

The Consistent Law:

How laxity in Integrating Military
Formations makes Yemen Vulnerable
to New Cycles of War

Dr. Nasser Ali Mohammed Al-Taweel

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Political Analysis Unit

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Introduction

The success of the Presidential Leadership Council (PLC) and the political phase it leads depends generally on several factors, paramount among which is the full merger and integration of the military formations of the components affiliated with the Council within the framework of the Ministries of Defense and the Interior. This task was carried over from the Riyadh Agreement concluded between the legitimate internationally recognized government and the Southern Transitional Council (STC) in late 2019, before the STC was integrated into the Presidential Council, which has become the legitimate authority that enjoys international recognition.

The closing statement of the inter-Yemeni consultations, held in Riyadh (March 30 - April 7), which Saudi Arabia engineered and channeled to serve as an umbrella for forming and transferring power to the PLC, highlighted the crucial step of the full implementation of the provisions of the Riyadh Agreement between the Yemeni government and the STC. This paper focuses on the military and security clauses of this agreement. ¹

The presidential declaration, by virtue of which the Presidential Council was formed, states that one of the tasks of the council is "setting up the joint security and military committee to achieve security and stability." The committee is tasked inter alia with "creating the suitable conditions and taking the necessary steps to unite and merge the armed forces under a unified national leadership structure within the framework of the rule of law, ending the division in the armed forces and addressing its causes, ending all armed conflicts, creating a national doctrine for the army and security services, and any other tasks the Council deems appropriate for promoting stability and security." ² On May 30, 2022, the Presidential Council approved the formation of the joint security and military committee for achieving security and stability and to restructure the armed forces and the security apparatus. The Council agreed on forming a military and security committee consisting of 59 members, chaired by Major General Haitham Qassem Taher.

committee consisting of 59 members, chaired by Major General Haitham Qassem Taher. Major General Taher Ali Al-Aqili is appointed as deputy chairman, and Brigadier General Hussein Al-Hayyal as rapporteur and member. The Presidential Council approved the formation of a committee to evaluate and restructure the intelligence services, stressing the crucial role of these committees in carrying out their tasks. ³

While the consensual measures regarding the performance of the Presidential Leadership Council are expected to proceed at a good pace in the political and perhaps economic aspects, it is projected that the Council might not achieve the same degree of success with regard to the military and security aspects. In this latter, it is expected that the process will be burdened by numerous challenges. Because of the serious challenges posed by this issue to the transition created by the formation of the Leadership Council, its implication for peace and its impact on reducing the tension between the military formations affiliated with each of the STC and the legitimate government, and to facilitate achieve these goals, this paper examines the war rounds that erupt repeatedly because military formations are dispersed among multiple parties and due to the lack of commitment to the implementation of the military and security aspects in political agreements and settlements. The paper argues that failure to implement the military and security aspects has always been a key factor that pushed the country into cycles of war and violence.

Failure to integrate the army under the Unification Agreement

The announcement of the unification on May 22, 1990 necessitated the merger of governmental bodies and institutions in both parts of the country. The merger and integration of the military and other vital institutions was delayed. Integration was merely limited to deploying some military formations from the north to areas in the southern and eastern governorates and vice versa. The delay in the integration arose most likely from the bad faith of the two parties who ruled the two parts of Yemen before the reunification, the Yemeni Socialist Party (YSP) and the General People's Congress (PGC), which dominated the military units on both sides. It is also likely that this mutual position was a precautionary measure to deal with any undesired developments in the future.

A year after the unification, relations between the President of the then Presidential Council, Ali Abdullah Saleh, and Vice-President, Ali Salem Al-Beedh, grew tense, and this complicated and ultimately hindered the process of the merger of the armed forces in the new structure of the unified state.

As the political crisis between the PGC and the YSP loomed large on the horizon, the situation deteriorated further. Although the two parties held several meetings to merge the armed forces, all of those meetings failed to achieve the goal of uniting the armed forces of the two former states.⁴ The Yemeni Socialist Party deliberately delayed the integration of the armed forces due to its lack of confidence in its partner in power. It also used this technique as a card to safeguard the gains it obtained by participating in the announcement of the unification, to ensure its survival in power regardless of the results of the parliamentary elections, and to use the army in the case of reversing course due to disputes over ruling the unified state. Failure to merge and integrate the armed forces was one of the main factors that pushed both parties towards escalation of the crisis and resorting to a military rather than a political solution.

