YEMEN: ENDURING CONFLICTS, THREATENED TRANSITION

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WORKING TO PREVENT CONFLICT WORLDWIDE

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

As messy as it has been and unfinished as it remains, Yemen's transition accomplished two critical goals: avoiding a potentially devastating civil war and securing the resignation of President Ali Abdullah Saleh, who had ruled the impoverished country for over three decades. It also cracked the regime's foundations, while making it possible to imagine new rules of the game. Still, much remains in doubt, notably the scope and direction of change. The nation essentially has witnessed a political game of musical chairs, one elite faction swapping places with the other but remaining at loggerheads. Important constituencies – northern Huthi, southern Hiraak, some independent youth movements – feel excluded and view the transition agreement with scepticism, if not distain. Al-Qaeda and other militants are taking advantage of a security vacuum. Socio-economic needs remain unmet. The new government must rapidly show tangible progress (security, economic, political) to contain centrifugal forces pulling Yemen apart, while reaching out to stakeholders and preparing the political environment for inclusive national dialogue.

On 23 November 2011, following eleven months of popular protest, Saleh signed the Gulf Cooperation Council (GCC) initiative and an accompanying set of implementation mechanisms. Boiled down to its essentials, the GCC initiative provided the former president domestic immunity from prosecution in return for his stepping down. The UN-backed implementation document added flesh to the bones, providing valuable details on the mechanics and timetable of the transition roadmap.

The agreement outlined a two-phase process. In the first, Saleh delegated powers to his vice president, Abdo Robo Mansour Hadi. Feuding politicians then formed an opposition-led national consensus government with cabinet portfolios split equally between the former ruling party, the General People's Congress (GPC), and the opposition bloc, the Joint Meeting Parties (JMP). The president established a military committee tasked with reducing tensions and divisions within the armed forces, which had split between pro- and anti-Saleh factions during the uprising. Phase one ended with early presidential elections, on 21 February 2012, in which Hadi was the uncontested, consensus candidate.

In phase two, Hadi and the government are given two years to, among other things, restructure the military-security apparatus, address issues of transitional justice and launch an inclusive National Dialogue Conference with the goal of revising the constitution before new elections in February 2014. It is a laudatory program, but also plainly an ambitious one. Already the scorecard is mixed, as implementation has fallen short.

Indeed, although much has changed, a considerable amount remains the same. Begin with the most important: the settlement failed to resolve the highly personalised conflict between Saleh and his family on the one hand, and General Ali Mohsen al-Ahmar, as well as, the powerful al-Ahmar family, on the other. As both camps seek to protect their interests and undermine their rivals, the contours of their struggle have changed but not its fundamental nature or the identity of its protagonists. Likewise, the underlying political economy of corruption has remained virtually untouched. The same families retain control of most of the country's resources while relying on patronage networks and dominating decision-making in the government, military and political parties.

For frustrated independent activists, the struggle at the top amounts to little more than a political see-saw between two camps that have dominated the country for some 33 years, a reshuffling of the political deck that has, at the party level, hurt the GPC and helped the JMP. This has serious policy implications. As politicians squabble in Sanaa, urgent national problems await. Humanitarian conditions have worsened dramatically since the uprising, with hunger and malnutrition levels growing at an alarming rate. A year of political turmoil has resulted in severe shortages of basic commodities; aggravated already high poverty and unemployment rates; and brought economic activity to a virtual halt.

The army is still divided, with warring commanders escaping the president's full authority. Armed factions and tribal groups loyal to Saleh, Ali Mohsen or the Al-Ahmars remain in the capital; elsewhere the situation is far worse. The government's writ over the periphery, already tenuous before the uprising, has contracted sharply since. In the North, the Huthis have vastly expanded their territorial

control. In the South, the government must contend with challenges from the Hiraak and its affiliated armed groups. Most worrisome is the spread of Ansar Sharia (Partisans of Islamic Law), a murky mix of al-Qaeda militants and young local recruits, many of whom appear motivated by economic rewards more than by ideological conviction. The government, fighting alongside local popular committees, has recaptured territories in the South, but the battle with al-Qaeda is far from over.

Yet, despite these multiple crises, partisan politics and jockeying for the most part persists in the capital. Encumbered by infighting and lacking capacity, the new government has yet to articulate or put forward a political and economic vision for the transitional period. What is more, it has done too little to bring in long-marginalised groups and is sticking to a largely Sanaa-centric approach. Reformers are concerned that vested interests in both the GPC and JMP are seeking to maintain a highly centralised, corrupt state that favours northern tribal and Islamist leaders, thus further deepening the divide with the rest of the country.

Securing Saleh's peaceful exit from the presidency was hard enough; implementing the remainder of the agreement will be harder still. Neutralising potential spoilers – competing elites associated with the old regime as well as the divided military/security apparatus – is a priority. This cannot be done too abruptly or in a way that privileges one side over the other, lest it trigger violent resistance from the losing side. Instead, Hadi should gradually remove or rotate powerful commanders in a politically even-handed fashion and end their control over individual army units, while forcing them to demonstrate respect for the military chain of command under the president and defence minister. In like manner, the influence of powerful political parties and interest groups should be diluted in a way that ensures no single one finds itself in a position to dominate the transitional process. Equally important, the national dialogue needs to be broadly inclusive, requiring immediate confidence-building measures and continued outreach efforts toward sidelined groups: the youth, the Huthis and the Hiraak.

Implementation also is suffering from its overall opaqueness. No one – not the government, parliament, or military committee – has publicly kept score so as to shed light on who is violating the agreement and how. Nor has Hadi formed the interpretation committee, even though it is mandated by the agreement, and even though it could usefully settle disputes over the meaning of the initiative and its implementation mechanisms.

The political settlement has numerous flaws. It was an elite compromise that excluded many original protesters as well as marginalised constituencies. It failed to adequately address issues of justice, and it kept in power leaders and parties at least partially responsible for the country's woes. But, at a minimum, it offers the chance for a different future. If politicians in Sanaa fail to resolve, or at least contain, the ongoing elite confrontation and move forward with an inclusive dialogue, the country risks experiencing further violence and fragmentation. Yemen has long run away from critical decisions. It should run no more.

RECOMMENDATIONS

To the Yemeni Armed Forces:

1. Respect and fully implement President Hadi's and the defence minister's orders, notably regarding military rotations, retirements and appointments, and return all military forces to their barracks as specified by the agreement and by the military committee, unless ordered otherwise by the defence minister.

To Ali Mohsen al-Ahmar, the al-Ahmar family and allies in Islah:

2. Remove all militias from urban areas as well as troops from areas surrounding protest squares as mandated by the initiative and by order of the military council.

In order to improve the political situation

To the Yemeni Government:

3. Ensure that existing laws, especially the civil service law, are rigorously implemented during the transitional period.
4. Maintain distance during the transitional period from divisive political figures such as former President Saleh, Ali Mohsen al-Ahmar and Hamid al-Ahmar.

To all Signatories and Supporters of the GCC Initiative and the Implementation Mechanism:

5. Implement the agreement and notably the national dialogue without preconditions and halt inflammatory press statements targeting political adversaries.

To President Hadi:

6. Establish and empower immediately the interpretation committee as mandated by the agreement.
7. Avoid to the extent possible regionally-based appointments and communicate transparently with relevant stakeholders and the public on issues pertaining to major civilian and military rotations, forced retirements and appointments.

To the General People's Congress Party (GPC):

8. Renovate the party, notably by:
   a) organising internal elections for a new leadership; and
   b) reaching out to youth activists and empowering them within its decision-making apparatus.

To the Joint Meeting Parties (JMP):

9. Minimise the role of divisive figures such as Hamid al-Ahmar and Ali Mohsen al-Ahmar during the transitional period.
10. In the case of Islah, hold internal elections to renew party leadership, allow new voices to be heard and intensify outreach to other coalition members to ensure broad and adequate consultation on decisions related to the transitional process and notably the national dialogue.

To President Saleh and his family:

11. Respect and honour Hadi's orders and presidential authority fully.
12. Allow GPC internal reform by encouraging Hadi to head the party and acquiescing in Saleh moving to an advisory role.
13. Support the spirit of the initiative by disengaging from politics and assuming a less prominent role during the transitional period.

To Ali Mohsen al-Ahmar and Hamid al-Ahmar:

14. Support the spirit of the initiative and encourage reconciliation by playing a less prominent role in the transitional period and, in the case of Ali Mohsen, reaffirming unconditional commitment to retire from the military by doing so when Hadi sees fit.

In order to ensure inclusion of marginalised groups

To the Government of Yemen:

15. Carry out confidence-building measures immediately to ensure meaningful participation in the national dialogue of independent youth groups, Huthis and the Hiraak, possibly to include, inter alia:
   a) publicly apologising for injustices committed against the Huthis and the Hiraak;
   b) releasing all political prisoners;
   c) increasing humanitarian assistance and access to internally displaced persons (IDPs) in the North and in the Abyan and Aden governorates;
   d) establishing and empowering a land dispute committee and/or employment committee in the South to investigate and mediate longstanding grievances; and
   e) addressing issues of transitional justice and national reconciliation by investigating acts of violence related to the 2011 uprising and compensating victims, while assuring citizens that these issues will be further debated and discussed during the national dialogue.

To non-signatories who reject the initiative including some independent youth groups, the Huthis and the Hiraak:

16. Participate in the preparatory stage of the national dialogue by communicating with and eventually taking part in relevant government-established committees.
17. Refrain from placing preconditions on the national dialogue and instead present realistic requests aimed at improving the political environment;

In order to maximise international support for Yemen's transition

To international actors supportive of the GCC Initiative and Implementation Mechanisms (including the UN Special Envoy, Security Council, EU, GCC, IMF, and World Bank, Germany, the Netherlands, Turkey and Japan):

18. Continue to support the Yemeni government's efforts to implement the agreement with technical, diplomatic and financial assistance and ensure the UN maintains a leading role in facilitating national dialogue.
19. Avoid the reality or appearance of taking sides in local political disputes, notably by:
   a) expressing willingness to talk to all parties;
   b) identifying and criticising openly any signatory that fails to honour the agreement; and
   c) promoting local oversight of implementation by pressing for establishment of the interpretation committee and encouraging civil society and youth organisations to assume an oversight role.

To the Government of Iran:

20. Support the UN-sponsored national dialogue to resolve longstanding political challenges in Saada and the South and encourage the Huthis and the Hiraak to participate.

Sanaa/Brussels, 3 July 2012

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I. INTRODUCTION

After nearly eleven months of popular protests calling for his removal, then-President Ali Abdullah Saleh signed the Gulf Cooperation Council (GCC) initiative and an accompanying set of implementation mechanisms on 23 November 2011.[1] Closing the deal on the transition initiative was the product of a long process of negotiations, cajoling and threats. Talks over Saleh's exit began only days after his former partner and the country's second most powerful man, General Ali Mohsen al-Ahmar,[2] defected with his army troops and joined the uprising on 21 March. Fearing a wave of military and civilian defections, Saleh scrambled to ensure a dignified departure. In discussions with senior leaders of his party, the General People's Congress (GPC), and the opposition bloc, the Joint Meeting Parties (JMP),[3] he proposed transferring his authority to the vice president and holding early elections within 60 days.[4] During these closed-door discussions, Saleh also suggested that he and Ali Mohsen resign together.[5] Before an agreement could be reached, Saleh and his supporters realised that the game was not over. Military and civilian defections were not as widespread as feared, and they stopped at predicable fault lines; defectors were either tied to Ali Mohsen and his allies in Islah[6] as well as the powerful al-Ahmar family[7] and/or were genuine reformers primed for defection before the uprising. The Salehs maintained significant loyalty within the ruling party, the tribes and the civil service. Most importantly, they retained superior military power through the best-trained and equipped military unit, the Republican Guards, although opposition-affiliated tribal militias quickly prevented many of these troops from moving to the capital. Saleh began to back away from his promise to resign and in April publicly called on GCC states to assist in negotiating a way out of the crisis.

The GCC initiative was brokered in April and May 2011 with assistance from Saudi Arabia, the U.S., the UK and the European Union (EU). It was a short document, offering Saleh domestic immunity from prosecution in return for transferring power to his deputy. The agreement also set up the basic framework for early presidential elections followed by constitutional revisions, a constitutional referendum and, eventually, new parliamentary elections. On three different occasions, Saleh refused to sign. He and his supporters felt that they could either delay his resignation or negotiate a better deal. The final refusal to sign, on 22 May, precipitated violent clashes in the capital between his troops and tribal militias loyal to the al-Ahmar family. On 3 June, a bomb ripped through the mosque on the presidential compound, killing the Consultative Council (Shura) speaker and severely injuring the president. The

[1] They are two separate but related documents. This paper will refer to the two documents together as the initiative, the agreement or the settlement. See Appendix B for a UN translation of the GCC initiative and Appendix C for a UN translation of the text of the mechanism document.

[2] General Ali Mohsen al-Ahmar is the commander of the First Armoured Division and the Northwest Military Region. Rifts between Ali Mohsen and Ali Saleh date back at least ten years and largely result from Saleh's attempts to strengthen his son Ahmed Ali's political and military power at Ali Mohsen's expense. After over 50 Yemenis were shot by gunmen loyal to the regime on 18 March 2011, Mohsen defected, ostensibly to protect protesters.

[3] Established in 2002 to coordinate opposition efforts against the GPC, the JMP is a coalition of five opposition parties: the Islamist party, Islah, the Yemeni Socialist Party (YSP), the Nasirist Popular Unionist Party, the al-Haqq party and the Union of Popular Forces (UPF). Islah is the most powerful member and the only party with strong national appeal. The second most important player is the YSP, the former ruling party of South Yemen prior to unification in 1990. The three remaining parties have little to no popular base. The last two, al-Haqq and the UPF, are small Zaydi (a brand of Shiism that is distinct from the Twelver Shiism in Iran, Lebanon and Iraq) parties.

[4] Crisis Group interview, diplomat close to the negotiations, Sanaa, April 2012.

[5] Crisis Group interview, Yemeni close to the negotiations, Sanaa, February 2012.

[6] The Islah party was established shortly after the unification of North and South Yemen in 1990. It encompasses a number of overlapping groups, including tribesmen, businessmen, Muslim Brotherhood members and Salafis.

[7] The al-Ahmars are the pre-eminent sheikhs of the Hashid tribal confederation. They have no familial relationship with Ali Mohsen al-Ahmar.

country was on the cusp of war, and what had started as a peaceful, popular uprising was overshadowed by a violent conflict between well-armed elite factions.

Over the summer, negotiations stalled as domestic stakeholders recalibrated their positions. Hardline Saleh supporters grew more determined to cling to power, while armed factions associated with the opposition were equally committed to victory. During this military and political stalemate, UN Special Advisor Jamal Benomar became involved in negotiations over an implementation document that would further specify authorities, responsibilities and timelines during the transitional period. On 24 September, the UN Security Council issued a statement urging an end to violence and implementation of a "Yemeni-led process of political transition, on the basis of the Gulf Cooperation Council Initiative".[8] On 21 October, international pressure and the threat of sanctions mounted as the Security Council unanimously passed Resolution 2014 calling on all parties to immediately sign the transition initiative.

Although neither pro- nor anti-Saleh signatories were entirely satisfied with the political agreement, they could not guarantee a military victory, and both were under significant external pressure to reach a compromise. Ultimately, Saleh's 23 November decision to sign likely was tied to two main factors: fear of international sanctions and belief that the negotiations had yielded critical concessions that gave him an honourable exit. In particular, the implementation document allowed him to remain as a figurehead president until he transferred power through early elections. He also apparently concluded that the initiative extended sufficient protection to him and his family, enabling them to play a role in national politics through their influence in the GPC, government and armed services. Some of the GPC's more pragmatic leaders reportedly played a critical although often underappreciated role in convincing Saleh and his family that signing the initiative and permitting a peaceful transfer was in their best interest.

The JMP likewise was under significant external pressure to sign the initiative. While some in this camp, and particularly opposition-affiliated armed groups, may have preferred to continue efforts to vanquish the Salehs militarily, they were persuaded to accept the plan and remove the president via political means. They could then pursue the goal of removing other family members and close supporters during the transitional process.

While far from perfect, the GCC initiative and implementation document offered a peaceful exit from a military and political stalemate that had brought the country perilously close to war. The UN-backed settlement outlined a two-phase transition process. In the first, Saleh irrevocably delegated authorities to his vice president, Abdo Robo Mansour Hadi. Feuding politicians then formed an opposition-led national consensus government with cabinet portfolios split equally between the former ruling party and the opposition bloc.[9] Hadi established a military council tasked with reducing tensions and divisions within the armed forces, which had split between pro- and anti-Saleh factions during the uprising. Phase one ended with early presidential elections on 21 February 2012 in which Hadi was the uncontested, consensus candidate.

In phase two, Hadi and the national consensus government were given two years to, among other things, restructure the military-security apparatus, address issues of transitional justice and implement an inclusive National Dialogue Conference with the goal of revising the constitution before new elections in February 2014. It is an ambitious program; already the implementation scorecard is mixed.

If securing Saleh's peaceful exit from the presidency was challenging, implementing the remainder of the agreement will be more difficult still. Huthi rebels in the north, southern separatists and many independent protesters view the settlement with scepticism, if not outright disdain.[10] They resent the elite nature of the agreement, which is skewed toward existing political parties and offers far-reaching domestic immunity to Saleh and his allies.[11] For

[8] "Security Council Press Statement on Situation in Yemen", New York, SC/10394, 24 September 2011.

[9] The initiative did not change parliament's composition. Prior to the uprising, the GPC bloc held 239 of 301 seats. As a result of party defections, it now holds 192. The JMP bloc controls 63 seats. Crisis Group interview, Sheikh Yasser al-Awadhi, deputy of the GPC parliamentary bloc, Sanaa, 13 June 2012. New parliamentary elections are due to be held in 2014.

[10] For background on the Huthi rebels, see Crisis Group Middle East Report N°86, *Yemen: Defusing the Saada Time Bomb*, 27 May 2009. For information on the southern separatist movement, see Crisis Group Middle East Report N°114, *Breaking Point? Yemen's Southern Question*, 20 October 2011. For background on the 2011 uprising and the role of independents, see Crisis Group Middle East Report N°102, *Popular Protest in North Africa and the Middle East (II): Yemen Between Reform and Revolution*, 10 March 2011.

[11] On 21 January 2011, parliament passed a controversial law granting Saleh and his aides immunity from prosecution for "politically motivated" crimes carried out as part of their official duties. The law excludes acts of terrorism. Mohammed Ghobari and Tom Finn, "Yemen grants Saleh immunity to try to end crisis", Reuters, 21 January 2012. Immunity in return for relinquishing presidential power was an integral part of the original GCC initiative, though the UN-backed mechanism agreement is ambiguous in this regard. It makes no mention of immunity, while specifying that the agreement is "based on the Gulf Cooperation Council Initiative in full compliance with the United Nations Security Council Resolution 2014 for 2011" – two sources that are at odds on this matter. Indeed, whereas the GCC

supporters of the southern movement (Hiraak), a group calling for independence or at minimum two-region federalism, the agreement is a strictly northern affair that fails to provide a framework for adequately addressing their specific demands.[12] As Huthis see it, the agreement is an elite compromise between political parties that excludes other voices and promotes a U.S./Saudi agenda.[13]

Ensuring these groups' meaningful participation in the national dialogue will be an uphill battle. So far the new government has been slow to act and racked by political infighting. Inaction is at least partly a result of the agreement's failure to resolve the underlying elite conflict between Saleh and his supporters on the one hand and Ali Mohsen and his allies on the other. Hadi's authority is constrained, sandwiched between these two well-armed factions, neither of which is prepared to relinquish hard power voluntarily or abandon the playing field to the other. While these two groups have their guns and political manoeuvring aimed at each other, security and humanitarian conditions continue to deteriorate.[14]

Yemen has an opportunity to move forward with transition and meaningful reform, but this outcome is far from guaranteed. If politicians in the capital fail to resolve, or at least contain, the ongoing elite battle and move forward with an inclusive dialogue process, the country risks further violence and fragmentation. The new government is dangerously dependent on international support, and time is not on its side.

initiative, as seen, includes immunity, Resolution 2014 (which called for Saleh to immediately sign the GCC initiative) backed an "independent and impartial investigation consistent with international standards into alleged human rights abuses and violation, with a view to avoiding impunity and ensuring full accountability". After the immunity law passed parliament, the legal affairs ministry immediately began work on a transitional justice and reconciliation law. In March, it circulated a draft law in public forums for debate. The draft law has failed to win cabinet approval, largely because of disagreement over the timeframe that it should cover – some argued it should be limited to 2011, while others wanted the law to stretch back as far as Yemen's 1962 revolution. According to the implementation mechanism, it is now with Prime Minister Basindwa and President Hadi, who, together, will decide on the timeframe and whether it will be submitted to parliament for a vote. For further information, see Ahmed Dawood, "Transitional justice law last resort for ending Yemen's conflict", *Yemen Times*, 15 March 2012. For a critique, see "Position Paper on Yemeni Draft Law on Transitional Justice and National Reconciliation", The Peace and Justice Initiative, 19 March 2012.

