FRIDE *Commentary*

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National Dialogue Conference

Yemen's creaky compromise

Ana Echagüe
Senior Researcher

Yemen's political transition process has, against many odds, managed to remain on track. In contrast to some other Arab transitions since 2011, it has been portrayed as a qualified success, mainly thanks the National Dialogue Conference, which concluded in January 2014. The National Dialogue was part of a Gulf Cooperation Council (GCC) initiative – which led to former President Ali Abdullah Saleh finally stepping down in November 2011 in exchange for immunity – and was conceived as a forum to debate the country's major political and constitutional issues. This was considered a necessary step to try to overcome deep political cleavages, and garner agreement on the general principles for the Yemeni state prior to drafting a new constitution and organising elections. The drafting of the constitution and subsequent referendum should be completed no later than 8 March 2015.

The initiative's international backers – known as the Group of 10 Ambassadors, representing the five permanent members of the UN Security Council, the GCC and the European Union (EU) – foresaw a two-year transition process led by Saleh's deputy, Abdrabbuh Mansour Hadi. The transition process has thus proceeded at a slower pace than in some other Arab states, such as Egypt and Tunisia – but for good reason. Yemen is a divided and fragile state, home to Al-Qaeda in the Arabian Peninsula (AQAP), and has a dire economic and security situation.

The process has unquestionably had positive aspects, not least the prevention, so far, of a return to civil war. It has also brought together representatives from a variety of political, social and geographic backgrounds to discuss issues key to the country's future, despite a very unstable security situation and deep divisions among the delegates. Nevertheless there have also been significant problems, in part derived from hesitancy on the part of the Group of 10

to push for more radical reform at the outset, for fear of further destabilising the country.

While the National Dialogue attempted to include a wide and representative sample of the population, it struggled to attract or keep engaged Houthi (Zaidi insurgents) and Hiraak (southern separatists) representatives. It also proceeded without much input from the youth who gave the 2011 protests their momentum. Some of the 2011 protestors have questioned the legitimacy of a transition process headed by a regime insider with a transitional government also formed by insiders: the ruling General People's Congress and the Joint Meeting Parties (the traditional opposition) – describing it as a reshuffle of power rather than regime change.

As a result, with President Hadi concentrating on power struggles between the different political factions, reform of government institutions has proceeded at a slow pace or not at all. Supporters of the president point to the complexity of the political situation given precarious security and Saleh's continuous meddling. They praise Hadi as a steady hand that slowly but surely is implementing changes (most recently making changes at the head of the interior and oil ministries as well as the intelligence services).

The main concern, however, is that the National Dialogue has left some important political roadblocks unresolved, such as the southern separatist movement. The Southern Issue Working Group (one of nine) was the only subcommittee unable to issue a final report at the conclusion of the National Dialogue. The group had agreed to the concept of a federal state, but there were profound disagreements on whether to have a Northern and Southern region (the option preferred by the South) or more than two regions.

To keep the process going, President Hadi appointed an external committee, which determined two weeks later that the state should be a six-region federation, a configuration opposed not only by southerners but also by Houthis in the North. Although the rationale for a six-region federation has not been forthcoming, from the beginning it was the option the regime preferred, for fear that a two-region state would allow the formerly independent South to reconstitute itself and possibly push for independence again in the future.

It is questionable whether the federal issue can be resolved to the satisfaction of all, but from the outset the UN and Group of 10 dismissed any talk of secession, essentially siding with the northerners. At the very least they should now urge the government to implement the set of confidence building measures (the 20 point programme) agreed before the start of the National Dialogue. If public buy-in of the proposal is still even possible (and some southern factions may boycott the constitutional referendum regardless), the government will have to signal to the aggrieved parties that their concerns are taken seriously, and that efforts are underway to make amends (the grievances in the South pertain to the North's victory in the 1994 civil war and the subsequent appropriation of lands, suspension of civil servants and overall discriminatory practices).

The controversy over the federal proposal shows that keeping a predetermined process going should not take precedence over adequately addressing political concerns. There are other key challenges that risk suffering the same fate. For instance, Hadi seems to be kicking the issue of transitional justice down the line and has been unable so far to convene a lasting ceasefire with the Houthis in the North. To be fair these internal challenges are complicated by the fight against AQAP spearheaded by the US and Saudi Arabia. For these external actors, security concerns trump issues of accountability and justice. Nevertheless, establishing the foundations of a durable state will require getting deep and dirty with the most intractable issues and it is here that the UN and Group of 10 should focus their efforts, advocating a thorough transition rather than simply an orderly one.