The Pledge and Agreement Pact, which was approved by the National Dialogue Commission, attempted to address this issue. It pointed out the need to "evacuate the cities from the armed forces, and their redeployment of military units within the framework of one central plan, in preparation for their integration, organization and rectification. Redeployment shall be carried out within the context of building a modern national army that reflects national unity and conforms to the democratic approach away from any territorial, familial and tribal considerations. All military units shall be treated equally without any forms of discrimination or exclusion, provided that the armed forces report directly to the government. No military or paramilitary forces affiliated with any other party may be established." ⁵

The Pledge and Agreement Pact remained dead letter because the two parties of the crisis were not serious about implementing its articles. They were merely using negotiations to win time to complete their military arrangements for resolving the issue by force. For this reason, the country quickly slipped into a civil war in 1994, a war that could have been avoided if the armed forces had been merged. This was the first major event in which the non-integration of the armed forces under one authority and command led to a painful cycle of war and fighting.

Abortive integration of the armed forces in light of the Gulf Initiative

The same scenario recurred during the transitional period in the wake of the popular youth revolution of 2011, albeit in a somewhat different way.

The Yemeni army suffered from undeclared divisions, due to the political conflict, and the opposition's accusations of former President, Ali Abdullah Saleh, of harboring intentions and even taking practical steps towards transferring and bequeathing power to his oldest son. In the context of developments of the revolution, those divisions came to the surface. Following the events of the Friday of Dignity on March 18, 2011, in which more than 50 of the revolutionary youth were killed, Lieutenant-General Ali Mohsen al-Ahmar and a large number of commanders of regions and military units announced their support of the revolution. As a result, the army units and the security services underwent a state of sharp division and polarization, and the country was on the verge of a devastating war.

International pressure and the sagacity and prudence of the main Yemeni parties succeeded in precluding and thwarting a civil war, opting instead for a political path based on consensus, through a political settlement that culminated in the Gulf Initiative. The Gulf Initiative stressed national reconciliation and removing elements of political and security tension. Its implementation mechanism stressed the need of "setting up the Military Affairs and Security and Stability Committee, headed by President Abd Rabbo Mansour Hadi," whose tasks would be to "end the division in the armed forces, address its causes, and evacuate the capital and the other cities and towns from militias and armed and irregular groups, as well as rehabilitating those who do not meet the conditions of service in the armed forces and security services, provided that, during the transitional period, the committee creates the conditions and takes the necessary steps for carrying out the integration of the armed forces under a unified professional and national command structure within the framework of the rule of law." ⁶

The Military Affairs Committee succeeded in easing tensions and normalizing life, especially in Sana'a and Taiz. Then it focused on rebuilding the armed forces in a way that ends the division and secures the new phase by unifying the armed forces under the leadership of President, Abd Rabbo Mansour Hadi, as a prerequisite of ending the state of quarrels and creating better opportunities for the success of the political transition and ensuring stability in the country.

On December 19, 2012, President Abd Rabbuh Mansour Hadi issued Decree of the President of the Republic and Supreme Commander of the Armed Forces No. 104/2012 on the organizational structure of the armed forces. The Decree defined the main components of the armed forces in five sub-divisions: ground forces, air forces and defense, naval forces and coastal defense, border guards, and the strategic reserve. The theater of operations was also reviewed and the armed forces were redistributed in seven military regions,⁷ instead of five, as shown in the following table.

Table 1: Military regions and deployment areas of the Yemeni Army

No.	Military Region	Deployment Areas	Command Headquarters
1	First Military Region	Hadhramout Valley	Seyoun
2	Second Military Region	Hadhramout Coastline, Mahra, Socotra	Mukalla
3	Third Military Region	Marib, Shabwa	Marib
4	Fourth Military Region	Aden, Lahj, Abyan, Al-Dhali', Taiz	Aden
5	Fifth Military Region	Hodeidah, Hajjah	Hodeidah
6	Sixth Military Region	Amran, Saada, Al-Jawf	Amran
7	Seventh Military Region	Thamar, Sana'a, Al-Baidha, Ibb	Thamar

Source: multiple sources

New positions and bodies were also created in the army command. The Republican Guard and the First Armored Division were dismantled and their affiliated military units were distributed among the newly created military regions and reserve forces. With great difficulty, the military and security leaders affiliated with the former regime were changed, including Ahmed Ali Abdullah,

who was appointed as Yemen's ambassador to the United Arab Emirates. Changing these leaders was a major demand of the protesters and a step towards the fulfilling political change demands. As for Lieutenant General Ali Mohsen Al-Ahmar, he welcomed the changes. He lost his position as commander of the First Armored Division and was appointed as President Hadi's advisor for defense and security affairs.