[12] The Southern movement comprises a diverse mix of opinions and groups. Its supporters argue that the 1990 unity between North and South Yemen failed and that southerners have a right to choose separation or, at a minimum, renegotiate the terms of unity. The most vocal trend within the movement is for immediate independence. However, others are discussing the option of two-region federalism for a set period, usually five years, followed by a popular referendum on unity. More recently, some have advocated a referendum in the South offering both options. For an overview, see Crisis Group Report, *Breaking Point?*, op. cit.

[13] Crisis Group interview, Sheikh Saleh Ali Wajamaam, president of the General Forum for Revolutionary Forces and representative of Ansar Allah (the Huthis) in the organisation, Sanaa, 19 May 2012.

[14] One notable exception is the city of Taiz. Since President Hadi appointed a new governor in Taiz on 6 April, security conditions in the city have improved. The new governor, Shawqi Hayel Sayeed, is a businessman with broad popular support. Thus far, he has been successful in restoring security to a city that was divided between warring factions during the uprising.

II. WHAT HAS CHANGED, WHAT REMAINS THE SAME?

Nearly a month after Yemen held its 21 February presidential elections, Alan Duncan, the UK minister of state for international development, identified a "Yemen Paradox". "Nothing was going to change until Saleh was gone, but now that he's gone, nothing very much has changed". Duncan went on to recall an incident when he was entering the front door of the presidential palace to meet with Hadi at the same time as Saleh was coming through the back door to hold meetings with GPC supporters.[15]

Today, Yemenis are grappling with issues of change and stasis. Despite Saleh's continued involvement in politics, there is little doubt that the uprising cracked the regime's foundations and opened space for new political rules of the game. What these new rules will be – and how different they will be from those that governed in the past – is far from certain. As a prominent civil servant noted, "right now there are no rules of the game. The only rule is no war. Beyond that, we do not know who is in control".[16] The country remains in a state of political and social flux where both the degree and direction of change are contested. And while some transformations are promising, many are more mixed, and quite a few point toward difficult – and perilous – days ahead.

A. WHAT HAS CHANGED?

1. The end of Saleh's presidency

After 33 years in power, Ali Abdullah Saleh no longer is in office. While there remains legitimate debate around how much influence he has and should have over the military/security apparatus, the government and the GPC party,[17] this in itself represents a profound and significant transformation. For the 43 per cent of the population that is below the age of fourteen,[18] Saleh has been the only head of state of a unified Yemen.[19] Within the span of a few months, his picture was replaced by Hadi's on the front of the flagship state-owned newspaper, *al-Thawra* (The Revolution), as well as on billboards lining streets and local shops throughout the country.[20] On state TV, the new president is seen receiving dignitaries and issuing presidential decrees. These constitute daily reminders that change, at least to some degree, has occurred.

In practice, executive power is fragmented, a sharp departure from the centralised nature of authority under Saleh who excelled at balancing various regional, tribal and political interest groups while retaining the final word. Today, decision-making at the level of the government and military/security apparatus appears to be divided between three main power centres: Hadi, Saleh and Ali Mohsen. Although Hadi enjoys the support of the international community as well as of many citizens seeking an end to a year of crisis, he possesses no ready-made power base within the civil service, military or party structure. In contrast, both Saleh and Ali Mohsen have significant networks of personal loyalty and influence within the army, state and society.

This dispersal of authority has several consequences. On the one hand, it means that no single individual can unilaterally block or dictate the course of change. On the other, it is a recipe for potentially dangerous political gridlock and infighting at a time when the central government desperately needs to deliver security, services and an answer to long-festering political problems. In March, a high-ranking government official said, "the main problem in the country now is that we [the government] do not know where decrees come from. Do they come from Hadi or from Saleh?"[21] He went on to explain that while Hadi is the official head of state, parts of the government and military remain loyal to and take orders from Saleh. Another civil servant reported being tasked simultaneously by Hadi, Ali Mohsen and – through his son Ahmed Ali Saleh – the former president as well.[22]

Over time, however, many believe that Hadi's authority will grow and Saleh's gradually decline. GPC member and former Minister of State Abd-al-Qader Hilal said, "the most important thing is that things are changing. The for-

[15] Alan Duncan, minister of state for international development, on the record comments at a Chatham House conference, London, 14 March 2012. For a full transcript, see www.chathamhouse.org/audio-resource/182549.

[16] Crisis Group interview, prominent civil servant, Sanaa, March 2012.

[17] The GPC is the former ruling party. Saleh still heads the party, although there is intense internal debate over whether he should continue or pass the reigns of authority to Hadi.

[18] "Yemen: People and Society", CIA World Factbook.

[19] Saleh became president of the northern Yemen Arab Republic in 1978. Following the 1990 merger of North and South Yemen, he became the first president of the unified Republic of Yemen.

[20] Removing former President Saleh's picture from *al-Tharwa* was controversial. On 1 February 2012, the newspaper removed it for the first time in 33 years, replacing it with a public announcement encouraging citizens to vote. In response, armed men loyal to Saleh entered the paper's offices and forced a reinstatement of his picture. Margaret Coker, "Loyalists in Yemen invade newspaper", *The Wall Street Journal*, 4 February 2012. After the 21 February elections, the paper began displaying Hadi's photograph on the front page.

[21] Crisis Group interview, high-ranking civil servant, Sanaa, March 2012.

[22] Crisis Group interview, civil servant, Sanaa, March 2012.

mer president's personal control has diminished, and others are beginning to make decisions".[23] One indication of Hadi's growing authority are his 6 April presidential decrees regarding military rotations, which affected approximately twenty high-ranking military officers, including Saleh's half-brother, former Air Force Commander Mohammed Saleh al-Ahmar, and Saleh's nephew, Brigadier General Tareq Mohammed Abdullah Saleh.[24]

Even so, implementation difficulties pointed to persisting obstacles to shifting power from individuals and informal networks to state institutions. Saleh loyalists openly challenged Mohammed Saleh al-Ahmar's removal from the Air Force Command for over two weeks, going so far as to shut down Sanaa's international airport for a day; the decree ultimately was implemented on 24 April. Likewise, whereas Tareq Saleh officially handed over control of the 3rd Armoured Brigade to Hadi's designated replacement on 3 May,[25] full implementation remained elusive until 11 June, one day before Security Council Resolution 2051 threatened non-military sanctions against anyone impeding the 6 April presidential decrees.[26]

2. The emergence of more inclusive politics?

Saleh's rule was based on a complex web of regionally and tribally-based patronage relationships whose primary beneficiaries were powerful northern sheikhs (many from the president's Hashid confederation), Islamists and military elites.[27] Cracks in this coalition already were beginning to appear in the years before the uprising. Most obvious was an increasingly acrimonious and public rift between the president and the family of the late pre-eminent sheikh of the Hashid tribal confederation, Abdullah Bin Hussein al-Ahmar.[28] In 2006, for example, Abdullah's son, Hamid al-Ahmar, openly opposed Saleh's presidential bid; later, he threw his full financial and political weight behind the goal of ousting Saleh and his family. Similarly, Saleh's efforts to strengthen his son, Ahmed, antagonised the older generation of generals within the president's Sanhan clan, including Ali Mohsen.[29] Islah, whose leadership had close personal, financial and political ties to Saleh's regime, also gradually adopted a more oppositional stance in the aftermath of the 1997 parliamentary elections.[30]

[23] Crisis Group interview, Abd-al-Qader Hilal, GPC member of the dialogue contact committee and former minister of state, Sanaa, 18 February 2012.

[24] Immediately following Hadi's election, Tareq was moved from the Special Guards, a unit responsible for presidential protection, to the 3rd Armoured Brigade. After Tareq's transfer, rumours spread that this had been decided by Ahmed Ali, Saleh's son and commander of the Republican Guards, rather than by Hadi. Whatever the circumstances, Tareq once again was reassigned on 6 April, this time to the 37th Armoured Brigade in Hadramowt governorate.

[25] The 3rd Armored Brigade is the most heavily armed Republican Guards brigade, the only unit of the armed forces that possesses the advanced T-82 tank. The brigade commander controls most of the access points and high ground around Sanaa. As such, Hadi's decision to replace Tareq was politically and militarily sensitive. Saleh supporters were not only angered, but also concerned by Hadi's choice for a replacement. They claim that the new commander, Brigadier General Abd-al-Rahman Abdullah al-Haleli, is an Ali Mohsen loyalist. Crisis Group interviews, high-ranking Saleh supporters, Sanaa, March 2012.

[26] For more information, see Mohammed Bin Sallam, "Mutiny of the 3rd Republican Guard Brigade", *Yemen Times*, 10 May 2012. Security Council Resolution 2051, adopted on 12 June 2012, "Demands the cessation of all actions aimed at undermining the Government of National Unity and the political transition, including continued attacks on oil, gas and electricity infrastructure, and interference with decisions related to the restructuring of the armed and security forces, and obstructing the implementation of Presidential Decrees of 6 April 2012 concerning military and civilian appointments, and expresses its readiness to consider further measures, including under Article 41 of the UN Charter if such actions continue".

[27] During Saleh's 33 years of rule, patronage extended broadly and included groups outside of the northern tribal/Islamist elites. This bolstered the regime's stability. In 2000-2001, as Saleh's sons and nephews began to play a more prominent role in the military/security apparatus, patronage networks became more heavily concentrated around them at the expense of other prominent stakeholders, such as Ali Mohsen al-Ahmar and the al-Ahmar family. The narrowing of patronage benefits was a central driver of elite conflict and pushed many former Saleh allies to support the popular uprising in 2011.

[28] There are two main tribal confederations in northern Yemen, Hashid and Bakil. Hashid is numerically smaller but under Sheikh Abdullah was more hierarchically organised. The al-Ahmars are the pre-eminent sheikhs of Hashid; Saleh hails from the Sanhan tribe within the Hashid confederation. After Abdullah's death, his oldest son, Sadik, became Hashid's pre-eminent sheikh. Abdullah has ten sons, several of whom have prominent political positions. Hamid al-Ahmar is a powerful business tycoon and a member of the Islah party; Hussein al-Ahmar is active in Hashid's tribal affairs and is the founder of the Solidarity Council, a non-governmental organisation primarily focused on tribal support; Hashim al-Ahmar, a graduate of Pakistan's Military Academy, was formerly part of the Special Guards and is now responsible for the family's tribal fighters and military affairs.

[29] Sanhan is a tribe within the Hashid confederation. Ali Mohsen al-Ahmar is from the same village, Bayt al-Ahmar, as the former president. He is not related to Sheikh Abdullah Bin Hussein al-Ahmar.

[30] Islah's founding leadership had close ties to Saleh and was deeply embedded in patronage and privilege networks. From 1990 until 1997, Islah ruled in partnership with the GPC, and both worked to politically exclude the Yemeni Socialist Party. In the 1997 parliamentary elections, the GPC won enough seats to govern alone. Since then, the relationship between the two parties has become more adversarial and, over time, Islah adopt-

When youth and independent protesters took to the streets in early 2011, fissures inside the old regime widened into splits. The division pitted those who remained loyal to Saleh against those who claimed to back the protest movement, including Ali Mohsen, the al-Ahmar brothers and Islah. In theory, this divide within powerful military, tribal and financial interest groups opened up space for marginalised voices – such as the youth, the Huthis and the Hiraak – allowing them to be heard and facilitating the emergence of new coalitions. An independent activist noted: "We recognise that we are in a historical moment. We see that the political balance allows an opportunity for real negotiations to take place. All of the traditional power centres are weaker. Everyone is too weak to dominate the others".[31]

But restructuring of politics is at best incomplete. New actors have been slow to organise and coalesce around viable entities;[32] no alternative has emerged with ability to challenge the party system or power structure.[33] There is wide recognition a more inclusive, participatory political system – a central demand of the original protesters, particularly youth – requires genuine, wide-ranging national dialogue in which formerly marginalised groups receive a meaningful voice. Many reform-minded activists believe this can only occur if power remains dispersed, with no single actor in position to shape or stymie the reform process. As some see it, this means that, before the national dialogue starts, balance must be achieved between the GPC and Islah, so neither can dominate the reform agenda.[34] Others are concerned about military/security apparatus influence, leading some activists to demand removal of specific individuals,[35] others to insist that whether or not top commanders are dismissed no military faction should gain sufficient prominence to usurp authority and impede the military's gradual de-politicisation.[36]

3. Political awareness and rising expectations

Arguably the most enduring impact of the uprising has been an increase in political awareness and feelings of political empowerment.[37] Over a year of activism in pub-

ed a more genuinely oppositional stance. While the GPC sought to marginalise Islah as a party, Saleh maintained close personal relationships with many of its most powerful leaders, including Sheikh Abdullah Bin Hussein al-Ahmar and senior Muslim Brotherhood leaders. Saleh's ties with Sheikh Abdullah began to sour in 2005, prompting Islah to pursue increasingly antagonistic politics. For more information on Islah's diverse membership and its shifting relationship with Saleh and the GPC, see Jillian Schwedler, "The Islah Party in Yemen: Political Opportunities and Coalition Building in a Transitional Polity", in Quintan Wiktorowicz (ed.), *Islamic Activism: A Social Movement Theory Approach* (Bloomington and Indianapolis, 2004), pp. 205-228; Jillian Schwedler, *Faith in Moderation: Islamist Parties in Jordan and Yemen* (Cambridge, 2006); April Longley, "The High Water Mark of Islamist Politics? The Case of Yemen", *The Middle East Journal* vol. 61, no. 2 (Spring 2007), pp. 240-260; Sarah Phillips, *Yemen's Democracy Experiment in Regional Perspective* (Palgrave MacMillan, 2008), pp. 137-163; April Longley Alley, "The Rules of the Game: Unpacking Patronage Politics in Yemen", *The Middle East Journal* vol. 64. no. 3 (Summer 2010), pp. 385-409.

[31] Crisis Group interview, Salman Mashdali, independent political activist, Sanaa, 29 March 2012.

[32] Youth groups have been particularly prone to fragmentation. The EU estimates that, as of May 2012, there were between 200 and 250 youth organisations throughout the country. Crisis Group email correspondence, Jean-Marie Safa, political officer, EU Delegation, Sanaa, 8 May 2012.

[33] Several groups are either in the process of forming or have recently formed new political parties. The most prominent example is the Justice and Development Party established by Mohammed Ali Abu Lohom, a Bakil tribal confederation sheikh and former GPC member. Formally established on 28 May 2012, it attracted a number of GPC defectors. The business community, especially from the southern city of Taiz, is becoming more politically active as well. Some Taizi businessmen are preparing to create a centrist, business-oriented party focused on inclusive politics and pro-market development strategies. Crisis Group interview, prominent businessman from Taiz, Sanaa, 9 December 2012. A number of political parties also emerged from the protest movement. For example, Zaydi religious leaders announced the establishment of Hizb al-Umma in January 2012; although the Huthis do not officially support it, they appear to enjoy close ties with its members. In May 2012, a group of political independents, many from the Civic Coalition of Revolutionary Youth (CCRY), applied for a license to form a centre-right party, al-Watan (The Nation), that aims to provide young people with an alternative to the existing party structure. Crisis Group interview, Husam al-Sharjabi, party co-founder, Sanaa, 5 June 2012. Other activists are focused on forging new political coalitions between excluded groups like the Huthis, the southern movement and independents. Already, discussions have produced an informal alliance between the Huthis and elements of the southern movement regarding the conditions they will put forward for joining the national dialogue. Crisis Group interview, Abd-al-Karim al-Khaywani, independent journalist, Sanaa, 1 April 2012. These alliances are nascent, fragile and uncertain. Their success or failure likely will be influenced by several factors, including the trajectory of existing parties and whether they hold together; organisational skills and funding opportunities; and the electoral system that ultimately is adopted through the national dialogue.

[34] Crisis Group interviews, reform-minded activists across the political spectrum, including independents and members of the GPC, Islah and JMP, Sanaa, January-May 2012.

[35] Activists have suggested various proposals as to who should be removed. Most demands focus on Saleh's family and Ali Mohsen. See Section IV below for a more detailed discussion.

[36] Crisis group interviews, Dr Mohammed Abd-al-Malik al-Mutawakil, general secretary, Union of Popular Forces Party, a small Zaydi party, Sanaa, 4 April 2012; Abd-al-Ghani al-Iryani, independent political activist and president of the Democratic Awakening Movement (TOWQ), a pro-democracy, non-partisan political movement, Sanaa, 6 March 2012.

[37] Crisis Group observations, October 2010-April 2012.

lic squares seems to have heightened belief regarding what is possible through collective action and bolstered opposition to one-person or one-family rule, as well as to patronage, nepotism and corruption. These changes, in turn, place constraints on Hadi and his government, confronting them with a more assertive and self-confident public opinion. A long-time civil servant said, "the most important change is what has happened in the minds of Yemenis. People do not accept a monopoly of power anymore. Over six million voted for Hadi because they want a better and different future. Not more of the same".[38] Echoing this view, an activist argued: "The youth now realise that they have rights as citizens. Before, many of them thought the government could do what it wanted. Now, they expect services and responsiveness".[39]

Already, some activists are frustrated by what they perceive as Hadi's attempt to strengthen his own power base through patronage networks rather than institution-building. Concern is focused in particular on his appointments within the military and civil service, as some detect a bias towards his home governorate of Abyan.[40] Others worry that he is building support within the Ali Mohsen/Hamid/Islah faction as a way to marginalise Saleh's camp,[41] thereby replicating past patterns albeit, in favour of different actors. For Abd-al-Ghani al-Iryani, an independent political activist, "when he came to power, Hadi faced the choice of either basing his authority on patronage or breaking this pattern by relying on institutions. So far, he has not done much to break the old pattern".[42] Similar views are expressed by others.[43]

Despite the mounting frustration, activists who backed the political settlement appear willing to give Hadi more time, though how much remains unclear. Many appear willing to overlook missteps and some bias in the selection process as the inevitable price of an early transition; a young civil servant said:

> You cannot change everything immediately. It is only natural in Yemen that Hadi will make initial choices based on loyalty and recommendations from individuals he trusts. This is normal. There are no institutions that guide the selection process. The most important thing is that Hadi is politically balanced and that, going forward, he not repeat Saleh's mistakes.[44]

Even a close Saleh supporter acknowledged that "while Hadi has made mistakes by being biased [against Saleh's camp], not being consultative and not focusing on qualifications, he is in a difficult position, and Yemenis should be flexible and support him".[45] Any judgment on Hadi's leadership style or assessment of whether he is striving to build his own patronage base would be premature. Still, Yemenis unsurprisingly have become sensitive to issues of nepotism and patronage. Over time, critical scrutiny likely will increase and patience wane if greater attention is not explicitly paid to qualifications and if decision-making is not more transparent to the general public.

