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Addressing Security Sector Reform in Yemen

Challenges and Opportunities for Intervention During and Post-Conflict

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Acronyms

AQAP	al-Qa'ida in the Arabian Peninsula
CTU	Counter-Terrorism Unit
DDR	Disarmament, Demobilization and Reintegration
GCC	Gulf Cooperation Council
FLOSY	Front for the Liberation of South Yemen
GoY	Government of Yemen
HEF	Hadhrami Elite Forces
IS	the so-called 'Islamic State'
MECO	Military Economic Corporation
NDC	National Dialogue Conference
NLF	National Liberation Front
NSB	National Security Bureau
PDRY	People's Democratic Republic of Yemen
PSO	Political Security Office
SCC	Specialized Criminal Court
SDR	strategic defense review
SLC	Saudi-led coalition
SSR	Security Sector Reform
UAE	United Arab Emirates
YECO	Yemeni Economical Corporation
YPC	Yemen Polling Center

Introduction: Addressing Security Sector Reform in Yemen

Marie-Christine Heinze

The civil war in Yemen is now in its third year, and to say that the country's security sector is fragmented would be an understatement. A plethora of militias, armed groups and security forces are fighting for or consolidating their control of their respective operative areas, often with support from other actors in the region. At the same time, the Yemeni population is not only confronted with an increasingly catastrophic humanitarian situation, but also with threats to their physical integrity that result from the ongoing conflict, the proliferation of militias and warlords, the spread of al-Qa'ida in the Arabian Peninsula (AQAP) and the so called 'Islamic State' (IS), human trafficking, local conflicts over access to resources such as water, and a rise in everyday crime as a result of the dire economic situation and the general lack of rule of law.

As no end to the conflict is in sight, policy-makers are both turning their attention to local stabilization measures in areas where no violent conflict is taking place and looking to rebuild the security sector, particularly in the south of Yemen. In regard to such endeavors, a look at the historical evolution of the security sector in North and South Yemen before unity, as well in a unified Yemen after 1990, can offer an opportunity to think constructively about post-conflict security sector reform (SSR)[1] should the time come, as well as opportunities for positive interventions even now, while the conflict is ongoing. Whether intervention occurs during or post-conflict, the actors involved will be a mixture of local, sub-national and national, regional (e.g. Saudi Arabia, the United Arab Emirates (UAE) and Iran) and international players. The priorities these diverse actors set and the measures they take will deeply affect Yemen's future.

Recognizing this new momentum in the international community's approach to Yemen, CARPO and the Regional Programme Gulf States of the Konrad-Adenauer-Foundation (KAS) organized a conference from 3-6 April 2017 at the Dead Sea in Jordan with the aim of bringing together distinguished experts from Yemen and abroad with actors from the international community working on Yemen in order to discuss the historical evolution of the Yemeni

1 This edited volume focuses on the security sector only, rather than on the entire security system which also includes the justice sector.

security sector and its current state, as well as to identify the challenges to and opportunities for constructive interventions during and post-conflict. This publication is a result of this conference.

There was consensus among the speakers, as well as in the audience, that the state's security sector, particularly the army, cannot be rebuilt as long as the war continues. An exception may be the security sector in the south of the country, where the UAE and the internationally recognized government of Yemen have been working to build up and support a range of different security forces since Aden and the largest part of the former political South were liberated from the Huthi/Salih militias in the summer of 2015. As Martin Jerrett points out in his paper in the volume, however, the existence of parallel competing structures (of forces with support from the UAE and of forces under the umbrella of the internationally recognized government of Yemen), particularly in Aden, warrant no optimism for SSR in the mid-term.

The fact that the armed forces and security services in Yemen have always operated under informal rules, even before the army first split in the course of the Yemeni uprising of 2011, will make any attempt at SSR, even with a peace agreement, an extremely difficult task, as is pointed out by Peter Salisbury, Adam C. Seitz and Baraa Shiban in their respective papers. In this regard, Peter Salisbury introduces us to the general situation of the security sector in Yemen by laying forth his concept of the 'chaos state' which is defined by "[m]ultilayered networks of armed groups and local governance [that] replace the state, where it existed at all, while institutions are eroded beyond several core functions" (p. 9). He accordingly concludes with a bleak outlook about the possibility of building a modern army under a unified command in Yemen anytime in the near future. "Without local input and buy-in" of all actors currently fighting on the ground, Salisbury makes very clear, "DDR and SSR are likely to remain pipe dreams" (p. 13).

Adam C. Seitz provides us with a historical overview of the evolution of the security sector under 'Ali 'Abd Allah Salih by taking us into the intricate world of the tribal-military-commercial complex, which "developed into what essentially amounts to an important entitlement program for members of the armed forces, as well as their commercial and tribal patrons" (p. 19). An important role in this Complex was played by the Military Economic Corporation (MECO), later Yemeni Economical Corporation (YECO), which allowed "the military to greatly expand their economic holdings by giving officers, and by extension their tribal and commercial patrons, access to import licenses, real estate, and other businesses" (p. 17). Any post-conflict SSR efforts, he predicts "are likely to be met with fierce and sometimes violent resistance from beneficiaries of the Complex" (p. 19).

Baraa Shiban particularly focuses on the extra-legal strategies employed by security services established by Salih at the end of the 1990s to combat terrorism in Yemen, and argues that their practices effectively made al-Qaʿida stronger. Tracing the history of the al-Hasani family, which lost three of its sons in drone strikes between 2011 and 2013, Shiban demonstrates that the illegal imprisonment of al-Qaʿida suspects without warrant and trial, alongside the security services' practice of taking the male relatives of suspects hostage, resulted in "pushing more individuals towards extremism" (p. 26). He has little faith in a reform of these security institutions as long as they remain answerable to the Yemeni president only and hence effectively operate outside the rule of law. For future endeavors to combat al-Qaʿida, therefore, Shiban suggests to follow the recommendations of the National Dialogue Conference's Transitional Justice Working Group as these focus on addressing the root causes of terrorism.

A more optimistic approach is taken by James R. Spencer in his paper, which lays out the necessary steps of reforming the Yemeni army after a peace agreement. Spencer assumes that the DDR and SSR programs, after an end of hostilities, will be externally funded and that money will therefore be limited; on the basis of this assumption, amongst others, he proceeds to detail measures that need to be taken to prepare for and implement the reform of the Yemeni army, and to maintain such reform in the long term. He argues that major elements of the SSR process can already be prepared before a peace agreement, but that any donor who becomes involved should be aware that SSR will be "a long-term process, which must constantly be reinforced if backsliding is to be avoided", at the same time pointing out, however, that "many of the required processes are inexpensive and time-tested" (p. 38).

A less institutional and more people-centered approach to SSR is taken by the last two papers in this volume, both of which argue that it is very well possible to implement security sector reform on the local level, even now, before a peace agreement has been reached. Hafez Albukari and I use quantitative data from two surveys on security perceptions implemented by the Yemen Polling Center in 2012 and 2017 to demonstrate that security on the local level is ruined and provided by a large number of very diverse actors, many of which are responsible for both: providing and ruining security. We argue that a multi-layered and multi-stakeholder approach to SSR is necessary in Yemen in order to provide security to the local population. To this effect, we suggest to focus on rebuilding the capacities of the police, particularly in regard to community policing, in urban areas where the police has sufficient capacities and is not politicized; and to take a problem-centered approach in rural areas or in urban areas where the police has little trust or capacities, which would aim at seeking "to arrive at locally designed

solutions that should necessarily include the police (where it is not perceived as a threat), but also other actors who could positively impact on resolving or containing a problem" (p. 47).

Léonie Northedge follows a similar argument in her paper in this volume. Emphasizing the need to take a human security approach in SSR, Northedge demonstrates how varied the perceptions of threat may be throughout Yemen and how important it accordingly is to take people's concerns into account when aiming to restore security on the local level. She raises the concern that internationally promoted SSR programs generally tend to focus on improving the operational capability of the police or the army, while the "more politically sensitive, long-term and challenging work to promote accountability to citizens and supporting the creation of bottom-up demand from citizens for responsible security provision is usually less well-resourced, and may be deprioritized due to other political and security imperatives" (p. 52). She points out, however, that the state is not going to be the main security provider in many parts of Yemen in the near future. Instead, "[l]ocalized approaches are needed; approaches which build on the specific local needs and governance arrangements in different governorates, engage with informal security and justice systems and draw on the important human resources offered by local government, civil society and community mobilization" (p. 54).

The authors assembled in this volume take very different approaches to SSR in Yemen. Their viewpoints in regard to the opportunities and possibilities to effect positive change vary significantly. While the general outlook for an institutional reform of the army and the security services is bleak in the short-term, there is, however, opportunity to become engaged for the sake of the security of the local population even before the war comes to end. Such an approach requires moving beyond the focus on state institutions and taking a broader, human security-based outlook on security sector reform. With the ongoing war nowhere close to its end, it is important that the international community take courageous and creative steps to ensure that basic security is provided to Yemeni citizens during and post-conflict, taking the diversity of security threats and the diversity of security providers on the ground into account.

You First! DDR, SSR and Yemen's 'Chaos State'

Peter Salisbury

From an outsider's perspective, wars often appear simultaneously simple and chaotic: two "sides" attack each other until, they hope, their rivals give up – or a mediator, like the UN, convinces both to stop. In the meantime, violence fosters chaos in the lives of those caught in the middle.

In reality, armed conflict tends to be far more multifaceted, complex, and yet at the same time more orderly, than this picture allows for. Wars evolve into their own peculiar ecosystems, in which the incentives for laying down arms and taking part in mediated peace talks are rarely clear-cut. While society as a whole loses out from wars, individuals and groups often profit and gain status in a way that they might not in peacetime.

This short paper analyses the incentives and disincentives for key Yemeni armed groups taking part in the country's ongoing civil war to engage in a peace process. To do so, it builds on existing literature on so-called 'new wars' and 'complex emergencies' with the author's own research. It argues that Yemen's current peace process may serve to end the elite-level 'big war', but not the many small wars that it is composed of. If future security sector initiatives only focus on elite-level dynamics they will likely fail.

'New Wars', Complexity and Chaos

The term 'new wars' was coined to describe the conflicts that broke out after the collapse of the USSR and the end of the Cold War. These conflicts were fought by "varying combinations of networks of state and non-state actors" (Kaldor 2013: 4) and fueled by identity politics rather than geopolitical interests or formal political ideology. Instead of taking place on conventional battlefields, new wars were and are fought using unconventional and asymmetrical techniques, funded not just by the state or external powers, but also by illicit trade and transnational political movements.

The problem with resolving the new wars, the British academic David Keen has argued, is that their protagonists are not as preoccupied with winning outright victories as one might imagine (Keen 2008: 14). Marginal economic or political gains for historically ostracized parties are often sufficient for participation in a conflict to be considered a success. Many groups, in fact, stand to lose from a peace deal even if the wider population gains. If one group

achieves greater political power, it is likely to be at the cost of a rival, thus creating an incentive for renewed conflict and a fresh cycle of grievances and violence – the so-called 'spoiler problem'.

While academics and humanitarians are increasingly familiar with this conceptual framework, international policymakers tend to be a few steps behind. They struggle to move beyond the broad, flawed responses of the past to state collapse: Frameworks that attempt to create a new, top-down state system, in which a preferably inclusive political leadership is encouraged, which it is hoped will in turn corral the many different groups on the ground into a semblance of order.

The author of this paper has come to describe the kind of environment that emerges from the new wars as a 'chaos state' – a deliberate double meaning, reflecting both general disorder in the abstract and the emergence of complex, not easily understood or analyzed systems. Multilayered networks of armed groups and local governance replace the state, where it existed at all, while institutions are eroded beyond several core functions – normally the maintenance of an increasingly ill-disciplined military and key financial bodies like a central bank, finance ministry and foreign ministry (required to present the semblance of the 'state' to the outside world).

DDR, SSR and Other Acronyms

At the heart of any peace process is an end goal of restoring or creating state institutions that provide justice, security and basic services; and additionally, mechanisms that allow the state to consolidate a monopoly over the use of legitimate force, in order to uphold rule of law, which in turn is crucial to a stable society.

Theoretically, two separate but intertwined frameworks serve to gradually remove informal military institutions: disarming and demobilizing fighters from non-state armed groups and reintegrating them into civilian life, often by finding them work in the security sector (DDR); and reforming formal state security institutions (SSR), amongst others by making them more transparent and accountable (United Nations n.d.).

Often, the two D's in DDR – disarmament and demobilization – are not accompanied by the R, reintegration, leading to a continuation of illicit activities that undermine security and stability. This problem underpinned the collapse of Iraq following the 2003 US-led invasion, to dramatic effect (Pollack 2006).

SSR is often just as problematic, because reform threatens vested interests and hence faces resistance from elite groups and members of the security services or because the process is poorly managed and leads to an even more

dysfunctional security apparatus, in turn causing citizens to turn to non-state actors for security and arbitration/mediation. Another key problem in SSR is what political economists describe as 'isomorphic mimicry' – apparently formal institutions that mask informal networks with their own rules, equivalent to a 'deep state'.