As the process of restructuring the armed forces and the security apparatus was going on, albeit slowly, the huge requirements that were crammed into the transitional period placed pressures on the interim government by directing attention and mobilizing capabilities towards the outcomes of the National Dialogue Conference at a time when the efforts of restructuring the armed forces had not been completed.

As numerous senior officers retained their personal loyalty to former President Saleh who appointed them during his tenure in power, and his continued influence and authority within the military establishment due to the clear leadership inefficacy of his successor, former President Abd Rabbuh Mansour Hadi, in addition to the mobilization of the armed Houthi movement and its exploitation of its alliance with Saleh against restructuring the army, the restructuring was demonized and portrayed as harboring revenge and dismantling the military institution in preparation for breaking up the unification and imposing a secessionist agenda.

In addition to the pressure imposed during the transitional period, international and regional actors also contributed to the chaotic confusion of that phase by making mistakes at least in relation to two matters. Designing the Gulf Initiative and planning for the transitional period were unrealistic. Within a two-year period, the leadership was required to instigate political change, deal with the age-old crises and conflicts in Yemen, rebuild the political system on new foundations and culture, prepare a new constitution, and carry out a host of other tasks.

On the other hand, external actors dealt with the restructuring of the armed forces leniently. They "failed to provide the required support to the efforts of the transitional government to rectify the military and security apparatus." 8 This drawback allowed the anti-restructuring coalition, Saleh and the Houthis, to orchestrate their coup through monopolizing the lasting loyalty of multiple military units to the former president.

In general, "the obsession with the National Dialogue Conference before the full restructuring of the army and security forces and their integration under the leadership of the legitimate president contributed to the failure of the transitional period. It led to a leadership inefficacy and failure to control the military and security sectors, which in turn led to further disintegration of the political scene, and aggravated the security challenges that the country was already experiencing. It also provided an opportunity for the parties opposed to the political transition to create chaos, and then exploit it in the media and politically to inflame popular resentment against the interim government and persuade the public opinion of the failure of the political arrangements brought about by the Gulf Initiative. Moreover, it gives the Houthis the opportunity to march towards Sana'a and seize power by force of arms. ¹⁰

Thus, once again, the laxity in integrating the armed forces under one command was one of the main factors that helped the Houthis capture the capital, Sana'a, and plunged the country into a new cycle of violence and fighting, which is still raging on today. Most probably, Yemen could have taken other less costly paths had the military institution been unified under a single leadership.

Houthi non-commitment to the security annex of the Peace and Partnership Agreement

A relevant issue, albeit in a different way, is the so-called Peace and Partnership Agreement, which was signed on September 21, 2014, the same day the Houthis seized power in Sana'a. Apparently, this agreement was in a way a last-minute effort to avoid the civil war scenario. According to some analysts, it was meant as a cover to legitimize the fall of the capital, Sanaa, in the hands of the Houthis, and as a pretext to disclaim responsibility and cover up the embarrassment of the international and regional actors that connived or overlooked the developments that led to this outcome.

Although the Houthis had the upper hand in drafting the agreement, they refused to sign its security annex which refers to "removal of all elements of political and security tension...

enabling the state to exercise its powers, the necessity of extending the authority of the state and restoring its control over the whole national territory... and disarming and restoring state-owned heavy and medium weapons that were looted or seized from all parties, groups, political parties and individuals."¹¹ This annex was signed only on September 27, after the Houthis' full control over the capital, Sana'a, in a context of total absence of state power. ¹²

Consequently, the parties that tend to control state power or seek to replace it often refuse to sign or enforce the military aspects of political agreements. This certainly plunges the country into cycles of violence and prolonged fighting which is still raging today.

The Riyadh Agreement

The Yemeni army was depleted by the successive events, including the division that followed the popular protests in 2011, the attacks of al-Qaeda, and its seizure of a number of camps in the eastern and southern provinces of the country, the abortive military restructuring efforts, the Houthis' control of power, and finally the military operations of the Saudi-led coalition that targeted the remaining military units loyal to the of the Houthi-Saleh alliance.

With the launch of the current war on March 26, 2015, the Yemeni army was regrouped and rebuilt. It was formed from units that were positioned in areas far from Houthi control, and from members of the popular resistance in the governorates where battles against the Houthis were being fought.

In parallel with the Houthis' strengthening of their capabilities and building their forces during the war, the Yemeni army was being established. This fact pushed the Saudi-led coalition to form military entities outside the authority of the state. The UAE sponsored forming the forces known as the security belts in Aden, Lahj and Al-Dhali'. It also formed the so-called elite forces in Hadramawt and Shabwa and similar formations in Taiz, the giant brigades. At a later stage, the guardians of the republic and the Tihami resistance brigades were also formed by the UAE.

