the right to use nuclear for peaceful purposes, while United States and EU's economic sanctions – imposed on Syria's government on the ground of human rights' violations and support of International terrorism – are characterized as 'coercive' and 'unethical' as they only deteriorate the existing humanitarian crisis.⁵⁹

The annual report, covering the years 2011 until 2015, mentions the Syria's case shift, from what began as a conflict to that of a civil war. It also mentions that since the Committee's asses in Syria's affairs had been denied by the government, the reports rely on primary resources. The report makes reference to the State's failure to protect civilians, directed governmental attacks against them and prevention of medical and food supplies. The report also states that not only the Syrian government has relied on militias such as the Shabbiha and the National Defense Force, but has also been benefited from foreign militias interventions namely Hezbollah and Iraqi Shia.⁶⁰

In 2016 session, the repetition of the word 'terrorism' prevails in almost throughout Al-Mualem's speech. Moral legitimization as well as delegitimization of foreign interference is yet another time expressed and seen in statements like *'In Syria, we are combating terrorism on behalf of the entire world'* – *'Make no mistake — no one is more committed than the Syrian Government to ending the suffering of the Syrian people and providing them with a life of dignity [...]*', *'We have always welcomed all international efforts to counter terrorism in Syria'*. Qatar and Saudi Arabia enter the list of those openly accused of their support in terrorist acts and mercenary missions in Syria. At a later point on a reference made to Turkey, he poses a rhetoric question on the incompatibility of actions versus statements, with a view to make a clear point on the Turkish invasion to Syria, which he claims cannot be justified by counter terrorism acts.

At another point, Al-Moualem, attacking the UN Organization, conveys the signal of questioning, thus downgrading the credibility of International Institutions. *'We hope that our Organization will be able to regain public trust around the world [...]*'. Respectively The UN report continues to make reference to blatant human rights' violations, conducted by Government forces, as well as ISIS. The Government is held responsible for enforced disappearances, which cause terror to Syrians when crossing government

⁵⁹ Comply advantage, <https://complyadvantage.com/knowledgebase/syria/>

⁶⁰ A/HUMAN RIGHTSC/28/69, [https://undocs.org/A/HUMAN RIGHTSC/28/69](https://undocs.org/A/HUMAN%20RIGHTSC/28/69)

checkpoints. Moreover it reports offensive operations targeting opposition-held locations in the Aleppo and Damascus.⁶¹

2017 speech repeats the suffering that Syrian people endure through the last years. He further proceeds with the usual method of delegitimization of foreign interference (The Coalition) by stating that they use the pretext of fighting terrorism as a tool for intervention, which targets Syrian people. '*However, that coalition has done everything but fight terrorism*'. The West countries with which Syria has cut ties with, US and France's initiations, Global Coalition and Friends of Syria respectively-are being denounced in contrast to Russia and Iran's constructive role towards Syria. He then refers to deliberate economic sanctions imposed on Syria, attacks the presence and acts of foreign actors in it, reminds the community of the dire violations of IHL made by foreign actors with a view to increase suffering and refuses the use of chemical weapons by Syrian forces. As done previously, Al-Mualem assails UN as ineffective in complying with its own norms in terms of defending legitimate rights against the 'law of jungle and hints once again at countries serving a terror instigators in Syria. The Syrian people have the exclusive right to determine the future of their country without any external interference. Meanwhile, the 2017 UN document continues to report the government's blockades on goods as a means of 'starvation weapon', the use of chemical weapons against civilians, and the States denial on humanitarian evacuation for wounded and sick civilians and fighters.⁶²

The speeches made in 2018 and 2019 are - in their most part - reflecting terrorism, its vicious implications, spreading actions and threats to international peace, security and stability are centered in denouncing foreign interference in Syria. That argument is uttered through Al-Moualem's speeches by creating a distinction between two axes. The first one according to Al Moualem is that of Syria which is said to be promoting peace, stability and prosperity contrary to the UN report that talks about government forces - likewise terrorist groups - denying essential supplies in besieged areas, continuing the use of chemicals, targeting medical infrastructures, and launching airstrike against schools populate areas.⁶³ The other axis against is portrayed as colonialist and hegemonic and refers to all foreign Western actors that interfere in Syria's domestic affairs. Thus referring to the US imperialistic tactics he accuses the American-led coalition of its terror nature by stating, '*It should have been more aptly named the coalition to support terrorists and commit war crime*'.

⁶¹ A/HUMAN RIGHTSC/33/55, [https://undocs.org/A/HUMAN RIGHTSC/33/55](https://undocs.org/A/HUMAN%20RIGHTSC/33/55)

⁶² A/HUMAN RIGHTSC/36/55,[https://undocs.org/A/HUMAN RIGHTSC/36/55](https://undocs.org/A/HUMAN%20RIGHTSC/36/55)

⁶³ A/HUMAN RIGHTSC/37/72 ,[https://undocs.org/A/HUMAN RIGHTSC/37/72](https://undocs.org/A/HUMAN%20RIGHTSC/37/72)

Another point refers to Syria's progress in fighting ISIS. He states that that the battle against terrorism is almost over. On this ground and by ignoring - if not rejecting US role in it - he gives credits, to the government's heroic army and Syrian people along with countries allies and friends.⁶⁴