DDR and SSR work best in contexts where conflict has been between a limited number of armed groups with relatively unified identities and goals, which are relatively professionalized and structured around a clear, formal chain of command. They are less effective in contexts like Yemen, where a wide array of armed groups are in play, and where the armed services are in thrall to informal rules of the game that outsiders struggle to comprehend. Attempting demobilization and reform during ongoing conflict is also a challenge. Afghanistan is a good example of a context in which DDR and SSR are needed, but have not been successfully implemented.

In Yemen, attempts were made at SSR during the abortive transitional period of 2012-2014, but these were limited to attempts at "loosening the grip of the […] old regime", by removing commanders loyal to Salih and Muhsin (International Crisis Group 2013). These attempts were tinged with partisanship, as President Hadi largely appointed people he saw as being loyal to him to key posts, often disregarding their ability to perform the roles they had been given (ibid.).

Systems and Incentives in Yemen's War

Yemen's current state of chaos makes DDR and SSR particularly difficult because of the large number of different groups operating on the ground. As I have argued elsewhere, with the peace process structured as it is currently, even if the big war ends, it will be followed by many other small wars (Salisbury 2016).

The fact that many armed groups are simply not included in the peace process, and hence have no say in its composition, creates an even greater set of challenges. It is highly unlikely, for example, that the plethora of pro-secession and Salafist militias (to name just two groups) that have formed since the war began will simply lay down arms and look for work in a centrally-run (i.e. Sanaʿa) security sector, overseen by a government partly led by the Huthis, in the event of a peace deal.

Of the current crop of armed groups in Yemen, perhaps the most coherent overall force operating on the ground are the Huthis, who until December 2017 were part of an alliance made up of Huthi-led militias, a large number of troops from the Salih-loyalist Republican Guard, and other formerly pro-Salih

security and military forces (including the Central Security Forces and the National Security Bureau, formed in the 2000s under the command of key Salih family members).

Analysts struggled to unpack the nature of the alliance that undergirded the odd-couple relationship between two command structures which were at war with one another between 2004 and 2010. It was widely assumed that Salih would split from the Huthis at some point, and vice versa. From 2016 onwards, the Huthis gained an increasingly dominant position in the north of the country, gradually consolidating control over heavy weaponry, government institutions and senior military command posts. They were also able to take control of lucrative smuggling and supply routes and the grey and black markets, along with customs and taxation institutions, providing them with a significant revenue stream.

So confident had the Huthis grown in their position on the ground in territories they co-managed with Salih, and on the key frontlines of the conflict, that in December 2017 they launched an all-out assault on Salih himself in Sanaʿa, killing him and a number of key loyalists in the process. The seven so-called 'collar' tribes around Sanaʿa, calculating that the Huthis were likely to emerge victorious from the schism, did not come to Salih's aid as some had expected. Following the battle for Sanaʿa (which was accompanied by skirmishes in other towns and cities) they are, for the time being, the major hard power on the ground.

For most outsiders it is easy to assume that the Huthis are on the back foot, having lost a domestically popular ally to infighting and with the Yemeni economy in freefall, no access to hard currency, and basic goods in limited supply. But their perspective is likely to be different. Given their roots as a small group of ideologically-driven fighters and tribesmen who suffered the loss of their leader in 2004, the Huthis feel that they are far ahead of where they were at the time of their formation. Some 13 years later, they control the capital, key institutions of state, much of the military and have sustainable revenue streams, having defeated the most powerful man in the country in the process.

In his final days, Salih called for his loyalists to fight the Huthis and to turn a "new page" with the Saudi-led coalition, Hadi, and Islah. This confirmed for the Huthis, rightly or wrongly, that their suspicions of a deal between Salih, the Saudis and their other main rivals, were correct. Any peace negotiations will now be accompanied by an even bigger confidence problem than before. Neither party at peace talks will trust the other sufficiently to agree to lay down arms in a way that would render them vulnerable in a future conflict.

Anti-Huthi armed groups are equally unlikely to disarm, particularly if their individual grievances and agendas are not addressed in a peace deal, and their rivals (a category not necessarily limited to the Huthis) are allowed to retain arms and a place at the political table. If a future SSR process follows the path of the transitional period, meanwhile, it is likely to be focused on addressing elite rivalries rather than the actual balance of power on the ground. Arguably, the rise of the Huthis was made possible, in part at least, by the machinations of the SSR process during the transition.

Finally, the 2011 GCC initiative, subsequent international approaches to Yemen during the transitional period, and during the civil war, have helped create a perverse set of incentives: if you want to be taken seriously, receive funding from abroad, or have a place at the table politically, the best route is to take up arms.

Conclusion

DDR and SSR face serious challenges in instances of 'new wars'. In part this is because of the confidence problem that will face all parties and because of experiences during the transitional period. It also remains unclear how the 'state' will be structured in the event of a peace deal. Many observers believe that the best – if not only solution – will be a federalized system drawn down the lines of current areas of military command and control.

A new approach will be needed in Yemen that takes into account the facts on the ground and does not demand that Yemen simply conforms to foreigners' views of what it should be or what the different actors operating on the ground should see as being in their rational best interests. The Huthis, for example, were once marginalized and isolated. Now, after 13 years of conflict, they are in a strong military and political position, yet many diplomats and foreign officials argue that they "must" see the futility of their situation. But this is far away from their own perspective. Unless this worldview changes, Yemen is likely to remain chaotic for the foreseeable future.

Recommendations

DDR and SSR are not impossible in Yemen. But a top-down approach that takes the presence, formality and primacy of the 'state' as a given is unlikely to provide meaningful results. Further, the success or failure of DDR will be defined by the overall contours of the peace deal that ends (or "ends") the war. In fact, it is the structure of the settlement that ends the war that will be most important to making disarmament and security sector reform possible.

Any peace deal will have to be structured so that it either involves all armed and governance groups engaged in the war at the outset, or it triggers a period of consultation and engagement with the key protagonists on the ground, during which their grievances and demands are documented and used as part of a gradual approach of local formalization of the security sector, in lockstep with a reform process at the central, capital level that promotes local security provision and incentivizes the removal of heavy weapons from all parties. Without local input and buy-in, however, DDR and SSR are likely to remain pipe dreams.

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The Tribal-Military-Commercial Complex and Challenges to Security Sector Reform in Yemen

Adam C. Seitz[1]

One of the most significant impediments to effective security sector reform (SSR) in Yemen is the pervasiveness of what has been termed the tribal-military-commercial complex, hereafter referred to as the 'Complex'. The Complex is described in a 2008 USAID report as consisting of "a very narrow set of political elites with overlapping roles in the military, tribal, and commercial arenas" (Root & Bolongaita 2008: 14). It can be summed up as system in which the military, initially recruited from key tribal constituents of the president, over time evolved into an important economic player and source of political patronage, as members of the armed forces gained increasingly privileged access to sources of wealth and power through both their role in the military and as gatekeepers for commercial elites seeking access to the business deals, land permits, and lucrative government contracts. The Complex brought together a number of disparate groups, which through their privileged access to the sources of wealth – including a bloated military budget that does not correspond to the real size of the army and security forces; control over import licenses, real estate, and other industries through the Military Economic Corporation (MECO); and finally, involvement in smuggling activities of all forms (Saif 2010: 3–4) – contributed to characterizations of the Yemeni armed forces as a "praetorian" army, being "more willing to be assigned a role in maintaining internal order on behalf of the incumbent regime" (Droz-Vincent 2011: 394). Over time, however, the Complex took on a life of its own, as traditional tribal elites were supplanted, to varying degrees, by military and commercial elites, and competing centers of power developed around a host of tribal, military, and commercial elites within an increasingly factionalized society, each seeking to protect their personal access to the sources of wealth.

Tribal Roots of the Complex

The Complex has its roots in efforts, following the 1962 Republican Revolution, to build a national army mainly through tribal recruitment. Prior to the revolution, the standing army of the imamate state was small, unprofessional and ill equipped, forcing the Imam to instead rely on tribal mercenaries for

1 This paper draws on the author's previously published work (Seitz 2014; 2016).

defense, with the "support" of the paramount *shaykh*s of the dominant tribal confederations given to the Imam in exchange for a great deal of local autonomy, and maintained over time through a combination of savvy political maneuvering, factional manipulation, gifts and subsidies (Burrowes 1987: 18–19). Although the officers who led the revolution set out to create a professional officer corps loyal to the state, the result was anything but, with tribal objections standing as a primary obstacle. Tribal influences continued to dominate the civil-military relations into the 1970s, with the army inherited by President Ibrahim al-Hamdi in 1974 being described as consisting of "a large number of relatively self-contained fighting units, little armies within the army", with units continuing to have "parochial loyalties and to serve as power centers for contending factions within and without the officers' corps" (Burrowes 1987: 64). While al-Hamdi sought to build a professional military and limit tribal influence over the armed forces, his efforts were met with great resistance, ending with his assassination in 1977. Seeking to avoid the fate of his predecessors, President ʿAli ʿAbd Allah Salih initially avoided such reform efforts as those pursued by al-Hamdi, instead choosing the path of least resistance and acceptance of the status quo.

Civil-military relations of the 1960s and 1970s have been described in terms of a "military-tribal complex" with "political power, economic well-being, good health, or high social status", having been defined by "either or both strong tribal and military (or security) connections" (Burrowes & Kasper 2007: 264). Starting in the mid-1980s, however, Salih pursued policies that facilitated the expansion of the armed forces role in the economy, and in turn the development of commercial elements of the Complex.

Development of Commercial Aspects of the Complex

The development of what Paul Dresch coined the "tribal-military-commercial complex" in the 1980s, in which "high-ranking officers and a few great merchants' families all had their hands in each other's pockets", transformed the military into a significant economic, political, and social player in its own right (Dresch 1995: 34). Changes in the Yemeni political economy contributed greatly to a "convergence of military and commercial interests in the 1980s", as the government moved to stabilize foreign reserves following decreases in foreign aid to the central government, a leveling of remittances in the early 1980s, and the crash of oil prices in the mid-1980s (International Crisis Group 2013: 3–4). Following the government's ban on private imports, personal wealth and power was "accrued from control of the import business

and of currency transactions linking Yemen to the wider world, and many of those who exercised such control were army officers" (Dresch 2000: 163). A prominent Yemeni civil servant noted the growing role of the Yemeni officer corps in the economy, stating that "around 1983, a new phenomenon occurred. Military officers became more involved with society, and they began to use their positions for personal [financial] gain […] They were all involved in smuggling, trafficking and privileged business deals" (International Crisis Group 2013: 3–4). Over time the Yemeni military, and the officer corps in particular, became an important link between members of Yemen's 'core elites' and the regime through its central role in Salih's political patronage system around which the tribal-military-commercial complex developed. Peter Salisbury breaks down the Yemen's core elites into five groups: the young reformers, the security services, key tribal groups, politicians, and the merchant elite (Salisbury 2011: 10–11). Salih rewarded the elites within these often competing groups with access to key sectors of the Yemeni economy in return for their political support, with the military service playing an increasingly significant role in linking a number of disparate groups to the regime.

In particular, members of the Yemeni armed forces gained special access to the economy through their control of the Military Economic Corporation (MECO). Although MECO was originally established as supplier of boots, uniforms, bread, and canned goods to soldiers, its economic activities expanded throughout the 1980s and beyond into a number of non-military sectors of the economy (Dresch 2000: 159). While information regarding MECO's extensive holdings and economic dealings is shrouded in secrecy, a number of observers have described the rapid growth of the economic portfolio of the officer corps and MECO throughout the 1980s (Salisbury 2011: 12). Changes in the political economy, especially the discovery of commercially viable quantities of oil in Ma'rib, contributed greatly to the MECO's expansion into non-military sectors of the economy in the 1980s (Collins 2010: 122–123). Sheila Carapico writes of such developments, stating that

> "[l]ike the imams, the regime could now bestow private fortunes through government contracts. For instance, grain and sugar contracts went to powerful tribal families… while army officers prospered from their affiliation with the Military Economic Corporation and subsidized credits for irrigated cash farming in Ma'rib and al-Jawf" (Carapico 1989: 55).

Such developments underscore not only the growth in the military's involvement in the economy, but also a social shift, as military service became as, if not more, important than tribal affiliation in ones' access to the sources of wealth in Yemen.

Such a trend continued in the 1990s, as the Salih regime responded to challenges and opportunities associated with unification, recommendations made by international lending institutions, and privatization efforts by moving forward with a number of political, military and economic reforms, many of which favored, or at the very least shielded, the armed forces and their tribal and commercial patrons. This included a number structural and cosmetic adjustments to MECO, including its rebranding under the name Yemeni Economical Corporation (YECO).

YECO and its military stakeholders benefited greatly from the 1994 civil war and post-unification privatization efforts as well, with the acquisition of many of the assets and properties seized during the war, and the absorption of a number of former southern state-owned enterprises and the two largest privatized companies in the north (Phillips 2011: 110). A former North Yemen minister of foreign affairs said of the rise of the economic clout of the military following unification that

> "I can say without a doubt that the fortune and wealth – seen and unseen – of any military customs officer or military immigrations officer in this united country is far greater than the wealth of any old sultan of the North or any high ranking-military person whether in the army of the Imam or the Revolution" (Al-Asnag 1997: 157).

Many of the "reforms" pursued during the 1990s further institutionalized the tribal-military-commercial complex within the context of internationally directed privatization and liberalization efforts, allowing the military to greatly expand their economic holdings by giving officers, and by extension their tribal and commercial patrons, access to import licenses, real estate, and other businesses.