These military formations received generous support from countries participating in the Saudi-led coalition, since they provided the coalition with a considerable human power, which according to some sources amounted to 200,000 ¹³ highly-trained and equipped fighters. This led to the multiplicity of parties possessing weapons and military formations, a matter that had repercussions at a high cost, as it ignited a new round of violence in the city of Aden. On January 28, 2018, the city was a battleground for four days as fighting broke between forces affiliated with the legitimate internationally recognized government and formations affiliated with the Southern Transitional Council. This fighting brought about catastrophic results, contributing to the further deterioration of living and security conditions in Aden, the other southern governorates and the country as a whole. These clashes were followed by a new and worse round of bloody fighting that broke out in August 2019. This new round was broader in scope and more ferocious than the previous one, as the theater of operations expanded, extending from the city of Aden to Lahj, Abyan and Shabwa governorates.

To contain the catastrophic outcomes of the fighting, Riyadh invited the two parties to the conflict to meet in Jeddah. Following negotiations that lasted from August 20 to October 24, 2019. On November 5, 2019, the Riyadh Agreement was signed by representatives of the legitimate government and the Southern Transitional Council in the presence of President Abd Rabbo Mansour Hadi, Saudi Crown Prince Mohammed bin Salman and UAE Crown Prince Mohammed bin Zayed. The agreement included timed measures to address the political, military and security issues.

For the first time, this agreement proposed solutions to the division in the military in the southern and eastern governorates. It also provided solutions to the repercussions resulting from the recent round of fighting in Aden. The agreement states that: 14

- All forces which have moved from their positions and camps towards the governorates of Aden, Abyan and Shabwa since the beginning of August 2019 shall return to their former positions with all their personnel and weapons. They shall be replaced by the security forces of the local authority in each governorate.
- Medium and heavy weapons of all kinds shall be collected from all military and security forces in Aden which shall be transferred to camps inside Aden. These camps shall be defined and supervised by the command of the Coalition for Supporting the Legitimate Government.

- -All military forces affiliated with the government and military formations affiliated with the Southern Transitional Council in Aden governorate shall be transferred to camps outside Aden governorate as defined by the command of the Coalition for Supporting the Legitimate Government in Yemen. These forces shall be directed according to approved plans and under the direct supervision of the command of the Coalition for Supporting the Legitimate Government in Yemen.
- Military forces shall be unified, numbered and incorporated into the Ministry of Defense. The relevant decisions shall be issued. The forces shall be deployed according to approved plans under the direct supervision of the command of the Coalition for Supporting the Legitimate Government in Yemen within sixty days from the date of signing the agreement.
- The military forces in the other southern governorates shall be organized under the command of the Ministry of Defense with the same procedures that were applied in Aden governorate within ninety days from the date of signing this agreement.

In the security aspect, the agreement includes similar steps aimed at reorganizing the security forces located in the southern governorates and which are not included in the lists of the Ministry of Interior under the command of the Ministry of the Interior, with the same procedures that were applied in Aden governorate within 90 days of signing the agreement.

Although the measures provided for in the Riyadh Agreement are timed, implementation of the agreement faltered. Instead, the political situation became more complicated, especially after the Southern Transitional Council declared a state of emergency and the so-called autonomous administration of the southern governorates. Following these developments, the security situation slipped towards tension and escalation. Clashes between the two sides broke out in the lines of contact in Abyan governorate, and both sides threatened to deal with the status quo by force of arms.

This necessitated Saudi intervention. Riyadh provided a mechanism to speed up the implementation of the Riyadh Agreement. The political aspect of the agreement was implemented after the parties agreed on it. A new governor of Aden was appointed and a new meritocratic government was formed. On the other hand, the steps and procedures relating to the military and security aspects were not implemented. This failure threatened to undermine the gains in the political aspect. It kept the situation in Aden and the southern governorates in a state of tension and the option of impending conflict was still open.

Declaration of the Oresidential Leadership Council

The above described situation continued as the norm until the Presidential Leadership Council was declared. This move brought about a transfer of power on April 7, 2022, as stated above. The formation of the Council was considered a broader mechanism to solve the dilemma of the schism in the armed forces. Theoretically, it ended the duality that had existed in the southern governorates by integrating the Southern Transitional Council in the structure of the legitimate government. It also offered a broader treatment of the military issues as it incorporated all military formations that had not been integrated into the structure of the legitimate government. Such formations include Guardians of the Republic, the Giants Brigades, the Tihama Brigades, the security belts, the Hadrami Elite, the Shabwa Elite Forces, etc.