Referring to the Syrian Democratic Forces (SDF) he states that '*With the support of the United States of America and international coalition forces, they seek to impose a new reality that serves the agendas of the United States and Israel in the region, prolonging the terrorist war against Syria*' The SDF, by 2019 and on account of the US backed coalition forces fighting ISIL, freed strategic positions designated the end of ISIL forces territorial control with the siege in Baghouz.⁶⁵ In this statement he once again defames foreign powers in Syrian soil, and in light of significant progress made in fighting terrorism he states accordingly '*Syrians have defended not only themselves, their country and their culture, they have defended the whole of humankind*'. Al- Mualem praises once again the Syrian Army along with allies and friends for fight against terrorism. This way he points towards the states' good intentions and efficacy in protecting both civilians and the country's sovereignty. In contrast to these uttered expressions by Syrian side, the 2019 UN documentation remains unchanged when it comes to government forces violations, making references such as detention, tortures, harassment and hindering of humanitarian access, aerial and ground strikes.⁶⁶

While he deprecates terrorism for all the horror and destruction that Syria's people have gone through, he seems not willing to shoulder any of that burden.

⁶⁴ Gal, Tom. "Legal Classification of the Conflict(s) in Syria." Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashraph, 29–55. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.003.

⁶⁵ Timeline: the Rise, Spread, and Fall of the Islamic State, <https://www.wilsoncenter.org/article/timeline-the-rise-spread-and-fall-the-islamic-state>

⁶⁶ A/HUMAN RIGHTSC/42/51, <https://undocs.org/A/HUMAN RIGHTSC/42/51>

2.3 Comments on Syria

In light of these statements, if we were to apply the spiral model on Syria's case in its current phase, one would argue that the UNGA statements by the respective official, match the second phase of the process, in which denial and arguments on the state's legitimacy are prominent features. It only remains to see whether the next phases of the spiral mode in the theory on internalization of human rights will be fulfilled, in the hope of future developments in the country.

The primary idea in Al-Mualem's speeches is centered in denouncing foreign intervention in the state of Syria, claiming that they deploy terrorist acts under the pretext of humanitarian aid; which in turn translates to human rights' violations. The link between terrorism and human rights is thus illustrated in a form of complementary contradicted essence. Disregarding brutal human rights' abuses and violent acts perpetrated by government forces within Syria, the main concern according to the statements revolves around Syria's sovereignty, which is assumed to be threatened by foreign interventions in an attempt to erode the country's societal – political and economical structure. Syria's inefficiency in ending the civil war brought about a shared view in the international community that deemed international intervention as necessary towards this end.⁶⁷

The use of human rights has therefore the power to reshuffle geopolitical interests, signal respective intentions, implicitly or explicitly, test and express preferences in allies and future alliances. Some views hold that the United States interference in Syria, owes its presence to Russia's growing interest in the Middle Eastern area.⁶⁸ Russia and Syria have formed important economic, humanitarian as well as cultural bonds, particularly, after Syria's shift in economic partners and allies. That shift was prompted by the Western powers decision to distance them from Syria economically as a response to the latter's role in the war in Iraq. The United States imposed economic sanctions that were justified on the basis of Syria's alleged support for terrorism. Similarly, Iran has also been a strategic ally of Syria. The Syrian government, under the assistance of its allies, Iran and Russia, initiated the creation of both national as well as foreign militias, which resulted in a huge number of militia groups, and armed forces, rushing into Syria. The Iranian groups' incursion into Syria indicates Iran's decision to back up Syria and

⁶⁷ Ahmed Bux Jamali, "The Incomplete Democracy and the Onset of War, Causes and Consequences: A Case Study of Syria", *Journal of Political Sciences & Public Affair*, DOI: 10.4172/2332-0761.1000357.

⁶⁸ Glaser, Charles L. 'Realists as Optimists: Cooperation as self-help'. *International Security* 19.3(1994):50-90.

stand as an ally both military and ideologically, by promoting at the same time its geostrategic plans in the Middle East.

Independent International Commission of Inquiry on the Syrian Arab Republic in 2016, referring to the government forces noted that ‘it is extremely rare to find an individual who has been detained by the Government who has not suffered severe torture’. Moreover, a number of sources have reported several occasions which highlight the government responsibility for enforced disappearances campaigns, tortures, ill-treatment and arbitrarily arrest of individuals, a number of whom have lost their lives in detention.⁶⁹ Had it not been for the reference in rights violations, contrasted with the pious intentions of the Syrian government, Al-Mualem’s speech would lack a serious momentum which is gained by listing the atrocities and expansionist plans by external forces.

Therefore in the case of Syria, human rights language serves in debating political interests, and its use as such has the dynamic to legitimize actions or inertia of actions and cause reputational costs, which in turn serve as a significant tool in a state’s credibility and sovereignty. The Syrian Armed Forces, under the command of the Assad’s regime have been accused by numerous sources for aggressive tactics and violations of human rights, more specifically the most prominent crimes reported by the Commission of Inquiry (CoI), and Amnesty International, account for torture and extermination of prisoners in detention facilities, known as ‘torture centers’.⁷⁰

⁶⁹ Amnesty International, ‘Between Prison and the Grave’ Enforced Disappearances in Syria’, 2015, <https://www.amnesty.org/download/Documents/MDE2425792015ENGLISH.PDF>

⁷⁰ Khen, Hilly Moodrick-Even, and Yael Siman. “Scorched Earth in Syria: Between Crimes against Humanity and Genocide.” Chapter. In *The Syrian War: Between Justice and Political Reality*, edited by Hilly Moodrick-Even Khen, Nir T. Boms, and Sareta Ashraph, p.109–124. Cambridge: Cambridge University Press, 2020. doi:10.1017/9781108768016.006.