Decentralization of the Complex

Starting in the late-1990s, however, the praetorian relationship between Salih and the Yemeni armed forces was put under increasing pressure by a number of factors, including a number of security and public sector "reform" efforts that sought to reduce the size of the armed forces and consolidate control under the office of the president through cuts in existing personnel, elimination of conscription, and the creation or reconstitution of a number of units. Moreover, during the 2000s, increases in military assistance and development aid associated with Yemen's role in the US-led Global War on Terror had the unintended consequence of solidifying the Complex around competing centers of power within an increasingly factionalized military. While US military aid, intended to combat al-Qaʿida in Yemen and address maritime security

threats, helped to maintain the size of a bloated security sector, YECO became a conduit for many development contracts and aid projects. According to its own advertising, by the mid-2000s the YECO conglomerate had oversight over "the development of every industry including pharmaceuticals, agriculture, and construction" (Summit Communications 2008). A lack of transparency in both YECO and the armed forces contributed greatly to the perpetuation, not only of the Complex, but also of internal instability and threats to regional insecurity.

The increasingly tense relationship between the Salih family and General ʿAli Muhsin al-Ahmar stands as a stark example of the emerging challenges to existing ruling bargains between the regime and core elites, the internal balance of power, and the transformation of the tribal-military-commercial complex that had grown around the Salih regime. General ʿAli Muhsin had played a central role in a 'covenant' between northern tribal elites and their patrons that cemented Salih's ascent to the presidency in 1978, and was a central player in rallying support for the Salih regime at various times throughout Salih's presidency (Phillips 6.13.2011). General ʿAli Muhsin had clearly become a central player in the tribal-military-commercial complex. However, starting in the late 1990s, a growing rivalry between the competing centers of power around ʿAli Muhsin versus those controlled by Salih led to calls by the latter to conduct an audit of units commanded by the former, described by the Salih regime as an effort to stem corruption and government waste by the regime. Such an attempt to publicly discredit ʿAli Muhsin posed a significant threat to his access to the sources of wealth, most notably his utilization of 'ghost soldiers' to collect extra salaries and equipment from the government to be sold on the black market (International Crisis Group 2013: 4), and contributed to increased opposition to the Salih regime among beneficiaries of ʿAli Muhsin's tribal and commercial patrons. The feud between Salih, ʿAli Muhsin, and their respective camps, underscores the role that the tribal-military-commercial complex played in gradually creating competing centers of power alongside and outside of the regime's own patronage networks, posing significant challenges to military effectiveness and existing ruling bargains between the regime and core elites.

The Complex Amidst Transition

President ʿAbd Rabbuh Mansur Hadi walked a fine line in advancing an ambitious agenda laid out in the 2011 Gulf Cooperation Council (GCC) Initiative. The continued influence of competing centers of power, including those led by Salih and ʿAli Muhsin, and challenges associated with the tribal-military-commercial complex writ large, stood as significant impediments to Hadi's

efforts to restructure the armed forces and in implementing overall political and economic reforms. Hadi's many attempts to restructure the armed forces reflected the dilemma he faced: complying with the GCC Initiative and the external patrons that had elevated him to succeed Salih and lead the transitional government, while at the same time building his own domestic support base. The end result was Hadi's acceptance of the Complex as a mechanism to restructure the regime in his image.

The appointment of General ʿAli Muhsin to serve as Hadi's military advisor, the recruitment of Islah party members and their patrons, and appointees from Hadi's home governorate of Abyan reflect Hadi's realignment of patronage politics within the existing system. Demands by the Huthis that they be treated like Islah, whose loyalists had been favored for recruitment into the armed forces by Hadi (Al-Haj 2015), can be viewed as an attempt by the Huthis to do the same. Political backlash to presidential decrees, military defections, and violent clashes in response to leadership changes, at YECO in particular, underscore not only the influence the old guard retained, but also the consequences of challenging the privileged access to the sources of wealth by the military elites, as well as other beneficiaries of the Complex and existing ruling bargains.

Supporting SSR in Yemen: Lessons Learned

Under Salih, the Yemeni armed forces gained increasingly privileged access to the sources of wealth, most notably through the tribal-military-commercial complex. Over time, the Complex developed into what essentially amounts to an important entitlement program for members of the armed forces, as well as their commercial and tribal patrons. As such, as with many entitlement programs, reforming Yemen's security sector is no small undertaking. Such efforts take substantial time, resources, and political will, whether at the local, state, regional, and international levels, and are likely to be met with fierce and sometimes violent resistance from beneficiaries of the Complex. Members of the security sector and those groups which have been a party to the benefits of the Complex have been largely shielded from harsh economic policies and previous reform efforts; over time, the Yemeni officer corps has been transformed into an elite class of its own, often rivaling the influence of *shaykh*s and politicians alike. Moreover, the development of the Complex, requiring a hyper-inflated security sector that lacks transparency and oversight, as a central element in maintaining key alliances and allegiance to the regime has, in turn, contributed greatly to the perpetuation of security threats as a means to justify the size and scope of the armed forces and security sector.

Failure of previous attempts at military restructuring and security sector reform played a major role in the descent into civil war in 1994 and 2015. The pervasiveness of the Complex in shaping civil-military-regime relations in Yemen and the consequences associated with failure to effectively address SSR underscore the need for the international community to support a locally-owned, multilateral, whole-of-government approach aimed at addressing broader multifaceted political, economic, social, and security challenges in Yemen. Failure to effectively address SSR as part of a broader whole-of-government strategy is likely to perpetuate civil-military relations akin to 'warlordism', in which a combination of "military and/or tribal leaders exercise civil power at a local or regional level through their control of military factions and militias" (Seitz 2014: 66), and contribute to protracted insecurity and instability in Yemen.

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A Short History of Counter-Terrorism in Yemen

Baraa Shiban

Yemen was one of the countries that signed counter-terrorism treaties with the United States following the 9/11 attacks. Subsequently, Yemen then established the National Security Bureau and the Counter Terrorism Unit (CTU) with the mandate of pursuing al-Qaʿida and its network. This paper will look at the different stages of pursuing al-Qaʿida in Yemen and at the legal framework of counter-terrorism policy in Yemen. It focuses on cases of arbitrary detention and argues that these in fact helped al-Qaʿida recruit more followers.

AQAP: Growing from Inside Prison Cells

The attack on the USS Cole in October 2000, which led to the death of 17 US soldiers and the injury of 39 others, focused international attention on Yemen as a possible operating ground of al-Qaʿida. The attack in Aden harbor was followed by a wave of arbitrary detentions by Yemen's security forces, mainly former jihadi veterans who had fought in Afghanistan in the 1980s. No independent study on the number of detainees following the USS Cole attack has been conducted, but an officer from the Political Security Office (PSO) estimated that the total number reached 700.[1] Of those detained, only 17 were formally charged. The rest were held, without charges, for another five years. According to the same officer, the security forces arrested a further 3,000 individuals after 9/11 (see fn. 3).

MQ – a former detainee in the PSO – explained in an interview that he remained in prison for five years after the USS Cole attack without being charged. He believes that the Yemeni authorities created for themselves a problem that did not previously exist, pointing out that most of al-Qaʿida's later recruits were from the ranks of those detained during the period between 2000 and 2005, or from among their family members.[2]

Until 2005, al-Qaʿida in Yemen was relatively inactive, but the escape of 23 al-Qaʿida leaders from a maximum security prison in Sanaʿa in the year 2006 revitalized the organization in Yemen. In January 2009, al-Qaʿida announced a merger between its Yemeni and Saudi branches, forming al-Qaʿida in the Arabian Peninsula (AQAP). In order to understand AQAP, we need to look at individuals who joined the group and the counter-terrorism policies followed by the Yemeni authorities.

1 Meeting between the PSO and members of the NDC in July 2013. Meeting attended by the author.

2 Interview with former PSO detainee MQ in April 2014 (aliases used for reasons of confidentiality).

In the year 2002, former Yemeni president ʿAli ʿAbd Allah Salih formed the CTU as a result of a counter-terrorism treaty with the United States. He also formed the National Security Bureau (NSB), which acts as a parallel intelligence body to the PSO. The aim of the NSB was to focus on al-Qaʿida and its network. As a result of the misconduct of the NSB and the CTU (including holding individuals without charge, detaining their family members, etc.), the number of al-Qaʿida recruits increased. The following case study highlights the story of the al-Hasani family and their dealings with the NSB from 2005 until 2013. The case study also illustrates al-Qaʿida's method of recruitment 2000–2010.

The al-Hasani Family[3]

The Sanaʿa-based al-Hasani family lost three of its sons in drone strikes between 2011 and 2013. ʿAbd al-Majid (aged 20), ʿAbd Allah (24) and Bandar (31) were accused of being al-Qaʿida members; therefore, their death by drones did not generate wider sympathy from the Yemeni public. However, their story is not as simple as it initially appears.

In 2005, Bandar was arrested by the NSB on terrorism-related charges. After spending three years in prison, Bandar was acquitted by the Specialized Criminal Court (SCC) in 2008.[4] Bandar's mother said that these three years were years of harassment, intimidation and threats by the NSB. Amongst others, NSB officers conducted regular night raids on their house as a means of intimidation.

In 2009, ʿAbd al-Majid – the youngest of the brothers – was abducted by the NSB. Bandar, who had just been released from prison, tried to mediate in order to secure his brother's freedom, but all attempts failed. ʿAbd al-Majid was taken as hostage for his brother ʿAbd Allah, who had joined al-Qaʿida in the same year. ʿAbd al-Majid was never formally charged until his release in late 2012.

As the 'Arab Spring' protests were mounting in Yemen in early 2011, Bandar joined in. Many jihadists in Yemen, Egypt, Libya and Syria joined the upheavals in these countries. Especially as they had firsthand experience with the intelligence and security institutions of the Arab governments, they were motivated to protest against the regimes who had abused their rights. Jihadists believed in the various calls for toppling the regimes, but they did not agree with the protestors' calls for forming modern civil democratic states. Bandar spent the first two months of the protests in Sanaʿa before leaving to join AQAP in

3 The information provided in this section is based on several meetings and interviews with different members of the al-Hasani family between 2013 and 2015.

4 The SCC was established by Presidential Decree 391/1999. Although being described as unconstitutional (the Yemeni constitution forbids the creation of special courts) – the SCC handled all terrorism-related cases.

Abyan, along with hundreds of detainees released from the PSO and the NSB.[5] Bandar's sister said that the NSB had contacted her brother and told him they cannot guarantee his safety any longer, and that he should travel to Abyan to join his former prison cell mates.[6] AQAP captured Abyan in April 2011 without a fight, the first time since its establishment that AQAP announced gaining territorial control. The sister believes that the fall of Abyan into the hands of AQAP was orchestrated by the Yemeni intelligence.

ʿAbd Allah, fighting for al-Qaʿida, died in July 2012 when the Yemeni army, with the help of local militias referred to as Popular Committees, sought to recapture Abyan from the hands of AQAP. Although he had traveled to Abyan, Bandar did not join AQAP but rather tried to return to his family in Sanaʿa. He contacted the Yemeni intelligence to gain their permission but they refused to accept his return to Sanaʿa (see fn. 5). Bandar was killed by a drone strike on 21 January 2013.

ʿAbd al-Majid, the youngest brother, had been released in October 2012. His mother said that the four years in prison had changed him and insists that her younger son was introduced to AQAP members in prison. ʿAbd al-Majid spent one week at home before he escaped from his family to join al-Qaʿida. On 20 January 2013 – one day before his brother Bandar was killed – ʿAbd al-Majid died in a drone strike in Maʿrib.

The experience of the al-Hasani family is not a singular case. Bandar's lawyer recounts that when he regularly visited Bandar in prison between 2005 and 2008, he observed many mothers visiting their sons who had been imprisoned by the Yemeni intelligence.[7] Even after the 2011 uprising, the Yemeni intelligence continued the policy of imprisoning children and taking family members as hostages. Neither the events of 2011 nor the National Dialogue Conference (NDC) were able to change the illegal practices of the Yemeni intelligence.

Human Rights and Legal Analysis

The human rights situation in Yemen has been strongly affected by the introduction of counter-terrorism laws by the Yemeni government in 1997. The frequency of human rights violations against Yemeni suspects (especially torture,

5 Most of these releases occurred in the months April and May 2011. Theories and speculations on the reasons for these releases abound, one of the most convincing being that the purpose was the create a strong threat of terrorism in the middle of the uprisings.

6 Former NSB and PSO detainees have to go through a monthly security clearance with the authorities in order to remain in contact with the Yemeni intelligence. The security clearance is an arrangement between former detainees and the NSB that allows the NSB to keep a check on former detainees; in exchange, it commits to providing safety for them and their families.

7 Interview with Bandar's lawyer at the NDC in August 2013.

forced disappearances and arbitrary detention) increased after the bombing of the USS Cole in October 2000. Violations further intensified after 9/11, targeting thousands of (former) jihadists. Dozens of detainees claimed that they were subject to torture, humiliation and misconduct. To date, there has been no judicial or parliamentary review into these allegations.

