

The Role of UNICEF in Increasing Children's Education Affected by Armed Conflict in Yemen in 2021-2022

Hasbi Ash Shiddiq Adiman¹, Mohamad Latief²

¹ Department of International Relations, Faculty of Humanities, Darussalam University, Jl. Raya Siman Km. 5 Siman, Ponorogo, East Java, 63471, Indonesia.

² Lecturer of UNIDA Gontor, Department of International Relations, Jl. Raya Siman Km. 5 Siman, Ponorogo, East Java, 63471, Indonesia.

Corresponding Email: hasbiashshiddiqadiman@mhs.unida.gontor.ac.id

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Abstract

The armed conflict in Yemen is a complex and unpredictable situation. Children affected by the armed conflict in Yemen experience a variety of serious consequences, not only experiencing psychological trauma due to physical violence and also facing the destruction of their environment to deprive them of their rights, especially the right to a proper education. The purpose of this research is to determine the role of UNICEF in improving children's education affected by the armed conflict in Yemen from 2021-2022 by using the concept of international organizations which is then analyzed by Maqashid al-Syariah in analyzing the shape of the role as Islamic point of view. This research uses descriptive qualitative methods and data is obtained through literature study techniques. The results found that UNICEF as an international organization has a direct mandate on funding and humanitarian assistance, and its independent actions is a program resulting from joint cooperation. Children are the focus of international attention, and UNICEF plays a role in providing humanitarian assistance to children in Yemen. UNICEF promotes children's education affected by conflict as the main priority. Furthermore, the role it takes is generally positive based on the principles of Maqashid al-Syariah. Thus, this research provides an understanding of the role of UNICEF and Maqashid al-Shari'ah in improving children's education with humanitarian assistance through its role as an international organization which includes the role of instruments, arenas and actors.

I. INTRODUCTION

Armed conflict is a complex and unpredictable situation, involving politics, economics and ethnicity. Factors such as social problems, resource allocation, and government opposition can also contribute to a conflict.¹ Armed conflicts involve states involved in the conflict, as well as conflicts between groups within a state or between groups and the government². There are two types of conflict: international armed conflict, which involves conflict between two or more states, and non-international armed conflict, which involves conflict between governments and groups within a state.

The impact of armed conflict is massive material loss and human casualties, mass displacement, infrastructure damage, and economic loss, and also includes psychological trauma for the victims. Yemen, a prolonged armed conflict, was linked to the Arab Spring, the initial protests in Tunisia,³ and the conflict was increasingly escalated when pro-democracy groups organized street demonstrations, seeking the resignation of President Ali Abdullah Saleh, who led the country for 33 years. The United Nations Children's Fund (UNICEF) is a global organization dedicated to addressing issues of discrimination, education and child protection, specifically in the context of the conflict in Yemen. UNICEF operates globally to address issues such as psychological trauma, environmental damage and political instability. One of the most significant challenges is the impact of conflict on children's education, which UNICEF aims to address by providing effective solutions and preventing more conflict.

Children in Yemen are the most affected by the conflict, with 12 million children in require human support due to their long-term or short-term effects. They face psychological trauma, mental and emotional damage, and difficulties in accessing mental health services. The conflict in this country adversely affects their education, which should be a solution to prevent violence. Basic rights such as cohabitation, health, personal development, protection, and education have been disrupted by the prolonged conflict in the Yemeni country.

¹ Alina-Maria Bizău and Robert Stănculescu, 'Causes of Armed Conflict', *Land Forces Academy Review*, 27.3 (2022), 171–77 <<https://doi.org/10.2478/raft-2022-0022>>.

² Teguh Imam Sationo, 'Humanitarian Intervention Menurut Hukum Internasional Dan Implikasinya Dalam Konflik Bersenjata', *Widya Pranata Hukum : Jurnal Kajian Dan Penelitian Hukum*, 1.1 (2019), 65–88 <<https://doi.org/10.37631/widyapranata.v1i1.255>>.

³ Pande Wulandari and Ni Ketut Darmawan, 'Perlindungan Hukum Terhadap Warga Sipil Dalam Konflik Bersenjata (Non-Internasional) Libya Ditinjau Dari Perspektif Hukum Humaniter Internasional', 2012, 1–5.

The Convention on the Rights of the Child (CRC) is an important principle in securing children's rights,⁴ including universal rights, a freedom of expression, and protection from conflict. Articles 28 and 29 emphasize the importance of children's rights in education, enhancing their well-being in a diverse society. Education also helps children understand values such as respect, tolerance and appreciating differences in ethnicity, racial and community groups.

In conflict areas, children are faced with many challenges, such as lack of resources, attention and education. Their daily lives are disrupted and their futures are uncertain because they are unable to study. There are about 35 million children worldwide who cannot attend school, two and a half times more than in countries where no conflict exists. This shows the lack of access to education for children affected by conflict. In Yemen, 2 million children cannot access school due to the conflict that started in 2015. This results in a lack of education and knowledge shortage for children who are unschooled.

International organizations take an important role in international relations, establishing formal bodies that have developed significantly since the 20th century, based on principles such as persuasion, regulation, and ethics. According to Clive Archer, an international organization is a continuous relationship between states, both governmental and non-governmental parts of two or more states, which aims to build cooperation between states.⁵ International organizations also serve an important role in addressing issues faced by a country, such as being a platform of conflict resolution, negotiation, and reaching agreements that affect all parties. They act as independent entities, conducting activities such as human rights, environmental protection, environmental rehabilitation operations, and ecological protection operations. These organizations can operate independently without significant external influence, allowing them to identify their own interests and concerns within other countries and companies.