Chapter 3

3.1 Compliance and Internalization of Human rights practices in Yemen

In Yemen's case, events that marked the country's recent history course date back in 2013; on the occasion of the uprisings in Tunisia and Egypt, people in Yemen gradually began to take part in anti-government demonstrations, demanding the overthrow of the longtime President Ali Abdullah Saleh and aiming at establishing a new political, social and economic reality. In the midst of increased social unrest, intensified military clashes all over the country and an imminent merciless humanitarian crisis, the feeling of a weakening political landscape and the growing sense of social and financial insecurity brought Yemen locked in a stalemate demanding changes in all forms. The GCC, 'Gulf Cooperation Council' agreement and implementation mechanisms following the agreement towards this transition, along with the Security Council Resolution 2216 – centered around restrictions aiming at limiting the Houthis – are landmark events that are always present and hold sway over the government's agenda.⁷¹

The period in between 2011-2012 can be seen as a precursor to the most recent civil war in Yemen, when, amid the Arab Spring uprisings, former President Saleh, after thirty three years of ruling, was forced to resign in 2011 and Presidential elections were held for the first time with Mansour Hadi, former Vice President to Ali Abdullah Saleh, running unopposed, as the sole candidate in 2012. The year prior that, 2011 unrests called for OHCHR to emerge in Yemen and in March 2012, the UN body established its presence in the country in an effort to initiate Yemen in human rights' principles, in accordance with Yemen's efforts to political and social transition through the GCC initiative. However a Universal Periodic review (UPR), was already present in the country since 2009, and following the UPRs scheduled records, another one took place on January 29, 2014 and on January 23, 2019 accordingly. Three years later, and due to local groups fighting each other with prominent figures the Houthi rebels - one of the most notorious movements in Yemen - revolting and taking over the government in Sana'a, the war that continues to this day broke out.

Yemen is a country in which human rights' talks were gradually incorporated in the newly drafted 1990s constitution.⁷² The country's unification since 1990 designated a new governmental system, a democratic shift, which was reified through general elections, human rights' endorsement - by adopting the implementations of the UN Charter – the Charter of the League of Arab States and rules of

⁷¹ <https://www.un.org/securitycouncil/s/res/2216-%282015%29-0>

⁷² https://www.constituteproject.org/constitution/Yemen_2001.pdf

International law. Democracy and human rights often consist interchangeable terms, since the former appears to be a form of government which favors and protects human rights, by consequence prevent their violation by both internal and external factors.

Reforming towards a free market economic model that favors a globalizing economy and privatization processes, Yemen following its unification switched to neoliberal economic reforms. Thus the notion of globalization - political and economic liberalization - which evidently led to endorsing liberal approaches started entering the newly unified country in the form of building up connections with international powers, and creating interdependent relations such as those with the IMF and the World Bank. President Hadi's initiative steps on liberal reformations can be seen through the 'Agreement on the implementation mechanism for the transition process in Yemen', following the initiative of the Gulf Cooperation Council which marked the start of a so called 'transitional period'. It also designated the aspirations towards peaceful political amendments and social remodeling, with an aim to reinvest in justice and promote national unity⁷³. GCC agreement in accordance with the UN Security Council Resolution 2051 and approval by the G-10 was signed in November 23, 2011.

An offshoot to the GCC and a leading task of the transitional period in Yemen was the convening of the NDC (National Dialogue Conference), aiming at ending Houthis violence and progressing the transnational period. The conference took place in Sana'a, launched on March 18 2013 until January 2014 and was endorsed by Jamal Benomar - UN's Secretary-General's Special Envoy at that time and an essential coordinator on the GCC - who characterized it as a 'landmark event that laid foundations for a democratic administration, harmonized with human rights' values and based on the rule of law'.⁷⁴

Yemen's compliance with the NDC is a move that signals the government's intentions towards democracy, pluralism and tolerance. The government made that step accessible to everyone, by establishing a website, in which the NDCs procedures were evidently brought to prominence with day to day updates.

The Peace and National Partnership agreement, congruent with the NDC and signed by President Hadi, Houthi representatives and other political parties on September 21 2014, is yet another move to what followed the national unity commitment and peace promotion.⁷⁵

⁷³ https://peacemaker.un.org/sites/peacemaker.un.org/files/YE_111205_Agreement%20on%20the%20implementation%20mechanism%20for%20the%20transition.pdf

⁷⁴ <https://news.un.org/en/story/2014/01/460162-senior-un-official-congratulates-yemen-concluding-national-dialogue>

⁷⁵ https://peacemaker.un.org/sites/peacemaker.un.org/files/YE_140921_PeaceNationalPartnershipAgreement_en.pdf

Additionally, Kuwait peace talks, took place in April 21 to August 6, 2016. These negotiations, under the auspices of the UN, were mainly focused on resolution 2216 provisions, particularly calling upon Houthis to withdraw from seized cities and handing over weaponry to the state, continuation of political dialogue, restoration of the state's institutions, as well as establishment of a committee that would deal with the issue of prisoners and detainees. However the negotiations failed to reach a conclusive deal, due to unmatched prioritizations on political processes, different views on the procedures under negotiation and inefficient representation of the engaged sides.⁷⁶

Two years later, in December 2018, the Stockholm Agreement was brokered between Hadi's government and the Houthis movement. The Stockholm Agreement, constituted a gesture of peace among conflicting parties, with a view to provide the basis for achieving 'coveted peace' and bringing an end to one of the worst humanitarian crisis in the world; however the agreement failed to be adequately implemented and hostilities continued.