The Yemeni authorities based their concept of a terrorism suspect on the Penal Code No. 12/1994 and the Law on Combating Crimes of Violence and Abduction No. 24/1998. The latter was introduced after the country saw an increase in the kidnapping of foreigners. According to the law,

> "he who leads a group for kidnapping, looting or use of violence to harm public or private property is punishable by death. Any partner [in the crime] should be punished by the same penalty. He who abducts a person shall be sentenced to no more than 15 years of imprisonment. If the act was followed by torture or assault, the penalty shall be death".

According to article 133 of the Penal Code No. 12/1994,

> "any individual involved in forming an armed group to attack a group of people or using force to resist the authorities (law enforcement) shall be punished by ten years of imprisonment. If the act resulted in the death of a person, the individual shall be sentenced to death".

Article 48 of the Yemeni Constitution forbids restrictions on people's freedom of movement except by a court ruling or after being charged with a crime. It also states that any individual arrested on any charges should be brought to court within 24 hours; the judge or general prosecutor may then order to detain the individual for another seven days. If the General Prosecutor fails to officially charge the suspect after seven days, the detainee must be released immediately. The person whose freedom is restricted has the right not to answer any questions in the absence of his lawyer.

Theoretically, Yemeni law meets international standards; but in practice, individuals accused of terrorism are detained by the PSO or NSB, two institutions over which the judiciary and the General Attorney have minimal supervision. Some suspects remain in prison for months or even years before being officially charged.

Above-cited article 48 of the Yemeni Constitution also forbids any form of physical or psychological torture. In reality, as has become clear to me during the years of conducting research on this matter, suspects are tortured and their forced confessions are then used by the prosecutors as evidence for

conviction. After detention by the PSO or NSB, the suspects are brought to the SCC. The court does not look into the prisoner's allegations of misconduct, torture or abuse, but rather considers the actions of the PSO or NSB officers as 'exceptional measures'.

Conclusion

The misconduct of the NSB and PSO in the last two decades has resulted in an increase of al-Qa'ida recruits. The two institutions in charge of combating al-Qa'ida were paradoxically helping al-Qa'ida to flourish. The case study of the al-Hasani family demonstrates that the illegal practices of the Yemeni intelligence not only affected al-Qa'ida suspects but also adversely affected family members and their wider circle, pushing more individuals towards extremism.

The former and current practices of the Yemeni intelligence are against Yemeni and international law. Since their formation through today both institutions (PSO and NSB) answer only to the Yemeni president, and therefore have impunity from prosecution. In his inauguration speech in early 2012, President Hadi stated that fighting al-Qa'ida would be a priority for him, following in the footsteps of his predecessor. Instead of tackling the root causes of extremism, however, Hadi decided to approach the issue from a simple security perspective, combating al-Qa'ida in Abyan. Yemen's counter-terrorism policy has remained static ever since. After the Yemeni government regained territorial control in the south and east of Yemen in 2015, the policy of arbitrary detention, torture and misconduct resumed.

The NDC recommendations, particularly those from the Working Group on Transitional Justice, focused on tackling the root causes of terrorism in Yemen and on preventing misconduct by the authorities. These recommendations should be considered as a road map for addressing these root causes of extremism in Yemen and for arriving at reconciliation with extremist elements in the country.

Rise, Fall, and Rise Again: Perspectives on Southern Yemen Security Challenges

Martin Jerrett

There is a strong tradition of participation of southern Yemenis in the military. Yafiʿi tribes were used by previous imams in Yemen as mercenary forces to pacify and control the Hadhramawt. Their descendants – the Quʿayti tribes – are traditional rulers in the areas around al-Mukalla, the capital of the Hadhramawt. During British colonial times we can list the Aden Protectorate Levies, the Aden Civil Police and the Hadhrami Bedouin Legion of the 1950s and 60s, each of whom were comprised of Southerners recruited and trained by the British colonial forces.

With the rise of the anti-colonial movement sponsored by Egypt, Southerners were trained in Taʿiz and nationalist groups formed armed wings. The National Liberation Front (NLF) was primarily organized as a clandestine armed movement; the concept of armed struggle was front and center of its political message. In Aden the larger and more popular Front for the Liberation of South Yemen (FLOSY) was also armed and trained by Egypt, and by 1967, when the British left, there were two parallel armed groups in Aden alone.

The better organized, and more ruthless, cadres of the NLF eventually defeated their FLOSY rivals in running street battles in Aden. The victorious NLF took the reins of the state and turned their guerrilla fighters into the backbone of the newly established People's Democratic Republic of Yemen (PDRY) army and security forces.

In recently declassified CIA documents (CIA 1987), intelligence analysts in the late 1980s wrote, that on balance, the Southern military in the PDRY was more powerful and more likely to win any battle with the army in the Yemen Arab Republic (YAR), primarily due to their superior training, since the early 1970s, from Soviet and Cuban military advisors. While the YAR had also received training from the Soviets and had Warsaw Pact equipped forces, the training was not judged as comparative, nor the unit cohesion as strong as those of the PDRY military. After the two Yemens were joined in a hasty unity in 1990, the Northerners under ʿAli ʿAbd Allah Salih were all too aware of their counterparts' abilities and viewed them as a threat to the survival of the country. Salih quickly set about systematically destroying the capability of the rump PDRY military through a variety of means, including dissipating their strengths by deploying their units across the whole country, as well as through a program of targeted killings of senior military and intelligence commanders. These

actions continued from 1990 until war broke out between the two erstwhile partners in 1994. Interestingly, some of those officers who had been trained by the Soviets in the 1980s, who had fought in 1994, and who had formed the core of the Hirak movement since 2007 have now played key roles in the fighting against the Huthi/Salih forces since 2015. In January of this year, for example, General Mahmud al-Subayhi was killed leading an assault on one of the mountains around Bab al-Mandab. He had been in the PDRY military from the 1980s, had received advanced military training in the Soviet Union, had served in Lebanon, and had fought in 1994.

His post-1994 story also mirrors that of many Southerners: Al-Subayhi was initially forcibly dismissed from the military, along with thousands of others who had been part of the former PDRY military, security, police and intelligence services. It was the growing, collective sense of frustration at lack of pensions or jobs of any kind – never mind jobs that carried prestige, such as the military – that eventually found a voice in the avowedly non-violent Hirak movement.

In the decade since, Hirak has moved through a number of iterations: Starting as a civil rights protest movement, it quickly morphed into a drive towards secession harking back to pre-unity glory days, even coupled with nostalgia for colonialism. A number of leaders and polities sprang up, each vying for supremacy as the authentic voice of the Southern people. Regular security crackdowns on large gatherings, violent dispersal of protestors at funerals, and targeted extra-judicial killings of secessionists were some of the methods employed by the government in Sanaʿa in their failed attempts to weaken the growing independence movement. The culmination was reached in early March 2015, when forces loyal to former president ʿAli ʿAbd Allah Salih, in alliance with the Huthis, attempted to wrest control of Aden from President Hadi. This military action sparked the Hirak activists to take up weapons against what they saw as an invasion of their city.

A few days later, on 26 March, the Saudi-led coalition (SLC) launched their air bombardment campaign, targeting Huthi/Salih forces in Sanaʿa as well as in Aden. This was followed by insertion of Emirati Special Forces from the Emiri Guard, who began the process of training, equipping and establishing an organized armed resistance. With SLC air cover, sea bourn military logistics, and a large militia formed of Hirak supporters, the Sanaʿa-backed forces were eventually ejected from Aden and the South by the end of August 2015.

Emerging Security Forces

In Aden and environs, there are a minimum of ten army brigades. In the UK, a brigade is usually comprised of around 5,000 soldiers. In Yemeni terms, it is

more likely to contain no more than around 1,500 men. There is a confusing array of brigades and numbers, some of which are backed by the Government of Yemen, while others are supported by the UAE. There is the 3rd and 4th Hazm Brigades, the 201st Brigade, the al-Zayid Brigade, the 3rd Presidential Guard Brigade in Jabal Hadid, the 39th Armored Brigade in Abyan, and the al-Sahaba Brigade to name just a few of the army units that have appeared since the start of the war in 2015 in the South.

If we give each of these brigades an estimated 1,500 soldiers, then we can see that there is something in the vicinity of between 10,000 to 15,000 men under arms. However, the true picture is not that simple. In addition to these units that are comprising a semi-expeditionary capability, there are the growing numbers of internal security forces.

In Aden there are the police, the Central Security Forces, and the various groupings known as the Security Belt or *Hizam al-Amni*. Finally, there are the local resistance groups, many of whom remain unsponsored and thus outside of any formalized structure. There is much more opacity surrounding these resistance groups, all of which are competing to provide security and policing. Estimates vary, but they are also likely to run into several thousand members in and around Aden.

This pattern is repeated in the rest of the Southern governorates, but most notably in Hadhramawt where the Emiratis have stood up the Hadhrami Elite Forces (HEF) that operate as 'a state within a state within a state', if such a term is possible to imagine. Centered in the coastal Hadhrami city of al-Mukalla some forces work as internal security; others work as investigative police force; some units are more like a military organization; and still others form a nascent coast guard. There are a minimum of four brigade-sized HEF units, equating to around 6,000 soldiers and security officers.

There is also a similar version of the Aden Security Belt operating in governorates such as Shabwa and al-Mahra, again comprising of several thousand men.

If this gives something of a flavor of the size of the emerging security architecture in the South, it does not begin to describe the depth of the problems between the various groups and their competing loyalties and diverging aims.

Parallel Competing Structures

Although the media portrays these brigades and security forces as part of the umbrella of the Government of Yemen (GoY), also known as the Legitimate Government of Yemen or 'the legitimacy' for short among its supporters, there are at least two dominant strands within that: The first strand is

formed of the units that are directly under the command and control of the GoY. These are the armed groups and forces that are directly financed by the government. Broadly they fit into the structure that is also fighting in other parts of Yemen, including Taʿiz and Maʾrib. Some of them are exclusively Islah Party forces, some ʿAli Muhsin loyal forces, while others, such as the Presidential Guard brigades, are loyal to Hadi. There are also security and police units such as the Central Security Forces that operate in Aden.

The second strand is arguably the more interesting. This is comprised of units that have been formed, trained and equipped by the UAE, such as the Security Belt, Salafi units, and the HEF; but there are also the substantial and more numerous military units that have been trained both inside and outside of Yemen.

Tension between the two groupings have been simmering for some time, but they did not actually boil over until Hadi issued an order for the security director of Aden airport to step down, to allow one of his units to assume responsibility. The commander, known as Abu Qahtan, refused to comply with the order; in response Hadi, on 12 February 2017, ordered his Presidential Guard to head to the airport and force Abu Qahtan out. Along the way the Emiratis interdicted the column of technical vehicles using Apache gunships, destroying at least one Presidential Guard vehicle.

This shocking incident highlighted the extent to which the allied forces of the Emiratis and their units were beyond the chain of command of Hadi's government. It further demonstrated that the UAE were prepared to enter into conflict with Hadi on the streets of Aden, in order to protect their interests.

While both groups are involved in the fighting along the Red Sea coast, primarily in the areas to the north and east of al-Mokha at the time of writing, there is a mutual, external enemy that unites them. However, it is clear that at some point the divergent aims and interests of both sides will cause another conflict and perhaps lead to a bloodier scenario.

At some point the competition between all of the competing groups – whether they be regular army brigades, UAE-backed militia units, or any of the multitude of 'resistance' groups – will need to be addressed as part of a more comprehensive vision of the future structure and alignment of the state. For now the question of Southern secession remains the elephant in the room. Southerners are fighting, collectively, for an independent state. President Hadi derives his legitimacy – such as it exists – from a claim to represent all of Yemen. Clearly he realizes that such grand ambitions are beyond his means, but that does not mean he will not assert himself to be the leader of either an autonomous South or perhaps the president of an independent South. If he is unable to secure support from the Emiratis for either future position, then he may find himself at war with Emirati-backed Southern forces.

Future Scenarios

Much of this is an exercise akin to water divining. There are too many unknown factors at play that turn scenarios into little more than 'best guesses.' It is unclear what the long term strategic aims of the UAE in Yemen are. The degree to which these are distinct and separate from Saudi aims is equally opaque.

The capacity of the Huthis and – and to a lesser degree since December 2017 – the Salih military, to reconquer the Southern areas as well as the Red Sea coast and Ma'rib, is another factor to consider. However, given the fact that the SLC has essentially resurrected a Southern military and all but indicated that it favors a minimum of enhanced autonomy for the South, it appears that the SSR questions will revolve around moving these forces into a more professional security and military with a single chain of command. The problems existent in this option are clear, and they can be boiled down to the question of how to balance power between the forces under Hadi and those under the Emiratis.

If the SLC comes to an alternative arrangement – which is entirely possible given their lack of any credible stated objective beyond 'restoring the legitimate government to power' – then the question for the international community will be how to integrate the various Southern military and security forces back into a unified state governed from Sanaʿa, working alongside their erstwhile foes in the Huthi/Salih camp. Given recent events in Sanaʿa and the death of ʿAli ʿAbd Allah Salih, moreover, the forces aligned to the GPC may well split with certain factions aligning with the Huthis and others more drawn to the Saudi/Hadi camp.

It is difficult to see how such a process could happen peacefully and without a serious injection of coercion from one side, and their backers, upon the other side. The most obvious tool is that of finance. Many of the Southern army units are essentially militias and are only paid when they are actually fighting. When there is no fighting to be done, they are at home and do not command a salary. Many people will simply return home when faced with the prospect of no salary.