UNICEF is an international organization that works to address children's issues around the world. Yemen, one of the countries working with UNICEF, has ratified the Convention on the Rights of the Child. UNICEF is the coordinator for monitoring global issues, collecting and disseminating relevant information to the global community. UNICEF programs are used to provide human resources to abused children in Yemen through initiatives directed by the organization.

⁴ Hanna Aqidatul Izzah, 'Perlindungan Hak Anak Dalam Kerangka Sustainable Development Goals (SDGs) Di Wilayah Konflik Bersenjata Internasional' (Universitas Lampung, 2019) <<http://digilib.unila.ac.id/id/eprint/55730%0A>>.

⁵ Clive Archer, *International Organizations*, Taylor & Francis E-Library, Third (USA and Canada: Routledge, 2001) <<https://doi.org/10.4324/9780203614532-11>>.

Moreover, *Maqashid al-Shari'ah* as an important concept in Islamic studies that continues to develop and evolve, it is a fundamental aspect of Islamic law, which discusses contemporary issues and problems that are beneficial and useful for all legal actors.⁶ *Maqashid* is a part of the verb *Qashada-Yaqshudu*, with various aspects but mainly focusing on the development of *maqashid* judicial decisions. *Al-Syariah*, on the other hand, is a set of rules or regulations that are enacted by Allah SWT in the legal system, ensuring a balance between justice and reward. In effect, *Maqashid al-Syariah* provides the foundation for all Islamic law.

Imam As Syatibi explained that *Maqashid al-Syariah* could be divided into two categories: God and the Mukallaf (legal actors). In mukallaf, the interests are divided into three needs: *dharuriyat*, *hajiyat*, and *tahsiniyat*. *Dharuriyat* is the most important need and must be fulfilled. It involves five aspects: religion, soul, mind, honor, posterity, and wealth.⁷ *Maqashid al-Syariah* in *dharuriyat* is part of the five things related to *al-Dharuriyat al-Khamsah/al-Kulliyat al-Khamsah*, including *hifdz din*, *hifdz nafs*, *hifdz aql*, *hifdz nasl*, and *hifdz mal*.

According to Ibn Ashur, *maslahat* in terms of fulfilling needs and preventing damage contains three points: *Maslahat Qot'iyah*, *Maslahat Dzanniyah*, and *Maslahat Wahmiyah*.⁸ *Maslahat qot'iyah* is *maslahat* which in theory or reason that in implementing a legal goal there is a good implementation. *Maslahat dzanniyah* can be seen that something aims to maintain the benefit but with the presumption of reason is something that is included in the benefit itself. *Maslahat wahmiyah* is *maslahat* which initially has a good purpose but will have a negative impact after being examined again.

UNICEF, an international organization which is dedicated to human rights, recognizes the importance of addressing the crisis. UNICEF, as a platform for child protection instruments, arenas, and independent actors, successfully implemented these measures. It implemented several aspects of *al-Kulliyah al-Khamsah*, including *hifdz aql*, *hifdz din*, and *hifdz mal*. These elements, along with UNICEF's various partnerships with government agencies, have been instrumental in addressing the crisis and empowering the children who are leaders in their communities. *Hifdz mal* and *hifdz nasl* are seen as particularly important in ensuring the protection of children and preventing government involvement in crises.

⁶ Maulidi, 'Paradigma Progresif Dan *Maqashid Syariah*: Manhaj Baru Menemukan Hukum Responsif', *Asy-Syir'ah Jurnal Ilmu Syari'ah Dan Hukum*, 49.2 (2015), 251–64 <<https://doi.org/https://doi.org/10.14421/ajish.v49i2.141>>.

⁷ Satria Effendi, *Ushul Fiqh*, 1st edn (Prenada Media, 2017) <<https://books.google.co.id/books?id=zxW3DwAAQBAJ>>.

⁸ Andi Triawan Sutisna, Neneng Hasanah, Arlinta Prastian, Ikhwan Nugraha, Ekarina katmas, Ali Mutakin, Nurhadi, Suparnyo, Kamaruddin Arsyad, 'Panorama *Maqashid Syariah*', ed. by Abdurrahman Misno (Bandung: CV. MEDIA SAINS INDONESIA, 2020), pp. 121–22.

The current problems in Yemen were a challenge for UNICEF to ensure a better life for children in education. Children who are not involved in the conflict and are only victims of the armed conflict are entitled to a quality education. Therefore, this research takes up an issue related to UNICEF's role in improving children's education in Yemen who were affected by the armed conflict in 2021-2022.

This research is written to complete the research that has been written regarding the role of UNICEF in Yemen as a country plagued by major conflicts. In the research entitled "*Peran UNICEF dalam melindungi anak-anak korban perang dalam perspektif Hukum Internasional*" discusses the role and challenges of UNICEF in protecting child victims of war.⁹ UNICEF has an International Child Protection Program that focuses on improving national child protection systems, promoting social change, and enhancing child protection in conflict and disaster areas. The programme has provided support to children in conflict-affected areas, ensuring their safety and well-being, while minimizing the influence of national and international governments and the need for education to provide support to conflict-affected children.

Then, in another journal article research which entitled "*The Yemeni Civil War's Impact on The Socio-Cultural Conditions of The People in Yemen*",¹⁰ This research discusses the impact of the social conflict in Yemen on the social conditions of Yemeni society, by highlighting various aspects that cause changes in Yemeni society. The conflict in Yemen has lasted for a long time and has no clear way of resolution, so the intensity of the conflict has increased. The study also reviewed the general impact of the social conflict on Yemeni society, focusing on the impact on children's education following the non-internal conflict and the importance of UNICEF in addressing children's education in Yemen.

