

Country/entity Yemen

Region Middle East and North Africa

Agreement name Subayha Treaty

Date 23 May 2024

Agreement status Multiparty signed/agreed

Interim arrangement Yes

Agreement/conflict level Intrastate/local conflict

Yemeni Civil Wars (1994) (2011 -)

The Republic of Yemen was formed in May 1990 after the merger between the Yemeni Arab Republic (YAR) in the north and the People's Democratic Republic of Yemen (PDRY) in the south. The unification process was rushed and the final agreement between President Ali Abdullah Saleh and President Ali Salem al-Beidh was based on the imperfect promise of equality. Following the merger, integration of the militaries and civil services was at best incomplete or at times entirely non-existent. When Saleh's General Congress Party (GPC) allied itself with the newly created Islamist Islah ('reform') party in 1993, the former ruling party of South Yemen – the Yemen Socialist Party (YSP) – was effectively side-lined in the 1993 General Elections. Violence involving the use of heavy weaponry and aerial bombardment erupted in April 1994 and on the 21 May 1994 Vice President al-Beidh declared the secession of the south, citing political centralization with the northern highland tribes, violence against the YSP and economic discrimination. In the midst of fighting, negotiations in Cairo, Egypt, collapsed. The war ended with the military victory of the north, and on the 1 October 1994, Ali Abdullah Saleh was elected President.

Despite the unification of Yemen in 1990, political power during the 1990s and 2000s remained centralized with the northern highland tribes, particularly the villages from which President Ali Abdullah Saleh and his confidants stemmed. The system of clientelism established through the ruling General People's Congress party maintained relative loyalty among the fractured political allegiances of Yemen's traditional tribal leadership. However, diminishing oil reserves and the shrinking opportunities for access to rent increased economic and political marginalization in Yemen's peripheral communities. The degree of regionalism of conflicts is further defined by other local grievances. In the northern governorate of Sa'dah, a backlash was provoked among the local Zaydi Shi'a against Sunni Salafist cultural incursions resulting in six wars between 2004 and 2010. In the southern governorates of Hadramawt, Shabwa, al-Dhali and Abyan, civil and military personnel forcibly retired after the 1994 Civil War began protesting and eventually formed the secessionist Southern 'al-Hiraak' movement in 2007. Furthermore, tribal grievances have spurred attacks on oil companies and government installations to extract rents. Various takfiri groups including al-Qaeda in the Arabian Peninsula have also increased their presence since 1995.

The Yemen Spring in early 2011 allowed all these movements to express their joint displeasure. Moreover, factionalism in the regime split the already weak military and thus allowed the Houthis, the takfiris and tribal-based militia known as popular committees, to assert themselves militarily. Mandated by the UN-sponsored Gulf Cooperation Council Initiative, the National Dialogue held from March 2013 to January 2014 aimed at guaranteeing power-sharing among the different parties. However, the GCC Initiative only included formal political parties that did not accurately reflect political realities. Furthermore, provisions lacked adequate transitional justice and provided former-President Saleh, as well as others, full amnesty. As a result, little faith was placed in the process by formerly marginalized groups such as the Zaydi Shia Houthi rebels (Ansar Allah) and al-Hiraak who opted to increase their bargaining power vis-à-vis the state by strengthening their own territorial enclaves. In September 2014 the Houthis succeeded in capturing the capital Sana'a and gradually expanded their control southward. The subsequent UN-mediated Peace and National Partnership Agreement between transitional president Hadi and the Houthis on a federal, democratic Yemeni state, failed to be implemented as the Houthis successfully dissolved the parliament and deposed Hadi in January 2015. Following the Saudi military intervention to restore the Hadi government in March 2015, ceasefire attempts continuously failed. A two-year

Stage Ceasefire/related

Conflict nature Other

Peace process Yemen Inter-group Agreements

Parties Office of Sheikh Abdulghani Muhiuddin Ali Salah

The Dignitaries, Sheikhs, and Elders of the Mudhayrah and Ras Al-Arah Districts:

- scholars
- dignitaries
- tribe members including elders, sheikhs, notable individuals,
- political and social figures,
- individuals and groups

Third parties -

Description Short internal tribal agreement to resolve violence between two districts within the Subayha tribal area in the south of Lahj governorate. Substantively the agreement adopts customary, traditional community enforcement and Islamic law related mechanisms, with long clauses and provisions referencing god and lifting of social cover for those members of tribe or community that violate the agreement. The agreement calls for ending of violence and bloodshed between tribal members and contains provisions for respect for the rule of law and basic human rights references, as well as dealing with criminal acts and behaviours that may jeopardise the agreement.