There will be plenty of groups that will not, however, simply melt back into civilian life. These will be the groups that enjoy a large degree of cohesion and have a well-motivated leadership cadre; either they will have the ability to obtain salaries from the state or will turn to criminality to maintain group structure. It is this kind of activity that is now commonplace in Libya, where many units have moved into drug trafficking or people smuggling to fund themselves.

Conclusion & Recommendations

First and foremost it is clear that the keys to the problem – at least in the GoY controlled areas – are held by the Emiratis and the Saudis. Without their agreement, buy-in and support, it will be almost impossible for the international community to get traction and a credible process off the ground.

The international community, primarily the US, was involved in reshaping the security sector in Yemen when Hadi became president in 2011. Despite the considerable effort and expense invested, it was clear at the outbreak of the war in March 2015 that it had not been at all effective.

Secondly, there should be a comprehensive understanding of the size and scope of the problem. The stakeholders involved (national and international) must map out the security forces involved to gain as detailed a picture as possible of the overall architecture that they are dealing with. This will require substantial efforts, as transparency and military activity are two things that do not go together well in most places in the world.

Thirdly, there must be provision for creative solutions. Yemen has a chronic security problem across the whole country; and this is married to another issue, that of desperately large rates of unemployment. Job creation as a standalone activity will simply break down in the absence of any real security. This means that SSR and DDR processes are firmly subordinate to a political deal. If the politics are fudged, then the international community will find itself funding another round of activities mirroring the 2011–2015 transition.

And lastly, a look into the future: From 1967–1990, the PDRY had five different presidents, all of whom were veterans of armed struggle against the British. In North Yemen, from 1962–1990 there were five heads of state, four of whom were military officers. Likewise, from 1990–to date, there have been two presidents, Salih and Hadi, both of whom were military officers. In common with many insurgencies in modern history, it is highly likely that the future cadre of politicians will come from the ranks of the army and the resistance.

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Challenges and Opportunities for Intervention During and Post-Conflict: Getting from Here to There

RJ Spencer

The first, and most obvious, point to note is that SSR can only occur within the parameters of peace and a genuine, wider national reconciliation. Given the continuing hostilities in Yemen, it is currently impossible to conduct a full SSR program; indeed, the baseline resources are unknown, variable and diminishing, while factions are splintering and minds hardening. However, numerous strategic preparations can be undertaken in advance of a peace agreement, in order to set the conditions for subsequent, more tactical phases, and to be ready to begin immediately the fighting has stopped. This paper assumes that:

- the Republic of Yemen will remain a single, federal state;
- there will be a continuing requirement for combat-capable Yemeni military forces;
- all Yemeni bases and equipment have been rendered Beyond Economic Repair by conflict;
- Yemen's top priority will be its development and funds for military maintenance will be limited; and
- the SSR and DDR programs will be externally funded, so funds will therefore be tight.

It is suggested that the mission of the Yemeni Armed Forces should be:

> The Yemeni Armed Forces are to defend the land, air, sea and cyber space of the Republic of Yemen against foreign state and terrorist offensive operations in order to secure the continued existence, independence and well-being of the Republic of Yemen and its peoples.

Setting the Conditions

The start point of any reform of defense / security forces is an examination of the requirement for the forces, usually carried out by a strategic defense review (SDR). SDRs are either financially or threat driven, although in a country like Yemen – with challenging terrain and limited infrastructure – the importance of enabling military aid to the civil authorities is vital, if a subordinate, military task.

In this case, despite the assumptions that there will be no Yemeni military equipment left, that the Yemeni treasury will be empty, and that foreign donors will be under financial constraint, it is suggested that the SDR will be threat-driven, as the current hostilities have shown the limited capability of the regional national and non-state threats. The cost is thus likely to be correspondingly limited. (Despite the worst case scenario assumptions, it is also likely that considerable amounts of equipment and materiel can be salvaged, thus reducing the cost further.)

The SDR can be carried out by Yemeni military personnel – possibly the De-escalation and Co-ordination Committee – or by impartial external actors. However, if carried out by external actors, all stages of the SDR must be discussed with all the relevant Yemenis in order to gain their agreement, as well as to benefit from their particular understandings. It is worth noting here the very strong evidence that attempts by external actors to achieve a settlement, in particular one which favors "their" faction (see Krebs & Licklider 2015/16; Hartzell 2014), usually critically undermines the peace process, resulting in instability and an increased risk of further conflict subsequently. (It has been suggested that one of the contributing factors in the Huthis' rise was the Bakil tribal confederation trying to redress the balance which had been steadily tipped in the (more Republican) Hashid's favor since the 1960s Civil War, but particularly under ʿAli ʿAbd Allah Salih.)

After the threat has been identified, then the defense architecture must be designed to meet that threat. The structures must be established: formations and orders of battle, then equipment and basing locations derived; and doctrine, training and maintenance designed to support the forces. This, too, must be discussed with all sides to ensure buy-in. Without situating the SDR, it is suggested that Former Soviet Union equipment is familiar to most Yemenis, is robust, easier to maintain, and cheaper.

Once the structures and locations of the Armed Forces are established, it is recommended to incorporate an article into the draft constitution that specifies the branches of the armed forces (both regular and reserve), together with their rights and responsibilities and the limitations on them, together with a requirement for an ultra-majority (80 per cent) to amend the Defense Article thereafter. Various Yemeni-specific aspects (in particular ways to reduce the tendency for the elites to misuse the military for personal or tribal gain) could also be incorporated into this article. This should include the exclusive right of the state to armed forces; the exclusive right of the state to import military weapons; the exclusively military nature of the Armed Forces; the exclusivity of heavy weapons within the military; a defined ceiling on military personnel numbers; defined, specified military locations; the impermissibility

of serving personnel to be involved in defense businesses; and the impermissibility of serving personnel to be involved in politics. Other, more general counter-corruption measures might also be included, such as the prevention of military personnel from engaging in politics for five years after leaving the Armed Forces; the establishment and powers of an independent inspectorate; a whistle blowing program; ombudsmen, etc. However, these elements, though vital, might be contained within an Armed Forces law, rather than making the constitution too unwieldy.

The final pieces of the preparation stage are to identify and budget for the equipment procurement requirement and program; a re-training requirement and schedule; and (if possible) equipment and basing rehabilitation / disposal requirements. The latter should include the break up and sale of MECO / YECO and other non-military elements (Robinson et al. 2006: 4),[1] with the proceeds of the sale going to the proposed Armed Forces Pension Fund, run by a company that could be designed along the lines of the Economic and Social Association of Retired Servicemen and Veterans (ESARSV) of Jordan.

The parameters of the DDR program should also be identified and budgeted. (There is no need for the DDR program to be formally established in law, as it is inferred from the Defense Article of the Constitution.) DDR should aim to take a tranche across the ability range, as well as to cater to any volunteers. However, for compulsory retirees, this must be done for the benefit of the Armed Forces (i.e. based on performance), rather than for political / tribal advantage, as on a previous occasion (Blumi 2001: 139). Discharge must, however, be an as equally attractive option as continuing to serve.[2] It is also worth noting that emerging research suggests that DDR should be left as late as possible to improve chances of peace enduring (Willcoxon 2017).

Delivering Security Sector Reform

Post-civil conflict SSR programs do not have a particularly good track record, usually because they are either under-resourced or interfered with by internal or external actors. If Yemeni SSR is to be successful and a fourth civil war is to be avoided,[3] it is vital to maximize the former, and minimize the latter. Political will is thus key; if present, the *brassage*[4] process offers the best opportunity

1 On MECO / YECO see also Seitz' paper in this report.

2 Useful options include certified training in electrical, plumbing, carpentry etc skills, together with a basic tool-kit and a small cash float.

3 Following the 1962–70, 1994 and 2015–?? civil wars.

4 *Brassage* (Fr: brewing) is the process whereby disparate elements are mixed together, heated, and are transformed into a new, unified substance.

for (re-)building a national identity for the military forces from disparate factions. It is important to note that members of factions which "won" and which "lost" must both "win" from SSR, at all levels.[5]

The key to success in *brassage* is in establishing a team identity which supersedes tribal or regional loyalties. Creation of a team identity is usually done through isolation from the community for an extended period – usually two months – during the formative period. Since many soldiers may have been fighting each other recently, further stress is probably needed in order to encourage team building. Taking the service personnel to an alien environment (and ideally, getting them periodically cold, wet and miserable!) is an excellent method, for by stripping away access to the higher Maslovian tiers, it forces them to cooperate with one another to achieve the individual's survival needs. A period of two months is also an adequate length for refreshing basic military skills.

In addition to the refresher in basic military skills (up to company level), the training should comprise a major emphasis on military law (including Law of Armed Conflict), good governance and human rights, with explanations of whistle-blowing procedures, among others. There is also a great need for the moral component to be re-embedded, in particular a return to the Yemeni convention whereby soldiers are considered neutral and outside tribal law and obligations for the duration of their service (Spencer 2017: 158). The performance of the service personnel during these two months should be used to make recommendations for retention / discharge, adjustment in rank, and assignment to an arm of service.

There are advantages and disadvantages of continuing with existing regimental identities, but on balance, the latter outweighs the former. New units should be created with new names and unique elements of uniform to encourage unit identification and cohesion. Presentation with the new uniform forms an important element of induction into the new team / identity, as well as a milestone of personal achievement.

Having completed their basic training, those service personnel recommended for retention should undergo any special-to-arm training before returning to the order of battle (ORBAT). (It is strongly suggested that an emphasis is placed on military engineering, both to enable mobility within Yemen's rugged terrain, and also as a source of training for infrastructure construction and maintenance once the servicemen return to the civilian population.) The best way to cap such training is by going on operations, either nationally (against AQAP and IS), or with the UN (MINUSMA, UNAMID or UNMISS would currently be suitable operations) as a real common enemy will reinforce – at the most fundamental level – mutual dependence and team identity.

5 For example, Yusuf bin Alawi – Oman's Minister responsible for Foreign Affairs – is a former Dhofari rebel.

Embedding and Maintaining Reform in the Long Term

As in many walks of life, a major factor for lasting success is the presence of through-life maintenance; this is especially true as regards an SSR program. It is not good enough merely to set the conditions and hope for the best; the lessons must be reinforced (and updated as necessary) in and for the long-term.[6] How long that needs to be depends on the average length of service; in the UK Armed Forces, the 'half-life' is about 12 years for Other Ranks, and 15 years for officers. In the Yemeni Armed Forces, with longer military career lengths and fewer early leavers, the 'half-life' is likely to be longer. The easiest means to do this is via the annual training cycle, as well as attendance on career courses and pre-operational training. Of particular importance in embedding this reform program is the mid-career course (sergeant and captain equivalents).

In parallel, there must be a process of external monitoring (and recommendations for adjustment as necessary.) Various proven measures can be instituted to reduce corruption (be that nepotism, fraud or embezzlement), which will also professionalize the armed forces, and – by minimizing the opportunity for patronage – encourage loyalty to the nation, rather than an individual / tribal commander. Key elements to boost this effort are by targeting areas most prone to corruption: Thus, postings and promotions boards should have an external chair and one or more members, and procurement boards likewise. Pay should be managed through a private company, ideally at least partly owned by the Armed Forces Pension Fund (ESARSV equivalent), which itself should have external board members.

A major element in preventing disloyalty to the state has been found to be the presence of outsiders within the ranks (Albrecht 2016). A robust twinning and personnel exchange program would enable this. There is precedent: in the past, Jordanians have been embedded in both Yemen Arab Republic forces and the Hadhrami Bedouin Legion. Other Arabic-speaking countries which have not been involved in the current conflict might be approached for such opportunities: Oman, Algeria, Tunisia, among others. Not only would this achieve its primary purpose of preventing disloyalty to the state, but it would also enhance the professionalism of the forces through the lessons learnt process – and encourage better career performance in the hope of being selected for an exchange position.

6 One problem with the post-2011 reforms is that they did not have time to bed in before the war started.

Conclusion and Recommendations

SSR is possible with the appropriate political will and sufficient resources. Major elements of the process can be prepared before an end of hostilities, although the process of *brassage* of the personnel and the rehabilitation and refurbishment of equipment and basing can only occur once there is an agreed peace. SSR is a long-term process, which must constantly be reinforced if backsliding is to be avoided, but many of the required processes are inexpensive and time-tested. The risks of failure far outweigh the limited costs, and success will see capable armed forces guarding a Yemen best able to concentrate its limited resources on developing its human capital and physical infrastructure.

Accordingly**,**

- a formal SSR process must be undertaken to identify the minimum military requirement;
- the minimum military requirement is likely to reassure neighbors and limit corruption;
- robust and layered counter-corruption measures must be instituted; and
- long-term external involvement is likely to improve compliance and limit corruption.