Based on the previous explanation, this research aims to discuss the impact of the armed conflict in Yemen on children's education and UNICEF's role in improving the quality of their education. This research also highlights the discussion of *Maqashid al-Syari'ah* in analyzing the role of UNICEF, both in accordance with its principles and negative ones. The focus of this research is on 2021-2022 and the educational aspect of UNICEF's role in Yemen. The use of international organization theory is also part of this research. The purpose of this research is to be a source of literature and to provide readers

⁹ Hisana Amani Husellin, 'Peran United Nations International Children's Emergency Fund (UNICEF) Dalam Melindungi Anak-Anak Korban Peran Dalam Perspektif Hukum Internasional', *Skripsi* (Universitas Islam Riau, 2019).

¹⁰ Alif Al Hilal Ahmad and Imam Hanafi, 'THE YEMENI CIVIL WAR'S IMPACT ON THE SOCIO-CULTURAL CONDITIONS OF THE PEOPLE IN YEMEN Alif', *Jurnal Tapis : Teropong Aspirasi Politik Islam*, 19.1 (2023), 145–58 <<https://ejournal.radenintan.ac.id/index.php/TAPIS/index>>.

with an understanding of UNICEF's role in improving children's education from the impact of armed conflict in Yemen in 2021-2022.

II. METHODOLOGY

This research uses qualitative research methods with an analytic descriptive approach. This research method focuses on understanding and describing the experiences, actions, and perspectives of individuals or groups in the literature. The purpose of the analytic descriptive approach is to understand the characteristics, forms, and relationships of certain phenomena. This method is often used in conjunction with qualitative research to organize and analyze qualitative data systematically. The focus of this research is on UNICEF's role in improving the educational rights of children affected by armed conflict in Yemen in 2021-2022. Data were collected through secondary sources such as books, journals, official websites and related documents. Data analysis was conducted using systematic and structural descriptive research methods.

III. RESULT AND DISCUSSION

The United Nations of Children's Fund Generally and Yemeny

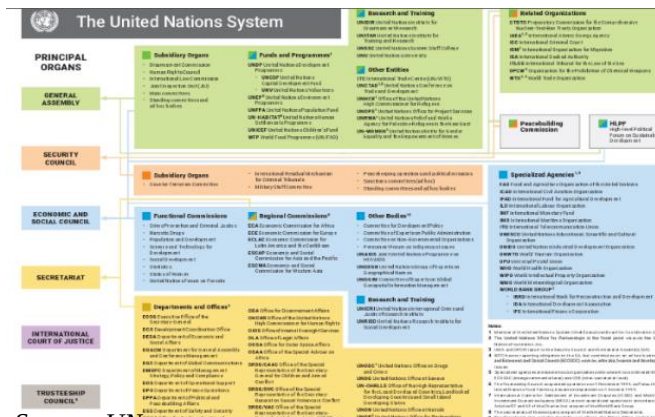
UNICEF is a UN agency that protects children by advocating for their rights, meeting their basic needs, and stimulating their development. By following the 1989 Convention on the Rights of the Child as a guide, they primarily protect children and adhere to ethical principles and worldwide standards of conduct towards them.¹¹ UNICEF is a UN agency that protects children by advocating for their rights, meeting their basic needs, and stimulating their development. By following the 1989 Convention on the Rights of the Child as a guide, they primarily protect children and adhere to ethical principles and worldwide standards of conduct towards them. It prioritizes the protection and well-being of children around the world through enormous resources and efforts according to human rights principles. They work with the UN, governments and NGOs for health, education, sanitation and clean water services in developing countries, improving children's quality of life and contributing to global sustainable development.

UNICEF, a humanitarian organization, operates in 190 countries with its headquarters in seven regional areas: East Asia and the Pacific, East and Southern Africa, Europe and Central Asia, Latin America and the Caribbean, Middle East and North Africa, South Asia, and West and Central Africa.¹² These regional divisions facilitate the coordination of UNICEF programs and initiatives. Furthermore, UNICEF established

¹¹ CISR JOURNAL, 'UNICEF', *Journal of Mine Action*, 3.3 (1999), 54 <<https://commons.lib.jmu.edu/cisr-journal/vol3/iss3/29>>.

¹² Colleen Murray and Holly Newby, 'Data Resource Profile: United Nations Children's Fund (UNICEF)', *International Journal of Epidemiology*, 41.6 (2012), 1596 <<https://doi.org/10.1093/ije/dys185>>.

national committees in 33 countries that raise funds, advocate for children's rights and protect them from poverty, disasters, abuse and exploitation. These initiatives support UNICEF in improving the well-being of children and realizing the vision of a better world for the future generations.



Source: UN

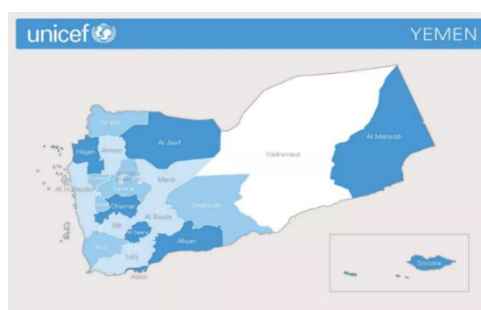
Figure 1. The UN System Chart

The UN has various divisions which consist of funding, direct programs, and specialized agencies. Each of these have their own areas of work, leadership, and budgets. These funds and programs are obtained through voluntary contributions and are channeled in the same way. These special agencies cooperate with other organizations, including UNICEF, UNDP, and WFP, to achieve their goals in global development. UNICEF, as part of the UN, is focused on helping children and women in developing countries. It operates in countries and is committed to protecting the rights of every child.