As stated above, the declaration of the transfer of power required the formation of the Security and Military Committee, which is in charge of restructuring the armed forces and integrating the armed formations into the Ministries of Defense and the Interior to unify the military and security front in the face of the Houthis. This committee launched its meetings in Aden, on June 25, 2022, in the presence of member of the Presidential Leadership Council, Major General Aidarous Al-Zubaidi, who stressed the need to intensify efforts and enhance the state of discipline and commitment during the next phase. Al-Zubaidi also stressed the political leadership's full support of the committee and its subsidiary specialized committees to accomplish the tasks entrusted to them. During the meeting, names of members of the various committees and teams specialized in the various military fields were reviewed. Chairman of the committee, Major General Haitham Qassem Taher, explained that a preparatory committee had been formed and that it will undertake the task of defining the tasks, programs and plans of the various committees and teams, and will start to collect the relevant information and documents required to commence its tasks. ¹⁵

Although the tasks of the committee will not be easy, as it is expected to encounter numerous difficulties and challenges, the political history during the previous phase of the Republic of Yemen confirms beyond any doubt that the only path to spare the southern and eastern governorates and the country as a whole new rounds of horrific fighting and devastating violence lies in the success of the Security and Military Committee in unifying and integrating the military formations within the framework of the Ministries of the Interior and Defense under the command of the Presidential Leadership Council. Failing that, the violence trajectory might be more likely.



Failure to integrate military units after the declaration of the unification (1990-1993)



The 1994 Summer War

Failure of full restructuring integration of the armed forces under the command of the interim president as well as obsession with the National Dialogue Conference (2012-2013)





Ending the transitional period, the Houthi control of power, and pushing the country towards a new cycle of violence

The Houthi Coup, September 21, 2014

The Houthi failure to abide by the security annex to the Peace and Partnership Initiative regarding disarmament and the restoration of state control (September 2014)





Completing the coup, threatening regional security, requesting foreign military intervention, and breakout of the Yemen war (March 2015 to present day)

Multiplicity of military entities in the areas under the control of legitimate government since the liberation of the temporary capital, Aden, and the rest of the southern governorates (July 2015)





Fighting in Aden (January 2018)

Increase in the number of armed entities outside the authority of legitimate government after the disintegration of the Houthi coup and murder of the Houthi partner, former President Ali Abdullah Saleh (December 2017)



Fighting in Aden (August 2019)





Failure to integrate military formations in accordance with the Riyadh Agreement (5 November 2019)



Clashes in the frontlines of Abyan governorate

Obstructing the acceleration mechanism of the Riyadh Agreement, and failure to speed up the integration of armed formations into the armed and security forces in line with the announcement of the formation of the Presidential Leadership Council (April 2022)



The Houthi exploitation of the state of disintegration of the forces affiliated with the Presidential Leadership Council and resumption of Houthi expansion and re-seizure of liberated areas in the eastern, western and southern fronts

The status of military formations after the formation of the Presidential Leadership Council

merging



tabilizing

Failure of efforts of integration



new cycle of violence



Summary

The failure to integrate the military formations within the framework of a single authority and the failure to implement the relevant military and security agreements have always led to cycles of violence and war in Yemen. If the integration of the forces currently affiliated with the Presidential Leadership Council fails, it may lead to conflict between the military formations loyal to eac1h party. This will be at the cost of the integrity and stability of the country. The exhausted Yemeni people will also pay a dear price, especially as they are unable to bear any new cycles of violence. It will also affect security in the region and beyond, as poverty will push the Yemeni youth to seek livelihood. Therefore, they may cross the international borders to the rich and stable countries or join the violent groups.

Recommendations to decision-makers:

- 1. Recent developments in Yemen and similar experiences in many countries around the world strongly suggest that the proliferation of arms and military formations necessarily leads to cycles of violence.
- 2. The integration of military formations within the framework of the ministries of defense and the interior under the Presidential Leadership Council is the only viable option to spare the temporary capital, Aden, and the southern and eastern governorates new cycles of violence.
- 3. The Kingdom of Saudi Arabia and the United Arab Emirates bear a great responsibility of foiling military divisions in the areas controlled by the legitimate government and shall employ their influence on the various parties to push for the full implementation of the process of integration of the army and security services, and remove the challenges that might hinder this goal.
- 4. The countries involved in Yemen shall seize the ideal opportunity to rescue Yemen from a potential slip to violence by practicing pressure on the various parties and providing the required assistance to incorporate the military formations into the framework of the authority of the legitimate government.

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Dr. Nasser Ali Mohammed Al-Taweel

Professor of Political Science, Sana'a University,

Consultant: Abaad Center for Studies and Research

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