The following year (2019) the Riyadh agreement, between the legitimate government of Yemen and the Southern Transitional Council (STC), under the auspices of Saudi Arabia, denotes another an initiative taken by the government's officials towards peace steps, identifying as such the President's claims on his perpetual efforts to peaceful measures and solutions, as well as Saudi Arabia's intentions to forge a peace agreement between the two sides.⁷⁷ The Riyadh agreement laid the foundation for the establishment of a government which would include 24 ministers representing northern and southern provinces accordingly, while in addition stipulated that the STC would join the government and be a part of the negotiations towards the termination of the ongoing war, and that all military and security forces will be under the command of the Ministries of Defense and Interior. It also called for the Prime Minister's return from exile to the city of Aden, and for salaries to be paid to military and political officials in areas controlled by the internationally recognized government of Hadi. The country's development and prosperity is outlined in the agreement in the form of re-establishing the role of institutions, reviving the Central Bank of Aden and putting an end to the "Iranian - backed Houthi militia".

Martin Griffiths, the UN envoy to Yemen, welcomed the agreement, which he described as an important step in the collective efforts to find a peaceful solution to the war that promotes stability and

⁷⁶ Lulwa Alkhataf, "Why Kuwait mediation efforts have not succeeded in resolving the Yemeni crisis", Kuwait University, Spring 2019, <https://www.sciencespo.fr/kuwait-program/wp-content/uploads/2019/09/Why-Kuwait-mediation-efforts-have-not-succeeded.pdf>

⁷⁷ <https://www.saudiembassy.net/sites/default/files/Riyadh%20Agreement%20Fact%20sheet.pdf>

development for the Yemeni citizens.⁷⁸ However its provisions were never implemented and it was quickly set aside. Nonetheless, in recent consultations held by President Hadi, the importance of the Riyadh agreement implementation was stressed along with reaffirmations of his support for the UNs resolution 2216.⁷⁹

Yemen thus, matches the ‘spiral model’ of internalization, which has countries moving into liberal reformations and creating ties with International and regional powers with an aim to achieve reputational, economic and legitimate gains. President’s Hadi discourse on human rights is set and revolves around regional and international networks. As stated earlier, Hadi’s rise to power as the legitimate, internationally recognized President of the Republic of Yemen, was essentially established through the GCC agreement, with succeeding events that account in their biggest part for most of President Hadi’s governmental agenda.

According to Yemen’s steps towards a human rights’ respect direction, one would argue that the spiral model has had a certain degree of validity toward its end. Nevertheless, as in Syria’s case, Yemen’s unexpected shift to a civil war undermines any positive steps taken towards this direction. Consecutively, President Hadi’s call for intervention, given its detrimental consequences, undermines the validity of all the steps taken towards peace, stability and human rights preservation.

⁷⁸ https://osesgy.unmissions.org/sites/default/files/statement_on_the_riyadh_agreement_eng.pdf

⁷⁹ <https://en.26sepnews.net/2020/11/01/president-hadi-highlights-the-need-for-implementing-riyadh-agreement/>

3.2 Representation of the Yemeni Government in the UNGA

As stated earlier the government's involvement in human rights' talks is depicted through governmental representation, in that case, in Yemen's attendance in the UNGA since 2011 - right before the GCC agreement - until recent years.⁸⁰

In his speech in the sixty-sixth UNGA on September 2011, the Minister of Foreign Affairs Abubakr Al-Qirbi, clearly reaffirms the Yemeni peoples' efforts to reach out towards a democratic, political system, asserting the country's pluralistic democratic principles and civil institutions which promote and respect human rights as a result of a unified state. The prevalent notion that transpires his speech revolves in its biggest part around financial support and funding. *'Our Government kept on calling on our development partners and friends and international organizations to provide financial and economic support in order to achieve sustainable development in Yemen, which would ensure security and stability in our country'*. He continues by blaming the opposing forces for the country's unrest, affirms his faith on the democratic transfer of power through the GCC agreement, while stressing out through his speech the government's adherence to peaceful solutions and the significance that places on human rights.

The Republic of Yemen is presented as a country that attaches primary importance to human rights, which is one of the main pillars of the United Nations. The statements below attest to the country's sincere efforts to adhere to the principles of the UNs principles. *'Since the return of unity to Yemen in 1990, my country has made great strides in this area. We have established a Ministry for Human Rights and have become a signatory and party to a number of international human rights instruments and conventions, on whose implementation we submit periodic reports'*.

Al-Qirbi admits to the human rights' violations as part of the political crisis, however, he concludes that the key to stopping human right violations, lies on the political crisis settlement. The underlying notions reflect Yemen's good intentions.

The following year, in 2012, the Assembly was attended by the President Abdrabuh Mansour Hadi. In his speech, Hadi by addressing the burning issue of unemployment for the youth in his country that accounts for seventy percent of Yemen's population and by appealing to the rightful demand of the youth population to a better future, calls upon the international community and Yemen's donors to act urgently on meeting the country's needs, stressing out the establishment of a civil, just society, governed

⁸⁰Dag Hammarskjöld Library, <https://ask.un.org/faq/98541>

by democracy and respect on human rights. Further on, he draws attention to several acts of terror and violence that added on the humanitarian crisis and calls upon financial aid to face this issue. The numerous steps in line with UNs goals for peace, and stability, legitimize the request for financial assistance. At a later point and by appraising the Declaration of human rights' presence for more than six decades at that time, he condemns the abuse of human rights and dignity that is yet to be wiped out. Hadi's speech denotes an underlying respect for the Organization's principles and draws on the alarming situation in Yemen.

