



Working Paper

Bridging the Relief to Rehabilitation Gap in Yemen. A Conversation with National and International Experts

Essays from the Third International Summer School on 'Academic Approaches to Peacebuilding and State Building in Yemen', held in Amman, Jordan, 24.-29.07.2018

edited by Andrea Warnecke and Bilkis Zabara

Introduction

In late July 2018, the Institute of Oriental and Asian Studies (IOA) at the University of Bonn, Germany, the Gender Development Research & Studies Center (GDRSC) at Sana'a University, Yemen, and CARPO – Center for Applied Research in Partnership with the Orient held the third international summer school on 'Academic Approaches to Peacebuilding and State Building in Yemen'. The summer school was part of a wider three-year project implemented by these three institutes with generous funding from the German Academic Exchange Service (*Deutscher Akademischer Austauschdienst, DAAD*) through its Transformation Partnership program line. The objective of the project is to contribute to peacebuilding and state building in Yemen by strengthening ties between researchers, academic staff, students, and experts in the policy and development community. To this end, the project partners have jointly organized a series of international summer schools and research workshops covering a range of specialist topics with regard to peacebuilding and state building as well as academic skills such as field work methods, policy analysis, and paper-writing.

The 2018 summer school introduced students to the theory and practice of linking relief, reconstruction, and peacebuilding efforts in Yemen in light of the ongoing war. As the fighting and airstrikes in Yemen

have continued unabatedly, several international governmental and non-governmental organizations have had to reconsider their approaches to delivering aid during war. In particular, humanitarian aid and assistance have at times been politicized by the warring parties or altogether withheld by denying access to areas most at risk. At the same time, a number of parties to the internationalized war in Yemen simultaneously act as humanitarian donors, throwing into question the degree to which such aid adheres to the traditional humanitarian principles of humanity, impartiality, and neutrality (Weller 1998). However, as the authors of our first essay on 'The Politics of Relief and Reconstruction' emphasize, in addition to the politics surrounding the provision of aid, experts and practitioners alike have also increasingly highlighted the need to combine such assistance with efforts for societal, political, and economic reconstruction. The challenge thus conceived involves combining immediate and indispensable relief (food security, health and sanitation, housing) with efforts towards aiding the reconstruction and rehabilitation of the country.

Both the provision of immediate disaster relief and the assistance of mid- to long-term recovery processes require the maintenance of a minimum level of security for national and international staff, albeit to varying degrees. Accordingly, the authors of the second essay on 'Security in Yemen' discuss complementary approaches to maintaining security for the overall population once the war and intermittent airstrikes as the most immediate threats have been terminated. In their view, in addition to measures by traditional security measures (such as peacekeeping, policing etc.), an inclusive peace process and a media that highlights inclusiveness rather than divisions are key ingredients to a comprehensive security strategy.

The third essay on 'Justice, Reconciliation, and the Political Framework' considers the tension between peace and justice in the post-war transition phase. Revisiting some of the recommendations by the 2013 Transitional Justice Committee of the National Dialogue Conference (NDC) against the subsequent expansion of the actor base involved in the Yemeni war, the authors suggest addressing the compatibility of national and sub-national, including traditional, transitional justice mechanisms by introducing a subsidiarity mechanism. Such a mechanism would ensure that the reconciliation process is driven by the community as far as feasible while simultaneously re-affirming the role of the central (federal) state. A central challenge in such an effort of aligning national with sub-national initiatives would be the question of how to encourage and ensure the implementation of reform policies, such as the increase of female participation, that have been agreed on the national level at the sub-national level.

The question of gender equality was also tantamount to the discussions on the socio-economic reconstruction of Yemen. Accordingly, the authors of the fourth essay discuss the available data on female employment and economic participation, arguing that most female economic activity in Yemen is 'invisible', i.e. tied to the household and informal sectors. As the authors argue, promoting small and medium sized enterprises (SMEs), microfinance opportunities, and specialized trainings appear to be the

most promising approaches to enhancing the contribution of women in the formal economy, but should be complemented by a reconsideration of the changing role of women in society, particularly given the societal upheavals of the war.