Another issue over which popular discontent is growing has to do with the concentration of political power in Sanaa. Demand for greater local autonomy and, more recently, for independence has been familiar in the territories of the former People's Democratic Republic of South Yemen (PDRY).[46] Prior to the uprising, greater local au-

[38] Crisis Group interview, prominent civil servant, Sanaa, March 2012.
[39] Crisis Group interview, Samia al-Haddad, independent activist, Sanaa, 27 April 2012.
[40] Crisis Group interviews, prominent northern sheikh, Sanaa, April 2012; GPC members, Sanaa, April 2012; prominent GPC civil servants, Sanaa, April 2012; independent businessman, Sanaa, April 2012; foreign diplomats, Sanaa, April and May 2012. Of the approximately twenty military appointments announced on 6 April, four promoted were from Abyan, including the commanders of the Central Region, the Navy and Coastal Defences, the Special Guards (Presidential Guards) and the 2nd Republican Guard Brigade. The new commander of the Southern Region, appointed on 1 March, is from Shebwa, a province that historically has been closely aligned with Abyan in the South. Important examples in non-military sectors include the chairman of the General Authority for Land, the executive director of the Oil Produce Distribution Company and the general director of administration in the Presidential Office. The former two positions are potentially lucrative sources of corruption and patronage.
[41] Crisis Group interviews, Saleh loyalists, Sanaa, March 2012; prominent civil servant, Sanaa, March 2012; prominent GPC member, Sanaa, April 2012.
[42] Crisis Group interview, Sanaa, 27 April 2012.
[43] Nabil al-Khamery, a businessman and political activist supportive of the uprising, said, "Hadi's appointments are good in that they get things moving. But he is not necessarily putting the right people in the right positions based on qualifications. The people will not accept the same pattern of politics after all of the sacrifices they made for the revolution". Crisis Group interview, Sanaa, 30 April 2012.
[44] Crisis Group interview, young civil servant supportive of the uprising, Sanaa, May 2012.
[45] Crisis Group interview, Sanaa, May 2012.
[46] In this report, the South refers to the territories of the former PDRY, a description that is geographically misleading as these areas cover the south east of the country. Roughly speaking, the PDRY included seven of Yemen's current governorates: Aden, Lahj, Dalia, Abyan, Shebwa, Hadramowt and Mahra. However, current governorate borders only roughly approximate the old border between the PDRY and the northern Yemen Arab Republic (YAR). Part of al-Baydah governorate was in the PDRY,

tonomy also had deep resonance in the far north, where the Huthi rebels exercise control. But other parts of the country are now voicing similar demands. This trend is most obvious in lower Yemen, the country's demographic centre of gravity and an area that covers the current governorates of Taiz, Ibb and Hodeidah.

Historically part of North Yemen, these areas mostly follow the Shafei school of Sunni Islam, as opposed to the Zaydi branch of Shia Islam that predominates in the northern highlands. The region has developed a powerful narrative of political marginalisation and oppression at the hands of the Zaydi highlanders and is witnessing heightened demands for greater regional autonomy.[47] Many from these areas say they refuse to be dominated by Sanaa any longer, and there is no returning to the past.[48] In a similar vein, leaders from other northern governorates openly call for federal solutions.[49]

4. Crossing red lines

Another significant change involves public discussion of formerly taboo topics, such as military/security reform, as well as that of federalism (to which both the GPC and Islah traditionally have been hostile), and, more broadly, the state's structure. With new political circumstances such matters are now open for debate and negotiation. The one apparent – and important – exception pertains to the issue of southern independence. Off limits for many northerners, it also seems beyond the pale for the international community.[50] The divide between Sanaa and the South is wide: whereas in the former political actors at most are debating whether separatists should even have a seat at the national dialogue table,[51] among the latter partisans of independence possess the loudest voice, and arguments essentially pit them against those advocating two-region federalism followed by a referendum on unity.[52] The debate appears to be tilting toward allowing all voices a seat at the dialogue table.

5. Growing international involvement

Yet another significant change has been deepened international involvement in domestic politics. The GCC, the UN permanent five (P5, the Security Council's permanent members) and the UN special advisor, Jamal Benomar – all of whom helped negotiate the political settlement – are now assisting with carrying it out in partnership with others, including Germany, Turkey, the Netherlands, Japan the World Bank and the International Monetary Fund (IMF).

Such broad engagement is a double-edged sword. In many ways, it is positive, ensuring oversight of and added guarantees for implementation; given the number of actors involved, it has gone remarkably smoothly. Still, there are costs associated with heavy and diversified outside involvement. Managing the variety of efforts of necessity is problematic. Ambassadors, first known as the group of ten

and the northern portion of Dalia governorate belonged to the YAR.

[47] For additional information on the political-economy relationship between the Zaydi highlands and Shafei lower Yemen, see Kiren Aziz Chaudhry, *The Price of Wealth: Economies and Institutions in the Middle East* (Ithaca and London, 1997).

[48] Crisis Group interviews, activist from Taiz, Sanaa, March 2012; Abd-al-Ghani al-Iryani, Sanaa, 6 March 2012; southern activists, Sanaa, April 2012.

[49] A politician from Jawf said that he supports a multi-state federal model. "Jawf has petrol, gas and other resources, but all of this wealth flows to Sanaa. A federal solution is the best path for all of Yemen". Crisis Group interview, Sanaa, April 2012.

[50] Security Council Resolution 2014, adopted on 21 October 2011, "[r]eaffirm[ed] its strong commitment to the unity, sovereignty, independence and territorial integrity of Yemen". Both the GCC agreement and mechanism favour territorial unity as well. In Section 21, the mechanism specifies that "the dialogue shall examine the southern issue leading to a fair national solution maintaining unity, stability and security for Yemen". See Appendices B and C below.

[51] In his inaugural parliamentary speech, Hadi, a southerner originally from Abyan governorate, announced that there should be no red lines during the dialogue. Many southerners interpreted his statement as meaning that separatists could participate and voice their preferences. Crisis Group interviews, southern civil servant, Sanaa, March 2012; southern movement activist, Sanaa, May 2012. Several prominent northern politicians and foreign diplomats also support the idea. Crisis Group interviews, prominent GPC politician from North Yemen, Sanaa, February 2012; Western diplomat, Sanaa, February 2012. Sheikh Yasser al-Awadhi, deputy head of the GPC's parliamentary bloc, said, "the dialogue will not be successful unless all groups participate. There should be no limits, and nothing should be sacred. If some want to discuss separation then let them. Each group will be responsible for convincing the others that their vision is right". Crisis Group interview, Sanaa, 24 March 2012. In May, the government's contact committee, responsible for outreach to various stakeholders in preparation for dialogue, agreed that there should be no limits to the dialogue. Crisis Group interview, member of the contact committee, Sanaa, May 2012. Others argue that dialogue must take place under the umbrella of unity and that, while local government and federal options can be on the table, separation cannot. Crisis Group interview, youth activist, Sanaa, March 2012.

[52] Crisis Group Report, *Breaking Point?*, op. cit. The debate in the South still is between separation and two-region federalism. However, some activists are trying to unify these options by arguing for an immediate referendum on the future of the South in which both choices would be on the ballot. Crisis Group interview, southern movement activist, Sanaa, May 2012.

(G-10) then expanded,[53] divided labour informally by working groups: the U.S. leads military/security reform; the EU and Russia chair outreach and national dialogue; France and Germany concentrate on constitutional reform.[54] The relationship is unclear between their work and Benomar's, who spearheads help for the national dialogue, and between their work and the Friends of Yemen, which the UK launched in 2010 to help coordinate aid for reform and development.[55] Possibly most challenging of all will be ensuring coordination between the GCC, particularly Saudi Arabia, and the West, given Riyadh's mode of engagement, which relies on personal relationships and patronage far more than institutional reform.

Even well-intended international efforts could backfire, by either diminishing the new government's sense of ownership[56] or prompting resentment of outside interference. The U.S. focus on counter-terrorism in particular has stoked anger among segments of the population while triggering suspicion that Washington is less interested in wholesale reform than in ensuring key military-security figures stay in place to wage the fight against al-Qaeda.[57] By the same token, some Yemenis worry that the U.S. will enjoy disproportionate influence on future national security policy as well as on the structure of the military/security apparatus. Sheikh Yasser al-Awadhi, deputy chairman of the GPC parliamentary bloc, said, "America does not want a strong army in Yemen. Instead, it wants a force that can fight al-Qaeda. This is one of Yemen's goals – but only one of them".[58]

Among some groups, opposition to outside involvement existed from the outset. The Huthis, for instance, viewed the GCC initiative as a form of Saudi and U.S. meddling designed to prevent the revolution from running its course and thus averting fundamental political change.[59] Some independent youth and several prominent activists from the southern city of Taiz share this view, judging the initiative to be a Saudi attempt to contain the Arab Spring and prevent it from reaching their country.[60]

Moreover, as Saudi Arabia, the U.S., the UN and others have expanded their influence, so too has Iran.[61] Important constituencies, feeling excluded from the initiative, seem to increasingly align themselves with Tehran, both to counterbalance Riyadh and as a means of confronting domestic adversaries. While there was little evidence prior to the uprising that Iran was supporting the Huthis, there are growing allegations that this is the case.[62] Likewise, reports abound of activists, particularly in Sanaa and Taiz, being approached by Iranians offering

[53] The G-10 refers to the P5 ambassadors in addition to representatives from the EU, Saudi Arabia, the UAE, Oman and Kuwait.

[54] Crisis Group interview, Gerald Feierstein, U.S. ambassador to Yemen, Sanaa, 28 April 2012.

[55] While essentially inactive during the 2011 uprising, the group met in Riyadh on 23 May and agreed to support the transitional process and sponsor a donor meeting in June. For more information on the Friends of Yemen see www.fco.gov.uk/en/global-issues/mena/yemen/. The June donors meeting has been postponed until September due to the Saudi monarch's health problems. See Muwaad al-Maqtari, "Saudi king's health delays the donors' conference", *Yemen Times*, 25 June 2012.

[56] For example, some activists feared that the EU's intense efforts to reach out to youth, Huthis and Hiraak could diminish the government's own sense of obligation in this respect. Crisis Group interviews, independent Yemeni activists, Sanaa, January 2012. This apparently changed in May, when the government appointed a contact committee to prepare the dialogue.

[57] In particular, they worry that Washington might support keeping Saleh family members in key positions. U.S. officials deny this, making plain their focus is on institutional change of the military and security sectors. Crisis Group interview, Ambassador Gerald Feierstein, Sanaa, 28 February, 28 April 2012. The suspicion appears, at the least, overblown. The U.S. administration backed Hadi's 6 April rotations in the military and security sectors and does not seem to have strongly objected when Ammer Saleh, Saleh's nephew and a key U.S. ally in the battle against al-Qaeda, was removed as deputy director of the National Security Bureau by presidential decree on 21 May.

[58] Crisis Group interview, Sanaa, 22 February 2012.

[59] Crisis Group interview, Abd-al-Karim Khaywani, independent journalist, Sanaa, 1 April 2012.

[60] Crisis Group interviews, activist from Taiz, Sanaa, April 2012; independent youth activist from Taiz, May 2012. Even among agreement signatories, who openly welcome international assistance, such support is partial at best. Both Saleh's camp and that of his opponents saw a benefit in getting outside actors to broker a transitional deal, yet now each side calls for international oversight when it suits its purposes and rejects it when it does not. Crisis Group interviews, Abd-al-Ghani al-Iryani, Sanaa, 27 April 2012; Salman Mashdali, independent political activist, Sanaa, 2 May 2012; prominent GPC member, Sanaa, 6 April 2012. According to Munir Daair, an independent activist and businessman, "the JMP feels that they kicked Saleh out and now feel they eventually will kick the others [the remaining Saleh supporters] out as well. The JMP only want international observation when the issue is what Saleh is doing, not in other cases. For its part, the GPC wants less international involvement because it still aspires to play around and because Saleh intends to interfere. Those who are non-partisan are really the only ones in Yemen who want full international oversight of the initiative". Crisis Group interview, Sanaa, 26 March 2012.

[61] According to the U.S. Ambassador Feierstein, "Iran saw an opportunity to expand and to make inroads during the crisis. Yemen is part of their effort to gain regional influence at the expense of Saudi Arabia". Crisis Group interview, Sanaa, 28 February 2012.

[62] Crisis Group interviews, GPC member formerly sceptical of Iranian support for the Huthis, Sanaa, February 2012; U.S. Ambassador Feierstein, Sanaa, 28 February; prominent youth activist, Sanaa, February 2012; prominent civil servant, Sanaa, February and March 2012; activist with ties to the Huthis, Sanaa, April 2012; young civil servant, Sanaa, May 2012.

support in return for opposition to the GCC initiative.[63] Individuals in the southern movement, particularly Ali Salim al-Beedh and his supporters, are accused of accepting financial support from Iran to pursue their goal of separation.[64] An independent political activist worried that "in the absence of unified action on the part of the Yemeni government to solve domestic issues, the country is prone to internationalisation and could become a battleground for international powers. We are already seeing this with Iran versus the U.S. and Saudi Arabia".[65]

6. More acute security, economic and humanitarian challenges

During the year of political protest, security conditions markedly deteriorated. As the regime focused on quelling unrest and fighting militias and army units loyal to the opposition, parts of Sanaa and Taiz became active combat zones. In the capital, some areas were controlled by Ali Mohsen, others by the al-Ahmars and still others by Saleh's military forces; Taiz was divided between the Republican Guards, Ali Mohsen's troops and Islah-associated tribal militias. Since the presidential elections, the country has not witnessed major combat; some roadblocks have been removed, and certain armed groups have withdrawn. Still, much work remains to be done, notably in terms of demilitarising urban areas. Ali Mohsen's troops continue to occupy areas around Change Square in Sanaa; tribal militias affiliated with the Saleh and Ahmar camps likewise remain in the capital.

Beyond the cities, the government's already tenuous writ over the periphery has contracted sharply. In the North, the Huthis rapidly expanded their territorial control beginning in April 2011. Although estimates vary, they appear to control all of Saada governorate and about half of Amran governorate (including Haryf Sufyan in its entirety), as well as large swathes of Hajjah and Jawf governorates.[66] Overall, Huthis have been able to ensure relatively good security conditions in areas under their dominion, but the extension of their writ triggered armed conflict with Salafi fighters. Clashes have been ongoing since July 2011 and are likely to continue until a comprehensive political settlement is reached. In May, al-Qaeda on the Arabian Peninsula (AQAP)[67] claimed responsibility for a number of attacks against Huthi fighters;[68] these, together with continued fighting between Huthi and Salafi fighters, are dangerously stoking sectarian tensions.

Security is far worse in the South. In the port city of Aden – traditionally lauded by Yemenis for guaranteeing law and order – government control is shaky at best and must contend with challenges from the Hiraak and its affiliated armed groups. Most alarming is the spread of Ansar Sharia (Partisans of Islamic Law), a murky mix of al-Qaeda militants (AQAP and international affiliates) plus young local recruits, many of whom appear to be motivated primarily by economic rewards as much or more than ideological conviction.[69] Beginning in May 2011, the group capitalised on the security vacuum in the South and political infighting in Sanaa to take over large swathes of territory in Abyan governorate.[70] In April 2012, Hadi's government, supported by the U.S. and in coordination with popular committees chiefly led by tribal fighters from Abyan, launched a campaign to reclaim territory from it.[71]

[63] Crisis Group interview, Western diplomat, Sanaa, February 2012; independent activist, Sanaa, 12 March 2012; independent journalist, Sanaa, March 2012; prominent youth activist in Change Square, Sanaa, March 2012; independent activist working with youth, Sanaa, April 2012; young civil servant, Sanaa, May 2012.

[64] Crisis Group interviews, independent journalists, Aden, January, 2012; Western diplomat, Sanaa, February, 2012; U.S. Ambassador Feierstein, Sanaa, 28 February 2012.

[65] Crisis Group interview, Abd-al-Ghani al-Iryani, Sanaa, 11 March 2012.

[66] This marked a sharp expansion since before April 2011, when Huthis did not even control the provincial capital in Saada governorate. Crisis Group interview, prominent northern sheikh, Sanaa, April 2012; independent journalist, Sanaa, April 2012.

[67] AQAP was formed in January 2009 by the merger of al-Qaeda's Yemeni and Saudi branches. It is headed by a Yemeni, Naser al-Wuhayshi. It claimed responsibility for the attempt to blow up a Northwest Airlines flight over the U.S. on 25 December 2009, as well as for the attempt to send two parcel bombs into the U.S. in October 2010.

[68] "Al-Qaeda suicide bomber kills at least 18 Shi'ite rebels in northern Yemen", Xinhua, 26 May 2012.

[69] Ansar Sharia appears to be part of a rebranding effort by AQAP, its leadership being directly connected to the Al-Qaeda affiliate. In May 2011, it began a campaign aimed at capturing and controlling towns in Abyan and Shebwa governorates. Its rank and file recruits, particularly those from Abyan, generally are young, poor unemployed men joining for a blend of financial, social and ideological reasons.

[70] In May 2011, Ansar Sharia took over several towns in the governorate of Abyan, including the capital, Zinjibar. In July 2011, popular councils, composed primarily of tribesmen from Abyan, fought against Ansar Sharia; they ended the fighting after coming under friendly fire from government forces. While the government claimed to have liberated Zinjibar in September 2011, its achievement was short-lived. Crisis Group interviews, residents of Aden originally from Abyan, Sanaa, 7 April 2012; prominent politicians from Abyan, Sanaa, 12 April 2012.

[71] Since April 2012, Abyan residents once again have taken up arms to defend their homes and property from attacking militants. Popular committees have fought alongside government troops to push militants out of Zinjibar, Lowdar and other cities. On 9 April, Ansar Sharia attacked military barracks outside of Lowdar, prompting five days of combat that left over 200 dead, mostly militants. Local sources report that army units initially fled, and tribally-led popular committees bore the brunt of the fighting.

On 12 June, officials announced the government had recaptured the capital, Zunjibar, and the nearby town of Jaar.[72] Since then, it has reclaimed the coastal towns Shaqra, Abyan and Azzan in adjoining Shebwa governorate.[73]

The fight against al-Qaeda and affiliated militants significantly intensified after Hadi's accession to the presidency On 21 May, the conflict apparently spilled over into Sanaa, when a suicide bomber killed over 100 Yemeni troops as they prepared for 22 May Unity Day celebrations. AQAP immediately claimed responsibility, saying it was retaliating against U.S. drone attacks and the government's military campaign.[74] With the government's recent victories over al-Qaeda and Ansar Sharia in the South, the risk exists that urban centres will become more dangerous as al-Qaeda's leadership relocates and attempts to strike back. Only a day after retreating from Zinjibar and Jaar, the organisation vowed to fight in "the cities of the enemy and its capital".[75] On 18 June, in apparent retaliation for government gains in Abyan, militants assassinated the southern commander leading the fight against Ansar Sharia, General Salim Ali Qahtan, in the port city of Aden.[76]

Humanitarian conditions likewise have worsened dramatically since the uprising,[77] with hunger and malnutrition levels growing at an alarming rate. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), nearly a quarter of the population is severely food insecure, and at least 800,000 children suffer from acute malnutrition.[78] On 22 May 2012, a group of seven charitable organisations assessed that malnutrition rates had doubled since 2009 and that ten million Yemenis, some 44 per cent of the population, are undernourished, of whom five million require emergency aid.[79] In addition, on top of the 300,000 persons internally displaced (IDPs) as a result of previous conflicts in the North, recent fighting in the South against Ansar Sharia reportedly has displaced approximately 100,000.[80]

On the economic side, too, a year of political turmoil has resulted in severe shortages of basic commodities, notably petroleum products; aggravated already high poverty and unemployment rates; and brought economic activity essentially to a halt. In 2011, an already fragile economy contracted by approximately 50 per cent.[81] Although hardships have been cushioned somewhat by the infusion of desperately needed loans and aid following the political settlement,[82] this barely will suffice given the magnitude of challenges faced by the government – in terms of poverty, unemployment, price stability and services.

B. What Has Not Changed?

1. Nature of elite conflict

Among the political settlement's shortcomings, many Yemenis point to its failure to mitigate the enduring feud between Saleh and his family on the one hand and Ali Mohsen and the al-Ahmar brothers on the other.[83] As both camps seek to protect their interests and undermine their rivals, the contours of the political struggle have changed but not its fundamental nature or the identity of its protagonists.

