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The Failure of the Transitional Process in Yemen

The Houthi's Violent Rise to Power and the Fragmentation of the State

Mareike Transfeld

On 22 January 2015 the Yemeni president and government resigned in protest at their own political powerlessness. The transitional process initiated in 2011 has failed. The Houthis, a rebel movement from northern Yemen, reject the federal division of the country as stipulated in the draft constitution of January 2015, and have seized control of state institutions by force of arms. Opposition to the movement is growing, particularly in central and southern Yemen. Meanwhile Al-Qaeda in the Arabian Peninsula (AQAP) risks gaining in strength. Germany and its European partners must urge all parties to the conflict to find a political solution, in an effort to counteract the ongoing fragmentation of the State and prevent further escalation of the violence.

On 17 January 2015 the Yemeni government published a draft constitution, which had emerged from the transitional process backed by the United Nations (UN). Following its publication, there were heavy clashes between Houthi rebels and government forces on 19 January, with especially fierce fighting over the presidential palace in Sanaa. The intention of the Houthis, who are officially known as Ansarullah (Partisans of God), was to force through changes to the constitution by escalating their use of violence. They categorically reject a key provision of the draft constitution, namely the division of Yemen into six federal regions.

This presented President Abdrabbuh Mansour Hadi with a dilemma. Any con-

cessions to the Houthis would not only have nullified the achievements of the transitional process, they would also have entirely delegitimized the government. However, had he rejected the Houthis' demands, he would have provoked further violence.

A referendum on the new constitution, to be held this spring along with presidential and parliamentary elections, was meant to conclude the transitional process, which is supported by the UN, the European Union (EU) and the Gulf Cooperation Council (GCC). The transition had been initiated in November 2011, after a ten-month-long national uprising against the then-president Ali Abdullah Saleh. At the time, the GCC had mediated an agreement which was signed by the then-ruling General People's Con-

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SWP Comments 6
February 2015

gress (GPC) and an alliance of opposition parties consisting primarily of the Yemeni Socialist Party and the Islah party (a large proportion of which is actually the Muslim Brotherhood). In December 2011 a National Unity Government was formed in equal parts of members of the former ruling party and the opposition alliance. Former vice president Hadi was elected president for the period of transition. There was no rival candidate.

The federal structure

The so-called National Dialogue Conference (NDC) was held from March 2013 to January 2014, providing a platform for various political and social groups to discuss political reform, a new state structure, and efforts to settle the internal conflicts. One crucial result of this conference was its vote for a federal structure dividing the country into six regions. It was hoped that this would solve existing conflicts, especially those with the separatist movement in southern Yemen and the Houthis in the North.

However, there was no consensus on the outcome among conference delegates. The representatives of the political parties, Houthis and separatist movement were unable to agree into how many regions Yemen should be divided. As a result, Hadi entrusted a separate commission with clarifying the issue, which pronounced itself in favour of a six-region solution. This vote in turn formed the basis for the draft constitution presented in January. When the commission's decision was made public, the Houthis responded by violently expanding their control over northern Yemen. Initially, their discontent had been focussed solely on the region intended for them, since it would have kept them isolated and without access to the sea. However, in the course of their subsequent ascent it has become increasingly clear that they now lay claim to the entire country.

The rise of the Houthis

The Houthis have their roots in northern Yemen, close to the Saudi Arabian border. They emerged from a movement that formed in the 1990s to defend the religious traditions of the Zaidis against the incorporation of Sunni practices promoted by the central government. The Houthis' hostility was motivated by concerns about protecting their specific identity, by their discontent with the role of the Yemeni government in the war on terror, and by the general political and economic marginalization of their remote northern region. From 2004 and 2010 they were openly at war with the government, a conflict that created substantial refugee flows – in July 2010 around 340,000 refugees were recorded. In 2011 the Houthi movement joined the protests against the regime.

Current events are a continuation of the Houthis' previous activities, which has seen them rely on protests as well as armed confrontations since 2014. In September 2014 Houthi fighters captured the capital and occupied central state institutions including the army headquarters and state television. On 21 September a provisional halt was called to the armed clashes after the government and Houthi movement had signed the so-called Peace and National Partnership Agreement.

The Agreement was meant to put an end to the Houthi campaign of violence and at the same time enable progress in the transitional process. Along with transparency, economic reforms, and a war on corruption, the Houthis demanded the formation of an inclusive government that would also comprise representatives of the Southern separatist movement (Hirak).

Hirak is a fragmented movement that has been demanding the creation of an independent state in the South since 2009. The population of the formerly independent South has felt politically and economically disadvantaged compared to the North ever since the two parts of the country were united. The transitional process did not genuinely address Hirak's demands,

namely, the release of political prisoners, a solution to land conflicts, and the creation of a united region in the South as a potential precursor to full independence.

Hirak appeared to be the loser of the transition. The fact that the Houthis backed not just transparency and economic reforms, but also the inclusion of Hirak in government, brought them legitimacy among Yemenis, who are hoping for a fully participatory system. However, the Houthis see Hirak's participation in a central government as a possibility for sidestepping that movement's demand for its own federal region.