The following year, was once again represented by Abubakr Al-Qirbi, who similar to his last speech, emphasized that the government is in solidarity with principles and pillars of the UN, such as justice, freedom, equality, peace and security as well as respect for human rights. This repetitive utterance on respect on these rights along with assertions made towards the country's future aspirations to build a state based on security, stability, democracy, justice and equality is an indirect request for Yemen's 'well-earned' reputation throughout the International Community; this way any requests for financial or other support get a legitimate and righteous justification. Contrary to the country's peaceful mannerisms and looking forward to an auspicious future, Al Qirbi, juxtaposes the threats placed by extremist groups, and calls upon the need for international cooperation to ensure the country's security.

In 2014 UNs Assembly, the Minister of Foreign Affairs Mr. Jamal Abdullah welcomes President Hadis' efforts towards rebuilding Yemen through the agreement with the GCC and the National dialogue Conference, which concluding the first stage, resulted in the formation of the Government of National Reconciliation. He raises awareness and concerns on the advance of Houthi Militias in Sana'a, and stresses the need for all political parties to comply with the Commitments in the agreement. At a later point he announces the measures taken by the government in order to face the humanitarian and financial crisis cast upon Yemen and reaffirms his certainty for foreign financial aid. He also outlines the need of support from the International Community in order to combat terrorism, given that its presence in the Pacific region and the Arabian Gulf constitutes a global threat. For yet another year the country's political and moral principles are emphasized, justifying request such as stated in the following statement, '*We need economic support commensurate with the challenges that we are facing*'.

2015 marks the year in which the worst part in Yemen's recent history started. President Hadi explicitly points the finger at Iran and holds it publicly accountable for providing training and weapons to the Houthi militias, in an attempts to impose the Iranian expansionist views of control over Yemen. He further continues by citing all the peaceful efforts made by the legitimate government towards a secular democratic constitution, that remained incomplete due to Houthi and Saleh's forces which occupied

Sana'a after the formation of a military-political coup d'état. Hadi's narrative, engages in a series of remunerations on the brutal events perpetrated by Houthi armed forces as well as those of Saleh. In particular he raises public sentiment, by comparing Saleh to the Southern movement. This way he illustrates the belligerent actions of Saleh's forces, thus by comparison brings out the Southern movement as a peaceful one related to Saleh. Reaffirming the government's futile efforts to reach a peaceful solution with the militias, listing the devastated outcomes of the armed forces plunged upon the country and civilians, and evoking an emotional response by making use of a rather vivid emotional language he tries to give grounds. *'We are joined together in blood in this battle for our country and for the legitimacy of the State [...]'*, *'The tragedies in Aden, Taiz and Ad Dali could be characterized as genocide'*. Among others, these statements mark an indirect request for justification on President Hadi decision to expose his country to the Saudi-led coalition forces.

Describing human rights' violations committed by the militias, President Hadi rendered the Gulf's countries intervention as the single resort for protecting and restoring the country's legitimacy by appealing to Article 51 of the UN Charter.

'We appealed for assistance in tackling the Houthi militias that were undermining and threatening national legitimacy'.

The Saudi-led coalition however, bears an ambiguous sense in its intentions and impacts by several International actors and governments until present time as an act of war crime. Houthis insurgency though in 2015, halted all GCCs and NDCs processes and forced Hadi to flee Riyadh What marked the years following that is the UN Security Council resolution 2216 (UNSCR 2216), on which President Hadi seems to have placed significant importance, since SC 2216 is a recurrent topic which officials often consult. Drafted on 14 April 2015, SC resolution is a rather lengthy yet explicit document, which among others draws upon President Hadi's appeal to the President of the Security Council in a letter transmitted by the latter on 24 March 2015. On the basis of protecting Yemen and its citizens against the Houthis, Al-Qaida and ISIL he lays claims to the right of self -defense in light of the relentless aggressive acts that undermine stability and security and urge s the Gulf Cooperation Council and its allied States to be of immediate support of any form, including military intervention.

The SC resolution's importance lays on a three-fold foundation where the UN reaffirms President Hadi as the legitimate - internationally recognized President of Yemen, penalizes the Houthis and Saleh, and lays out a weapons embargo in Yemen, preventing this way Houthis' armament and weaponisation.

Hadi's letter is translated and portrayed as an intervention by invitation interference; to that end it is perceived as undermining peace talks, as the Saudi-led military intervention disregarded international humanitarian law and international human rights' law conventions. Nevertheless, in a press release statement by Saudi ambassador Al-Jubeir, the Saudi-led operation was designed with a view to protect Yemen's legitimacy and population from the Houthis aggression.⁸¹

The Saudi-led coalition under the name Decisive Storm launched on 26 March 2015 and ended on 22 April 2015. The coalition was endorsed by the US, the UK, the OIC and gained acceptance by the Arab leaders - as stated in the Final Communiqué of the 26th Arab League Summit in 2015. According to the latter the operation was in line with the Arab Treaty of Joint Defense, the Arab League Charter and Article 51 on self- defense in line with UN's Charter.⁸²

.The following year, 2016 shares a lot of common standpoints by President Hadi when addressing the General Assemblies throughout 2018, after the landmark year of 2015, marked by the Saudi-led coalition.