[72] Yemen embassy Washington, announcement by Mohammed Al-Basha, embassy spokesperson, 12 June 2012.
[73] "Yemeni army takes control of Qaeda bastion Azzan", Agence France-Presse, 23 June 2012.
[74] The local press reported that the organisation had planned additional attacks the same day that were foiled by the government. Nasser Arrabyee, "Wider plot by al-Qaeda to hit back for drone attacks and troop advancement", blog, 24 May 2012.
[75] Bill Roggio, "AQAP vows to fight' in the cities of the enemy and its capitals'", *Long War Journal*, 13 June 2012.
[76] "Yemen southern army commander Qatan dies in suicide attack", BBC, 18 June 2012.
[77] In March 2011, Oxfam warned that political turmoil was "sparking renewed insecurity, devastating an already frail economy, and triggering a national fuel crisis that has in turn driven rising levels of hunger". "Yemen: Fragile lives in hungry times", 152 briefing paper, 19 March 2011.
[78] "Yemen: Nearly a quarter of the population is severely food insecure warns OCHA", UN Office for the Coordination of Humanitarian Affairs (OCHA), humanitarian update, 17 April 2012. Oxfam's manager of humanitarian response in Yemen described the country as being "at breaking point. Hunger now extends beyond the conflict zones in the north and the south and is at risk of becoming a normal part of life". "Oxfam calls for urgent action in Yemen as hunger escalates", press release, 14 March 2012.
[79] "Saudi pledges $3.5bn for Yemen", BBC, 23 May 2012.
[80] "Fast Facts", OCHA.
[81] "Yemen: Country Brief", The World Bank.
[82] The IMF approved a loan worth $93.75 million, and the World Bank, after suspending programs for eight months, resumed operations in January 2012. At the 23 May Friends of Yemen meeting in Riyadh, Saudi Arabia pledged $3.5 billion for development projects. A separate donors conference is scheduled for 27-30 June in the Saudi capital. "Co Chairs' Statement of the Ministerial Meeting of the Friends of Yemen Group Riyadh", 2 Rajab 1433 (23 May 2012).
[83] The ten al-Ahmar brothers do not necessarily act as one political unit. The most prominent include Sadik, Hamid, Hashim and Hussein. The personal feud with the Salehs centres largely on Hamid, a powerful business tycoon, Islah member and most politically active and ambitious of the brothers. Hashim commands the family's tribal forces; Sadik is the oldest brother and pre-eminent sheikh of Hashid; Hussein, a former GPC member deeply connected to the Hashid tribe, founded the tribally based NGO the Solidarity Council. Hussein and Hamid appear at times to be political competitors, the former maintaining close ties to the GPC and the latter maintaining close ties to Islah and adopting a more aggressively hostile posture towards the Salehs.

For Saleh and his supporters, the uprising essentially amounts to a plan hatched by Ali Mohsen, Hamid and their Islah allies to take control of the state; accordingly, their priority now is ensuring that power is not handed to their archrivals. As a result, and notwithstanding the former president's decision to step down, they have fought tooth and nail to retain levers of power with which to counterbalance those groups. Saleh stubbornly maintains his position as head of the GPC and, as discussed above, his supporters strongly resisted changes to the military/security apparatus that would undermine their influence, especially regarding the 3rd Armoured Brigade.

Thus far, the Salehs have suffered considerably. Two nephews, Tareq Saleh and Ammar Saleh, have been removed from their posts in the 3rd Brigade and as deputy of the National Security Bureau, respectively. Yahya Saleh remains deputy head of the Central Security Forces, although his authority was severely circumscribed by Hadi's 21 May decision to appoint a new Central Security chief.

The Salehs' new red line, apparently, has become Ahmed Ali's removal from his position as commander of the Republican Guards. Indeed, as long as Ali Mohsen remains commander of the First Armoured Division and the Northwest Region, it is very difficult to imagine Ahmed Ali relinquishing his position or even Saleh himself ceasing all political activity.[84] Saleh's camp likewise is focused on the fate of Hamid al-Ahmar, whom they consider a dangerous foe waiting in the wings to seize power – even though he does not hold an official position in the state or military apparatus from which to formally step down.[85] Like Ali Mohsen, he is a significant obstacle to Saleh's family peacefully relinquishing further authority and thus to the transition process – notably, military/security reform – itself.

Ali Mohsen and the Ahmars are equally distrustful of the Salehs and seem eager to remove all family members from their remaining positions. Hashim al-Ahmar, commander of the al-Ahmar tribal fighters, asserted that Saleh's sons and nephews were the primary hurdle to implementing the agreement. "They must leave their positions in order for the initiative to be implemented and so that Yemen can turn a new page. The sons of Saleh must be normal citizens, not leaders of the state or party. If they maintain their positions, they never will be under the law".[86] Without calling for their immediate removal – on the grounds that such decisions are for Hadi and that implementing the agreement is more important than removing individuals – Ali Mohsen likewise described them as major obstacles to moving forward:

> The problem now is that there are groups that do not want to implement the initiative or that want to break it for their own purposes. The Huthis, the Hiraak and Iran are working together against the GCC initiative. These groups want a different revolution in Yemen, and they are being supported by the remnants of the old regime …. Saleh is still causing problems and he should leave the country.[87]

Such political rivalries and personal animosities hamper the transition in myriad ways. Each side possesses supporters within the party system, government and military. Commanders loyal to Saleh have resisted Hadi's 6 April orders to either resign or rotate positions largely because they have viewed the action through the prism of the brewing elite conflict. Ultimately, the continued presence of the various protagonists breeds mutual mistrust, while strengthening hardliners within the existing party system and government. Breaking this dynamic ultimately will require one of three things: disengagement of these actors – notably Saleh, Ali Mohsen and Hamid – at least temporarily from politics; reconciliation; or a clear victor.

2. The political economy of corruption

As those who originally launched the uprising see it, the unchanged nature of the elite system represents unfinished business. Even after the agreement was signed, protests, strikes and sit-ins continued to target symbols of the old regime, the central demand focusing on the removal of Saleh's family members and close allies from positions of power within the military/security apparatus, government and public corporations. Although they have met with some success,[88] they so far have failed to rid the sys-

[84] Crisis Group interviews, prominent civil servant, Sanaa, April 2012; Saleh supporter, Sanaa, March 2012. The Salehs consider the position of other family members in the Republican Guards and security services important, albeit not as critical as Ahmed's. The family and its supporters stiffly resisted Hadi's 6 April decrees removing Saleh's half-brother from the Air Force Command and his nephew, Tareq, from the 3rd Armoured Brigade. But they did not put up any visible resistance to the removal of Ammar Saleh, another nephew, as deputy of the National Security Bureau. Nor did they openly object to Hadi's removal of a long-time Saleh loyalist as commander of the Central Security Forces (CSF). The presence of a new CSF commander significantly limits the authority of Yahya Saleh, the organisation's deputy.

[85] Crisis Group interview, close Saleh ally, Sanaa, March, April and May 2012.

[86] Crisis Group interview, Sheikh Hashim al-Ahmar, commander of the al-Ahmar tribal forces, Sanaa, 18 February 2012.

[87] Crisis Group interview, Ali Mohsen al-Ahmar, 2 April 2012.

[88] Beyond the rotation or removal of military/security commanders, other prominent changes include removal of Abd-al-Khaleq al-Qadhi, Saleh's son-in-law, from his position as director of Yemenia Airways; the dismissal of Major General Ali Hassan al-Shater, a long-time Saleh supporter, from his position as edi-

tem of all family members, the remaining targets being Yahya Saleh and Ahmed Ali. Nor have they targeted Ali Mohsen and his followers, whom Yemenis from across the political spectrum also suspect of corruption and human rights abuses.[89]

For opposition activists in particular, Saleh's family's unambiguous withdrawal from the scene is not merely a matter of turning a political page. Rather, it is deemed a prerequisite for transforming the country's underlying political-economic system. An Islah member from Taiz said:

> Yemen cannot have real reform or achieve the goal of the revolution until all the family is removed. In addition to the army, the family controls much of the economy, including the tobacco, oil, cement and construction sectors, as well as service companies. Military power is in one hand and money in the other. Yemenis want both to be in the hands of the people.[90]

While much of the ire is directed at the former president, independents often see his rivals as the other side of the same coin – two factions fighting for the spoils of a system they have no intention of (or interest in) reforming. An independent activist said, "there is no economic balance of power in the country. The same people and the same families, including the Salehs and Ahmars, control all the wealth".[91]

As a result, many activists view the battle between Ali Mohsen and Saleh cynically, as a political see-saw between two men who ruled in tandem for some 33 years. Ali Mohsen was considered the second most powerful man in the country; he waged six rounds of brutal fighting against Huthis rebels; and, as much as any of the generals, he and his military colleagues are seen as belonging to the former president's corrupt and abusive system. In short, while most local media and the former opposition focus on what they identify as "remnants of the Saleh regime", particularly in the military and security apparatus, the picture is strikingly similar when it comes to Ali Mohsen and his allies.

Ultimately, reforming the system will require far more than periodically removing or replacing key individuals, however entrenched or powerful they may be. Corruption largely permeates the government, military/security apparatus and private business sector.[92] A young civil servant argued that the uprising was but the first step in a far broader struggle: "We understand that there must be a revolution within the revolution. Under Saleh's regime, corruption was an accepted part of the bureaucracy and it was a requirement if one wanted a promotion. It will take time to change both values and political culture".[93]

3. A game of musical chairs

To a large extent, the settlement has amounted to a reshuffling of the political deck at the GPC's expense and in favour of the JMP, which went from zero ministerial seats to selecting half of the cabinet as well as holding the prime ministership. Positions of authority overwhelmingly remain in familiar hands. The new president is a 67-year-old long-time Saleh ally who during the preceding eighteen years had been vice president. The new prime

tor-in-chief of the army's *26 September* newspaper; and Hafez Mayad's removal from the Yemen Economic Corporation, an institution long plagued by allegation of corruption. See Sasha Gordan, "The Parallel Revolution in Yemen", Critical Threats Organization, 6 March 2012. For more information on the Yemen Economic Corporation, formerly known as the Military Economic Corporation (MECO), see Paul Dresch, *A History of Modern Yemen* (Cambridge, 2000), pp. 159, 162,167, 208. Hafez Mayad was officially replaced by Yasser Hussein al-Harazi as manager of the Yemen Economic Corporation by presidential decree on 26 March 2012. "Presidential decree appoints YECO manager", Saba News Agency, 26 March 2012. Other important changes in the military/security apparatus not previously mentioned in this report include Brigadier General Abdullah Qairan, removed as head of security in Taiz, and Major General Mahdi Maqwala, transferred from command of the Southern Military Zone to become deputy chief of the general staff for manpower affairs. See Sasha Gordan, "The Parallel Revolution in Yemen", Critical Threats Organization, 6 March 2012.

[89] Given that Mohsen ruled in partnership with Saleh for 33 years, Yemenis from across the political spectrum, including opposition members, accuse him of large-scale corruption. Crisis group interviews, over 50 political activists and politicians, Sanaa and Aden, October 2010-June 2012. For an account of how commanders under the Saleh regime used their positions in the military for personal financial gain, see "Yemen Corruption Assessment", U.S. Agency for International Development (USAID), 25 September 2006, p. 4. The report does not mention Mohsen or any other commander by name but describes the corrupt practices of military commanders in general. In addition to allegations of corruption, Mohsen has been accused of recruiting child soldiers to fight against the Huthis and buttress his forces during the uprising against Saleh. See "Yemen: Stop using children in the armed forces: Child Soldiers Recruited By Army Now Deployed by Opposition", Human Rights Watch, 14 April 2011.

[90] Crisis Group interview, Islah member from Taiz, Sanaa, 29 February 2012.

[91] Crisis Group interview, Salman Mashdali, independent political activist, Sanaa, 29 March 2012.

[92] For an overview of corruption under the Saleh regime, see "Yemen Corruption Assessment", USAID, op. cit.

[93] Crisis Group interview, young civil servant, Sanaa, May 2012. In mid-December, protesters launched what they dubbed the "institutions" or "parallel" revolution aimed at producing more fundamental changes to the political system. See Sasha Gordan, "The Parallel Revolution in Yemen", Critical Threats Organization, 6 March 2012.

minister, Mohammed Basindwa, is an independent associated with the former opposition who nonetheless enjoyed close ties with Saleh and – fairly or not – is widely suspected of close ties with Hamid al-Ahmar.[94]

The presence of many qualified individuals in the government notwithstanding, the overall message has been one of stasis more than change. A non-affiliated activist said:

> Before the GCC agreement, Saleh was the ruler and the JMP was the opposition. But they really were all part of the same regime. These groups accepted a power-sharing arrangement that gave more power to the Muslim Brotherhood and Islah. The same people and the same families are in place. These groups have the same mentality, but now they are shifting roles. Hadi was the solution to their internal dilemma. Unless others are included in the political arena, the outcome will be the same as in the past.[95]

To many activists' dismay, former President Saleh still heads the GPC. His loyalists, including Sultan Barakani, Aref Azooka and Abdo al-Janadi, dominate its public image. A number of party officials wish Hadi would take charge, and a tug-of-war with the former president's allies is developing.[96] Until it is resolved, the GPC will be in limbo, with the same leadership at its helm and the rank-and-file waiting. Internal elections are overdue, yet it is unclear when they will take place.[97]

Similarly, the JMP alliance has yet to witness significant change at the top. Although it joined the protests against Saleh, it overwhelmingly is viewed as part of the establishment, a status quo entity in dire need of internal reform.[98] None of the parties in the coalition have revived their leadership structure or given younger members a greater executive role. Internal elections in both Islah and the Yemeni Socialist Party (YSP) are long overdue, and in neither case has a date been set.[99]

4. Partisan politics in the capital

In many ways, the most recent reshuffling of the deck represents the latest episode in a longer-term process. As an independent businessman said, "since unity, political parties have been playing musical chairs. The GPC and Islah first destroyed the YSP after unity failed in 1994. Now, the YSP and Islah joined forces to destroy the GPC. They are all focused on harming the other, not on a national strategy to build the country".[100]

There is little evidence that this dynamic has changed. The main political actors largely have failed to produce a vision for addressing the economic and humanitarian crisis, declining services or security problems during the transitional period, nor is there evidence they recognise the urgency of working together.[101] An independent parliamentarian said, "I am deeply concerned that the JMP's and the GPC's culture of excluding the other has not changed. The two groups are still not working together, and if they cannot, the country will revert to crisis. Unfortunately, what we have is a government that is fighting itself".[102] While expressing optimism that the climate will improve, Salim Bin Talib, the prime minister's office manager, acknowledged that "there are tensions. If someone from the former opposition raises an issue in the cabinet, the GPC ministers at times will reflexively disagree".[103] Yasser al-Awadhi, deputy of the GPC parliamentary bloc, noted: "The JMP still refers to itself as the opposition. This is problematic. They are all in the same government now".[104]

[94] Crisis Group interviews, independent political analyst, Sanaa, March 2012; independent businessman, Sanaa, April 2012; GPC supporters, Sanaa, April 2012; independent woman activist, Sanaa, May 2012.

[95] Crisis Group interview, Salman Mashdali, independent political activist, Sanaa, 21 February 2012.

[96] Crisis Group interviews, senior GPC members, Sanaa, February, March and April 2012.

[97] According to Abd-al-Karim al-Iryani, a senior statesman and long-time party leader, the GPC is overdue for intra-party elections, which it is required to hold every four years. According to him, the party must hold its eighth party conference before the end of 2012 to elect new leadership. Crisis Group interview, Sanaa, 10 February 2012.

[98] Criticism is particularly directed at Islah. A youth activist in the party said, "the main conflict within the party is generational. The old generation created problems for the youth activists in the squares. Both the JMP parties and the GPC sought to increase divisions among the youth in order to control them". Crisis Group interview, Sanaa, March 2012.

[99] It would be particularly difficult to call a general conference of the YSP in order to hold internal elections given intra-party divisions between those seeking political reforms in the context of continued unity, such as federalism, and those actively advocating separation. Crisis Group interview, YSP leader from Taiz, Sanaa, May 2012.

[100] Crisis Group interview, businessman and political activist, Sanaa, March 2012.

[101] Some politicians argue that the political parties need an informal agreement on national priorities during this transitional period. "Now is the time for cooperation between the parties. Immediately after the election people must feel improvements in their daily lives, especially concerning electricity and security. There must be an honour agreement between ministers to work together". Crisis Group interview, Abd-al-Qader Hilal, GPC member of the dialogue contact committee and former minister of state, Sanaa, 18 February 2012.

[102] Crisis Group interview, parliament member, Sanaa, February 2012.

[103] Crisis Group interview, Sanaa, 29 February 2012.

[104] Crisis Group interview, Sanaa, 22 February 2012.

Such partisan divisions were readily apparent only days after Hadi took office. On 27 February, Prime Minister Basindwa boycotted a ceremony hosted by Saleh aimed at transferring power to the incoming president. His absence immediately fuelled distrust and suspicion among GPC members, validating their belief that the JMP, and specifically Islah, is dissatisfied with the political settlement and bent on both humiliating and marginalising the president's supporters.[105] GPC press statements and actions ignite similar fears on the other side, notably when they involve Saleh.[106]

Not all political actors have been consumed by the political struggle; indeed, for the most part it pits Saleh's GPC supporters against some in Islah. Others (eg, GPC and Islah technocrats and smaller parties within the JMP) largely have been waiting on the side, biding their time and preparing for the outcome of the contest. Nevertheless, the result has been virtual paralysis and the absence of clear governmental priorities, let alone a common strategic vision. A senior official conceded that "there are too many small matters consuming the government. There is no vision, not even from the ministry of planning. Nor is there an economic plan. Right now, everyone has a different vision for Yemen and for the national dialogue and how these things will impact the economy".[107]

There are also other costs. Politics remains Sanaa-centric, further deepening the divide with the rest of the country and raising fresh doubts about the possibility of a genuine, inclusive national dialogue. Though Hadi, Basindwa and several officials such as the defence minister originally are from the South, the government has not put out a strategy for improving its political and economic situation. Many southerners still perceive the political jockeying as a Sanaa affair that ignores their problems.[108] The government made significant strides in June against al-Qaeda-affiliated militants in the southern Abyan governorate, but it is uncertain whether it can retain regained territory and turn military gains into sustainable peace and security. That requires prompt attention to basic services, especially water and electricity, and helping to rebuild war-torn areas so IDPs can return. Most likely this can only be achieved via close coordination between local organisations, such as the popular committees who fought beside the government against al-Qaeda affiliates, the central government and the international humanitarian community.[109]

[105] Crisis Group interviews, GPC members who attended the ceremony, Sanaa, 27 February 2012.

[106] In the wake of Saleh's return to Yemen shortly after Hadi's election, a diplomat said, "if you add Saleh to the equation, the water becomes toxic. Both sides are very paranoid, and there is still a complete lack of trust". Crisis Group interview, Sanaa, February 2012.

[107] Crisis Group interview, high-ranking government official, Sanaa, 24 March 2012.

[108] A political activist from the South said, "in general, southerners are not concerned with what is happening in the North. They see this period as one in which the North is reorganising itself. For example, politicians in Sanaa say that national dialogue cannot happen until military/security reform takes place. But they are only talking about their own military. They never address the issue of 70,000 southern military officers who were retired following unity in 1990". Crisis Group interview, Sanaa, 5 April 2012.

[109] Ultimately, stabilising Abyan will require a long-term development strategy, as well as attention to longstanding political grievances concerning access to government employment, land rights and greater local autonomy. The most immediate priority should be humanitarian assistance to internally displaced persons who have relocated to other areas of Abyan as well as to the port city of Aden and are often placing significant economic pressures on their host families and cities.