As an international organization, particularly as part of the United Nations, UNICEF has a role to enact in the global community. In line with the theoretical explanation of the role of an international organization, this can be explained descriptively regarding the 3 roles that UNICEF has as an international organization, a. Instrument: The development of international organizations has established a number of related legal rules, called basic or constituent instruments.¹³ The role of international organizations in international law is pivotal. UNICEF, as part of the UN, adopted the 1989 Convention on the Rights of the Child as its main instrument. UNICEF acts as an instrument for member states to protect and promote the welfare of children around the world. Through programs, advocacy and fundraising, UNICEF serves an important role

¹³ Gregorius Sri Nurhartanto, 'The Functions and Importance of Representation of States in Their Relations With International Organizations of a Universal Character', *Lampung Journal of International Law*, 4.1 (2022), 68–70 <<https://doi.org/10.25041/lajil.v4i2.2666>>.

as a promoter of the protection and improvement of the welfare of children; b. Arena: International organizations are places for states and other international actors to collaborate. These organizations are equivalent to an arena, where all member states have equal standing. The purpose of an international organization is for various parties to interact, communicate, and collaborate to achieve a common goal.¹⁴ UNICEF, as an international organization, provides a forum to work collaboratively towards protecting and promoting children's rights. Through this collaboration, they are planning and implementing programs defined by their partners; c. Actor: UNICEF is an instrument/liaison in protecting children's rights and acts primarily as an international organization. Even though it is part of the UN, UNICEF is able to operate independently with three important criteria: organizational control, actions taken, and the world situation.¹⁵ UNICEF serves as a coordinator in monitoring global issues related to children, overseeing related reports and communicating them to the global community. Through its programs, UNICEF takes matters into its own hands to improve the lives of children and help them reach their true potential.



Source: UNICEF Yemen

Figure 2. UNICEF Yemen Operations

Since the 1970s, UNICEF has operated in Yemen to help children facing the worst poverty in the Middle East. Although Yemen had ratified the convention on the rights of the child in 1991, children's progress has been hampered by the terrible conflict that took place at the time, creating a humanitarian crisis. UNICEF operates in 333 districts throughout Yemen, addressing the needs and protecting the rights of every child. Yemen, with a population of nearly 30 million people, 80% of them are in need of humanitarian assistance. UNICEF works through five field offices in Sana'a, Aden,

¹⁴ Ernest Arinze Udalla, 'International Organization and State Sovereignty: Implication for Public Policy Making and Impelementation in Nigeria', *ResearchGate*, 2012, 6 <<http://ssrn.com/abstract=2691416>Electroniccopyavailableat:<https://ssrn.com/abstract=2691416>Electronic copyavailableat:<http://ssrn.com/abstract=2691416>>.

¹⁵ Archer.

Sa'ada, Hudaydah and Ibb, which collaborate with local authorities, non-governmental organizations, partners and communities to respond to the urgent needs of children, including health services, nutrition, clean water and sanitation, education, child protection, social policy, communication for development and emergency cash assistance.

The Armed Conflict and Effect to Children's Education in Yemen

The conflict in Yemen began with the revolutionary movements that gave rise to the Arab Spring in early 2011. The wave of pro-democracy protests challenged authoritarian regimes across the Middle East-North Africa. The current conflict in Yemen is the result of three types of conflict affecting the socio-political state of the country.¹⁶ The parties involved create a worrying situation. First, the conflict between the Houthis and the Yemeni government under Ali Abdullah Saleh. Second, the proxy war between the Iran-backed Houthis and the Saudi Arabian coalition supporting the Yemeni government. Third, the conflict between the Southern Transitional Council and the Yemeni State Government, which are in dispute over power.

This conflict has developed over the past ten years and has continued to this date. During the Arab Spring, there were pro-democracy protests in Yemen to force the resignation of President Ali Abdallah Salih. The causes were economic underdevelopment, stunted political progress, and tribal conflicts that fueled divisions. Although Salih made some changes such as lowering taxes and increasing compensation for government employees, and not competing in the 2013 elections, it was rejected by the people. This demonstrates that the desire for change and democracy was the main driver behind the surge in demonstrations in Yemen. One result was that Ali Abdullah Salih resigned in 2012 with GCC support, and Abed Rabbuh Mansour Hadi took his place as temporary leader.

Mansur Al-Hadi became Yemen's temporary president in February 2012 to supervise the political transition. However, a year later, Yemen still faced economic problems with low GDP and water and food crises. A National Dialogue Conference (NDC) was supported by the UN Security Council to resolve the conflict in Yemen. In March 2013, a new constitution was drafted that aimed to secure religious freedom and the non-sectarian character of the country, as well as granting Hadi a one-year term extension. It also proposed a federal system with six regions and equal representation in parliament for the north and south. However, the outcome of the conference was rejected

¹⁶ Dhanushka Weerasinghe, 'Yemen Civil War: Practical Use of Theories of Conflict Resolution', *SSRN Electronic Journal*, 2022, 4 <<https://doi.org/10.2139/ssrn.4282987>>.

by separatist and Houthi groups who also opposed the government's cut in gasoline subsidies.