In his speeches, President Hadi reiterates the governments' advocacy towards peace and uses widespread references of the repetitive efforts made by the government so as to avoid this detrimental war imposed on Yemen.⁸³ He therefore adheres to the UN principles that endorses human rights and depicts the legitimate government of Yemen as one which embraces humanitarian causes and peaceful procedures. A second common point in all three consecutive speeches, is the outspoken denunciation of Iran, posing a both national but also regional threats to the sustainment of peace, by sponsoring the extremist groups in Yemen , providing financial support to the Houthi militias and supporting terrorism through the Houthis, Al-Qaida and Da'esh.

⁸¹ Kingdom of Saudi Arabia, Royal Embassy, 'Statement by Saudi Ambassador Al-Jubeir on Military Operations in Yemen' (25 March 2015) Washington DC .

⁸² <https://www.saudiembassy.net/statements/final-communicue-%E2%80%8E26th-arab-league-summit>

⁸³ <https://undocs.org/en/A/71/PV.17>, p.16 'We did not fire the first shot in Yemen's war', We have repeatedly called for an end to the wars, tragedies and conflicts..', 'I called on everyone to build a cherished, democratic, civilian federal State in which HUMAN RIGHTS, the specificities of all the regions of Yemen, the dignity of women, the rights of children and the rights of all marginalized social groups are respected.', 'Let me stress that we are not advocating revenge', 'Rather, we extend our hands to all to build a new Yemen.', p.17 'Therefore, we welcomed and cooperated with all sincere efforts that the United Nations made, as well as with all other ideas contributed to bring about peace.', <https://undocs.org/en/A/72/PV.11>, p.25 'From this rostrum, I emphasize our continued willingness to stop the war and build peace. We are not warmongers. We desire peace. And I have personally extended my hand, and will continue to do so, to reach a sustainable peace, because we feel the weight of our responsibility for all citizens of the Yemeni State.', <https://undocs.org/en/A/73/PV.8> p.18 'Any attempt to make peace with it is therefore doomed to fail, despite the major concessions we have made to establish peace in Yemen', 'The Yemeni Government has always reached out for peace throughout round after round of consultations in Vienna, Geneva and Kuwait, and even after our Government delegation's return from Geneva at the beginning of this month.', 'I would like to underscore once again from this rostrum that we are ready for peace. We do not advocate war and vengeance but rather peace and harmony'.

A third point sets forth numerous ruthless human rights' violations committed by the Houthis in an effort to raise awareness amongst public opinion on the inhuman nature of the acts and their doers. 'Besieging', 'shooting', 'killing', 'suppression', 'abductions', 'forced disappearances' 'blowing up houses and places of worship', 'wreaking havoc in our institutions', sum up to an amount of rough vocabulary used to attack the Houthis atrocities in all three speeches given from 2016 to 2018, which culminates with the cited phrase '*It is a group that has made use of every form of violence to tear down society and sow hatred among the people. Nationally, it is a group that has abandoned any loyalty to its nation and has become a war proxy that is beholden to Iran and Hezbollah*'. It is obvious at that point, and explicitly stated that Yemen is depicted as a country at war with terrorist groups and the points mentioned before, add up to constructing the duality of "them" versus "us", in other words of "evil" versus "good", in a direct battle discourse on the war on terror. One might argue at this point that dehumanizing the enemy is a legitimate rhetoric tool used against the war on terror, and only serves as a common tactic in situations as such, however, in Yemen's case what the militias are accused of and charged with, seems to be nothing but a raw reality, in a country which entered a dystopian society.

President Hadi, adding to the aforementioned civil violations, targets once again the militias for usurping the national bank assets and causing the country a financial distress. For yet another time, violations and atrocities facilitate financial pleas to the International Community and donor countries for economic and by consequence humanitarian aid.

A comprehensive report issued by human rights Council covering the period 2014-2018, amongst the numerous human right violations committed by militias in Yemen, also reports the role of the Saudi-led coalition in Yemen's humanitarian crisis; indicating that the intensity of the campaign refers to 18,000 raids in Yemen from 1 March 2015 to 30 June 2018. The report also concludes that there are reasons to believe that the Yemeni Government along with government's allies (Saudi Arabia and UAE) are involved and bear responsibility for human rights' violations, war crimes, rapes, conscripting or enlisting children under the age of 15 or using them to participate in hostilities, arbitrary detention, torture, ill-treatment, enforced disappearance, violations of freedom of expression, economic, social and cultural rights.⁸⁴

In 2019, on the 13th of April, the Yemeni Parliament convened after four years in Hadramout Governorate, since the civil war outbreak in 2015. President Hadi delivered a speech; stirring up awareness on the current chaotic situation in Yemen and among others clearly stated that Yemen stands in the crucial point where a decision between war and peace has to be made. Stressing once again the

⁸⁴ A/HUMAN RIGHTSC/39/43, [https://undocs.org/A/HUMAN RIGHTSC/39/43](https://undocs.org/A/HUMAN%20RIGHTSC/39/43)

government's strong adherence to peace security and stability, he stated '*We want peace and we act on peace*'. However this militia does not understand the language of peace'. By distinctively addressing members of the Parliament, the International Community, Peacemaker sponsors, and the local authorities, President Hadi stressed once again the efforts being made towards peace and reconciliation between Houthi militias and the government, while voiced a strong condemnation of the cruelties and violations made by Houthis referring to them as "*a puppet of the Iranian project*" with an intension to destabilize the Arab region.⁸⁵ He concluded with a direct message addressing the Houthi militia, evoking an ethical sentiment by calling on them to face the disastrous outcomes that Yemen and its people have been afflicted with.