III. THE TRANSITION ROADMAP AND SCORECARD

Despite a relatively detailed implementation document intended to guide the transition process, inevitable ambiguity has been exploited by domestic signatories to cherry-pick preferred aspects of the agreement and interpret issues of sequencing in ways that advance their interests while stalling overall implementation. At times, they have contravened the spirit of the agreement, notably as it relates to the core concept of "no victor and no vanquished", requirements of cooperation and the eventual inclusion of other groups. Because the agreement has been clouded by confusion and half-truths, it is useful to outline its main elements.

A. PHASE ONE

The first phase of the transition officially began with the signing of the GCC initiative and the mechanism agreement on 23 November 2011. At that point, Saleh delegated irrevocable presidential authorities to then-Vice President Hadi for the purpose of implementation.[110] During phase one, the signatories – the GPC, the JMP and their respective allies – were responsible for carrying out a number of tasks, including:

Forming the government of national unity. It was to be led by an opposition prime minister, with cabinet portfolios split evenly between the two parties.[111]

Running the government of national unity. The government is to make decisions based on consensus. If consensus cannot be reached, the prime minister and the president consult, with the latter having the final say in the event of disagreement. Among the government's responsibilities are ending violence and violations of human rights; facilitating humanitarian assistance; issuing instructions to ensure compliance with standards of good governance, rule of law and respect for human rights; releasing those unlawfully detained; and complying with Security Council and UN Human Rights Council resolutions.[112] Together with parliament, it also is responsible for formulating programs for economic stabilisation and development while providing for the people's basic needs; coordinating with donors; and ensuring the governmental functions at all levels.[113]

Forming a Liaison Committee for the youth. This committee was to be immediately formed by the government to reach out to young people, explaining the terms of the agreement and preparing for the national dialogue.[114]

Forming a Committee for Military Affairs tasked with achieving security and stability. Hadi should have formed this committee five days after the signing of the initiative. Its responsibilities are to "(a) end the division in the armed forces and address its causes; (b) end all armed conflicts; (c) ensure that the armed forces and other armed formations return to their camps; end all armed presence in the capital Sanaa and other cities; and remove militias and irregular armed groups from the capital and other cities; (d) remove roadblocks, checkpoints, and improvised fortifications in all governorates; (e) rehabilitate those who do not meet the conditions for service in the military and security forces; (f) take any other measures to reduce the risk of armed confrontation in Yemen".[115] During both phases one and two, the committee is responsible for taking "steps to integrate the armed forces under unified, national and professional leadership in the context of the rule of law".[116]

Forming an Interpretation Committee. Hadi and Basindwa should have formed the committee within fifteen days of the signing of the initiative. According to the agreement, the two parties can refer to the committee "in order to resolve any dispute regarding the interpretation of the GCC initiative and the Mechanism".[117]

Holding early presidential elections. No later than 90 days from the date of the agreement's signature.[118]

B. PHASE TWO

Phase two began with Hadi's election and is supposed to end with new parliamentary and presidential elections in February 2014. Besides running affairs of state and dealing with security challenges, the government was tasked with several responsibilities during this two-year period:

Advancing the National Dialogue. The government was charged with "[e]nsuring that the Conference for National Dialogue is convened**,** and forming a preparatory committee for the Conference, as well as an Interpretation Committee and other bodies established pursuant to this Mechanism".

Reforming the Constitution. The government was tasked with "[e]stablishing a process of constitutional reform that will address the structure of the State and the political

[110] See Appendix C, Part II. Section 5.
[111] Ibid, Section 10.
[112] Ibid, Part III, Section 12-13.
[113] Ibid, Section 15.
[114] Ibid, Section 15g.
[115] Ibid, Section 16.
[116] Ibid, Section 17.
[117] Ibid, Part V, Section 25.
[118] Ibid, Section 18.

system, and submitting the amended Constitution to the Yemeni people in a referendum".

Reforming the electoral system; and

Holding elections for parliament and the presidency.[119]

C. IMPLEMENTATION SCORECARD

On the surface, implementation has gone relatively well, with signatories meeting several important benchmarks. In the wake of signing the agreement, the opposition nominated its candidate for prime minister, and Hadi charged him with forming a consensus government. The two sides successfully formed the government consistent with the mechanism's guidelines and timeline. Parliament passed controversial immunity legislation for Saleh and those who worked with him, thereby ensuring GPC support for Hadi's nomination as a consensus candidate in early elections. On 4 December, Hadi belatedly formed the Committee for Military Affairs, which registered some progress in removing checkpoints and securing a ceasefire, notably in Sanaa and Taiz. At the end of phase one, the government held presidential elections on schedule, and supporters of the agreement hailed them as a significant success.[120]

In early April 2012, after months of relative inaction, Hadi initiated steps to reinvigorate the transition process. On 6 April, he announced a series of military rotations and civilian appointments aimed at establishing his command over the armed services, and ordered significant troop movements into Abyan governorate to check and reverse al-Qaeda's expansion. The Committee of Military Affairs took further measures to remove checkpoints and armed groups from the capital, although the process remains incomplete. The committee also ordered the deployment of a combined force, composed in equal numbers of members of the Republican Guard, Ali Mohsen's First Armoured Brigade and military police, to replace warring army and tribal groups in the capital. On 7 April, under significant pressure from the G-10, the government belatedly formed a liaison committee for the youth. Then, on 6 May, Hadi announced formation of a contact committee responsible for outreach to stakeholders and for organising the national dialogue's preparatory committee by 30 June.

Despite this progress, the overall scorecard is mixed. Problems have been most noticeable when it comes to military and security steps, the most sensitive area and thus the most prone to resistance. Hadi, the government and the Committee on Military Affairs have failed to implement the original security tasks laid out in phase one, much less the more lengthy process of military integration scheduled for phase two. The president is caught between two well-armed factions, each bent on vanquishing the other. He appears to have opted for a gradual approach, first seeking to weaken Saleh's camp – most likely because it remains more powerful than Ali Mohsen's. Still, however understandable, this needs to go hand in hand with urgent implementation of phase one's basic requirements: returning all military units to their bases and removing armed groups from the cities in order to reduce the potential for further violence and prepare conditions for dialogue. The process also would gain from greater transparency; significantly, the Committee for Military Affairs has yet to communicate with members of the public or clearly identify who is in violation of its orders.

Although most checkpoints and improvised fighting positions have been removed from Sanaa and Taiz, both cities experience lingering problems with armed tribal militias, and not all troops have returned to their bases. Ali Mohsen's soldiers can still be seen in neighbourhoods surrounding Change Square, and al-Ahmar tribal militias are present in Hasaba. Tribal militias loyal to Saleh also are in the capital, and Republican Guard troops are stationed in sensitive positions, for example near the al-Ahmar family home in Hasaba. All of this inflames tensions and raises suspicions.[121]

Likewise, though the army has avoided major internal conflict, it remains divided between Ahmed Ali and Ali Mohsen camps. It is unclear whether powerful commanders are fully under the authority of the defence minister and president. Outside major cities, ensuring security and ending violence has been more problematic still. Despite Hadi's increased focus on and success in the battle against al-Qaeda in Abyan, progress has been slow, hindered by enduring division between the elite Republican Guards and the regular military.

Public dissatisfaction also is directed at the cabinet's governance record. It clearly faced enormous obstacles: a perilous security situation, devastated economy, limited resources and ambiguities in the exercise of executive authority. Still, in ordinary citizens' eyes, it failed to provide adequate leadership and a clear vision. At times, both GPC and JMP ministers appeared less focused on running the

[119] Ibid, Part IV, Section 19a-d.

[120] In early elections, 6,666,705 votes were cast out of an estimated 12,080,910 eligible voters. (10,334,000 registered voters plus an estimated 2 million unregistered first-time voters). 24,404 votes were cast against Hadi, invalid or spoiled. Estimated election turnout was 55.3 per cent, as compared to 61.5 per cent in the 2006 contested presidential election. "Next Steps in Yemen's Transition", International Foundation for Electoral Systems (IFES) Briefing Paper, March 2012, pp. 3-4.

[121] Crisis Group interview, Shiekh Hashim al-Ahmar, Sanaa, 15 June 2012.

country than on blaming the opposing side for lack of progress or jockeying for positions in the bureaucracy.

A major early complaint focused on governmental inaction. In the words of a high-ranking official, "all ministers are working as islands. They are focused on solving little problems as opposed to producing a strategic vision. They all seemed to be thinking that they would deal with hard issues after the elections".[122] Yet little progress has been registered in the wake of the elections; the government has continued to fail to provide leadership or offer a plan to address basic needs.

Some governmental actions appear in direct contravention of the agreement, which mandates compliance with existing laws as long as they do not violate the political settlement. This is particularly true in terms of hiring and firing, which appears to be done on a partisan basis, in violation of civil service regulations.[123] The most acute disagreement concerns political appointments and appointments to high-ranking positions. Although the initiative makes no mention of 50-50 allocation of posts beyond the cabinet, some JMP politicians are determined to gain their share of governorships and ambassadorships. Abd-al-Wahab al-Anisi, presidential adviser and Islah general secretary, said:

> The administrative system is currently of one colour [dominated by the GPC]. The government is committed to specific tasks in the transitional period to complete implementation [of the agreement]. Since this one colour is an obstacle in front of government, change is necessary for the government to carry out its tasks. There needs to be administrative balance between the GPC and the JMP. How can the JMP work for change if the state administration is all against them? A real change of power will not happen until there are changes in the army, financial and administrative sectors. The governorships in particular must be divided equally, as they are the same level as ministers. The initiative mandated a 50-50 split in the cabinet, and this should apply to governors as well.[124]

Arguably, some form of compromise might well be needed to increase JMP representation in the bureaucracy, which is overwhelmingly dominated by the GPC. That said, demands for 50-50 representation for political appointees and, even more so, changes at lower levels in violation of existing civil service laws risk inflaming tensions, solidifying distrust and setting a negative precedent.[125] Moreover, such actions often frustrate independents, for whom the role of government is to run affairs of state and facilitate dialogue – not divvy up spoils between parties.

Substantively, progress on the issue of national dialogue also has been slow. Mostly likely due to its focus on pressing security concerns, the government was late in forming both the liaison and the contact committees. Although the latter has actively reached out to various stakeholders, the government has done too little politically and security-wise to foster genuine participation in the dialogue by non-signatories, including the Huthis, Hiraak and independent youth. Finally, Hadi and the government have yet to form the interpretation committee, depriving the nation of an institution that potentially could resolve disputes born of the agreement's many ambiguities, while restricting the president's authority – probably a chief reason why it has not been established.

[122] Crisis Group interview, high-ranking government official, Sanaa, February 2012.

[123] The GPC routinely complains that JMP cabinet members – particularly in the interior, justice and local government ministries – violate the civil service law by firing and hiring on a partisan basis. Crisis Group interviews, GPC interior ministry employee, Sanaa, March 2012; GPC members, Sanaa, April 2012; GPC technocrat, Sanaa, April 2012; GPC civil servant, Sanaa, May 2012. According to a GPC civil servant from the civil service ministry, "mistakes have been made on both sides. If the GPC and the JMP try to split everything equally, it will be a disaster. Many people in the civil service are from the GPC, but they are also professional. Should you remove a person who is professional and has experience and replace him with a party affiliate?" Crisis Group interview, Sanaa, 30 May 2012.

[124] Crisis Group interview, Sanaa, 29 May 2012. Yassin Numan, general secretary of the Yemeni Socialist Party added: "The JMP is not asking to split the entire civil service 50-50, but instead is seeking balance in some key areas, for example with governors, ambassadors and control of the Central Bank. Ultimately, the concern should be about bringing the most qualified people to these positions, whether they are from the JMP or GPC. But, right now there is no balance". Crisis Group interview, Sanaa, 2 June 2012.

[125] According to Abd-al-Karim al-Iryani, a GPC member and presidential adviser, "some changes, for example in diplomatic posts, are okay. But, if the parties start to divide the civil service, it will be a disaster for the country". Crisis Group interview, Sanaa, 30 May 2012.

IV. THE POLITICS OF IMPLEMENTATION

At the core of the agreement was the principle of "no victor, no vanquished" – a mechanism designed to provide an honourable exit for Saleh in return for a transition agreement dominated by the GPC and JMP. Other groups, such as the youth, Huthis and Hiraak, were meant to be included in the second phase through the National Dialogue Conference. This was the theory. Reality has been different.

Officially, the principal political actors – Saleh's family, the GPC, the JMP, Ali Mohsen and the al-Ahmars – are committed to the agreement. With the same unanimity, each accuses its rivals of impeding progress; conditions movement on some issues on progress on others; clings to the most favourable interpretation of the document; and makes assumptions that are either unwritten or run counter to the settlement's spirit.[126] Far from ensuring no one was defeated, each side has been bent on vanquishing the other and has carried out the agreement accordingly. In short, the agreement appears to a large extent to be the waging of the struggle through other means. Abd-al-Ghani al-Iryani, an independent political analyst and president of the Democratic Awakening Movement, said, "what political elites could not win on the battlefield, they are now trying to gain through politics. If they continue to do this, the country will be paralysed".[127]

This dynamic is particularly acute at the elite level, where the Salehs, Ali Mohsen and al-Ahmars have been jockeying for power, keeping their guns while engaging in intense political manoeuvring. More generally, this destructive behaviour has been characteristic of the political parties – albeit in a less personalised and thus more manageable manner.

A. COMPETING PERSPECTIVES ON IMPLEMENTATION

1. Saleh's family and close supporters

For Saleh and his allies, the agreement in hindsight increasingly looks like a raw deal that undermined their position while buttressing their rivals' power. As they see it, the uprising, far from being a youth-led movement for change, was little more than a power grab by Ali Mohsen, Hamid and Islah that the international community naively backed. To an extent, Saleh and his supporters are labouring under fundamental misconceptions regarding the deal and how it defined the transitional period; these are contributing to a feeling of buyer's remorse. They assumed that, after Saleh signed the initiative, Ali Mohsen ultimately would honour his verbal commitment to resign as well; that the agreement would protect key individuals in the military/security apparatus and government; and that Hadi would respect their wishes (or at a minimum consult with them) on major decisions regarding changes to these two institutions.[128] Thus far, none of these expectations has been met.

For them, Mohsen's continued presence in the military is personally insulting, politically threatening and proof that the uprising was little more than cover for a coup of sorts. As they see it, his departure is a prerequisite for further alterations to the military/security apparatus.[129] In the same spirit, they would like to see the departure from the country of Hamid al-Ahmar – in their eyes corrupt, power-hungry and threatening – or, at a minimum, his disengagement from politics. Illustrating the depth of mistrust, a prominent Saleh supporter said, "we know that the Ahmars and their supporters' plan is to remove the Salehs by removing their supporters one by one. Their objective is to destroy the Saleh family and then kill them".[130] Revenge and fear of retaliation are never far from the surface. Saleh and his supporters appear convinced that Hamid and Islah were behind the 3 June attack on the presidential mosque that almost took the then president's life and they worry that, without benefiting from Republican Guard protection, they will be at Mohsen's and Hamid's mercy.[131]

Such views of necessity colour their assessment of how the agreement has been carried out. Persuaded that implementation has been severely biased against them, they allege that the state media focuses exclusively on Saleh's actions, ignoring his opponents' repeated violations.[132] They resent Hadi's personnel changes, which they consider as

[126] U.S. ambassador Feierstein said, "the main obstacle to implementation is political will. Although there is a desire on both sides to make this happen, elements in each camp would not mind seeing this process drag on. At times, both say we cannot move forward with dialogue until other things are done first". Crisis Group interview, Sanaa, 28 April 2012.
[127] Crisis Group interview, Sanaa, 27 April 2012.
[128] Crisis Group interviews, Saleh supporters, Sanaa, January-May 2012.
[129] Crisis Group interviews, Saleh adviser, Sanaa, February 2012; prominent member of the GPC, Sanaa, March and April 2012; member of Saleh's family, Sanaa, March and April 2012. A military commander supportive of Saleh said, "the army really is not divided. It is only Ali Mohsen's group that split, and his allies' strength has been grossly exaggerated during the uprising. The rest of the army remained unified under Saleh". Crisis Group interview, Sanaa, March 2012.
[130] Crisis Group interview, Saleh supporter, Sanaa, April 2012.
[131] Crisis Group interviews, Saleh supporters, Sanaa, March and April 2012.
[132] Crisis Group interviews, GPC civil servant, Sanaa, March 2012.

grossly biased in favour of Ali Mohsen's camp.[133] When the former head of the air force, Mohammed Saleh al-Ahmar, initially refused to leave his post, he suggested that he would do so only if the defence minister and Ali Mohsen did as well.[134] Tareq Saleh, while not directly defying Hadi's orders, likewise delayed his departure, almost certainly because his proposed replacement was affiliated with Ali Mohsen and possibly Islah.[135]

More broadly, Saleh's supporters believe they are under assault throughout the civil service. Reflecting on a number of firings and appointments, a prominent GPC member and close Saleh supporter said:

> Islah is trying to remove all of the GPC from the state so that they rule alone. Islah wants a religious dictatorship. Whereas Saleh included everyone, Islah wants to exclude all others. The GPC entered into the GCC agreement because it thought it would protect the party. But now, any action taken by the GPC is attacked while no one criticises Islah.[136]

Echoing this view, a Saleh supporter within the interior ministry argued:

> Politics is entering the ministry and is impacting hiring and firing decisions. In Taiz, the new chief of security is Islah and so is the new head of police. As of late March, eight prominent positions changed in the ministry. Of the new appointments, all were from Islah.[137]

Resisting calls to restructure the military, backers of the former president say this could not be done until and unless steps were taken to neutralise their opponents' power, notably by returning Ali Mohsen's units to their barracks and militias to their villages.[138]

Overall, the mood within this camp has noticeably soured toward Hadi, once considered an ally. Perceptions changed noticeably after 6 April, when the president announced his military rotations, viewed as prejudicial to their interests[139] and, more broadly, as a result of his unwillingness to communicate or consult with them on such matters.[140] Many increasingly suspect that Hadi is controlled by Ali Mohsen and the defence minister (a suspected Ali Mohsen ally) or that he harbours political ambitions of his own.[141]

2. Others in the GPC

The GPC is an umbrella organisation that includes a variety of ideological, regional and political trends. Under Saleh, it was bound together to a large extent by patronage networks; in the wake of the uprising, several members defected or became inactive. Those who remain are divided on the party's future direction. Some strongly support Saleh and want him to continue as general secretary; others wish for the party to be renewed through a change in the top leadership and by nominating Hadi as general secretary.