Agreement document [YE_240521_Subaiha Treaty_EN \(opens in new tab\)](#) | [Download PDF](#)

Agreement document (original language) [YE_240521_Subaiha Treaty \(opens in new tab\)](#)

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Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** Groups→Racial/ethnic/national group→Rhetorical
All members are committed to preserving its identity, defending its distinctiveness, and safeguarding its sovereignty, and avoiding stirring up tribal, sectarian, or religious strife that would tear apart the community.
5. The interests of Subayha and its people must take precedence over any political or partisan factions, and all efforts should focus on advancing what meets the aspirations of its people.
6. Only the people of Subayha represent the will of Subayha, and no one has authority over its land except its own people.
All are committed to enabling the people of Subayha to realize their rights and entitlements.
Groups→Racial/ethnic/national group→Anti-discrimination
We are one family, and there is no difference between black and white.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general All are committed to enabling the people of Subayha to realize their rights and entitlements.

7. We declare our disassociation from any individuals who act outside the law, belong to terrorist organizations, or promote drugs and harmful substances.
We will not support, defend, or harbor such individuals.
We commit to not spilling blood, not seizing wealth or rights, and to maintaining peace, security, and safety.

10. In accordance with this covenant, any individual who commits a crime or incident after this agreement will be held accountable for their actions.
Such incidents will be considered personal crimes and the individual will face legal consequences.
We commit to not sheltering or covering up these actions, and to turning them over to the judiciary for judgment.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts	No specific mention.
Prisons and detention	No specific mention.
Traditional Laws	1. The blood, wealth, and honor of every individual are sacred, and the only means of resolving disputes is through dialogue, adherence to Islamic law, and the inherited traditions and customs of our society, aiming to achieve consensus for social peace.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	6. Only the people of Subayha represent the will of Subayha, and no one has authority over its land except its own people.
Pastoralist/nomadism rights	No specific mention.
Cultural heritage	Land, property and environment→Cultural heritage→Intangible 1. The blood, wealth, and honor of every individual are sacred, and the only means of resolving disputes is through dialogue, adherence to Islamic law, and the inherited traditions and customs of our society, aiming to achieve consensus for social peace.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	We commit to not spilling blood, not seizing wealth or rights, and to maintaining peace, security, and safety.
Ceasefire	We commit to not spilling blood, not seizing wealth or rights, and to maintaining peace, security, and safety.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	<p>2. We must avoid treason, incitement, suspicion, and stand united against any aggressor, whether from outside the people of Subayha or from within the community, without distinction between the various components of society.</p> <p>7. We declare our disassociation from any individuals who act outside the law, belong to terrorist organizations, or promote drugs and harmful substances. We will not support, defend, or harbor such individuals.</p> <p>10. In accordance with this covenant, any individual who commits a crime or incident after this agreement will be held accountable for their actions. Such incidents will be considered personal crimes and the individual will face legal consequences.</p> <p>We commit to not sheltering or covering up these actions, and to turning them over to the judiciary for judgment.</p> <p>All signatories pledge to oppose such acts.</p>
Drugs	<p>7. We declare our disassociation from any individuals who act outside the law, belong to terrorist organizations, or promote drugs and harmful substances. We will not support, defend, or harbor such individuals.</p>
Terrorism	<p>7. We declare our disassociation from any individuals who act outside the law, belong to terrorist organizations, or promote drugs and harmful substances. We will not support, defend, or harbor such individuals.</p>

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.