The Houthis' armed campaign was primarily motivated by the shortfalls of the transition process initiated in 2011. They had been excluded from both the negotiations on the GCC-mediated agreement and the creation of the 2011 government (as had Hirak). Their influence on the transformation of Yemen was thus marginal. The movement was not in fact represented until the Dialogue Conference.

Resentment over the six-region solution, which also ran strong in ex-president Saleh's People's Congress and in Hirak, played into the Houthis' hands as much as did the government's failure to act. The Hadi government did not implement reforms, nor did it combat corruption. As of early 2014, with the security situation and economy deteriorating, and the government losing its legitimacy, the Houthis were able to mobilize parts of the population against it. In August 2014 they led not just thousands of their own supporters onto the streets, but followers of ex-president Saleh as well.

The balance of power in Sanaa

During the political transformation, the balance of power among the Sanaa elites has changed as did the interests of the regional powers, with both changes favouring the Houthi movement. The restructuring of the military as stipulated in the GCC agreement – during which high-ranking officers were replaced – weakened the position of

former president Saleh and led to a fragmentation of the security apparatus. On the other hand, it gave a political boost to the former opposition party Islah, which in turn led its opponents to back the Houthi movement as a counterbalance. The fact that Saudi Arabia withdrew its support from Islah during this phase gave the Houthis an advantage that enabled them to advance on the capital and trump Islah militarily. While Saudi Arabia's influence in Yemen has noticeably waned, Iran has gained opportunities for expanding its influence through the advances of its allies, the Houthis.

The growing power of the Houthis also created a convergence of interests with followers of ex-president Saleh, who have likewise positioned themselves against Islah and President Hadi. Many tribes subsequently joined the Houthi movement or at least concluded non-aggression pacts. The tribes' support, and the looting of the state arsenal, put weapons and equipment into the Houthis' hands that made their armed victory possible. Substantial sections of the military did not intervene when the Houthis seized power, apparently approving of the movement's mounting strength and the accompanying decline of Islah. The events also demonstrated ex-president Saleh's continued influence over the armed forces: the army's non-intervention worked in his interest. His followers hoped this might derail the transitional process, weaken Hadi, and eventually clear the path for their return to the highest political office. The Saleh family has, in fact, increasingly garnered the support of a population faced with massive destabilization and social polarization into either followers or opponents of the Houthis.

The undermining of the state

The technocratic government sworn in on 8 November 2014 on the basis of the Peace and National Partnership Agreement consisted of well-known politicians from across the political spectrum as well as “new faces”

from civil society and the independent youth movement. While its composition made it look more promising than previous governments, it was unable to implement the reforms stipulated by the Agreement. The principal obstacles lay in the superior strength of the Houthis, widespread corruption, and the continuing violence throughout the country.

It has since become clear that the Houthis were less and less inclined to share power, and that the government was unable to put a stop to their hollowing out of the state apparatus. Rather than withdrawing their militias from the capital as stipulated, the Houthis have instead dug in and taken over certain functions of the state, for instance by setting up checkpoints. They have also begun intervening in the affairs of state institutions. The state broadcasting station and the agencies for national and political security, among others, have been under Houthi control since 19 January. Since September 2014, they have also been trying to expand their control of the area south of Sanaa by force of arms. As it stands, they are facing a powerless state apparatus: the president stepped down on 22 January; the armed forces are fragmented; and parliament awaits its legitimization pending elections.

Resistance from the South

With its strongly tribal structure and Zaidi faith, the Houthi movement has encountered resistance especially in central and southern Yemen. A majority of the population in those areas is not organized into tribes and follows the teachings of the Shafiite school of legal thought in Sunni Islam. The growing resistance there unites the opponents of the Houthis ever more tightly, with the result that the lines between Hirak, the tribes, and AQAP are increasingly and perceptibly blurred. AQAP has established itself above all in the South, but carries out its attacks against the state apparatus not just there but in the whole country. On 22 January Hirak leaders from various

provinces declared the South independent. This primarily symbolic act points to an escalation of the violence between the North and the South.

Prospects

By resigning, the Yemeni president and government have deprived the Houthis of the cover of legitimacy that had, until then, made their de-facto seizure of power possible. Despite the parties' ongoing attempts to find a political solution, there is now a real and pressing danger that the Houthis will proceed unilaterally, which would cause violence throughout the country to escalate further.

In the end, only the Yemeni stakeholders can lastingly counter the political crisis in Yemen, and then only through political action. Given the complex mesh of Yemeni actors, external military intervention is more likely to aggravate the situation. Since the international community no longer has any real influence on these stakeholders, it can only attempt to exert pressure by either approving or disapproving of specific Houthi actions. Germany and its partners therefore need to urge the Houthi movement to make real compromises; and they must reject its unilateralism. At the same time, they should insist that all stakeholders participate within the framework of the existing political institutions. It is especially important to integrate the Hirak leaders so as to prevent further radicalization of that movement.

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