The creation of the federation and the implementation of economic policies by Yemen's transitional President Mansour Hadi triggered massive demonstrations and he escaped to Saudi Arabia. The Houthis took control of Yemen's capital, Sana'a, while Hadi was in exile. In 2015, a coalition of Saudi Arabia formed *Operation Desicive Storm*, starting a protracted conflict with the Houthis.¹⁷ The coalition successfully expelled the Houthis and Saleh from South Yemen and Marib. External actors, mainly Gulf states, have historically been involved in Yemeni politics. The Southern Transitional Council supported by the United Arab Emirates controls the government in Aden. The UN condemns violations of international law and the use of weapons resulting in civilian casualties.

Saudi forces were fighting the Houthis on the Red Sea coast in 2018. They seized the Port of Hodedidah, which is vital for imports and aid to Yemen. The peace talks began after two years of violence in northern and southern Yemen. It is part of UN efforts to achieve a ceasefire. Troops were withdrawn from Hodeidah as per the agreement, but violence persisted elsewhere. A temporary ceasefire was announced by the Saudi coalition in 2020-2021 in response to Covid-19, but there has not been any progress towards a permanent ceasefire. UN and US efforts to open air and sea routes have been met with resistance. President Hadi handed over power to the presidential council with the Southern Transitional Council joining the new cabinet. The Chinese talks between Iran and Saudi Arabia raised hopes for a political settlement in Yemen by establishing diplomatic ties and opening embassies after years of tension.

The 8-year conflict in Yemen has caused a serious humanitarian crisis. 20 million people are in need of assistance due to hunger, medical hardship, and infrastructure damage caused by the war. More than 4 million people have been displaced. In 2022, more than 100 civilians were killed, including 20 children, and more than 100 were injured. 13 million children needed assistance, including 2 million internally displaced. More than 10,000 children have died since the conflict began.¹⁸ The armed conflict in Yemen has caused widespread suffering for civilians and children. The destruction of infrastructure such as hospitals, schools, and clean water systems has exacerbated the humanitarian crisis and the difficulties of people's lives.

Children in Yemen are deprived of education due to conflict, causing educational gaps and hindering their development. This affects their future health, equality and well-

¹⁷ Ghita Fadhila Andriani, 'Krisis Dalam Konflik : Keamanan Manusia Yaman Semasa Perang Saudara 2015-2021', *Padjadjaran Journal of International Relations*, 6.2 (2021), 104.

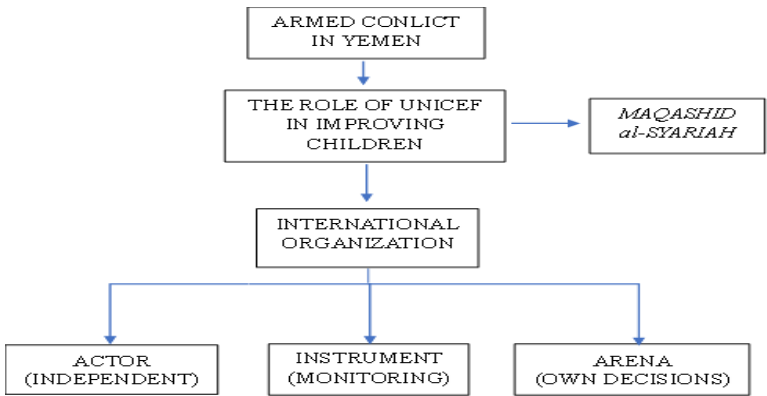
¹⁸ Human Rights Watch, *World Report 2023 : Events of 2022* (New York, 2023).

being. Furthermore, the longer they are out of school, the harder it is for them to reach their potential.¹⁹ Children who are not directly involved in the fighting still suffer the consequences. The humanitarian crisis affects children, both boys and girls who are caught up in the conflict. In Yemen, nearly 20% of children have been displaced and more than 2 million children are unable to attend school due to damaged or non-functioning schools.

Armed conflict has a serious impact on children's psychological well-being. About 90% of them feel hopelessness and sustained anxiety, affecting their mental and emotional health. Many children cannot get a formal education since schools are destroyed and teachers fear of their safety. Psychological distress also hampers their learning ability, causing difficulty concentrating, memorizing and completing tasks. Trauma and stress make them angry, aggressive and retreat from social interactions. Trauma recovery support and access to education need to be addressed for children in Yemen.

The Role of UNICEF in Increasing Children’s Education Affected by the Armed Conflict in Yemen 2021-2022

International organizations have an important role in solving countries' problems. They serve as venues to promote policies that can prevent conflict escalation, as places to negotiate and reach agreements that benefit all parties, and as independent actors that carry out activities such as humanitarian aid, environmental preservation, restoration of historical sites, and peacekeeping operations.²⁰ In this case, a third role for international organizations that are independent actors can act on the world scene in the international system without being significantly affected by outside forces.



¹⁹ Concern Worldwide Us, ‘How Does War Affect Education?’, 2023 <<https://concernusa.org/news/how-does-war-affect-education/>> [accessed 7 March 2024].

²⁰ Archer.

Figure 3. Conceptual Framework of International Organization in Role of UNICEF

UNICEF is an international organization which is responsible for the welfare of children around the world. In Yemen, UNICEF works closely with the state and advocates for children's rights based on ratified conventions. The focus is on children affected by armed conflict. UNICEF acts as a coordinator to monitor global issues related to children and publishes reports on them. Through its programs, UNICEF seeks to improve the quality of life of children around the world and help children affected by the conflict in Yemen. UNICEF acts as an independent actor in carrying out this work.

Role of UNICEF as an Actor

UNICEF supports Yemeni childrens with the good education. The long armed conflict damaged education facilities which caused lack of the teachers, the materials and damaged school infrastructure. Unicef committed to help all children including boys and girls and children with disabilities to get better education. Over tens of thousand children in Yemen need an assistance. UNICEF became a big provider in education with focus on equitable access and improved learning quality.

