

Country/entity	Yemen
Region	Middle East and North Africa
Agreement name	Agreement on the Implementation Mechanism for the Transition Process in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (GCC Implementation Mechanism)
Date	23 Nov 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

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	Framework/substantive - partial
Conflict nature	Government
Peace process	Yemen peace process
Parties	Not signed, agreement mentions the following parties as having produced it: the National Coalition (General People's Congress and its allies), the National Council (Joint Meeting Parties their partners).
Third parties	Not signed, agreement invites the following parties to sign: the the Secretary-General of the GCC and the Secretary-General of the United Nations or their representatives, the representatives of the States members of the GCC, the permanent members of the United Nations Security Council, the European Union and the League of Arab States.
Description	This short agreement details the transition mechanism, and provides for the transfer of power, settlement of disputes, and includes an Annexed Draft Presidential Decree.

Agreement document	YE_111123_Agreement on the implementation mechanism for the transition.pdf (opens in new tab) Download PDF
Agreement document (original language)	YE_111123_Agreement on the implementation mechanism for the transition_ar.pdf (opens in new tab)

Women, girls and gender

Participation

Participation→Effective participation

Page 6, Part III: First phase of the transitional period, Early presidential elections, Article 18

The early presidential elections shall be held in accordance with the following provisions:

... (b) Any citizen, male or female, who has attained the legal age for voting and can establish as much on the basis of an official document such as a birth certificate or national identity card, shall have the right to vote on the basis of that document;

Page 3, Part III: First phase of the transitional period, Formation of the government of national unity,

Article 10

... (a) Each party shall account for 50 per cent of nominees for the government of national unity, and due consideration shall be given to the representation of women. With regard to the distribution of portfolios, one of the two parties shall prepare two lists of ministries and transmit them to the other party, which shall have the right to choose one of the lists.

Page 7, Part IV: Conference for National Dialogue,

Article 20

With the beginning of the second transitional phase, the President-elect and the government of national unity shall convene a comprehensive Conference for National Dialogue for all forces and political actors, including youth, the Southern Movement, the Houthis, other political parties, civil society representatives and women. Women must be represented in all participating groups.

Page 8, Part VI: Concluding provisions,

Article 26

... Women shall appropriately represented in all of the institutions referred to in this Mechanism.

Participation→Citizenship

Page 6, Part III: First phase of the transitional period, Early presidential elections, Article 18

The early presidential elections shall be held in accordance with the following provisions:

... (b) Any citizen, male or female, who has attained the legal age for voting and can establish as much on the basis of an official document such as a birth certificate or national identity card, shall have the right to vote on the basis of that document;

Equality

No specific mention.

Particular groups of women No specific mention.

International law	<p>International law→General IHRL, IHL and IL</p> <p>Page 7, Article 21</p> <p>The Conference shall discuss the following issues:</p> <p>... (g)The adoption of legal and other means to strengthen the protection and rights of vulnerable groups, including children, as well as the advancement of women;</p>
New institutions	No specific mention.
Violence against women	<p>Violence against women→Protection (general)</p> <p>Page 7, Article 21</p> <p>The Conference shall discuss the following issues:</p> <p>... (g)The adoption of legal and other means to strengthen the protection and rights of vulnerable groups, including children, as well as the advancement of women;</p>
Transitional justice	No specific mention.
Institutional reform	No specific mention.
Development	No specific mention.
Implementation	<p>Implementation→Women's role and consideration in implementation of the agreement</p> <p>Page 8, Part VI: Concluding provisions, Article 26</p> <p>... Women shall appropriately represented in all of the institutions referred to in this Mechanism.</p>
Other	No specific mention.