The following essays summarize the discussions of practitioners, students, and academics on the conundrums of the relief and rehabilitation nexus in general and in Yemen in particular. Given the format of the present report and the complexity of the Yemeni war, the essays collected here hardly allow for an in-depth treatment of the manifold challenges facing Yemeni society after years of war, but aim to reflect on the ideas and suggestions that resulted from an intensive exchange between Yemeni and German practitioners, students, and academics.

(1) The Politics of Relief and Reconstruction

Thomas Eißler, Osama al-Ansi, Safwan Abdullah, Sarah Ultes

When analyzing relief and reconstruction in the Yemeni conflict, their political implications and instrumentalization processes seem to pose a major threat to sustainable peacebuilding. To address the main challenges, the complex emergency situation on the ground is briefly sketched out before discussing possible ways forward for actors on the local, regional, and international levels. Concerning relief and humanitarian aid, while the United Nations (UN) continuously stress that the Yemeni conflict has given rise to the world's "worst man-made humanitarian crisis of our time" (UN OCHA 2018), it remains a comparably overlooked or even forgotten crisis. In addition, mirroring global developments, the Yemeni context witnesses an increasing engagement of new donors from the region, with the Kingdom of Saudi Arabia (KSA) and the United Arab Emirates (UAE) being the top humanitarian donors alongside their major allies like the United States and the United Kingdom. The former are at the same time parties to the conflict, have substantial strategic interests, and are claimed to have frequently disregarded international humanitarian law (HRW 2018).

Besides governmental actors, semi-public foundations and private actors, such as the Saudi-affiliated King Salman Center or the UAE Red Crescent, provide mainly one-sided support to areas under the control of the Hadi government. Given the already complex conflict situation internally, this not only hampers but contradicts an adequate humanitarian response based on the main humanitarian principles set forth by the International Committee of the Red Cross (ICRC) and grounded in international humanitarian law, namely: universality, impartiality, neutrality, and independence. Struggles over access (such as to Ma'rib or al-Hudaydah), appeals to leave certain areas (such as the North), or biased media reporting increasingly politicize humanitarian assistance and push it to be distributed along the lines of the conflict parties. Although the internationalization of the conflict is at times addressed in negotiations over access, loose chains of command pose major threats to the actual delivery on the ground. What is more, humanitarian aid has become an important resource employed to prolong conflict as it feeds into greed and legitimacy-seeking dynamics of the parties involved. There are also claims that conflict parties on the ground have captured deliveries of humanitarian aid, sold them on the market, and thereby sustained and fueled the war economy in Yemen.

In line with the recommendations of the UN World Humanitarian Summit (WHS) in Istanbul 2016, immediate disaster relief and mid- to long-term reconstruction efforts are increasingly merged in the Republic of Yemen. To further complicate matters, the field of development aid also encompasses regional actors affiliated with regional conflict parties (e.g. the UAE). These mainly provide aid to enhance their own political interests in certain areas, which in turn is seen critically by conflict parties within Yemen. By contrast, UN agencies follow a de facto all-Yemeni approach even though their mandate only allows them

to cooperate with the internationally recognized government on the political level. As Yemen remains at war, obstacles and the imposition of hostile conditions for relief and reconstruction efforts will continue to cause significant challenges with regard to accessing the entire country. For Yemenis, the immediate future promises a sustained downward spiral as the continuing collapse of essential services, the substantial rise in commodity prices, and a massive health sector deficit to handle cholera and diphtheria outbreak pose profound challenges. For effective relief and reconstruction efforts to succeed, it is important to acknowledge the increasing conflict complexity, its political implications, and the urgent need for political consent across several levels:

On the local level, humanitarian actors need to acknowledge that their aid is a politicized conflict resource, which partly exacerbates war and thus increasingly has to be monitored and assessed, for instance by employing smart technology and third party supervision, in order to become part of a strategy for conflict reduction. All local parties to the conflict should lift their restrictions on the delivery of humanitarian supplies to not further aggravate the humanitarian catastrophe. On the regional level, the member states of the Saudi-led coalition similarly should lift the blockade imposed on the Republic of Yemen since March 2015 to guarantee the delivery of humanitarian aid across conflict lines. On the international level, external actors should consider new resolutions to put political pressure on all parties involved. The peace talks should be expanded to include a broader range of actors from all levels to confront their incentives and benefits from continuous warfare and to acknowledge the increasing complexity of the conflict as a first step towards sustainable peacebuilding.

(2) Security

Abdulwahab Mohammed Ali, Ghadeer Hussein Ahmed

The ongoing war and indiscriminate airstrikes are the main challenge to peace, security, and stability in Yemen. Infrastructure and other public facilities, even wedding parties, funerals, and crowded markets have been targeted repeatedly. Airstrikes have destroyed many schools in Yemen causing massive damage to education and forcing students to drop out of schools, which is considered a main resource for the fighters.

This conflagrant situation creates many challenges that also threaten long-term security in Yemen, such as:

- Increased numbers of internally displaced persons (IDPs), who are vulnerable to many security risks and to the possibility of being exploited by different groups, for instance through recruitment;
- The uncontrolled proliferation of arms, which has accumulatively contributed to the creation of small armies and military groups out of the state authority during the war;
- The weakness of the security forces and organizations, which are unable to address the uncontrolled and insecure situation due to their unruly branches;
- Landmines and their spread over large areas and large parts of territory that were battlefields or nearby them. This also pertains to unexploded bombs left behind after battles.

The most crucial step to solving these challenges is ending the war in Yemen. For this reason, peace talks should be conducted between the conflict parties in Yemen, involving all actors, both internal and external. Women and youth should also be involved in these peace talks, for example by enabling experienced Yemeni women to participate effectively in the peace talks and to ensure their suggestions are taken into consideration. The role of the media in this approach is to reflect the desire of the people to live together in peace, and to present what people have in common instead of inciting hatred by alleging treason. Yemeni media organizations should start to deliver constructive messages. Beyond the negotiation of a comprehensive peace agreement, post-conflict recovery and reconstruction in the security sector include the return of IDPs into their homes, peacekeeping, training and reforming the local police and military, the disarmament, demobilization, and reintegration of fighters (DDR), ensuring the control of state borders, fighting against criminal networks, mine clearance, and disallowing civilians to carry weapons, all of which are key aspects for attaining security in Yemen.

(3) Justice, Reconciliation, and the Political Framework

Felix Brönner, Louisa Hofmann, Markus Sattler, Huda Taher

I. Justice and Reconciliation in Yemen

Justice and reconciliation issues ought to be tackled early on in the reconstruction phase of the respective conflict. For a long time, an approach to peace negotiations was to accept compromises with perpetrators of atrocities, such as amnesties, to end war, as local actors want to avoid being convicted and might sabotage peace or use justice institutions to dispose of political rivals. However, in recent years, there has been a shift regarding the understanding of the link between justice and peace as complementary rather than exclusive factors. Sustainable peace requires going beyond the immediate goal of ending the war and relies on justice. If victims are not heard and the overall trauma is not addressed the danger of recurring grievances is high. Drawing on many experiences and approaches to transitional justice worldwide, we hold that international institutions like the International Criminal Court, criminal tribunals set up by the Security Council, or hybrid tribunals have to be ruled out in the case of Yemen because of the number of internal and external actors involved and the strong backing of the Saudi-led coalition by powerful countries and Security Council veto powers.

