

<b>Country/entity</b>	Yemen
<b>Region</b>	Middle East and North Africa
<b>Agreement name</b>	Agreement Establishing a Union between the State of the Yemen Arab Republic and the State of the People's Democratic Republic of Yemen
<b>Date</b>	22 Apr 1990
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Interstate/intrastate conflict(s)

### **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

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Territory
<b>Peace process</b>	Yemen unification process
<b>Parties</b>	Colonel Ali Abdallah Saleh, President of the Republic Commander-in-Chief of the Armed Forces, Secretary-General of the General People's Congress.  Ali Salem A1-Beidh, Secretary-General of the Central Committee of the Yemeni Socialist Party
<b>Third parties</b>	-
<b>Description</b>	This is a short agreement providing for unification of the Yemen Arab Republic and the People's Democratic Republic of Yemen, to become "the Republic of Yemen." It establishes an interim Presidential Council to form the government of the Republic of Yemen, and to undertake functions authorized by the Constitution.

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**Agreement document** [YE\\_900422\\_AgreementEstablishingUnionYemen.pdf \(opens in new tab\)](#) | [Download PDF](#)

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## **Groups**

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## **Gender**

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## **State definition**

**Nature of state  
(general)** No specific mention.

**State configuration** Page 1, Article 1

...

The Republic of Yemen shall have one legislative, executive and judicial power.

**Self determination** No specific mention.

**Referendum** Page 2, Article 7

...

At the same meeting, the Presidential Council shall issue a decree convening the House of Representatives in order to decide upon the following items:

...

c) calling upon the Presidential Council to submit the Constitution to a general, popular referendum before the thirtieth of November 1990.

**State symbols** Page 2, Article 7

...

The Presidential Council is empowered to issue, at its first meeting, decrees which shall have the force of law regarding the emblem, flag and national anthem of the Republic.

**Independence/  
secession** No specific mention.

**Accession/  
unification** Page 1, Article 1.

...

On the 26th of May 1990...there shall be established between the State of the Yemen Arab Republic and the State of the People's Democratic Republic of Yemen (both parts of the Yemeni Homeland) a full and complete union, based on a merger, in which the international personality of each of them shall be integrated in a single international person called "the Republic of Yemen."

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

**Governance**

<b>Political institutions (new or reformed)</b>	<p>Governance→Political institutions (new or reformed)→Temporary new institutions</p> <p>Page 1, Article 2</p> <p>...</p> <p>After the entry into force of this Agreement, a five-member Presidential Council of the Republic of Yemen shall be established for the interim period.</p> <p>Page 1, Article 3</p> <p>...</p> <p>A thirty-month interim period shall begin on the date of the entry into force of this Agreement. During this period, the full membership of the Shura Council and of the Supreme People's Council shall constitute the House of Representatives; in addition, 31 representatives shall be appointed by a decree from the Presidential Council.</p> <p>...</p> <p>The House of Representatives shall exercise all the powers provided for in the Constitution; however, it shall have no power to elect a Presidential Council or to amend the Constitution.</p> <p>Page 1, Article 4</p> <p>At its first meeting, the Presidential Council shall issue a decree establishing an Advisory Council of 45 members. The Council's functions shall be defined in the same decree.</p> <p>Page 1, Article 5</p> <p>The Presidential Council shall form the Government of the Republic of Yemen which shall undertake all the functions authorized by the Constitution.</p>
<b>Elections</b>	No specific mention.
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.

**Public administration**

No specific mention.

**Constitution**

Governance→Constitution→Constitutional reform/making  
Page 2, Article 8

This Agreement shall enter into force upon its ratification, together with the draft Constitution of the Republic of Yemen, by the Shura Council and the People's Council.

Page 2, Article 9

...

Upon ratification, the provisions of the Constitution of the Republic of Yemen shall be deemed in force during the interim period, in accordance with the previous Article and subject to the other provisions of this Agreement.

Page 2, Article 10

The Constitutions of both previous Yemeni States shall be deemed abrogated upon ratification of this Agreement and of the Constitution of the Republic of Yemen by the Shura Council and the People's Council.

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→General  
State level

Article 1: On the 26th of May 1990 (corresponding to the first of Dhi'l-Qa'da of the Hegira year 1410), there shall be established between the State of the Yemen Arab Republic and the State of the People's Democratic Republic of Yemen (both parts of the Yemeni Homeland) a full and complete union, based on a merger, in which the international personality of each of them shall be integrated in a single international person called "the Republic of Yemen." The Republic of Yemen shall have one legislative, executive and judicial power.

Page 1, Article 2

...

After the entry into force of this Agreement, a five-member Presidential Council of the Republic of Yemen shall be established for the interim period. At their first meeting, the members of the Council shall elect a President and a Vice-President for the duration of the term of the Council. The members of the Presidential Council shall be elected at a joint session of the Offices of the Presidency of the Supreme People's Council and the Shura Council.

**Territorial power sharing**

No specific mention.

**Economic power sharing**

No specific mention.

**Military power sharing**

No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** No specific mention.

**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.

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## **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.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **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** No specific mention.

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## **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.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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**Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** No specific mention.

**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** No specific mention.

**Drugs** No specific mention.

**Terrorism** No specific mention.

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**Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	Page 2, Article 6 At its first meeting, the Presidential Council shall entrust a technical team to prepare a framework for reconsidering the administrative division of the Republic of Yemen so as to reinforce the Yemeni unity and eliminate the effects of partition.

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## **Implementation**

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	No specific mention.
<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	UN Peacemaker <a href="http://peacemaker.un.org/">http://peacemaker.un.org/</a> <a href="http://peacemaker.un.org/yemen-agreement-union90">http://peacemaker.un.org/yemen-agreement-union90</a>

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