The seventy fourth sessions in 2019, was attended by Mohammed Abdullah Al-Hadrami, Minister for Foreign Affairs of Yemen. In a quite comprehensive speech, he restated the case in Yemen by recounting the Houthis' rigid standpoints, Iran's expansionist agenda - as clearly stated- and the massive humanitarian crisis that Yemen is faced with, Al-Hadrami made a clear state on the Saudi-led coalition.⁸⁶ While the Saudi-led coalition has received extensive criticism on the humanitarian crisis that has allegedly caused in Yemen, Al Hadrami, takes an explicit stand on the issue stating 'We appreciate the support we have received from our brothers in the Saudi-led coalition' and continuing 'The Saudi support for Yemen came under the most difficult circumstances, in response to the solemn appeal of His Excellency the President of the Republic, Mr. Abdrabuh Mansour Hadi, in line with international law and the Charter of the United Nations, with a view to achieving the noble goals of confronting the Houthi militias, foiling Iran's expansionist plans and recovering the legitimate authority of the State, thereby safeguarding the security, stability, unity and territorial integrity of Yemen.' Unlike previous speeches delivered in the UNs General Assemblies by President Hadi himself or other representatives, in these lines a cut clear point is stated by Al-Hadrami, despite the severe criticism on the nature of legality that the Saudi-led coalition has received in terms of IHL and human rights law prism. As stated earlier, the Saudi-led coalition constitutes an intervention by invitation doctrine, and as Fox notes, a doctrine as such upholds validity in a legal context.⁸⁷ However, the validity of such an invitation lies on the validity given on behalf of the people in Yemen.

⁸⁵ <http://yemen-embassy.be/en/wp-content/uploads/2019/04/Speech-of-H.E.-Abdrabou-Mansour-Hadi-President-of-the-Republic-of-Yemen-at-the-exceptional-session-of-the-parliament-13-April-2019.pdf>

⁸⁶ <https://undocs.org/en/A/74/PV.13>

⁸⁷ Gregory H. Fox, 'Intervention by Invitation' in Marc Weller (ed), *The Oxford Handbook of The Use of Force in International Law* (Oxford University Press, 2015) 816.

3.3 Comments on Yemen

The previous steps that Yemen had taken by brokering a number of agreements that facilitated development and progress in Yemen is an unequivocal fact. The state of Yemen, expressed its intentions on breaking free from old patterns and moving along a modernization era. An overview of the speeches addressed in the UN by the Government of Yemen, points towards an overarching statement in Hadi's speeches on the governments' intentions to extend its hand over for peace

Nonetheless the governments' concerns about terror acts conducted by extremist groups - which are said to eating into the country's resources and torment civilians - combined with an expressive utterance of great concern on the humanitarian as well a financial crisis does not make up for the Yemen's chaotic conditions which only worsen after the coalition forces entered the scene. Therefore, in a paradoxical duplicitous sense, albeit the disastrous outcomes for the civilians and the society, which Yemen's Presidency facilitated, the speeches in the UN, seem to be directed and revolved around appeals to the international society and donors for financial aid in an effort to alleviate peoples suffering and put an end to the inhuman conditions.

According to the report on Yemen's human rights in 2019, the elements responsible for blatant violations of human rights in the country, account for the Houthis, tribal militias, militant secessionist elements, Al-Qaeda in the Arabian Peninsula and the Saudi-led Coalition. The later, invited by the Government, amounts for an essential part of human rights' violations that take place in the country. According to the same report, ROYG members are held responsible for more than thirty cases of sexual violence and several other alleged abuses including murder and torture.

Moreover, torture and several forms of degrading treatment were documented in detention facilities by governmental members among other offenders. The UN also documented children's recruitment by Yemeni Armed Forces, among other extremist groups.⁸⁸

Hadi's intentions to overthrow the Houthi rebels and intercept the movement's atrocities, facilitated the Saudi-led coalition, which besides explicitly settling Yemen's domestic oppositions by putting an end to the Houthis violations and restoring Hadi to power, also found this opportunity in their own best interest to secure Saudi Arabia's borders from Houthi assaults and stem the flow of Iranian intervention on the Arabian territory, as it has been granted under the SR 2216. The shift from a civil war to a geopolitical regional one had already emerged. Skirmishes between Saudi Arabia and Iran came to

⁸⁸ Yemen 2019 HUMAN RIGHTS Report, <https://www.state.gov/wp-content/uploads/2020/03/YEMEN-2019-HUMAN-RIGHTS-REPORT.pdf>

rise with the former claiming that the Saudi-led coalition was a diplomatic reaction in Iran's ambitions in the area.⁸⁹

Meanwhile, Hadi's inaction in the face of Saudi' led coalition, explained by the government's invitation for intervention, functioned as a tacit consent promoted by tolerance and allowing Saudi Arabia and UAE to pursue their own agenda, even at the expense of Yemen and its citizens.

⁸⁹ <https://www.rt.com/news/249041-yemen-iran-saudi-conflict/>

Chapter 4

Conclusion: Actions speak louder than words

Human rights constitute a frame of moral norms that appeal to our conceptual construction of inherent values. The presence of rules is sometimes emphatic to the presence of societies' tendency to deviance; in other words rules in their compliance are there to confine an undesirable outcome that would otherwise thrive in the absence of these rules.

If human rights, are to be conceptualized through the principles of democracy that lie upon equality and autonomy, human rights' principles would then be interwoven to democratic norms and as such, bear a prominent position in purportedly democratic societies. However the vague ideas more often than not surrounding both concepts render both principles conceptually loose. The constitution of the Syrian Arab Republic, as officially stated, explicitly affirms the democracy of the state and is steeped in provisions that favor human rights' principles. In current times the human rights are present in all state constitutions, therefore axiomatically integrated in Syria's Constitution as well.