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Opportunities for SSR in Yemen

Marie-Christine Heinze and Hafez Albukari

As the Yemen conflict draws on without much hope for a comprehensive peace agreement to be reached anytime soon, the international community is looking for ways to contribute to the stabilization of those areas in Yemen where 'the war' is considered to be over, i.e. particularly in the South and/or in so called 'islands of stability' that remain unaffected by the ongoing fighting. Various approaches in the framework of security system reform (SSR) are currently being considered with the objective of providing security and justice to the local population, as well as with the objective of being able to build on these efforts once more comprehensive measures are possible. However, against the backdrop of a plethora of armed (in)security actors currently operating in Yemen as well as limited or non-existent (internationally recognized) government control over large parts of the country, opportunities for engagement are currently limited. Nonetheless, there are a number of approaches the international community can take in order to make security provision in Yemen more tailored to the needs and priorities of local populations and to thus contribute to stabilization. Such endeavors, this paper argues, need to carefully consider in which areas a state-centric approach might be the most feasible so as to rebuild or maintain what is left of existing state structures, and in which areas an involvement of non-state security actors might render the best results from a community perspective – without calling into question the principal role of the state in security provision.

This argument echoes academic thinking on SSR: For more than a decade, scholars have been calling for a modification of SSR policy that moves away from a state-centric approach, results of which are considered to have been modest at best. A state-centric approach, it is argued, "rests upon two fallacies: that the post-conflict and fragile state is capable of delivering justice and security; and that it is the main actor in security and justice" (Baker & Scheye 2007: 503). The OECD/DAC *Handbook on Security System Reform* from 2007 accordingly makes the argument that "SSR objectives need to focus on the ultimate outcomes of basic security and justice services", i.e. that they should take a problem-solving approach, and that "SSR programmes need to take a multi-layered or multi-stakeholder approach [that] helps respond to the short-term needs of enhanced security and justice service delivery, while also building the medium-term needs of state capacity" (OECD/DAC 2007: 11).

In line with this thinking, the Yemen Polling Center (YPC) has gathered data on local security actors and local security perceptions in two nation-wide surveys in 2012 and 2017.[1] The objective of this research has been, amongst others, to provide national and international policy-makers on SSR in Yemen with a better understanding of the diversity of (in)security actors in Yemen and the need to take this diversity into account when reforming the security sector in such a way that local security perceptions and needs are acknowledged and considered. This paper presents some of the findings of these surveys and discusses opportunities for a multi-layered and multi-stakeholder SSR approach in Yemen.

Survey Findings

Security perspectives

According to the findings of the 2017 survey, 59% of Yemenis nationwide feel always or mostly safe, whereas 20% feel always or mostly unsafe. These results may seem surprising to outside observers given the fact that at the time of the implementation of the survey (February / March 2017) the war in Yemen with regional involvement had been going on for two years, but large parts of the country, and especially rural areas where 68% of questionnaires were implemented, have not seen any actual fighting. When broken down to governorate level, moreover, the overall picture varies: Particularly in al-Baydha', which has seen continuous fighting since the beginning of the war, more than 50% of respondents felt always or mostly unsafe, whereas in al-Mahra 100% of respondents felt always or mostly safe.[2]

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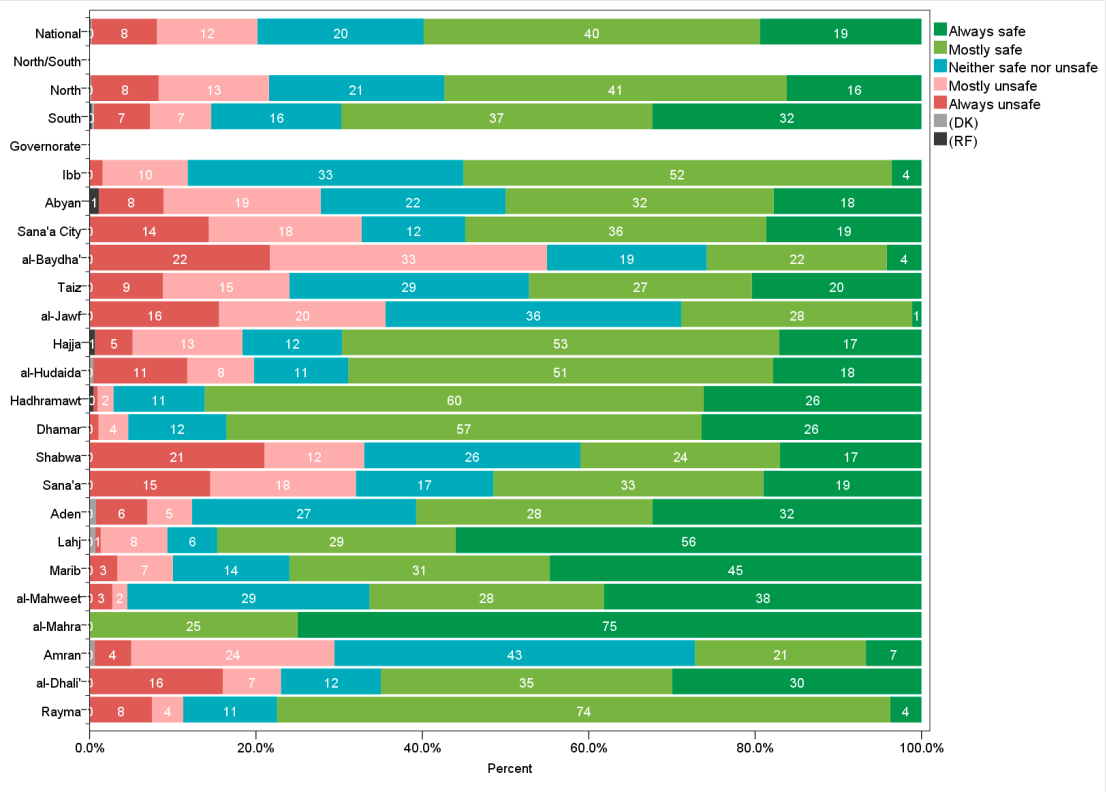
1 The 2012 survey (YPC 2013), which was implemented in November and December 2012 and which targeted 2,000 respondents above the approximate age of 18 (50% women) nationwide (except Socotra), was designed in cooperation with the Restructuring Committee of the Ministry of Interior, which had been set up as part of the SSR process mandated by the GCC Initiative. The 2017 survey, which was implemented in February and March 2017 and which targeted 4,000 respondents (50% women) nationwide (except Sa'da and Socotra), built on the 2012 survey but was adapted to the current situation. Both surveys were funded by the European Union. YPC implements its surveys through face-to-face interviews with women only being interviewed by women and with all enumerators coming from the region they are implementing the questionnaires in (guaranteeing they speak and understand the local dialect and have the necessary networks to mitigate local risks to their security). Target areas are selected on the basis of a simple random sample among 146,000 population units in Yemen according to governorate population size. Each unit gets ten interviews (5 men, 5 women). Both the 2012 and the 2017 survey reflect the rural/urban divisions in Yemen with approximately 70% of interviews (2012: 72%; 2017: 68%) being implemented in rural areas.

2 Regarding al-Mahra, it ought to be noted, however, that due to its small population size relative to other Yemeni governorates, only 20 questionnaires were implemented here, all of them in the more populated coastal region. As Elisabeth Kendall, a prolific expert on al-Mahra has kindly pointed out to me, responses in the interior region of al-Mahra might have been very different. A unpublished survey she conducted exclusively in al-Mahra between December 2012 and January 2013 showed that 14% of the 2,010 respondents considered 'security' to be the most urgent issue for improving their family's life. This may not seem much, but it was ranked second after "water and electricity" (48%) out of a list of 10 issues.

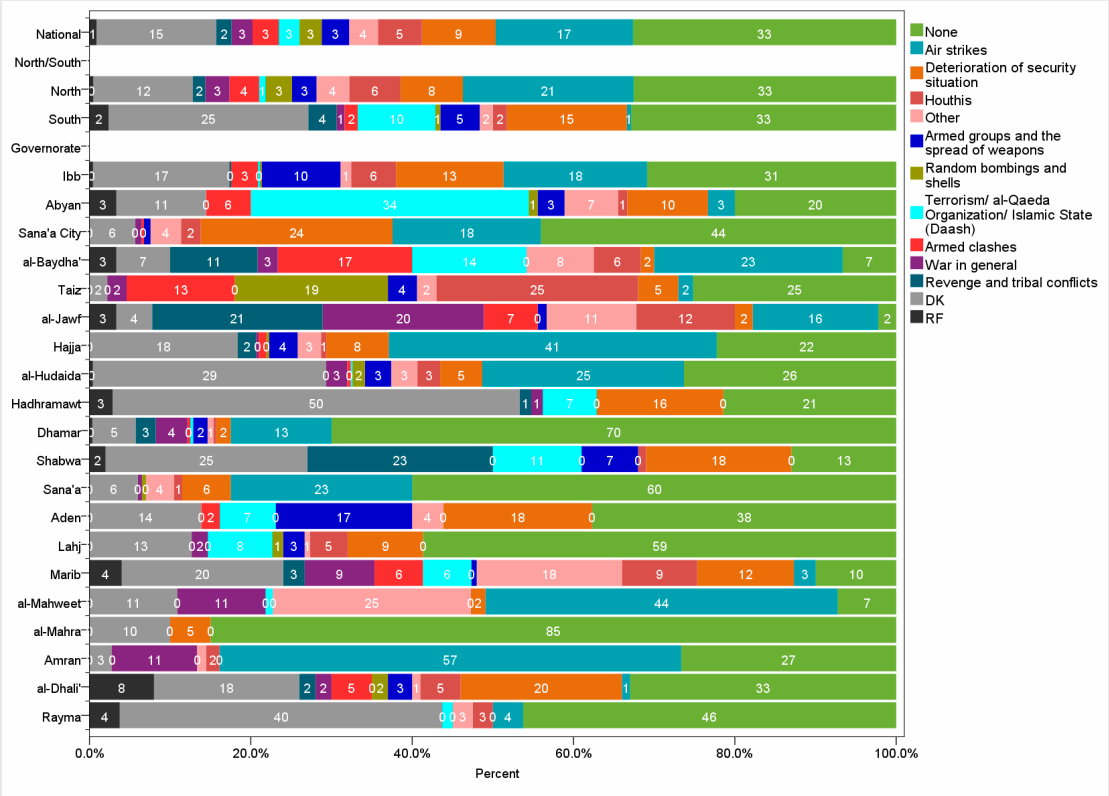
Chart 1: How safe do you personally feel (on a scale from 1 to 5, in which '1' means 'always very unsafe' and '5' means 'always very safe'; DK = Don't know; RF = Refused to answer)?



Security threats

When asked about the three biggest security threats in their area, the number of responses also varied from governorate to governorate, testifying to the diversity of challenges to security provision for the local population. Security threats mentioned in Chart 2 which are within the realm of state or non-state security provision would be a) a general deterioration of the security situation, which was of particular concern in Sana'a City (24%), al-Dhali' (20%), Aden and Shabwa (both 18%); b) armed groups and the spread of weapons, which were of particular concern in Aden (17%), Ibb (10%) and Shabwa (7%); and c) revenge and tribal conflicts, which were mentioned most often in Shabwa (23%), al-Jawf (21%) and al-Baydha' (11%).

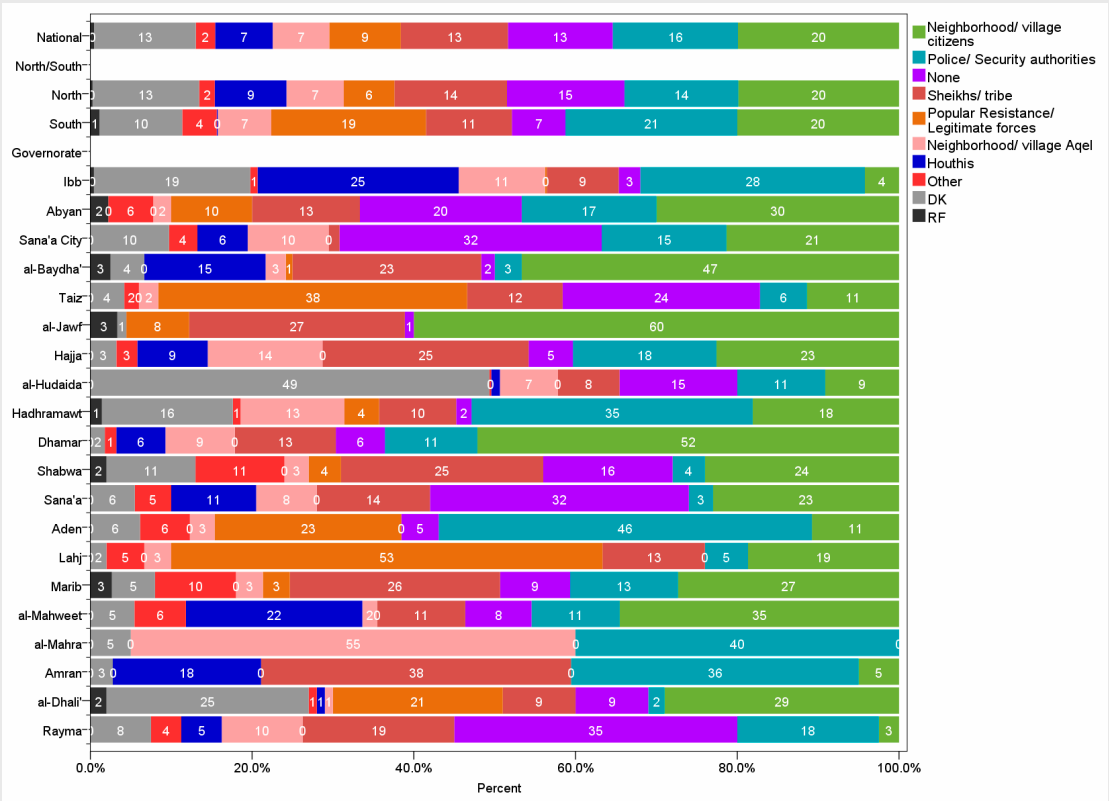
Chart 2: In your opinion, what are the three biggest security threats in your area? (open question, code 3 answers; DK = Don't know; RF = Refused to answer) First answer



The reality of security provision on the ground

Confirming Baker & Scheye's argument cited above regarding the limited role of the state in the provision of security and justice, only 16% of respondents nationwide mentioned the police/security authorities when asked who actually provided security in their area. Indeed, in al-Jawf the number of respondents mentioning the police was zero, and in al-Baydha', Shabwa, Sana'a governorate, Lahj and al-Dhali' the number of respondents was 5% or lower. Rather than by the state security sector, respondents said that security in their area was being provided by a combination of other actors, among them a) by the citizens themselves (esp. in al-Jawf (60%), Dhamar (52%) and al-Baydha' (47%)); b) by *shaykhs* and tribes (esp. in 'Amran (38%), al-Jawf (27%), Ma'rib (26%), Hajja and Shabwa (both 25%)); c) by the popular resistance and the 'legitimacy' forces (esp. in Lahj (53%), Ta'iz (38%), Aden (23%) and al-Dhali' (21%)); d) by the neighborhood representative ['aqil] (esp. in al-Mahra (55%)); and e) by the Huthis (esp. in Ibb (25%), al-Mahweet (22%) and 'Amran (18%)).