Human intervention and action have a difference concept. Humanitarian action was did by humanitarian actor and international organization, without regard to personal interest and politic, and more focused on public welfare. This action was involved the distribution of food, clean water, medical care and protection of vulnerable populations. On the other hand, humanitarian operation was conducted by international organization and non-governmental,²¹ also involving countries in providing assistance to those in need. This operation includes medical equipment, logistic need, infrastructure development, and in order to restore the living conditions of communities affected by humanitarian crises.

UNICEF acted as humanitarian assistance provider in Yemen to increase quality education and safe learning through school repair and establish temporary safe learning area from Covid-19. The purpose is to ensure 850.000 children in accessing formal and non-formal education including early childhood education, and providing learning material assistance to them. However, safe school protocol from Covid-19 was implemented, the incentive was granted to 160.000 teachers, and grant program was provided to 7.383 schools in 2021.²²

²¹ Mohammad Rosyidin, 'Intervensi Kemanusiaan Dalam Studi Hubungan Internasional: Perdebatan Realis Versus Konstruktivis', *Jurnal Global & Strategis*, 10.1 (2017), 59 <<https://doi.org/10.20473/jgs.10.1.2016.55-73>>.

²² UNICEF Yemen, *Humanitarian Action for Children :Yemen*, Unicef, 2021 <<https://www.unicef.org/media/112406/file/2022-HAC-Yemen.pdf>>.

Moreover, UNICEF was continued humanitarian assistance to support quality and inclusive education access for children. Its focus is strengthening service quality and upscaling multisectoral responses by clean water, sanitation and education. UNICEF targeted 500,000 children to access formal and non-formal education, by 800,000 children received individual material and 15,000 teachers was monthly intensive too.²³ UNICEF was providing assistance to 7,447 schools, 32,899 teachers (including 2,163 women teacher in remote areas), national exam support for 513,300 students. It was provided to 776,314 children through sustainable access which includes remedial class, protection, and school facilities in 2022.

UNICEF acts as a humanitarian aid provider in Yemen to improve the quality of education and the quality of children's lives. It also seeks to improve equity in education across the region. The main goal is to regain children's educational rights in line with their commitment to human rights. As an international humanitarian aid organization, UNICEF acts as an independent actor. They identified themselves and their interests to other entities, not only the nation-state.²⁴ In its role, UNICEF Yemen focuses on improving children's education by repairing damaged schools, providing safe temporary learning spaces and incentivizing teaching staff. They are also working to enable boys and girls to access formal and non-formal education, including early childhood education. Through its programs, UNICEF aims to improve the quality of learning for children affected by armed conflict and intensive teachers to teach more children who are denied access to education. They also provide temporary learning centers for refugee children. As an international organization, UNICEF can be directly involved in the situation on the ground.

The actions taken by UNICEF as an actor show that UNICEF is a platform where members can get their needs met in the international arena. It is undeniable that UNICEF's presence in this task is the entity's own responsibility. UNICEF's power as an actor can represent and make direct humanitarian aid, thus influencing the situation of children in Yemen.

Role of UNICEF as an Arena

UNICEF monitored the Yemeni government's actions regarding the education of children affected by the conflict. Their main focus is on ensuring access to good education for these children, with an emphasis on their right to an appropriate education. UNICEF also identifies barriers such as lack of infrastructure and family finances in supporting children's education. They also monitor incentives for teaching

²³ UNICEF Yemen, *Yemen Appeal: Humanitarian Action for Children*, 2022 <<https://www.unicef.org/media/112406/file/2022-HAC-Yemen.pdf>>.

²⁴ Archer.

staff in schools. These efforts aim to make children's right to education a central focus in planning actions and programs in Yemen.

UNICEF operates a Core Commitments for Children (CCC) framework for effective monitoring. The CCCs are required to be adopted by all UNICEF personnel,²⁵ with a focus on humanitarian action and respect for human rights. The framework guides UNICEF's programs and operations, ensuring that humanitarian action and advocacy includes all individuals, provides equal quality and promotes equality. UNICEF also uses this framework to plan, monitor and evaluate its contribution to the inter-agency humanitarian program cycle. Respect for and protection of human rights is a top priority, especially for children, so that they can fully enjoy their rights. UNICEF strives to create a world where every child can reach their full potential.

In response to the situation in Yemen, UNICEF focuses on planning, monitoring and reporting on its programs. It was coordinated with OCHA to report on the situation of children affected by the armed conflict, particularly in relation to children's human rights. UNICEF reports that many children under the age of five are acutely malnourished, while efforts have been made to mitigate the risks of gender-based violence to protect women and girls. Many children in Yemen are in need of humanitarian assistance, and UNICEF is focusing on supporting their education. They also engage third parties for data quality monitoring of their programs. During 2022, UNICEF and OCHA continued their monitoring coordination in Yemen, with many children in need of assistance and without access to adequate education. UNICEF continues its efforts to protect human rights in conflict situations and with limited access. The Government of Yemen is also implementing a transitional education program to improve the quality of education. UNICEF is supporting the program and coordinating in rebuilding the education system in Yemen during this crisis.