Members of this latter group – many of whom worked behind the scenes to persuade the former president and his allies to compromise and accept a peaceful transition[142] – agree with the rest of the party that the settlement gave the JMP disproportionate power;[143] that far more was done to undermine Saleh's position than that of Ali Mohsen or Islah;[144] and that the JMP violated the spirit of the agreement as well as existing civil service laws through its appointments inside ministries it controls.[145]

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[133] "Saleh's media advisor: Hadi's decrees are arbitrary and hasty", *Yemen Post*, 12 April 2012.
[134] See Ali Saeed, "Dismissed General al-Ahmar finally leaves office", *Yemen Times*, 26 April 2012.
[135] Crisis Group interviews, prominent GPC member, Sanaa, April 2012; independent journalist, Sanaa, May 2012.
[136] Crisis Group interview, prominent GPC member, Sanaa, April 2012.
[137] Crisis Group interview, GPC interior ministry official, Sanaa, March 2012.
[138] One said, "if the government moves quickly to reform the army, the result will be domination by one side and possibly war. There is a desperate need to stabilise the situation first: to stop the protests and get the armed groups out of the city. The restructuring of the military must take place under stable conditions". Crisis Group interview, Saleh supporter, Sanaa, 27 March 2012.
[139] Hadi removed two close Saleh allies but only one prominent commander from Mohsen's camp (the Eastern Division commander).
[140] Crisis Group interviews, military commander supportive of Saleh, Sanaa, April 2012; GPC member, Sanaa, April 2012; prominent northern sheikh, Sanaa, April 2012.
[141] Crisis Group interviews, Saleh supporters within the military, security services and civil service, Sanaa, March 2012. The souring of relations between Hadi and Saleh has placed significant strain on the GPC. Individuals close to both men privately confirm these tensions, although GPC members suggest that they have been intentionally exaggerated by the media. Crisis Group interviews, GPC officials, Sanaa, March 2012.
[142] Crisis Group interview, prominent GPC member, Sanaa, February 2012.
[143] "The current political arrangement occurred despite the fact that the JMP does not have popular support commensurate with their current weight in the government. Nor did they earn a popular mandate to rule in parliament. Rather, the crisis, external pressure on Saleh and insecurity in the country opened the door for them to control the government". Crisis Group interview, Sheikh Yasser al-Awadhi, Deputy Chairman of the GPC parliamentary bloc, Sanaa, 22 February 2012.
[144] Crisis Group interviews, GPC members, Sanaa, April 2012.
[145] Ibid. A GPC official supportive of Hadi worries that continuation of this trend could provoke a real crisis within the party by prompting some who fear loss of their jobs to resign. "Some

Fear of Islah, which is viewed by the majority of GPC members as a dangerous party harbouring the hidden agenda to dominate politics and marginalise other groups,[146] likewise is shared by GPC members of all stripes. A high-ranking GPC civil servant asserted: "Islah is not trying to control the country in one shot. They are like water that enters into your house slowly, and you cannot stop it. The only two powers that can control Islah are the Huthis and the Republican Guards. Islah is working to get rid of both".[147]

For all these reservations, Hadi backers within the party nonetheless view the initiative as a necessary compromise to avoid war. In their eyes, Saleh camp's obstinacy – its resistance to presidential decrees removing Mohammed Saleh al-Ahmar from the air force, Tareq Saleh from the 3rd Brigade and Hafez Mayad from the Economic Corporation – reflects a failure to come to terms with new political realities.[148] In the words of one, "hardliners in the GPC do not fully understand the significance of the over six million votes that Hadi received. People voted for a different future. This gives Hadi legitimacy".[149]

The optimal outcome from their perspective would be for Hadi to simultaneously weaken Saleh's, Ali Mohsen's and the al-Ahmars' authority in a manner that neither triggers conflict nor enables one side to dominate the others in the future. A GPC member of this group said:

> If Hadi could get Saleh, Ali Mohsen and Hamid to leave the country it would be a dream come true for all Yemenis. With these sources of poison removed from our political life, the rules of the game would change. Islah would be more willing to compromise without Hamid and Ali Mohsen. The GPC would not have such a strong *balatega* [thugs] voice, and the dialogue would be free from the opinions of these players.[150]

3. Ali Mohsen, the al-Ahmar family and allies in Islah[151]

In a mirror image of the Saleh camp's perspective, members of this alliance assess the initiative and its implementation as being overly lenient toward the former president, his family and their close supporters. Like their arch rivals, they hold to a number of assumptions not explicitly in the agreement: that after signing the initiative the former president would be forced to either leave the country or retire from political life and that the first step towards military/security reform essentially boiled down to removing "remnants of the old regime" (ie, Saleh's relatives and allies). Until recently, they blamed international actors – especially the U.S. – for not doing enough to either support their opponents' removal or explicitly name them as primary obstacles to the deal's implementation.[152]

Just as Saleh's supporters focus on Ali Mohsen, his detractors point to Saleh, his son and nephews as primary obstacles to implementing the deal; Ali Mohsen himself insists that Saleh is the main stumbling block and that he must both leave the country and resign as GPC head.[153] Going further, he alleges that al-Qaeda's actions in the South are a direct result of "the old regime wanting to

in the GPC are under the impression that the *masbaha* (prayer beads) have broken and that any day another party member will be removed from his government job. Some think that Hadi may be part of pushing the GPC out of power". Crisis Group interview, Sanaa, April 2012.

[146] Crisis Group interviews, GPC members, Sanaa, February, March and April 2012. A GPC official argued that the JMP – and especially Islah – was seeking to strip his party of all its pillars of power: the presidency and army as well as key government positions. Crisis Group interview, Sanaa, April 2012. In particular, GPC members suspect that Islah is seeking to remove them from as many positions in the civil service as possible before new elections are held. Others, like Sheikh Yasser al-Awadhi, deputy of the GPC parliamentary bloc, allege that Islah will obstruct the national dialogue in order to avoid fair elections. "The GCC initiative says that whoever wins at the polls will rule. But the JMP, especially Islah, will refuse to accept this without guarantees. They will not say this directly but will instead obstruct the national dialogue and by doing so will succeed in delaying elections. They will only go to the polls if there are guarantees that they will win or at least participate in a coalition government". Crisis Group interview, Sanaa, 27 February 2012.

[147] Crisis Group interview, GPC-affiliated civil servant, Sanaa, April 2012.

[148] Crisis Group interviews, GPC members, Sanaa, March and April 2012.

[149] Crisis Group interview, GPC civil servant, Sanaa, March 2012.

[150] Crisis Group interview, GPC civil servant, Sanaa, April 2012.

[151] This alliance was formed in opposition of Saleh and his family. However, there is much diversity within the grouping. For example, while Hussein al-Ahmar supported the uprising against Saleh, he is not a close Islah ally; rather, he is positioning himself to perhaps form a new party and work with independents. According to him, "neither the GPC nor Islah can build a new Yemen. Yemen needs a new party for all Yemenis". Crisis Group interview, Sanaa, 22 April 2012.

[152] Crisis Group interviews, Islah member from Taiz, Sanaa, December 2011; Islah member, Sanaa, March 2012. This perspective began to change in April, when the U.S., UN and others supporting the initiative issued strong public statements in support of Hadi's 6 April presidential decrees.

[153] Crisis Group interview, Ali Mohsen al-Ahmar, commander of the North-eastern Military Region, Sanaa, 2 April 2012. While stopping short of demanding that Ahmed and the nephews resign, Mohsen clearly views them as major impediments to implementation.

show that the alternative to them staying in power is al-Qaeda's expansion".[154]

The Ahmars and some Islah members are more forceful in demanding that Saleh leave the political arena and that his family and followers no longer hold any prominent government or military position.[155] From their perspective, such steps are essential before the dialogue process can advance.[156] As Sheikh Hashim al-Ahmar put it, clearly referring to the need to remove the Salehs, "military reform must come before national dialogue or powerful commanders will interfere. If powerful groups dominate the army during the dialogue, those participating in the dialogue will align with these hard-power centres".[157]

At the heart of their case is the claim that the former president and his family bear primary responsibility for all manner of ills plaguing the country. Like many Yemenis, they criticise Saleh's attempt to concentrate wealth and political power in the hands of his son and nephews and especially his attempt to build a family-run army within the army, namely the Republican Guards.[158] Although average citizens tend to consider them as an integral component of the old power structure, members of this group present themselves as servants of the youth uprising and victims of Saleh's exclusionary politics – and thus as individuals who should not be required to resign from their posts or disengage from politics.[159]

4. The JMP

To an even greater extent than the GPC, the JMP is internally divided. Having come together in opposition to Saleh, it has faced cracks and tensions in the wake of his resignation. The conviction that the former president and his clique represent the main obstacle to the transition aside,[160] its five parties share little in common and hold differing views regarding the agreement's implementation.

[154] Ibid. Mohsen claims that Ahmed refused orders from Hadi in March 2012 to move two Republican Guard brigades to the south to fight al-Qaeda affiliates. In response, a prominent Saleh supporter said, "Ali Mohsen is creating his own movie when it comes to events in Abyan. Mohsen says that he is obeying orders and that Ahmed is not, but this is not true. Mohsen said that he moved two brigades to Abyan. He said that he moved one brigade from an area between Hajjah and Hodeidah governorates as well as one from Taiz. However, neither of these brigades is actually under his command; the defence ministry commands both. He wanted to move the brigade from Taiz so that Islahi militias could then control the city. As for Ahmed, when Hadi asked him to move the Republican Guard Brigades, Ahmed showed him the map of where all of his brigades are located and explained the situation they were under. Some of the brigades were pinned down in fighting with Islah militia and Ali Mohsen's troops. Also, in order to move them there needed to be a specific plan so that Ali Mohsen and Islah militia would not destroy them on the road. Ultimately, Hadi did not withdraw the order but agreed that they should not move. Instead, Ahmed would deal with the situation in Baydah governorate and send Special Forces troops to help the eight regular army brigades already in the south that could fight al-Qaeda". Crisis Group interview, prominent Saleh supporter, Sanaa, March 2012.

[155] Crisis Group interviews, prominent Islah members, Sanaa, December, February and March 2012.

[156] In March, the JMP presented Hadi with a list of conditions for participating in the dialogue; including Saleh's removal from the GPC and the dismissal of generals involved in the crisis. In the wake of international criticism, it claimed that its list was only a suggestion, and one of its members, Mohammed Qahtan, said that the JMP supported parallel movement on military-security reform and national dialogue. See "JMP suggests 12-point plan for successful dialogue", *Yemen Post*, 27 March 2012 and Nadia al-Saqqaf, "Mohammed Qahtan to the Yemen Times, 'There are not red lines in dialogue'", *Yemen Times*, 9 April 2012.

[157] Crisis Group interview, Sanaa, 4 April 2012. A prominent Islah member echoed this view: "Military restructuring must happen before the national dialogue can begin. The number one priority is bringing the military together under the defence ministry. Yemen cannot have a successful dialogue if people feel that they are under threat or if groups can resort to violence. The people resisting reunification of the army must be removed. Mohsen has announced that he will not be an obstacle and that he is ready to be under the command of the defence ministry. The obstacles are from the Saleh side". Crisis Group interview, Sanaa, March 2012.

[158] Crisis Group interviews, Sheikh Hashim al-Ahmar, commander of al-Ahmar tribal forces, Sanaa, 4 April 2012; Sheikh Hussein al-Ahmar, head of the Solidarity Council, Sanaa, 22 April 2012.

[159] There is debate within Islah on this point. While the top leadership has not requested Ali Mohsen's resignation, other members suggest that he too should leave his position after the Salehs are gone. Crisis Group interviews, Islah member from Taiz, Sanaa, February 2012; Islah youth activist, Sanaa, 4 March 2012; prominent Islah member, Sanaa, March 2012. Hamid is a different case altogether. No one in Islah is discussing his exit from politics, even for the duration of the transition. His brother, Hashim, says that Hamid is unfairly attacked by Saleh supporters because he was one of the first to take a strong and public stance against the former president. Crisis Group interview, Sheikh Hashim al-Ahmar, Sanaa, 15 June 2012.

[160] "JMP suggests 12-point plan for successful dialogue", *Yemen Post*, 27 March 2012. On 27 March, the JMP presented Hadi with a twelve-point plan aimed at paving the way for national dialogue which, as noted, called inter alia for Saleh's removal as head of the GPC and for the firing of military officers involved in the political crisis, a clear reference to his son and nephews. Even on the twelve points there was some internal disagreement. Mohammed Abd-al-Malik al-Mutawakil, general secretary of the Union of Popular Forces, a small Zaydi party, argued that the decision of who should lead the GPC ought to be left to that party. He also argued for balance within the army between Saleh and Mohsen supporters as a means of averting the possibility of a coup. Crisis Group interview, Sanaa, 4 April 2012.

JMP members dispute this. Islah members argue that a year of popular protest brought the coalition closer together; according to Abdullah al-Akwa, member of Islah's foreign affairs committee, the uprising's most significant impact on the party was precisely to strengthen its relationship with other JMP coalition members.[161] This may be true in some respects, but reality is more complicated. Smaller alliance members suspect Islah of seeking to monopolise power and question its commitment to the principle of inclusion at the heart of the initiative. Others, such as Mohammed al-Mutawakil – head of one of the JMP's smaller parties – are concerned about Islah's views on religion and the possibility that it might try to enshrine its religious perspective in laws and institutions.[162] Another non-Islah JMP member raised doubts about Saleh's but also Islah's seriousness in implementing the initiative:

> After Saleh leaves, Islah is the main threat. Islah claims to want real change but they are only focused on removing people instead of reforming the organisation of power. They want to rule over the same system that Saleh had. It is dangerous for them to dominate the military, state institutions and public financing.[163]

In the same vein, the Naserist party strongly denounced the selection process for the national dialogue contact committee, which involved consultation with GPC and Islah members to the exclusion of other groups. Mohammed Sabri, its spokesman, said:

> Only three or four people had real influence on the selection of the contact committee. These individuals included Dr Abulkarim al-Iryani, Jamal Benomar, President Hadi and Hamid al-Ahmar. Beyond this circle there was no consultation. Even some of the members were surprised by their nomination. The committee is unlikely to succeed, because it was not consultative from the beginning.[164]

Within Islah itself, opinions differ on the transitional period, notably on the question of military/security reform and Ali Mohsen's fate. The executive leadership is focused on the removal of Saleh loyalists from power and supports keeping Ali Mohsen in his post, at least for now.[165] By contrast, others are of the view that genuine reform and a successful national dialogue require both the Salehs and Ali Mohsen to leave their military posts.[166] In a sense, a year of activism in the squares helped produce a generational split within Islah, with many younger protesters seeking more fundamental changes in the political system. To date, however, there has been no major shift in the leadership structure to accommodate such younger voices.[167] As is the case with other parties, Islah also is divided along regional lines; members from lower Yemen and the South tend to favour federal models in contrast to those hailing from the northern highlands.

5. Non-signatories who reject the agreement

Three important constituencies either completely or partially reject the political settlement: several independent youth groups, Huthis and the Hiraak. Youth protesters bore the brunt of regime violence during the uprising, and many lost their lives or were injured; their representatives resent the immunity that has been granted the former president and his associates and also oppose the elite nature of the agreement, which favours existing political parties. A young protester said, "the revolution started with the independent youth, but eventually the JMP joined and hijacked it. The settlement was a compromise between political parties that marginalised the original protesters".[168] Many who remain in the squares feel neglected by the political parties, while begrudging the new govern-

[161] "At the critical moment, they [JMP members] realised that they needed to work together. Now they feel that they are one political alliance and they always make decisions together. There were many attempts to fracture the JMP, but they showed that they are committed to staying together". Crisis Group interview, Sanaa, 27 March 2012. Salim Bin Talib, an Islah member and director of the prime minister's office, echoed this view: "The revolution changed the mentality of Islah and the JMP, and now they are convinced of the necessity of accepting each other. Islah leaders have agreed that in the future no one will be able to lead Yemen individually, and they [Islah] must work with others. The JMP will remain as a coalition". Crisis Group interview, 29 February 2012.

[162] Crisis Group interview, Sanaa, 4 April 2012.

[163] Crisis Group interview, Sanaa, December 2011.

[164] Crisis Group interview, Sanaa, 21 May 2012. Sabri nonetheless believed the JMP should be preserved. "It is a house that protects political parties from the extremist thoughts and behaviours of the past. Until now, Yemen does not have effective institutional protections for diverse opinions and for preventing winner-take-all or exclusionary politics. Until these principles of diversity and accepting others are protected by the constitution, laws and practice, it is positive for the JMP to continue". In his view, the end of the JMP, by contrast, could mean that Islah, with its superior resources, would dominate politics and marginalise other voices.

[165] Crisis Group interview, Islah member, Sanaa, March 2012.

[166] Crisis Group interviews, Islah member from Taiz, Sanaa, February 2012; Tawokkul Karman, Nobel Peace Prize laureate and Islah member, Sanaa, 4 March 2012. An Islah member said, "the fact that the Saleh family still retains its military positions weakens the morale of the revolutionaries. Their first goal was Saleh's removal, but now they want to remove all of Saleh's family as well. At some point this will include Ali Mohsen". Crisis Group interview, Sanaa, February 2012.

[167] Crisis Group interviews, Islah activist, Sanaa, March 2012; group of independent youth activists, Sanaa, May 2012.

[168] Crisis Group interview, independent youth protester, Sanaa, March 2012.

ment's unwillingness to address their key concerns, such as removing all of Saleh's family from the military and providing justice for those killed or injured in the protests.[169]

Huthis likewise tend to believe that the political settlement distorted the revolution and prevented full achievement of its aims. They have longstanding grievances against Saleh but also Ali Mohsen, the al-Ahmars and Salafi fighters associated with Islah, all of whom – to varying degrees and at different times – have actively engaged in combat against the Huthis and contributed to tensions in their areas. The Huthis also are deeply sceptical of foreign meddling, notably on the part of Saudi Arabia and the U.S., both of which pushed for the agreement. A Huthi sympathiser asked: "What is positive about the GCC initiative? Has anything good come out of Saudi Arabia in Yemen? Outside interests generally never serve Yemeni interests. Yemen needs a national program for change, not the GCC initiative".[170] A Huthi representative in Sanaa explained:

> The GCC initiative does not address the issues of the people. Instead, it solely addresses the issues that matter to political parties, the very parties that ruled in the past and do not represent the people. The agreement will bring Yemen to a worse situation, especially because it opens the country to U.S. intervention.[171]

The Hiraak also reject the initiative, though for different reasons. They tend to view it as an essentially northern affair that neglects the South's specific grievances and demands. Indeed, their principal concern is not regime change in Sanaa, but rather revival of an independent state in the South or, at a minimum, renegotiating the terms of unity with the North.[172]

All these groups are sceptical of the agreement and its implementation. That does not mean they reject the concept of dialogue per se. Various independent youth groups are working to select representatives and define an agenda for the dialogue,[173] concentrating on the core objective of ensuring participation of genuinely non-partisan youth as opposed to those affiliated with one of the main parties – notably Islah, which they view as endowed with superior resources and organisational capacity.[174] The majority of Hiraak affiliates and Huthis also accept the principle of national dialogue, albeit under specified conditions. For many Hiraak supporters, the key is that there be a North-South dialogue to determine the South's future and that such a dialogue be conducted under UN supervision.[175] In May, the Huthis officially released a list of steps (quickly rejected by the government) to prepare the environment for a successful dialogue.[176] In June, their leader, Abd-al-Malik al-Huthi, met with the government contact committee and agreed to participate in the national dialogue preparatory committee.

B. Options for Improving Implementation

Yemenis have been discussing several potential options for improving implementation of the agreement and the transitional process more generally.

[169] Crisis Group interview, Tawokkul Karman, Nobel Peace Prize laureate and Islah member, Sanaa, 4 March 2012. While Karman is a member of Islah, she freely voices opinions that at times run counter to those held by its executive leadership. For example, she initially opposed the GCC initiative. She also has close ties with independent protesters throughout the country.

[170] Crisis Group interview, Huthi sympathiser, Sanaa, April 2012.

[171] Crisis Group interview, Sheikh Saleh Ali Wajamaan, Sanaa, 19 May 2012. He added that the country "must have a Yemeni-Yemeni, national-national dialogue without external interference. Right now the priority should be ending tensions and destructive media campaigns. There should also be a government that represents all of the national and revolutionary forces in Yemen, including Ansar Allah [the Huthis], the Hiraak and the revolutionary youth. The current government is a not a 'consensus' government because it does not represent all groups".

[172] Crisis Group interviews, Hiraak leaders and activists, Aden, 13-14 February 2012.

[173] Numerous efforts are under way to organise independent youth in the national dialogue. Among the issues they confront is whether only youth from the protest squares should be represented and what criteria should determine whether one is an "independent" youth group. One idea is to organise an independent youth conference of 501 representatives and select 30 individuals from it to represent them in the national dialogue. Crisis Group interview, Samia al-Haddad, activist, Sanaa, 27 April 2012.

[174] Independent youth often resent the fact that partisan colleagues dominated, oppressed and even detained them in the squares. Crisis Group interview, independent civil rights activist, Sanaa, May 2012. They also worry that partisan groups will present themselves as independent, narrowing the space for genuine non-partisan elements in the dialogue. Crisis Group interviews, independent activists, Sanaa, May 2012.

[175] Crisis Group interviews, group of Hiraak leaders and activists, Aden, 13-14 February 2012; southern activist, Sanaa, May 2012.

[176] Mohammed Bin Sallam, "Government: Houthis' conditions for dialogue are unreasonable", *Yemen Times*, 14 May 2012. They included, inter alia, release of all political prisoners; media neutrality; rejection of U.S. and other foreign interference (with the caveat that the UN could sponsor the dialogue); neutrality of military and security institutions and their non-interference in political affairs; resignation of former regime officials and dealing with them on the basis of a transitional justice law to be determined in the national dialogue; issuance of an apology for crimes committed in Saada and in the South; and recognition of grievances in Taiz and the Tihama [the Red Sea coastal area]. Crisis group interview, independent Yemeni analyst, Sanaa, May 2012.