Regarding the complexity of the conflict at the local level, the peace vs. justice debate provides some arguments for transitional justice to concentrate primarily on reconciliation, particularly in a country suffering from an interconnected chain of conflicts rooted in deep divisions within Yemeni society. The Gacaca-courts in Rwanda provide a possible example for enhancing transitional justice as reconciliation, including through mechanisms such as the restitution of property. Reconciliation might offer a deeper and more sustainable approach to peace and transitional justice in Yemen. On the other hand, this approach might not meet the demands arising from the respective communities. The essential aim in our eyes is to implement a framework that satisfies the grievances of victims and their relatives while discouraging vigilante justice at the same time. To achieve this, policy-makers and those setting the terms for a post-conflict reconstruction and reconciliation process must bear in mind the tradition of revenge killings in Yemen, which might be the result of 'truth commissions' or similar processes. International actors ought to consult with and listen to Yemeni experts on local conflict resolution mechanisms and Yemeni society and culture before pressing for a model that might not be applicable to the Yemeni context.

II. National Dialogue Conference (NDC): Transitional Justice Committee (TJC) (2013)

The National Dialogue Conference (NDC) was a comprehensive conference of all Yemeni parties held in Sana'a from 18th March 2013 to 25th January 2014 to bring forward recommendations for a new social

contract and the bases of a new constitution. The NDC was organized by the transitional government with United Nations support and divided into nine working groups. Taking into account the composition of the National Dialogue Conference and its legitimacy, we recommend referring to the results of the conference as a framework for transitional justice in the country. One of the outcomes of the NDC was to establish a federative state solution according to which Yemen should be divided into several regions with a certain degree of autonomy. More specifically targeting the justice issue, the Transitional Justice Committee (TJC) of the NDC covered a variety of topics such as truth finding, victim protection, the reintegration of “terrorists”, apologies offered by the state, the accountability of perpetrators for breaches of human rights/humanitarian law, land distribution and IDPs, introducing a remembrance culture, and enhancing the participation of women. The last aspect underlines the general need to address all marginalized and underrepresented factions (in the case of women, at least 30% female representatives should be included in the TJC as decided during the NDC).

III. Beyond the NDC

As the conflict continues to exacerbate existing cleavages within the Yemeni social and political system and to create new ones, the recommendations of the NDC require some reconsideration even if they still form a common legitimate ground to rely on. The difficulties mentioned in the final report of the NDC still exist and have, if anything, worsened, resulting in further grievances and trauma. Taking into account the substantial increase in internal and external actors involved in the conflict, the following adjustments are proposed: It is important to employ traditional conflict resolution techniques and rituals to complement a centralized (possibly UN supervised) transitional justice commission. One way of achieving this could be the adoption of a subsidiary mechanism whenever credible justice mechanisms exist that support the general aim of reconciliation and ultimately increase the legitimacy of the transitional justice process. This would require a process to attain a minimum consensus concerning the traditional mechanisms to be employed to prevent exhausting and time-consuming debates afterwards. Challenges to such an endeavor, however, would include the fulfillment of the 30% participation requirement of women stipulated in the NDC reports, as women usually play no formal role in tribal mediation and reconciliation rituals.

(4) The Socio-economic Framework

Fadhilah Gubari, Stefanie Knoll, Sarah Seidel

The violent conflict in Yemen has had a devastating impact on the country's economic and humanitarian situation. Airstrikes have destroyed livelihoods and caused serious damage to infrastructure, water supply, and health systems, which has translated into food-insecurity and famine. While humanitarian relief is urgently needed during the ongoing conflict, restoring Yemen's socio-economic foundations will be a major challenge and condition for successful long-term peacebuilding. Considering women's substantial role for economic growth and development, fostering their active participation in the Yemeni economy should be key in order to achieve sustainable peace in Yemen. Following this rationale and drawing on conversations with Yemeni women who are studying and working in Sana'a, in the following we will focus on a gender perspective on the socio-economic aspect of peacebuilding in Yemen.