UNICEF has a mandate that provides a framework for them to carry out their duties independently. As a UN organization, UNICEF provides support to the Yemeni state in addressing the education of children affected by the armed conflict. UNICEF's role as an arena within international organizations is important for groups who want to compete and gain a forum and diplomatic support for their policies. In addressing the issue of education of children affected by the conflict in Yemen, UNICEF acts as a forum for cooperation with other entities. Through collaboration with local authorities, international partners, OCHA, Save The Children International, and the Yemeni Ministry of Education, UNICEF facilitates dialogue, coordination, and building the

²⁵ United Nations Children's Fund, *Core Commitments for Children in Humanitarian Action*, UNICEF (UNICEF, 2022) <<https://www.corecommitments.unicef.org/kp/ccc-longversion-english-oct2020---complete-version.pdf>>.

conflict-affected education system. This is UNICEF's initiative to provide sustainable solutions and support long-term peace and recovery in Yemen.

Role of UNICEF as an Instrument

UNICEF has a great ability to enhance the quality of life of children around the world through advocacy. Advocacy is done with the aim of solving problems faced by children and influencing decision-makers with cooperation. Advocacy includes organizing, lobbying and campaigning. Advocacy campaigns aim to bring attention to a particular issue by involving outside voices. Through advocacy, UNICEF also plays a role in understanding the issues affecting children and encouraging action that can help improve their situation. UNICEF also tries to ensure that children's voices are recognized and heard in this advocacy process by involving them and their communities.

An important initiative supporting the education sector in Yemen was launched, known as Restoring Education and Learning (REAL). This program is a collaboration between the World Food Programme and Save the Children in 2021.²⁶ The main purpose of the program is to expand access to education in Yemen with a focus on more than 1,000 schools over the period 2021-2024. REAL aims to have a positive and long-term impact on education and human resources in Yemen. In addition, the program is also committed to fulfilling children's basic rights in education. UNICEF, as part of the Yemen Education Cluster, is supporting this program with financial support from the Global Education Partner, as well as contributions from the Ministry of Education in Aden and education authorities in Sana'a.

UNICEF's role in providing programs in the shape of its independent actions is a way for UNICEF to carry out its role as an instrument. The general description of the role of an international organization as an instrument is how its member states can use the right to become its members for specific purposes. However, there are limitations to the independent actions of international organizations that have power over sovereign states.

As written by Clive Archer, in general, international organizations only serve as instruments of government policy and a tool for diplomacy between countries. These organizations are formed through limited agreements between countries to conduct multilateral activities in certain fields. However, UNICEF in Yemen has a mandate for the welfare of children and works independently to care for them. UNICEF promotes the country's education policy through programs such as Education in Emergency and the

²⁶ UNICEF Yemen, 'The Restoring Education and Learning Project (REAL)' <<https://www.unicef.org/yemen/restoring-education-and-learning-project>> [accessed 12 March 2024].

REAL Project. As a result, UNICEF serves as a unique instrument in addressing the educational challenges in Yemen.

Role of UNICEF as an Analysis of *Maqashid al-Syari'ah*

With a majority Muslim population, Yemen is working with UNICEF and the government to help children affected by conflict. However, social inequality hinders prosperity, so UNICEF is applying Maqashid Sharia principles. The Yemeni government allocates significant resources to education, with three ministries governing the education system. Education is a human right and a key objective of Islamic law.

Maqsud, the core of *Maqashid al-Shari'ah*, according to Ibn Ashur is the realization of Maqsud as Maslahah. Maslahah is an action that produces goodness or sustainable benefits, both for individuals and society. In this context, UNICEF's role as a humanitarian aid actor can also be seen from the perspective of Maqashid al-Syariah with the aim of realizing Maslahah.²⁷ Ibn Ashur divided Maslahah as an objective in sharia law, showing UNICEF's role in realizing the welfare of the people. Maslahah is divided into dharuriyyat, hajyat, and tahsiniyat maslahah which goes back to al-kulliyat al-khamsah. Attention to the determination of maslahah dharuriyyah in the protection of children in Yemen emphasizes the importance of protecting the soul (Hifdzu An-Nafs). Soul in Islam has a broad meaning, including soul and life. The potential of the soul can only be actualized by human efforts. Human personality develops through internal and external factors.²⁸ Muslims have an obligation to protect themselves and others, respect human souls and share love in accordance with the teachings of Islam taught by the Prophet Muhammad SAW.

Through protecting the soul, Islam hopes to create good descendants according to Islamic law. UNICEF plays an important role in protecting children in Yemen from the effects of conflict, such as violence, exploitation and abuse. UNICEF also focuses on preventing, rehabilitating and assisting children affected by the conflict by providing medical assistance, education, mental health services and psychosocial support. They work closely with relevant parties to ensure the protection of children's rights and provide a better future for them. Seeing the armed conflict in Yemen as un-Islamic, UNICEF plays a role in improving the situation through the principles of *Maqashid al-Shariah*, focusing on the maslahah ummah and Hifdzu An-Nafs.

U NICEF conducts monitoring to report on situations that demonstrate that they are following the Maqashid al-Syariah (Shari'ah objectives) principle of caring for the

²⁷ Sutisna, Neneng Hasanah, Arlinta Prastian, Ikhwan Nugraha, Ekarina katmas, Ali Mutakin, Nurhadi, Suparnyo, Kamaruddin Arsyad.