1. Temporary exile and/or resignation of potential spoilers

One common proposal is for some combination of individuals to leave the country for the duration of the transitional period. This would not be without parallel in Yemeni history. A senior government official said:

> Yemen has precedent for even the most senior statesmen leaving the country and then returning at a later date once the situation has calmed down. The North's first president after the 1962 revolution, Abdullah al-Sallal, was out of the country for twenty years. President Abd-al-Rahman al-Iryani remained in exile for thirteen years before President Saleh invited him to return.[177]

More recent examples include the former southern president, Ali Nasser Mohammed, who left to facilitate unity between North and South Yemen in 1990. Likewise, former President Ali Salim al-Beedh lived in exile in Oman following his failed attempt to reestablish a southern Yemen state in 1994.

Standing as a major obstacle is the fact that neither temporary exile nor cessation of political activities is part of the signed agreement. Moreover, in Saleh's case especially, finding a suitable location for temporary exile – one that would accept him and in which he would not face constant threat of prosecution – is challenging. Even so, the issue has been a matter of public and private debate since late March 2011, when negotiations began over Saleh's resignation. According to persons close to the talks, Saleh originally suggested that both he and Ali Mohsen retire from political life.[178] Later, as talks faltered, the former president reportedly demanded that ten opposition members resign along with him. By the same token the opposition specifically requested the resignation of a wider circle of Saleh supporters, including his son and nephews. Before the final agreement was signed in November, Ali Mohsen publicly vowed to resign with Saleh. Sadik al-Ahmar, the sheikh of the Hashid confederation, also said that he would be willing to leave for the sake of the country, as did his brother Hamid.

That the question of who should resign or leave remains a live issue to this day reflects the degree of distrust certain key individuals continue to inspire and the extent of political tensions they still provoke. The most frequently discussed departure from the country and political life is Saleh's, with broad consensus across the political spectrum – his family and core supporters excepted – that his continued engagement in politics fuels mistrust, complicates cooperation between political parties and undermines Hadi's authority in both the government and GPC. Too, there is widespread agreement that Ali Mohsen should resign from his post and disengage from politics. While his supporters in the military and some inside Islah oppose his resignation, most others endorse it, including many within Islah, albeit generally only after Saleh has left the political scene and his family has been removed from military positions.[179]

Aside from Saleh and Ali Mohsen, discussion has centred on the fate of two others: Saleh's son, Ahmed, on one hand and Hamid al-Ahmar on the other. In March, Saleh revived his demand that ten individuals, including Ali Mohsen, Hamid al-Ahmar and several Islah leaders, resign in return for his having resigned from the presidency.[180] Asked why Saleh had done so, a close supporter replied: "The list of ten is the same that was discussed before the GCC initiative was signed. Saleh resubmitted the names, because the international community is doing nothing to pressure others to leave".[181] The move sparked intense debate among political parties, with some more moderate GPC members suggesting that Islah should respond with its own list of ten.[182]

There is little doubt that the departure or resignation of several key individuals from each camp would facilitate implementation of the agreement, lessening tensions and helping to focus energies on building a new political system rather than fighting its ghosts. Yet, however useful in retrospect, the time for agreeing to such steps likely has passed. None of these men will resign from their position or leave the country voluntarily; nor is it clear from where additional pressure might come.

2. Neutralising the armed forces

A divided army with warring commanders escaping the president's authority is a recipe for continued political and military tensions. Indeed, many consider the military/security apparatus as the principal impediment to the transitional process. At the same time, the need for reform must be measured against the risk that rapid changes – particularly if they were to significantly tip the political balance – might prompt more violent resistance from the losing side or the dominant side to pursue total victory.

[177] Crisis Group interview, Sanaa, February 2012.
[178] Crisis Group interviews, GPC member, Sanaa, February 2012; close Saleh supporters, Sanaa, March 2012.
[179] Crisis Group interviews, Islah member, Sanaa, February 2012; independent analyst, Sanaa, February and March 2012.
[180] "Yemen's Saleh demands 10 of his foes leave the country with him", Associated Press, 14 March 2012.
[181] Crisis Group interview, close Saleh supporter, Sanaa, March 2012.
[182] Crisis Group interviews, current and former GPC members, Sanaa, March 2012.

Likewise, swift unification of the military – through either the triumph of one camp over the other or reconciliation between the two – could put the military once more in a position to dominate a weak civilian government.[183]

Arguably the safest and most effective course of action would be to gradually remove or rotate powerful commanders in a politically even-handed fashion. The goal would be to end their control over individual army units and force them to demonstrate their allegiance to the president and defence minister. Abd-al-Ghani al-Iryani said:

> The target should be placing military forces under presidential authority. Properly reforming and unifying the military could take years, so the most important step now is getting the military out of politics. The best way to achieve this is by providing balance and working toward gradual depoliticisation.[184]

Thus far, Hadi has taken steps in that spirit; his personnel decisions were risky and could have backfired by undermining his authority had he not enjoyed strong support from the UN and countries supportive of the initiative. But his decisions also largely tilted in one direction, focused on clipping the wings of Saleh loyalists and consolidating his authority over the Republican Guards. He has maintained a degree of balance, keeping both Ali Mohsen and Ahmed Ali on so that to a large extent they cancel each other out and provide him with some room to manoeuvre in removing or rotating other commanders. Still, a challenge will be to address the case of Ali Mohsen; while he claims he will follow the president's directives, his commitment has yet to be truly tested.

Down the road, the greater challenge will be for Hadi to use the space created to start a longer process of institutional reform that moves beyond individual cases. The critical issues involve the structure and positioning of military units; equipment and training requirements; personnel standards governing hiring, promotion, rotation and retirement; and, possibly most important, civilian oversight of military procurement and spending. This will take time, and some aspects likely will have to be addressed in the national dialogue. At a minimum, and in the shorter term, powerful commanders (such as Ali Mohsen and Ahmed Ali) must show they respect civilian authority, fully implementing the defence minister's and Committee of Military Affairs' orders. Military and security personnel must refrain from involvement in the dialogue process.[185] To make clear the distinction between military and civilian realms and the latter's authority over the former, some Yemenis have suggested Hadi drop his military rank and govern exclusively as a civilian.[186] Finally, again, his appointments should be free of regional bias, clearly based on qualifications.

3. Maintaining political balance and preserving space for new voices

Yemenis also are discussing various ways to limit the influence of powerful political parties and interest groups so that no single one finds itself in a position to dominate the transitional process. Already, there is little question that the political settlement is biased in favour of existing parties; they have privileged seats at the negotiating table and can influence preparations for the dialogue through government control.

In this respect, independent activists tend to be most concerned about Islah's potentially dominant role in politics and in the dialogue process, because it is the most internally coherent, well-organised and well-funded party. For lack of a better alternative in the foreseeable future, there is a widespread view in Yemen that the most plausible counterweight, at a minimum during the transitional phase, is the GPC. By ensuring some balance between the two parties and avoiding Islah's hegemony, many reformers argue, political space can be preserved for other voices to be heard during negotiations over the country's future.

The question, given its internal chaos and division, is what the GPC needs to do to be in a position to play that role effectively. Opinions within the party differ. As Saleh supporters see it, the party will disintegrate if he no longer is at the helm. Accordingly, they propose that he remain its head at least for the duration of the transition.[187] Others in the GPC consider this the party's virtual death sentence, leading to its eventual break-up. According to them, it can survive only by adapting to a new political reality in which Saleh no longer is in power and most citizens aspire to significant reform.

Another view focuses less on maintaining balance between existing parties and more on building new coalitions, in-

[183] Mohammed al-Mutawakil, general secretary of the Union of Popular Forces, argued that swift reunification carried risks: "If we reunite the army too quickly, this may lead to a coup. Some division and balance in the armed services may be a good thing". Crisis Group interview, Sanaa, 4 April 2012.
[184] Crisis Group interview, Sanaa, 27 April 2012.

[185] The contact committee has stated that the military will not be part of the dialogue. Crisis Group interview, Abd-al-Karim al-Iryani, chairman of the contact committee and presidential adviser, Sanaa, 4 June 2012.
[186] Crisis Group interview, political independents, Sanaa, June 2012.
[187] Crisis Group interviews, Saleh supporters, Sanaa, March 2012; members of the GPC permanent committee, Sanaa, April 2012.

cluding across old party lines.[188] For its proponents, the risk does not stem from dominance by a particular party but rather from continued influence of powerful leaders belonging to both Islah and the GPC who support the status quo, namely a highly centralised, corrupt state that favours northern tribal and Islamist leaders. Elite groups from the two parties, they fear, might reach an informal power-sharing agreement, as they did in 1997 (albeit this time with Islah as the stronger partner), with the goal of preserving as much as possible the underlying organisation of power, and in particular to resist decentralisation. An independent journalist from Taiz who supports federalism said, "now is not the time for a new political understanding between the JMP, especially Islah, and the GPC. We fear that a new political agreement between existing power centres will block others from participating". Expressing a common view from Taiz and Ibb, Abd-al-Ghani al-Iryani added:

> While the northern tribesmen [in both Islah and the GPC and the Mohsen and Saleh camps] are politically fractured now, they are very good at overcoming their differences and closing ranks when sufficiently threatened. The question is whether they are going to feel threatened enough to realign quickly before institutions and patterns of politics can be tilted in favour of the demographic centre of the country.[189]

4. Improving oversight, accountability and transparency

Supporters of the agreement for the most part believe its implementation will depend on greater oversight, accountability and transparency. As it were, and despite numerous breaches of the settlement's military provisions – illustrated for instance in the continued presence of militias and armed units in the streets of the capital – there are few domestic efforts to identify responsible parties, let alone hold them accountable. To an extent, this is understandable. Public denunciation of violators, notably during periods of tension, could trigger violent conflict. That said, the Committee for Military Affairs' conspicuous silence on such matters and the fact that neither parliament nor the president provides regular updates on implementation – coupled with one-sided and inflammatory reports in the highly partisan local media – present equally significant risks.

In addressing the question of oversight, the international community faces its own dilemma, forced to weigh popular demand for accountability against possible backlash stemming from perceptions of undue outside interference. On several occasions during the past months, foreign actors played an important role in encouraging compliance, such as when the UN along with countries backing the initiative issued statements supporting Hadi's 6 April military rotations or when Jamal Benomar, the UN envoy, met with Saleh and pressed him to implement the orders. The threat of Security Council sanctions likewise seems to have been instrumental in ensuring effective handover of the 3rd Brigade to Hadi's designated appointee on 11 June.

Other actions proved more controversial. On 16 May, President Obama issued a rare executive order authorising the U.S. Treasury to freeze U.S.-based assets of anyone who obstructed implementation of the transition plan.[190] Although many Yemenis welcomed this step, especially among the JMP,[191] others such as the Huthis denounced it as flagrant interference in the country's domestic affairs.[192] In like manner, many Hiraak supporters fear that the measure will be broadly interpreted to include groups, like their

[188] Some see the solution in an alliance between the Huthis, parts of the Hiraak and political independents. Crisis group interviews, independent political activist, February, March and April, Sanaa, 2012; independent journalist, Sanaa, April 2012. Others see the solution in organising networks of support across political parties and groupings so that like-minded individuals inside of Islah, the GPC and various other parties can challenge old ways of thinking. For example, Tayar al-wa'i al-madani wa siyadat al-qanoon (TOWQ, the Democratic Awakening Movement) seeks to bring together political activists from all parties around the least common denominator of democracy, equal citizenship rights, equal opportunity and the rule of law. It was founded in November 2011 and currently has several hundred members from across the political spectrum. It also is involved in activities to support the constitutional reform process. Another prominent effort to unite like-minded individuals from across party and regional lines is the National Alliance for a Civil State. It currently includes approximately 100 members: academics, individuals from political parties and prominent sheikhs such as Hussein al-Ahmar. They are working on a comprehensive program, including constitutional reforms, to be debated in the national dialogue. Crisis Group interview, Dr Mohammed Abd-al-Malik al-Mutawakil, general secretary of the Union of Popular Forces party and JMP member, Sanaa, 15 June 2012. Still others are working to unify the youth and political independents so that they can provide a bulwark against the status quo. Crisis Group interview, Munir Daair, Sanaa, 26 March 2012. Finally, some who are familiar with Islah argue that the presence within the party of a younger generation of members and a cadre of genuine reformers, as well as regional tensions, can offset those in the leadership who support continuation of the status quo. Crisis Group interviews, young Islah activist, Sanaa, March 2012; independent with close ties to Islah, Sanaa, April and May 2012.

[189] Crisis Group interview, Sanaa, 6 March 2012.

[190] Karen DeYoung, "President Obama executive order gives Treasury authority to freeze Yemeni assets in U.S.", *The Washington Post*, 16 May 2012.

[191] Crisis Group interviews, independent politicians, JMP representative, YSP member, Sanaa, May 2012.

[192] Crisis Group interviews, Huthi supporters, Sanaa, May 2012.

own, that opposed the political settlement in the first place.[193] Sensitivity about U.S. action is magnified by Washington's increased – and highly unpopular – use of drones to target AQAP and its local affiliates in Ansar Sharia and the widespread perception that its policies are overly geared toward counter-terrorism to the detriment of political reform or developmental goals.[194]

Encouragingly, local civil society groups have begun to provide their own oversight.[195] Besides offering a potentially non-partisan form of accountability, it also can help involve youth in the political process. The challenge will be to ensure their assessments remain credible and untainted by political preferences – in other words, that they hold to high standards and avoid focusing exclusively on one side's violations.

The interpretation committee also could be a critical tool for promoting transparency and accountability and ensuring more credible resolution of disputes regarding the agreement's meaning. The president's failure to date to form the body raises suspicions – notably within the GPC – that he is intent on avoiding any genuine check on his authority.[196] This is all the more significant insofar as, on paper, Hadi's power exceeds that of any of his predecessors since the 1960s and could readily be abused.[197]

Finally, in an effort to encourage transparency and accountability within government ministries, Hadi and his government should fully implement the existing civil service law regarding hiring and firing. This would have the added benefit of reducing political tensions and building respect for the law.

5. Confidence-building measures

The political agreement was an intensely debated and highly controversial compromise that likely spared the nation significant bloodshed. Renegotiating it is neither probable nor desirable. Yet, that does not mean non-signatories ought to be ignored or their grievances set aside. Their participation in the national dialogue is essential for resolving longstanding conflicts that risk tearing the country apart, whether in Saada or in the South.

The government understandably has taken the position that it would reject any preconditions for entering the dialogue. But that need not preclude carrying out confidence-building measures targeting groups that have felt excluded – the Huthis, Hiraak and the youth – thereby sending a message of good-will, easing tensions and paving the way for a more successful and inclusive dialogue. Possible steps include issuance of a government apology for crimes committed against the Huthis and Hiraak; increasing humanitarian assistance and access to internally displaced persons in the North and in the Abyan and Aden governorates; and releasing all political prisoners, including those belonging to the Hiraak.[198] Others – including addressing longstanding grievances in the South regarding access to public sector employment and land ownership rights – are complex and would require time to be implemented.[199] The government nonetheless could initiate a

[193] Crisis Group interviews, southern movement supporters, Sanaa, May 2012.

[194] Since December 2009, the U.S. is known to have carried out 38 air and missile strikes inside Yemen. The pace of strikes increased dramatically as of May 2011, when Ansar Sharia, a local al-Qaeda in the Arab Peninsula affiliate, occupied territories in the South, including the towns of Zunjibar, al-Koud, Jaar and Shaqra in Abyan governorate and Azzan in Shebwa governorate. The U.S. appears to be targeting not only AQAP leaders but also foot soldiers, as it supports the Yemeni government's attempt to uproot militants from the South. Bill Roggio, "US drone strike kills 9 AQAP fighters in Yemen", *The Long War Journal*, 13 June 2012.

[195] One such group is the National Committee for Supporting the GCC Initiative. Founded by Nabil al-Khamery, a businessman from Taiz, it includes members from a wide range of social groups and political leanings. It aims to oversee implementation.

[196] Crisis Group interviews, prominent Saleh supporter, Sanaa, March 2012; GPC members, Sanaa, April 2012; civil servants, Sanaa, April-May 2012; independent politician, Sanaa, May 2012. Some believe Hadi wants to consolidate his support base before accepting any constraint on his own authority, Crisis Group interviews, Saleh supporter, Sanaa, March 2012, independent politician, Sanaa, May 2012. Others believe that he is buckling to pressure by Ali Mohsen and Islah not to accept any oversight. Crisis Group interview, prominent GPC member, Sanaa, April 2012.

[197] Notably, the president has the power to break both parliamentary and governmental stalemates and make the final decision. See Appendix C, Sections 8 and 12.

[198] On 14 June, the Yemeni media reported that President Hadi had given the security services a 72-hour deadline to release all prisoners unlawfully detained as a result of the uprising. *Yemen Post*, 14 June 2012. This is welcome, though it remains to be seen whether his order will be fully implemented and if it will apply to detainees in the South incarcerated for their support of the Hiraak.

[199] Access to government employment and land rights are two of the most important drivers of conflict in the South. The Hiraak uprising began in 2006 with a group of southern army pensioners demanding to be rehired by the armed services or have their pensions raised. Following the southern army's defeat in the 1994 civil war, the regime in Sanaa fired senior southern military commanders and eventually retired many others in both the army and civil service. The sting of losing public sector employment was especially acute in the South, because citizens were accustomed to a socialist system. (Prior to unification, the socialist state in South Yemen, while poor, provided its citizens with employment, subsidised commodities and free education). Today, southerners allege that they have been unfairly discriminated against in access to public sector employment – an issue

process designed to tackle them even as efforts to set up the dialogue begin in parallel.

By the same token, immediately addressing issues of national reconciliation and transitional justice by investigating violations that occurred during the 2011 uprising and compensating their victims could go a long way toward assuring independent youth protesters – notably those from Taiz who bore the brunt of the violence – that the government is serious about accounting for their losses and preventing future violations. In turn, this could help create a more propitious context for discussions on national reconciliation and justice at the national dialogue.[200]

The issue of transitional justice law deserves particular care. It is extremely sensitive and, if handled imprudently, could readily inflame tensions and derail the dialogue. Currently, several matters are impeding passage of a law. One of the most problematic questions concerns the time period it should cover: should it focus exclusively on the 2011 uprising, or look back to 1994 (when the civil war broke out between North and South Yemen); 1990 (when North and South were unified); 1986 (when the civil war raged in South Yemen); 1978 (when Saleh became president); or 1948 (a failed coup attempt against the Imam in the North)?[201] Unsurprisingly, politicians tend to select the date based on which acts of violence impacted their group most. Moreover, some GPC members are convinced the law will be used by the party's foes as a political weapon rather than as an impartial mechanism.[202] Abd-al-Karim al-Iryani, presidential adviser and GPC member, listed other concerns:

> In principle both sides agree on the need for reconciliation and transitional justice. However, there are differences regarding sequencing. The mechanism document mentions national reconciliation and transitional justice in that order, yet the draft law from the legal affairs ministry [which is controlled by a JMP minister] reversed the emphasis: transitional justice and then reconciliation. There also is disagreement on whether the issue should be handled through a law, or whether it should be determined through the national dialogue, as specified by the mechanism.[203]

However complex and politically sensitive, issues of reconciliation and transitional justice cannot be ignored. At a minimum, the government should strive to quickly investigate violations that occurred in the 2011 uprising and compensate victims. The current legal effort is in limbo: in May, the proposed law, which provides for "restorative justice" or "non-judicial justice", truth-seeking and compensation of victims, failed to pass in the cabinet, largely because of a dispute over the timeframe it would cover.[204] As per the mechanism, on 30 May the government submitted the draft law to the prime minister and the president, who are supposed to decide its fate before sending it to the parliament for a vote.[205] Basindwa and Hadi have yet to announce whether they will submit the law to parliament or reserve the issue of transitional justice and reconciliation entirely for the national dialogue.

that is made more difficult to resolve due to overstaffing in Yemen's army and bureaucracy. Land ownership in the South is an equally complex issue. Prior to independence from the British in 1968, much land was privately owned; when socialists took over, it was nationalised. In the latter days of the PDRY, and especially after unification in 1990, private ownership was revived. After the 1994 war, Saleh's regime returned some lands to previous southern landowners while distributing other state-owned properties to powerful northern tribesmen and politicians as well as to southern allies, mostly from Abyan and Shebwa, who had fought on the North's side during the civil war. See Crisis Group Report, *Breaking Point?*, op. cit.