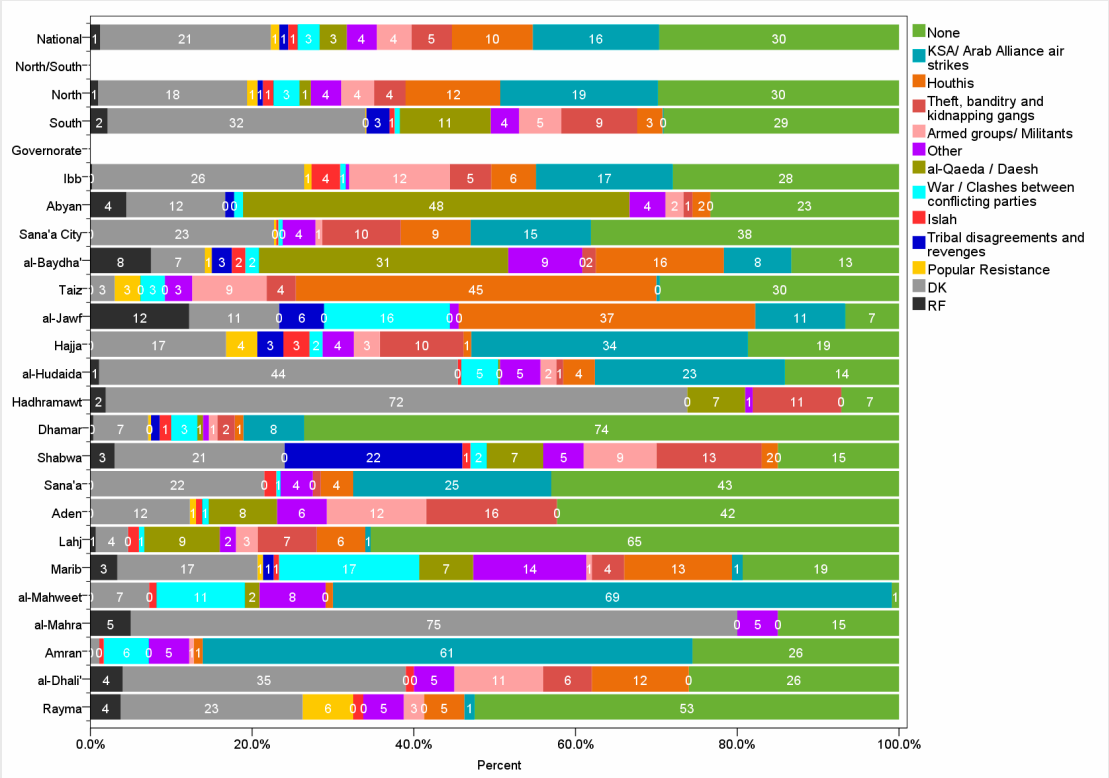
Chart 3: In reality, who brings security to this area? (open question, code 3 answers; DK = Don't know; RF = Refused to answer) First answer



Insecurity actors

In many areas of Yemen, the actors providing security on the ground are often also at the same time insecurity actors. This is not only confirmed by the findings from YPC's 2017 survey (see chart below), according to which 10% of respondents said that the Huthis or tribes were ruining security in their area, including in those areas where they had been mentioned as security providers. Indeed, in YPC's 2012 survey, where these two questions (Who brings and who ruins security?) were not asked as open questions but with a list of possible responses, all actors who were said to be providing security (including the police!) were also mentioned as actors ruining security in the area (YPC 2013: 27-30) – except the *'aqil*, the tribes (not tribal *shaykhs*, however) and the local governor (only mentioned by 0.8% as security provider). The *'aqil* is therefore an important actor to take into consideration when aiming to take non-state security providers into consideration in SSR: as an elected neighborhood representative, he is the linking point between the local community and other security providers. Amongst others, as policemen have told me during interviews I conducted in 2013, when the police has to arrest a suspect, they often ask the *'aqil* to convince the family to hand over the suspect to the authorities rather than coming to arrest the person themselves.

Chart 4: In reality, who/what ruins security in this area? (open question, code 3 answers; DK = Don't know; RF = Refused to answer) First answer

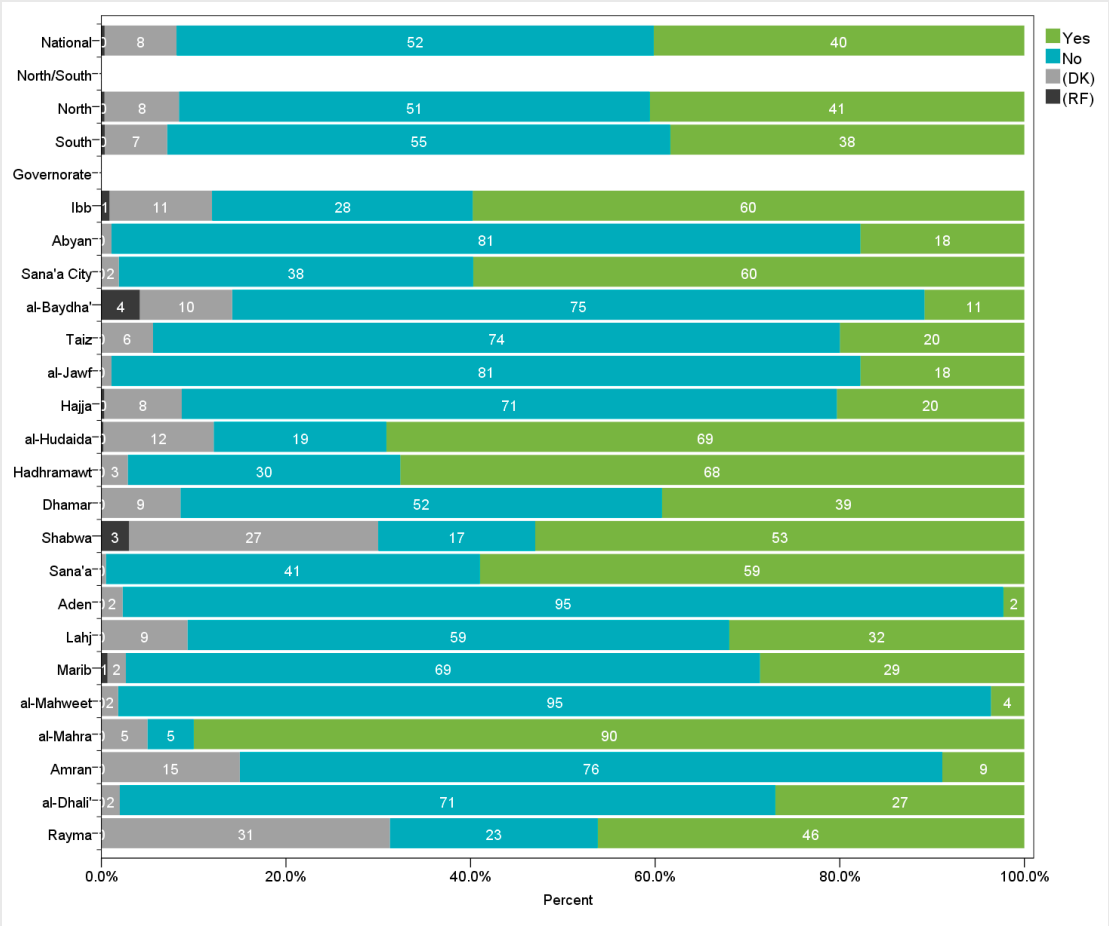


Involving non-state security actors in the provision of security

When respondents of the 2017 survey were asked whether they believed that the provision of security should rest in the hands of the state alone, 40% said 'yes' while 52% responded negatively. It is important to see these responses in the light of current and past experiences with and ideas of 'the state' on the local level. When comparing responses from 2017 depicted in Chart 5 to those from the 2012 survey (nationwide: 44.75% 'yes', 50.48% 'no', 4.78% DK), the difference in responses from Aden, for example, is particularly striking: in 2012, more than 95% of respondents in Aden said that the provision of security should rest in the hands of the state alone (YPC 2013: 77); whereas in 2017 95% of respondents said the opposite. We don't know why exactly each respondent replied the way she/he did, but we may speculate that in 2012 the concept of 'the state' in Aden was linked to past experiences with a strong central state during socialist times (before unity with the northern part of the country in 1990) for whose re-establishment (in more democratic form) many Adenis had been protesting as 'Southern Movement' since 2007. In 2017, in contrast, Adeni citizens had not only experienced the take-over of their city by northern forces (the Huthi/Salih alliance) that were successfully driven out by local citizens with the help of the Saudi-led coalition in July 2015, but also recurrent battles for control of the city between various security factions, which are mainly divided between Emirati supported security

forces with strong links to the Southern Movement and those security forces linked to President Hadi,[3] who may be considered to represent 'the state', but has practically no support in the local population. Accordingly, historical and recent experiences with 'the state', as well as concepts of 'the state' (seen, for example, as an abstract concept or considered to be synonymous with the regime), will significantly vary all over Yemen.

Chart 5: In general, do you believe that the provision of security should rest in the hands of the state alone? (DK = Don't know; RF = Refused to answer)



When asked more specifically whether the state should involve non-state security actors in the resolution of security issues, 27% of respondents said 'yes', 26% said 'in some cases, but not in others' and 34% said no (YPC 2017: 154). Those who responded with 'yes' or 'in some cases, but not in others' (n = 2137) were subsequently asked which other state and non-state institutions should be involved in rebuilding stability and security in their respective area: 81% opted for tribal *shaykhs* (12% 'no', 4% 'do not exist in my area', 2% DK); 71% opted for the locally elected local councils (20% 'no', 4% 'do not exist in

3 On the situation of the security forces in Aden, see Martin Jerrett's paper in this volume.

my area', 5% DK); 69% opted for 'other powerful people in the area' (20% 'no', 3% 'do not exist in my area', 7% DK); and 39% opted for community groups / NGOs (20% 'no', 32% 'do not exist in my area', 10% DK).[4]

Towards a Multi-layered and Multi-stakeholder SSR Approach in Yemen

The YPC findings from 2012 and 2017 demonstrate that there is a plethora of security providers on the local level in Yemen, as well as a plethora of security challenges to be addressed. For short-term and mid-term SSR efforts to be successful in providing security to the local population and to thus contribute to stabilizing the situation on the ground, a combination of two approaches seems feasible, also given the limited resources available to the international community:

a) the institutional approach (in urban areas where the police has sufficient capacities and is not politicized), so as to contribute to rebuilding or maintaining state structures: here, the capacities of the police should be built to address local security concerns. This should not only include training on effective policing, human rights and gender issues, but also capacity-building and incentives for the police to actively seek to identify the security needs of the local community and to work with non-state actors in the resolution of problems (community policing).

b) the problem-centered approach (in rural areas or in urban areas where the police has little trust or capacities): here, research to prepare such interventions should begin by asking about threats to the personal security of the local population and then seek to arrive at locally designed solutions that should necessarily include the police (where it is not perceived as a threat), but also other actors who could positively impact on resolving or containing a problem.

In both scenarios, supporting dialogue between state and non-state security actors should be one of the essential elements built into any intervention. At times, where possible, joint training on legal provisions, human rights standards or gender considerations could enhance greater awareness for central principles relevant to community safety and state-building while also improving coordination among state and non-state security providers. Moreover, in both scenarios, it is important to ensure equality of access by making sure that the interest of women and marginalized groups are taken into consideration and are represented throughout the entire process.