²⁸ Masnilam Intan Malahati, 'Tinjauan Hifdzun An-Nafs Dalam Pengelepasan Nafkah Anak Oleh Ayah Yang Mampu Bekerja', *Skripsi*, 2018, 17.

welfare of the Ummah as a whole, groups or individuals.²⁹ The importance of addressing the maqsd of maslahah in the case of vulnerable children in Yemen is a major concern. Maqasid dharuriyyah is fundamental to implementing maslahah hajjiyah and tahsiniyyah. This situation forces UNICEF to conduct in-depth monitoring, including the preservation of reason. Hifdzu Aql, or the protection of the mind, is important to protect human beings. It is set out in the teachings of the Qur'an and hadith to protect the human mind from corruption.³⁰ The armed conflict in Yemen is strictly prohibited in Islam and has resulted in the destruction of public facilities, especially children's schools. As a result, the protection of children's minds is threatened. The intellect is an instrument given by Allah to distinguish humans from other creatures. By utilizing it, humans will gain the highest degree in the sight of Allah. However, if not utilizing it, humans will experience disgrace or ignorance.

In light of this, UNICEF is working to ensure access to education for children in conflict-affected Yemen. They directly monitor victims and the education system through the Transitional Education Program (TEP). TEP is an education development program for children in Yemen affected by armed conflict. UNICEF has been helping to nurture the potential of affected children since 2019, so that they can develop their talents and abilities through further programs from UNICEF.

UNICEF conducts its independent initiative program in promoting child policies to improve children's education in Yemen in accordance with the concept of Maqashid al-Syariah in achieving maslahah seen from the realization of a maqsd.³¹ UNICEF focuses on protecting three important aspects in promoting child policies in education: religion, family and wealth. In order to protect religion (Hifdzu Ad-Diin), UNICEF strives to ensure that children can pray and dhikr in accordance with Islamic teachings. They are also working hard to ensure that children can study and worship despite the conflict in Yemen. These actions are taken to ensure that every child has the right to practice their religion freely and without discrimination.

Keeping offspring (Hifdzu An Nasl) has two meanings. First, maintaining the relationship between children and parents or offspring. Second, to breed and educate a new quality generation. However, in Yemen, many children have lost their parents due to conflict. Therefore, UNICEF is taking on the responsibility of taking care of Yemen's offspring, especially in terms of mothers and children's health, nutrition, and neonatal

²⁹ Sutisna, Neneng Hasanah, Arlinta Prastian, Ikhwan Nugraha, Ekarina katmas, Ali Mutakin, Nurhadi, Suparnyo, Kamaruddin Arsyad.

³⁰ Nita Nurningsih, 'Hak Asasi Manusia Dalam Hifz Al-Aql; Tafsir Tematik Atas Ayat-Ayat Al-Qur'an', *Skripsi UIN Syarif Hidayatullah*, 2020, 29.

³¹ Sutisna, Neneng Hasanah, Arlinta Prastian, Ikhwan Nugraha, Ekarina katmas, Ali Mutakin, Nurhadi, Suparnyo, Kamaruddin Arsyad.

care. They provide vaccinations, nutritious food and health care to children and their mothers to ensure their survival and development. Hifdzu Al-Maal is safeguarding the sustainability of individual and state property in Islam. It is the protection of rights and obligations as well as the preservation of property to avoid activities that are not in accordance with sharia.³² UNICEF seeks to reduce poverty and inequality in Yemen by providing material and financial assistance to children who were affected by the armed conflict, as well as ensuring their access to basic services.

The role of UNICEF in Yemen is in line with the principles of *Maqashid al-Shari'ah*. UNICEF focuses on meeting the needs of children in Yemen and improving their quality of life. Through programs and interventions, UNICEF seeks to ensure every child in Yemen receives the education, health and protection they deserve. They are also working to reduce the negative impact of conflict and crisis in Yemen on children. All of this is aimed at creating a safe and supportive environment for children's optimal development. UNICEF plays an important role in improving the education of children affected by conflict in Yemen. However, its implementation is not fully in line with Islamic teachings as seen in *Maqashid al-Shariah*. UNICEF only provides assistance in the form of physical facilities in education by ignoring religious education and moral values. They also only relied on the Yemeni government to empower children intellectually, without developing an adequate curriculum. As a result, access to education for children involved in the conflict is difficult to fulfill. In addition, UNICEF also pays little attention to sexual education in accordance with religious values. As such, UNICEF has not been able to address all of these issues in their entirety.

IV. CONCLUSION

The armed conflict in Yemen has led to a severe humanitarian crisis, with almost half the population in need of assistance. The conflict has damaged settlements, health services and schools. Children are the focus of international attention, and UNICEF plays a role in providing humanitarian assistance to children in Yemen. UNICEF promotes the education of children affected by conflict as a top priority. They are committed to providing equal and inclusive access to education for Yemeni children, so that every child has an equal opportunity to learn and develop. UNICEF also works to create a safe and supportive learning environment for children and encourages their participation. The organization conducts joint monitoring with OCHA and other

³² Suharsono Suharsono, Kuratul Aini, and Ariq Nurjannah Irbah, 'Keberadaan Prinsip (Maqashid Al-Syariah) Hifdzul Mal Dalam Kegiatan Investasi Konvensional Non Maisir', *Investama: Jurnal Ekonomi Dan Bisnis*, 9.2 (2023), 144–45 <<https://doi.org/10.56997/investamajurnalekonomidanbisnis.v9i2.1006>>.



partners, and implements emergency education programmes. UNICEF also acts as an actor in providing assistance to meet children's basic needs. Based on this, UNICEF's role as an international organization is more likely to be an independent actor in carrying out its mission. In this case, UNICEF is in line with the principle of Maqashid al-Syariah which aims for the welfare of the people. However, there is a lack of practicing religious teachings in accordance with the country of Yemen in education programs. Thus, this research provides an understanding of UNICEF's role and Maqashid al-Shari'ah in improving children's education with its humanitarian assistance through the role of UNICEF as an actor, an arena and an instrument

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