[200] See Appendix C, Part IV, Section 21.

[201] Crisis Group interviews, Islah members, Sanaa, June 2012; GPC civil servant, June 2012; GPC politicians, Sanaa, June 2012.

[202] Crisis Group interview, GPC member, Sanaa, June 2012.

[203] Crisis Group interview, Sanaa, 30 May 2012.

[204] For more information on the law, see Ahmed Dawood, "Transitional justice law last resort for ending Yemen's conflict", *Yemen Times*, 15 March 2012; and "Position Paper on Yemeni Draft Law on Transitional Justice and National Reconciliation", The Peace and Justice Initiative, 19 March 2012.

[205] According to the mechanism, if parliament fails to reach consensus, the final decision belongs to the president. See Appendix C, Part 11, Section 8.

V. CONCLUSION

Yemen's political settlement suffers from several flaws. It was an elite compromise that excluded many of the original protesters, as well as marginalised constituencies like the Huthis and the Hiraak. It failed to adequately address issues of justice, and it gave political power to political leaders and parties that were in many ways responsible for the country's political ills. Most importantly, it did not address the underlying elite conflict that has proved to be a constant obstacle to its implementation.

That said, the agreement likely avoided a civil war and provides an opportunity to move forward with meaningful reform. Capitalising on this opportunity will require minimising the influence of potential spoilers and ensuring a more inclusive political process. To these ends, maintaining a degree of balance in the political system between existing parties – and avoiding hegemonic control by any of them – could be an important way to preserve space for formerly excluded stakeholders. Equally important, the new government should demonstrate that this no longer is the era of politics as usual, that it is committed to addressing bread-and-butter concerns and to rebuilding trust with all. In this, external actors have a role to play, though they should beware of excessive intervention, which could easily backfire given widespread suspicions of foreign agendas.

The transition remains on shaky ground. The elite conflict between the Salehs, the Ahmars and Ali Mohsen – all of whom tend to be focused on vanquishing one another at the expense of running affairs of state – continues to impede progress. Ultimately, the only way forward is through the promised national dialogue. If it fails to be inclusive and address longstanding political challenges – including the southern issue and the Saada conflict – localised violence likely will intensify, prompting further fragmentation and instability as well as a deepened humanitarian crisis.

Sanaa/Brussels, 3 July 2012

APPENDIX A

MAP OF YEMEN



Map No. 3847 Rev. 3 UNITED NATIONS
January 2004

Department of Peacekeeping Operations
Cartographic Section

APPENDIX B

THE GULF COOPERATION COUNCIL INITIATIVE, UN TRANSLATION

The signatories to this Agreement, desirous of achieving a political settlement of the crisis in Yemen, acting in accordance with the terms of the initiative proposed by the Gulf Cooperation Council on 21 April 2011 and pursuant to the following basic principles:

- That the solution resulting from this Agreement shall preserve the unity, security and stability of Yemen;
- That the Agreement shall fulfil the aspirations of the Yemeni people for change and reform;
- That the transfer of power shall be smooth, secure and based on national consensus in order to avoid a descent into anarchy and violence;
- That all parties are committed to removing the sources of tension in political and security terms;
- That all parties are committed to ending all forms of reprisals, pursuit and prosecution by extending guarantees and pledges towards that end;

Have agreed on the following implementation steps;

1. On the first day of the Agreement, the President of the Republic shall request the opposition to form a government of national unity with 50 per cent representation from either side. That government shall be formed no later than seven days after his request.
2. The newly formed government shall create the appropriate atmosphere in order to achieve national consensus and put an end to the sources of tension in political and security terms.
3. On the 29th day after the Agreement enters into force, Parliament, including the opposition, shall adopt laws granting immunity from legal and judicial prosecution to the President and those who worked with him during his time in office.
4. On the 30th day after the Agreement enters into force, once Parliament, including the opposition, has adopted the law on safeguards, the President of the Republic shall tender his resignation to Parliament. When Parliament has accepted his resignation, the Vice President shall become the legitimate President by appointment.
5. The President by appointment shall call for presidential elections within 60 days in accordance with the Constitution.
6. The new President shall establish a constitutional committee to oversee the preparation of a new constitution.
7. When complete, the new constitution shall be submitted to a popular referendum.
8. If the constitution is approved by referendum, a time frame for parliamentary elections shall be determined in accordance with the new constitution.
9. After the elections, the President shall request the Chair of the party that has gained the greatest number of votes to form a government.
10. The States members of the Gulf Cooperation Council, the United States of America, the European Union and the Russian Federation shall be witnesses to the implementation of this Agreement.
11. This Agreement has been prepared in four original copies in the Arabic language.

It shall enter into force on the date when all parties have signed it.

APPENDIX C

AGREEMENT ON THE IMPLEMENTATION MECHANISM FOR THE TRANSITION PROCESS IN YEMEN IN ACCORDANCE WITH THE INITIATIVE OF THE GULF COOPERATION COUNCIL (GCC), UN TRANSLATION

Translated from Arabic

In the name of God, the Merciful, the Compassionate

Agreement on the implementation mechanism for the transition process in Yemen in accordance with the initiative of the Gulf Cooperation Council (GCC)

Contents:

Part I. Introduction
Part II. The transition period
Part III. First phase of the transition
Part IV. Second phase of the transfer of power
Part V. Settlement of disputes
Part VI. Concluding provisions
Annex: Draft Presidential Decree

Part I. Introduction

1. The two parties recognize that
   a) As a result of the deadlock in the political transition, the political, economic, humanitarian and security situation has deteriorated with increasing rapidity and the Yemeni people have suffered great hardship;
   b) Our people, including youth, have legitimate aspirations for change; and
   c) This situation requires that all political leaders should fulfil their responsibilities towards the people by immediately engaging in a clear process for transition to good democratic governance in Yemen.
2. The two parties deeply appreciate the efforts of the Gulf Cooperation Council (GCC) and its Secretary-General, the United Nations [Secretary-General] acting through his Special Adviser, the ambassadors of the five permanent members of the Security Council, and those of the GCC and the European Union, to support an agreement on the peaceful transfer of power. The two parties adopt this Mechanism on the basis of the GCC initiative and fully in accordance with United Nations Security Council resolution 2014 (2011).
3. The following definitions shall apply in relation to this Agreement:
   a) The term "GCC Initiative" refers to the GCC initiative to resolve the Yemeni crisis in the draft of 21 and 22 May 2011;
   b) The term "the Mechanism" refers to this Agreement on the implementation mechanism for the transition process in Yemen in accordance with the GCC Initiative;
   c) The term "the two parties" refers to the National Coalition (General People's Congress and its allies) as one party, and the National Council (Joint Meeting Parties their partners) as the other.
4. The GCC Initiative and the Mechanism shall supersede any current constitutional or legal arrangements. They may not be challenged before the institutions of the State.

Part II. The transition period

5. The two parties acknowledge that under Presidential Decree No. 24 of 2011, the President of Yemen irrevocably delegated to the Vice President the presidential powers to negotiate, sign and bring into force this Mechanism, along with all constitutional powers pertaining to its implementation and follow-up. Those powers include calling for early elections and taking all of the decisions necessary to form a government of national unity, including swearing in its members, as well as establishing the other bodies set forth in this Mechanism.
6. The transition period shall enter into effect as follows:
   a) In accordance with United Nations Security Council resolution 2014 (2011), which notes the commitment by the President of Yemen to immediately sign the GCC Initiative and encourages him, or those authorized to act on his behalf, to do so, and to implement a political settlement based upon it, and in accordance with Presidential Decree No. 24 of 2011, the President or the Vice President acting on his behalf shall sign the GCC Initiative concurrently with the signature of this Mechanism by the two parties.
   b) Concurrently with the signing of this Mechanism, and acting under the powers delegated by the President in Presidential Decree No. 24 of 2011, the Vice President shall issue a decree providing for early presidential elections to be held within 90 days of the entry into force of this Mechanism. In accordance with the relevant provisions of the Constitution, the decree shall enter into force 60 days before the elections. The draft text of the Decree is annexed to this Mechanism (Annex 1).
   c) This Mechanism shall enter into force when the President or Vice President has signed the GCC Initiative, all parties have signed this Mechanism in accordance with this paragraph, and the decree referred to in subparagraph (b) above has been issued.
7. The transition period shall begin with the entry into force of this Mechanism. The transition period shall then consist of two phases:
   a) The first phase shall begin with the entry into force of this Mechanism and end with the inauguration of the President following the early presidential elections;
   b) The second phase, which shall last for two years, shall begin with the inauguration of the President following the early presidential elections. It shall end with the holding of general elections in accordance with the new Constitution and the inauguration of the new President of the Republic.
8. During the first and second stages of the transition, decisions of Parliament shall be taken by consensus. If consensus on any given topic cannot be reached, the Speaker of Parliament shall refer the matter for decision by the Vice President in the first phase, or the President in the second phase. That decision shall be binding for the two parties.
9. The two parties shall take the necessary steps to ensure that Parliament adopts the legislation and other laws necessary for the full implementation of commitments in respect of the guarantees set forth in the GCC Initiative and this Mechanism.

Part III. First phase of the transitional period

Formation of the government of national unity

10. Immediately on entry into force of the GCC Initiative and the Mechanism, the opposition shall nominate its candidate for the post of Prime Minister. The Vice President shall issue a presidential decree requesting that person to form a government of national unity. The government of national unity shall be formed within 14 days of the issuance of the decree. A republican decree shall be issued to that effect and signed by the Vice President and Prime Minister;
    a) Each party shall account for 50 per cent of nominees for the government of national unity, and due consideration shall be given to the representation of women. With regard to the distribution of portfolios, one of the two parties shall prepare two lists of ministries and transmit them to the other party, which shall have the right to choose one of the lists.
    b) The Prime Minister-designate shall appoint the members of the government as proposed by the two parties. The Vice President shall then issue a decree setting forth the agreed names of the cabinet members. Nominees shall have a high standard of accountability and commitment to human rights and international humanitarian law.
11. The members of the government shall take the constitutional oath before the Vice President. Within ten days, the government of national unity shall submit its programme to Parliament for a vote of confidence within five days.

Functioning of the government of national unity

12. The government of national unity shall take its decisions by consensus. If there is no full consensus on any given matter, the Prime Minister shall consult with the Vice President or, after the early presidential elections, the President, in order to reach consensus. If consensus between them is not possible, the Vice President or, after the early presidential elections, the President, shall take the final decision.

13. Immediately after its formation, the government of national unity shall

    a) Take the necessary steps, in consultation with the other relevant actors, to ensure the cessation of all forms of violence and violations of humanitarian law; end the confrontation of armed forces, armed formations, militias and other armed groups; ensure their return to barracks; ensure freedom of movement for all through the country; protect civilians; and take the other necessary measures to achieve peace and security and extend State control;

    b) Facilitate and secure humanitarian access and delivery wherever it is needed;

    c) Issue appropriate legal and administrative instructions for all branches of the State sector to comply immediately with standards of good governance, the rule of law and respect for human rights;

    d) Issue specific legal and administrative instructions to the Office of the Public Prosecutor, the police, prisons and security forces to act in accordance with the law and international standards, and to release those unlawfully detained;

    e) The government of national unity shall comply with all resolutions of the Security Council and Human Rights Council and with the relevant international norms and conventions.

Powers of the Vice President and government of national unity

14. In implementing this Mechanism, the Vice President shall exercise the following constitutional powers, in addition to those appertaining to his office:

(1) Convening early presidential elections;

(2) Exercising all functions of the President in respect of Parliament;

(3) Announcing the formation of, and swearing in, the government of national unity in the first phase;

(4) All functions relating to the work of the Committee on Military Affairs for Achieving Security and Stability;

(5) Managing foreign affairs to the extent necessary for the implementation of this Mechanism;

(6) Issuing the decrees necessary for the implementation of this Mechanism.

15. In the first phase, the Vice President and government of national unity shall exercise executive authority encompassing all matters pertaining to this Agreement, including the following, acting in conjunction with Parliament where appropriate:

    a) Formulating and implementing an initial programme of economic stabilization and development and addressing the immediate needs of the population in all regions of Yemen;

    b) Coordinating relations with development donors;

    c) Ensuring that governmental functions, including local government, are fulfilled in an orderly manner in accordance with the principles of good governance, rule of law, human rights, transparency and accountability;

    d) Approving an interim budget, supervising the administration of all aspects of State finance and ensuring full transparency and accountability;

    e) Taking the necessary legislative and administrative steps to ensure that presidential elections are held within 90 days of the entry into force of this Mechanism;

    f) Establishing the following institutions as provided for by this Mechanism:

        (1) Committee on Military Affairs for Achieving Security and Stability;
        (2) Conference for National Dialogue.

g) The government of national unity and the Vice President shall immediately establish a liaison committee to engage effectively with youth movements from all parties in the squares and elsewhere in Yemen, to disseminate and explain the terms of this Agreement; initiate an open conversation about the future of the country, which will be continued through the comprehensive Conference for National Dialogue; and involve youth in determining the future of political life.

Committee on Military Affairs for Achieving Security and Stability

16. Within five days of the entry into force of the GCC Initiative and the Mechanism, the Vice President in the first transitional phase shall establish and chair a Committee on Military Affairs for Achieving Security and Stability. The Committee shall work to

a) End the division in the armed forces and address its causes;

b) End all of the armed conflicts;

c) Ensure that the armed forces and other armed formations return to their camps; end all armed presence in the capital Sana'a and other the cities; and remove militias and irregular armed groups from the capital and other cities;

d) Remove roadblocks, checkpoints and improvised fortifications in all governorates;

e) Rehabilitate those who do not meet the conditions for service in the military and security forces;

f) Take any other measures to reduce the risk of armed confrontation in Yemen.

17. During the two transitional phases, the Committee on Military Affairs for Achieving Security and Stability shall also work to create the necessary conditions and take the necessary steps to integrate the armed forces under unified, national and professional leadership in the context of the rule of law.

Early presidential elections

18. The early presidential elections shall be held in accordance with the following provisions*:

a) The elections shall take place within 90 days of the signature of the GCC Initiative and the Mechanism;

b) The early elections for the post of President shall be organized and supervised by the Higher Commission for Elections and Referendums using the current register of voters on an exceptional basis. Any citizen, male or female, who has attained the legal age for voting and can establish as much on the basis of an official document such as a birth certificate or national identity card, shall have the right to vote on the basis of that document;

c) The sides commit not to nominate or endorse any candidate for the early presidential elections except for the consensus candidate Vice President Abd Rabbuh Mansur Hadi;

d) The Secretary-General of the United Nations is requested to provide and coordinate electoral assistance to help ensure the orderly and timely holding of elections.

Part IV. Second phase of the transfer of power

Functions and powers of the President and government of national unity

19. After the early Presidential elections, the newly elected President and the Government of national unity shall exercise all of their customary functions as set forth in the Constitution.** In addition, they shall exercise the powers necessary to continue the tasks specified for the implementation of the first phase, and additional tasks specified for the second phase of the transfer of power. The latter include

a) Ensuring that the Conference for National Dialogue is convened, and forming a preparatory committee for the Conference, as well as an Interpretation Committee and other bodies established pursuant to this Mechanism;

b) Establishing a process of constitutional reform that will address the structure of the State and the political system, and submitting the amended Constitution to the Yemeni people in a referendum;

c) Reforming the electoral system; and

d) Holding elections for Parliament and the Presidency in accordance with the new Constitution.

Conference for National Dialogue

20. With the beginning of the second transitional phase, the President-elect and the government of national unity shall convene a comprehensive Conference for National Dialogue for all forces and political actors, including youth, the Southern Movement, the Houthis, other political parties, civil society representatives and women***. Women must be represented in all participating groups.

21. The Conference shall discuss the following issues****:

    a) The process of drafting the Constitution, including the establishment of a Constitutional Drafting Commission and its membership;

    b) Constitutional reform, addressing the structure of the State and political system, and submitting constitutional amendments to the Yemeni people through a referendum;

    c) The dialogue shall address the issue of the South in a manner conducive to a just national solution that preserves the unity, stability and security of Yemen.

    d) Examination of the various issues with a national dimension, including the causes of tension in Saada;

    e) Taking steps towards building a comprehensive democratic system, including reform of the civil service, the judiciary and local governance;

    f) Taking steps aimed at achieving national reconciliation and transitional justice, and measures to ensure that violations of human rights and humanitarian law do not occur in future;

    g) The adoption of legal and other means to strengthen the protection and rights of vulnerable groups, including children, as well as the advancement of women;

    h) Contributing to determining the priorities of programmes for reconstruction and sustainable economic development in order to create job opportunities and better economic, social and cultural services for all.

Constitutional Commission

22. The government of national unity shall establish a Constitutional Commission immediately on the conclusion of the work of the Conference of National Dialogue within six months. The Commission shall prepare a new draft constitution within three months of the date of its establishment. It shall propose the necessary steps for the draft constitution to be discussed and submitted for referendum in order to ensure broad popular participation and transparency.

Organization of elections under the new Constitution

23. Within three months of the adoption of the new Constitution, Parliament shall enact a law convening national parliamentary elections and, if provided for by the Constitution, presidential elections. The Higher Commission for Elections and Referendums shall be reconstituted and the new register of voters re-compiled in accordance with the new Constitution. That law will be subject to subsequent review by the newly elected Parliament.

24. The term of the President elected under paragraph 7 of this Mechanism shall end upon the inauguration of the President elected under the new Constitution.

Part V. Settlement of disputes

25. Within 15 days of the entry into force of the GCC Initiative and the Mechanism, the Vice President and the Prime Minister of the government of national unity shall form an Interpretation Committee to which the two parties shall refer in order to resolve any dispute regarding the interpretation of the GCC Initiative or the Mechanism.

Part VI. Concluding provisions

26. Women shall [be] appropriately represented in all of the institutions referred to in this Mechanism.

27. The Government shall provide adequate funding for the institutions and activities established by this Mechanism.

28. In order to ensure the effective implementation of this Mechanism, the two parties call on the States members of the GCC and the United Nations Security Council to support its implementation. They further call on the States members of the

GCC, the permanent members of the Security Council, the European Union and its States members to support the implementation of the GCC Initiative and the Mechanism.

29. The Secretary-General of the United Nations is called upon to provide continuous assistance, in cooperation with other agencies, for the implementation of this Agreement. He is also requested to coordinate assistance from the international community for the implementation of the GCC Initiative and the Mechanism.

30. The following are invited to attend the signature of this Mechanism: the Secretary-General of the GCC and the Secretary-General of the United Nations or their representatives, as well as the representatives of the States members of the GCC, the permanent members of the United Nations Security Council, the European Union and the League of Arab States.

(*Signatures and dates*)

Exercising***** the authority conferred on me by the President under Presidential Decree No. 24 of 2011, I hereby solemnly convene elections for the office of President of the Republic to be held on 00/00/2012. This Decree is deemed to be in force from today, and the convening of elections contained therein is irrevocable. The convening of elections shall take effect in accordance with the provisions of the Mechanism, without any need for any further steps, sixty days before the holding of elections as set forth in the Mechanism. This decree shall be published in the Official Gazette.

***** Translator's note: *On the basis of the unofficial English translation, the following may be missing from the Arabic text*:

"Annex: Decree issued by the Vice President concurrently with the signature of the GCC Initiative and the Mechanism. The Vice President of the Republic, acting under the authority conferred on him by the President under Presidential Decree No. 24 of 2011".