4 On these findings as well as on other groups not mentioned here, see YPC 2017: 155-161.

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Security Provision in Yemen: Applying a Human Security Focus

Léonie Northedge

Reconfiguring the state and state institutions, especially security institutions, is a priority issue in Yemen, and a key subject for parties to the conflict during any negotiation. Given the impact on civilians of the last two years of war in Yemen, there is also an imperative to ask how the safety and security of civilians can be safeguarded during, and in the wake of, the current war. International actors have roles to play in influencing components of a peace agreement or in individual interventions focused on security provision. This paper considers what taking a human security approach to these questions in Yemen entails.

The question of how to improve human security outcomes in the wake of civil war is an important one. Charles T. Call and William Stanley found that in the aftermath of virtually all civil wars around the globe in the 1980s and 1990s civilians perceived an increase in insecurity (Call & Stanley 2001: 151). In some cases, civilians experienced significantly more violence after the signing of an agreement. The implications of neglecting human security impacts of peace agreements are significant: in addition to the humanitarian imperative of reducing violence and insecurity for people, improving popular perceptions of public security is more likely to generate buy-in for a peace agreement and reinforce the legitimacy of the state.

Since the 1990s the concept of human security has been widely accepted in the fields of conflict resolution and SSR, as opposed to a narrow state-centric definition of security. However, while the primacy of human security is accepted in theory, in practice there are challenges to its successful operational application. Victoria Brereton and Bonita Ayuko found that in the academic literature on peace agreements, priority is given to discussions of hard security issues, such as "the security of warring parties, the division of security powers, third-party enforcement, or security mechanisms such as cease-fires and demilitarized zones" (Brereton & Ayuko 2016: 135-153). Furthermore, they examined two peace agreements designed to end intrastate conflicts in Sudan and Kenya, and found that "the structure, format and mediation approach

adopted in each case undermined prospects for realizing improved human security". These factors are reflected in the outcomes of the agreements. Notably in Sudan,

> "the agreement on security arrangements includes thirty-one pages on the status of forces while less than two pages deal with domestic security and policing. […] [It] reflected and reinforced a SPLM/A vision of security that was narrow, military, and state-oriented […] [and] the peace produced by the CPA was marked by high levels of violence against civilians" (ibid.).

These findings highlight the risk that human security can be eclipsed in the process of securing a peace agreement.

Experiences of Insecurity in Yemen

Returning to our focus on Yemen, we must ask: What do we know about insecurity in Yemen now and its impact on civilians? At this point in time, a negotiated end to the conflict in Yemen does not appear close. Military confrontation is escalating. The involvement and interests of external actors in the conflict – particularly the United Arab Emirates (UAE), Saudi Arabia, the USA and the UK – complicates efforts to resolve the domestic conflict. The Yemeni military has split and armed groups have proliferated.

Saferworld's research and field reports from program implementation highlight the security concerns that preoccupy ordinary people.[1] Yemeni civilians are – of course – experiencing direct violence from the conflict. They are caught up in airstrikes, shelling, sniper fire; they may experience arbitrary detention, theft or destruction of property by armed groups; relatives including children may be voluntarily or forcibly recruited into fighting. Even where violence is less intense, civilians experience high feelings of anxiety due to fear of violence. For example, in Ibb in January 2017, airstrikes were frequently mentioned by research participants as a main security concern, while in Aden, people worry about the unexploded ordnance left over from the occupation of the Huthi/Salih forces (Heinze & Baabbad 2017).[2]

However, when asked about risks and threats, people also report a wide range of issues that have been indirectly produced by the conflict and which are likely to endure beyond any cessation of hostilities. The case of Aden is particularly instructive. While there are ongoing localized conflicts in Aden – which have

1 Most recently, working with Yemen Polling Center (YPC) and CARPO, qualitative research has been completed focusing on women and men's differing security concerns and peace/conflict roles of women in Aden and Ibb (November/December 2016); see Heinze & Baabbad 2017.

2 Ibid.

the potential to escalate – Adenis perceive themselves to be living in a post-conflict phase. Asked about the biggest risks to families, women and children in Aden, people cited economic problems and especially unemployment; generally poor living conditions including lack of services and spread of diseases; security threats, including arms bearing, stray bullets (especially during weddings), sexual harassment, sexual violence and abduction of women and children; and drugs.

These security issues indirectly resulting from conflict cause distress and anxiety, but also have wider political and social implications. Feelings of insecurity and being under threat may contribute to decreased social cohesion, increased likelihood of joining non-state armed groups (for protection), increased arms bearing, and decreased trust in the state and state institutions and therefore a decrease of possibilities for building a new social contract. Restrictions on movement which result from high levels of insecurity reduce opportunities for political participation (such as attending public meetings). This is especially the case for women, as social perceptions mean that families see women as more at risk and thus impose more limitations on movement on female than male members of the family (Saferworld 2013: i).

Negotiating the Peace: Whose Security?

As we have seen from other contexts, while peace negotiations are often driven by the imperative to reach cessation of hostilities, there is also a risk that civilians' experience of insecurity worsens in the post-conflict period. Many of people's concerns are due to indirect effects of the conflict and will not be resolved either by a cessation of hostilities, or measures limited to the status of military forces. Any peace agreement – or elements of the peace process, such as de-escalation committees – should be designed through a public security lens. This includes adequate attention to planning for public security provision (through the police, justice and penal sectors), including strategies to mitigate risks to people's safety and to the sustainability of the agreement.

A key institution in public security provision is the police. However, in the peace process initiated after the 2011 uprising, discussion of the police was limited, in comparison to the military. The National Dialogue Conference (NDC) produced very few outcomes relating to the police and addressing public security. The Military and Security Working Group outcomes were strongly focused on reform of the military. Only 14 references to "police" are included in the 35-page document (NDC 2013), and the few recommendations relating to public security are broad and do not have detailed guidance for implementation. Additionally, there is no mention of the role of alternative and informal justice providers and how they may relate to state security actors; a notable omission, given prevalence of informal justice mechanisms (Gaston

& Al-Dawsari 2014: 1). There is a clear disconnect between the priorities and needs articulated by Yemeni citizens which relate to the provision of public security, and how much attention was eventually given to this in the outcomes of the working group.

As noted in the cases of the Sudan and Kenya agreements, the mediation approach taken by international negotiators influences the shape and outcomes of peace agreements. Involvement of civil society, political parties or non-state actors in the process of peace talks brings in wider perspectives and ensures the mediation process is not only shaped by the interests of the parties involved in the conflict. When direct representation of these wider stakeholder groups is not possible in talks between the parties involved in the conflict, meaningful consultation and input into the structure, process and agenda of negotiations, and the content of any third party proposals can be undertaken by the mediation team.

Sequencing of civil society involvement in peace processes is important. In Kenya, the roadmap for SSR, with its provisions for strong accountability mechanisms built with civil society engagement, foundered after it was separated from the principal power-sharing agreement (Brereton & Ayuko 2016: 135-153). Additionally, in cases where there is limited knowledge and technical expertise in SSR, including policing, non-prescriptive technical support can support civil society participation. Enhancing knowledge in SSR supports the broadening of participation beyond those who are conventionally assumed to be legitimate contributors to discussions on security by virtue of holding a pre-existing level of expertise (often young people and women are especially excluded from this category).

Accountable Security Provision: Rebuilding State Legitimacy

In many post-conflict countries, SSR includes internationally sponsored programming interventions through bilateral or multilateral cooperation. While international SSR programs generally promote the role of the police as public security providers, they tend to focus on improving the operational efficiency of forces (military and police). More politically sensitive, long-term and challenging work to promote accountability to citizens and supporting the creation of bottom-up demand from citizens for responsible security provision is usually less well-resourced, and may be deprioritized due to other political and security imperatives. For example, in Yemen, counter-terrorism was a dominating concern for the US, which shaped their approach to SSR cooperation.

Accountability is at the core of democratic policing: it is essential to creating trust between police officers and communities, and to ensure policing

responds to citizens' needs (Mathias & White 2016). The accountability of police and other security forces to citizens is an essential part of (re)building state legitimacy. Yet in Yemen, the ongoing imperatives of winning the war, fragmentation and localization of security control, weak and contested chains of command, and the interests and approaches of external actors pose considerable challenges to any attempt to establish conventional internal or external accountability mechanisms. This security context is likely to continue – or become more fragmented and localized – for the foreseeable future. What possibilities are there for building accountability in such a context?

Mobilizing Communities in Ta'iz

This paper argues that there are opportunities to support building the bottom-up demand for public security and empower people to work within their context to make improvements in their experience of security. As well as having immediate positive impacts on peoples' daily lives, it is possible to establish programs that can contribute to building democratic governance in the future by promoting active and engaged citizenship and an understanding at different levels (in the community, local councils, security institutions and influential national/international actors) of what a safe and secure life for all means. Building or reinforcing relationships and channels for regular engagement between communities, civil society organizations and local councils centered on issues of security provision is an opportunity to shore up local government systems, while avoiding risks associated with engaging directly with security actors during a period of ongoing hostilities.

Saferworld's application of community security programming to improving security in Ta'iz is one such initiative.[3] Working with the National Organization for Community Development (NODS Yemen) the "Communities Making Peace" program was established in 2012 with funding from the Government of the Netherlands (2012-2016). The program was implemented in al-Muzafar (urban) and Ta'iziyya (rural) districts, establishing community groups who worked on addressing local security problems through community-led initiatives and advocating to the local authorities and police stations.

In 2011-2012 Ta'iz city experienced conflict, during which government security forces played a significant role in violence against civilians. By 2014, while residents noted improvements in the security situation, the role of the police in local security provision was weak (Saferworld 2015: 15). Police officers were afraid to patrol in al-Muzafar; in Ta'izziya the police were mostly absent,

3 The programming methodology is detailed in Saferworld 2014.

similar to many rural areas across Yemen (Yemen Polling Center 2013: 36; 2017: 94). In al-Muzafar, residents complained that the police only responded to those people who had money and influence. Local *'aqil*s (neighborhood representatives) were instead used to resolve problems and access the police. Nonetheless, residents emphasized their expectations that the state should provide fair and effective policing and justice (reflective of prevailing national opinion (Al-Dawsari 2016: 45-46)). The community groups in the program began to engage regularly with the local police officers, opening a dialogue for how the role of the police could be improved to meet residents' expectations.

After 2015, prospects for improvement of local policing collapsed. However, the community mobilization element of the program proved extremely successful. The majority of program participants continued to engage, becoming more active in the face of greater community needs and a collapse in service provision.[4] Nevertheless, even in the pre-war phase of the program, the reality was that the role of the state in security provision in the locations was weak, and that improving local security involved influencing a range of formal and informal stakeholders who make up the specific security context of those locations.

Conclusion

This paper has presented some reflections on the parameters for international actors' engagement in Yemen relating to security provision, asking how their interventions can contribute to improving citizens' experience and perceptions of violence, safety and security in Yemen. On the political level, any peace agreement(s) – comprehensive, partial, national or sub-national – can have a bearing on whether public security is appropriately addressed and prioritized in the post-conflict period.

However, in the context of ongoing conflict and continued fragmentation of power and control, there are opportunities for international actors to improve local security and lay the groundwork for better democratic governance in future. This requires maintaining a focus on the core issue of accountability to citizens in security provision. Realistically, in many parts of Yemen, the state is not going to be the primary public security provider in the near future. Localized approaches are needed; approaches which build on the specific local needs and governance arrangements in different governorates, engage

4 For case studies, see Saferworld 25.02.2016 and Saferworld 12.07.2016.

with informal security and justice systems and draw on the important human resources offered by local government, civil society and community mobilization.

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CARPO was founded in 2014 by Germany-based academics trained in the fields of Near and Middle Eastern Studies, Political Science and Social Anthropology. Its work is situated at the nexus of research, consultancy and exchange with a focus on implementing projects in close cooperation and partnership with stakeholders in the Orient. Since its establishment, CARPO has placed a special focus on Yemen-related projects. Alongside the conference on security sector reform co-implemented with the Konrad-Adenauer-Foundation of which this publication is a result, CARPO has recently completed the project 'Enhancing Women's Role in Peace and Security in Yemen', implemented in partnership with Saferworld and the Yemen Polling Center. CARPO is also a partner in the ongoing project 'Rethinking Yemen's Economy', co-implemented with DeepRoot Consulting and the Sanaa Center for Strategic Studies, and in the ongoing project 'Academic Approaches to Peacebuilding and Statebuilding in Yemen', co-implemented with the Institute for Oriental and Asian Studies at the University of Bonn and the Gender Development Research & Studies Center (GDRSC) at the University of Sanaʿa.

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The Konrad-Adenauer-Stiftung (KAS) is a German foundation closely affiliated with Germany's leading political party, the Christian Democratic Party, headed by Federal Chancellor Angela Merkel. KAS promotes political dialogue, civic education, social market economies and peaceful cooperation around the globe by running offices and programmes in 120 countries worldwide. It engages in civic education and consultancy, as well as in international cooperation for peace, freedom, and justice. Since its establishment in 2009, the KAS Regional Programme Gulf States (RPG) has been implementing projects in the countries of the Gulf Cooperation Council (GCC) and Yemen. In addition to strengthening political dialogue within the region and with Europe, the RPG focuses on issues of governance, social market economy, and empowering civil society in the region. With regard to Yemen, the RPG has been working in particular on civil society-related topics, such as conflict-sensitive media reporting and peace journalism.

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