The Global Gender Gap Report of the World Economic Forum that benchmarks 144 countries on their progress towards gender parity ranks Yemen 141 in terms of economic participation and opportunity (Global Gender Gap Report 2017: 11). As stated in the UNICEF Yemen Gender Equality Profile, the labor market participation of Yemeni men aged 15 and above is three times higher than that of the corresponding female group – 74% and 20% (UNICEF 2011: 7). The limited participation of women reflects the cultural and legal frameworks that restrict women's access to and participation in the formal economy. The Personal Status Law of 1992 stipulates that a woman must be obedient to her husband and that she needs her husband's consent to work outside of the household (World Bank 2014: 2). Accordingly, when gathering information on women's role in the Yemeni economy, we faced an obstacle which is very common in gender research: the difficulty to find relevant and reliable data, partly due to the fact that many women are working in the informal sector or in the household and are therefore "invisible". In terms of practical approaches to promote female entrepreneurship and economic participation, international as well as local organizations should therefore focus on the promotion of small and medium sized enterprises (SMEs) and microfinance as well as trainings targeting women. Regarding access to financial resources, Yemeni women do not need the consent of their male guardians or husbands to receive any form of financial credit.

Another major point that needs to be considered is the tradition and narrative in which women are raised. In the case of Yemen, the standard picture of an average woman's life largely comprises marriage, working in the household, and being a mother. This role is reproduced within society and also affects the way women are viewed. However, due to the impact of the prolonged conflict on the economic situation of most households in Yemen, there has been change in the roles and distribution of responsibilities between men and women. Given the lack of available job opportunities for men, it has become more acceptable for Yemeni women to contribute to the household income and women have become more engaged in

employment and community issues, particularly in humanitarian work (CARE 2016: 4). Female Yemeni entrepreneurs have also come up with creative forms of connecting, facilitating business, and furthering their training and finding jobs via social media, which they also use for marketing purposes (GIZ 2017). A challenge, however, will be maintaining this emerging gender flexibility in post-conflict times.

For future and more in-depth research, there is a need for further gender analysis and data. This is not only crucial for research purposes, but also to enhance the efficiency of development programs and trainings. In order to facilitate women's participation in the labor market, work programs should focus on sectors to which women have had access before the conflict and therefore avoid societal tension. Nevertheless, the Yemeni conflict can also be seen as a possibility for women to open up doors that have been locked before and to empower them to expand their roles for achieving sustainable peace.

Literature

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About the Project

This paper – and the summer school this paper is a result of – are part of the project “Academic Approaches to Peacebuilding and State Building in Yemen”, which was funded by the German Academic Exchange Service (DAAD) in the framework of its Transformation Partnership from 2016-2018. Against the backdrop of the ongoing war in Yemen, this project aimed at contributing to peacebuilding and state building in the country. This objective was to be achieved by strengthening ties between researchers, academic staff, students and – subordinately – to experts in the policy and development community in order to develop ideas and find new ways of academic support to respective endeavors. A particular focus was placed on the promotion and support of young academics and women. The editors of this Working Paper, Dr. Andrea Warnecke and Dr. Bilgis Zabara, jointly coordinated this project in the summer of 2018.

Website: www.bonn-sanaa.de

Project Partners

The *Institute of Oriental and Asian Studies (IOA) at the University of Bonn* was established in 2005. From 2012-2014, the Department of Near and Middle Eastern Studies at the IOA successfully implemented a research project on the 2011 upheavals in Yemen and the subsequent transition process. This project was funded by the Volkswagen Foundation and co-implemented with an independent Yemeni research institute, the Yemen Polling Center.

Website: www.ioa.uni-bonn.de

The *Gender Development Research & Studies Center (GDRSC)* at Sana'a University was founded in 2003. It offers a ‘Master in International Development and Gender’ in English, providing students with concepts, theories and methodologies of development studies with a particular view to gender issues. Given the situation in the country over the past years, issues relating to peace and conflict studies have necessarily become a focus of staff research interests as well as training and consultancy. The above-mentioned master thus aims at linking research with policy.

Website: www.gdrsc.net

The *Center for Applied Research in Partnership with the Orient (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 inception, CARPO has implemented several projects focusing on Yemen.

Website: www.carpo-bonn.org