The world we are living in, is one in which it seems irrational to reflect on it, in the absence of conflicts. Whenever these conflicts appear, and in any form they may take human losses are inevitable. By consequence the word unrest, conflict, war, are all concepts which trigger in our minds violence. Thus, violence becomes a rational outcome that we are all in peace with, since it has always been there and future expectations do not draw a different picture about it. In that sense one might wonder whether there is an actual space for these values to grow, and have a tangible impact, or is it just human constructions that owe their existence to a mere compliance with international formalities which necessitate and impose their presence in a globalised world? The answer to these questions lies in getting to actualizing uttered words that follow 'good intentions'.

A common ground on both civil wars, is the element of the civil uprisings, which emerged under the scheme of 'Arab spring'; a wave of anti-government protests and armed rebellions, with an aim to topple authoritarian regimes, which emerged in Tunisia and not much later spread across the Arab world.

The 'humanitarian intervention', officially stated as the 'Responsibility to Protect' provides the states the right to intervene in other states' affairs for humanitarian purposes. Under that scheme, Syria can be seen as example for the shift from an intrastate conflict into a global concern that involved several

foreign actors, whereas Yemen justifies its strategic move on ‘call for intervention’ which ‘legitimizes’ the Saudi-led Coalition.

The geopolitical factors by either means, internal or external are significant in the way that each country voices human rights’ language. The influence of external factors in both cases carries different connotations. In particular the external influences in the case of Yemen strengthen the political actors’ voice when they appeal to atrocious human rights’ violations in the country. The presence of human rights’ practices have the power to legitimize and delegitimize actions, their absence however seems to be carrying a way more powerful effect since it creates space for numerous kinds of accusations and reputational penalties which in turn can defame states, institutions and organizations. In the same way that human rights’ talks are used indiscriminately in their absence or presence, terrorism since its entrance in the realm of politics, bears an equivalent degree of power in its rhetorical use.

President Hadi appears to make very often references in resolution 2216 and the GCC initiative which can be potentially seen as an effort to reaffirm sovereignty that translates to nothing more than a claim to authority⁹⁰. On account of that legitimacy, and based on the coalition’s statements that, its conduct emerged as part of the restoration of the GCC initiative, US and the Saudi-led coalition forces marched into Yemen with detrimental casualties for Yemeni civilians, rendering this way an internal conflict into proxy wars. During his speeches it is set clear that throughout the years there is an outward emphasis put on the Iranian imperialistic advances on the region, as well as on the factional nature of the internal conflicts, usually portrayed by the usual suspects The Houthis.

Drawing on the notion of democracy and its principles, President Hadi makes an effort to lay claims on a state which is governed by pluralistic norms and in line with International requirements, so as to strengthen the government’s legitimacy, justify requests for financial aid, as well as callous tactics in the name of national security.

The NDC, recognized by the International community, served as the best proof of Yemen’s intentions to a peaceful transitional phase and as an opportunity and responsibility that President Hadi agreed to shoulder, towards a state in which freedom, human rights, democracy and good governance would prevail. The importance of the conference is rather self-explained. For Hadi among other things the conference is what established him as legitimate President internationally recognized.

⁹⁰ Pikalo, Jernej. “Economic Globalisation, Globalist Stories of the State, and Human Rights.” Chapter. In *Economic Globalisation and Human Rights: EIUC Studies on Human Rights and Democratization*, edited by Wolfgang Benedek, Koen De Feyter, and Fabrizio Marrella, 17–38. European Inter-University Centre for Human rights and Democratisation. Cambridge: Cambridge University Press, 2007.p..26, doi:10.1017/CBO9780511493935.004.

On the other hand Syria, along with its allies are held accountable for large scale human rights' abuses. Foreign fighters can be seen as an element present in states whose legitimacy is doubtful. In Syria's case external factors as in foreign fighters involved in the country draw a more perplex image, since the complexion of armed forces, militias and terrorist groups in Syria renders a clear distinction as to what groups absorbed these fighters, rather difficult.

On his respective Syria's representative in the UN, casts severe criticism and accusations in foreign interventions in Syria's domestic affairs. Both states deploy the word terrorism to frame all types of threats that derive by actors not pertinent to the state, whether national or international.

Unlike Yemen's case which uses terrorism as a moral justification for foreign intervention, Syria's officials make use of the term in order to deter foreign intervention. In Syria's case though, the accusation of terror acts against Syrians entails double standards politics. Syria rejects 'Western intervention', on the grounds of terrorist acts in Syria's soil, whereas endorses their allies interventions which amounts for the same if not worse acts of terror. It makes sense here that the relations of Syria's government with Western powers suffer a great deal of credibility. Even though the US role was also significant in the fight with ISIS, Syria's government seems to hold an indifferent, if not aggressive view against them, unlike Yemen which endorse and welcomes US support in the conflict. Iran, contrary to Yemen's case is well appraised and welcomed by Syria's officials, denoting the transnational implications that allies have in each case. Saudi Arabia is also recorded as Syria's opponent, whereas Yemen accredited it and authorized its support. Syria seems to defy the fact the international community's view hold the Syrian government..

The language that both countries evoke at the assemblies is evidently used to build on their own aspirations. The paradox of appealing to human rights when these countries' policies cannot afford such an invocation renders the representatives' speeches as by far rhetorical appellations unlikely to stand a solid ground.

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