

April 2018



## Yemen (2011–2015)

### Name of process

Gulf Cooperation Council Initiative, including National Dialogue Conference for a New Yemen and Constitution Drafting Commission

### Type of process

Political reform, constitution-making, peace-making

### Outcome of the process

- The National Dialogue Conference and the Constitution Drafting Commission reached comprehensive resolutions
- However, the draft constitution created on the basis of the National Dialogue Conference was never put to a referendum or implemented as renewed armed conflict has put the transition process on hold

### Women's inclusion

- Direct representation
- Consultations
- Inclusive commissions
- Mass action

### Women's influence

Moderate influence in the negotiation phase due to:

- Early involvement of women combined with preparedness of women's groups
- A strong gender quota in the National Dialogue Conference as well as many of the associated bodies

Low influence in the implementation phase due to:

- Women's achievements being undermined by elite resistance
- The deteriorating security environment

After large-scale protests in Yemen in 2011, and a short period of violence, the Gulf Cooperation Council initiated a political transition process that began with an elite deal, then the formation of a Government of National Unity, new presidential elections, an inclusive National Dialogue process, and a constitution drafting process.

Women were among the first involved in the 2011 protests, and undertook concerted activism throughout the first months of the transition process. This helped to result in a level of women's representation in the National Dialogue (ND) Conference that was unprecedented in the country's history. Women were accorded a 30 percent quota within all delegations to the ND; a separate women's delegation (making up 7 percent of the ND's membership); and a 30 per cent quota on the ND committees. The women delegates to the National Dialogue encountered significant resistance, and they did not always achieve the 30 percent quota in the committees, but they did achieve the inclusion of several of their preferences in the ND conference resolutions as well as the draft constitution. These included a 30 percent quota for women in all state authorities, raising the legal age of marriage to 18, the guarantee of full and equal legal status for women, and provisions forbidding discrimination against women in public service employment. However, as of December 2017, the 2015 draft constitution has not been ratified

through a referendum due to ongoing armed conflict, and women have largely been marginalized in attempts to broker peace in Yemen.

## I. Background

### ***Women in Yemen face pervasive cultural and legal discrimination***

Yemen ranked at the bottom of the Global Gender Gap Index Report in 2017, a position it has held for all of the years for which the Global Gender Gap Index has been compiled.<sup>1</sup> Women in Yemen face pervasive cultural and legal discrimination. Women are denied full legal personality in a variety of areas; it is common practice for state officials to require women to obtain permission from their husband or father to obtain a passport and travel, as well as to marry. According to Yemeni law, a woman's testimony in criminal proceedings is worth half that of a man. Few women come forward to report cases of rape or physical abuse. A woman—frequently the victim of a reported crime—is often prosecuted instead of the man perpetrator. Yemen's penal code provides lenient sentences for those convicted of “honor crimes,” the assault or murder of women by family members for alleged immoral behavior.<sup>2</sup> Women are underrepresented in political life. They face obstacles to education, and women's educational level lags far behind that of men.<sup>3</sup>

Yemen is the poorest country in the Middle East.<sup>4</sup> Corruption is a major problem, and Yemen ranked 170 out of 176 countries surveyed in Transparency International's 2016 Corruption Perceptions Index.<sup>5</sup> Ali Abdullah Saleh had been President since Yemen came into being in 1990, with the unification of the Yemen Arab Republic (corresponding to north Yemen) and the People's Democratic Republic of Yemen (southern Yemen). He had been President of the Yemen Arab Republic since 1978. After fighting between northern and southern Yemen in 1994, southern leaders fled abroad, and northern elites were allocated key governmental and military positions in the south. In 2007, increasingly disgruntled southern elites formed al Hirak (the Southern Movement), with the goal of promoting reform to increase political and economic equality between the north and south. Shortly afterward, al Hirak's goals changed to southern independence.

### ***Political transition was catalyzed in 2011 by the tide of protests sweeping the Middle East***

Regular protests calling for reform and democratization began in at least 2007, but political transition was catalyzed in 2011 by the tide of protest movements and revolutions sweeping the Middle East in the context of the Arab Spring. The crisis was brought about by three main groups of factors. First, increasing frustrations related to corruption, mismanagement, and a lack of economic opportunity, in particular as these issues disproportionately affected southern Yemen. Second, Saleh and his political party, the General People's Congress (GPC), had delayed promised political reforms and parliamentary elections for several years, frustrating Yemen's opposition parties. Third, Saleh's relationship with supporters, clients, and rivals was deteriorating. This was in part because of the declining value of oil exports, a major source of the income used to finance Saleh's patronage system, and in part because of Saleh's attempts to prepare the ground for an eventual transfer of executive power to his son Ahmed.<sup>6</sup> Finally, the unresolved armed conflict with Ansar Allah added to Saleh's vulnerability.<sup>7</sup> Ansar Allah (also referred to as the Houthis) are an armed, organized political movement with a

strong religious identity, whose base of power is in the northwest of the country, near the border with Saudi Arabia. A ceasefire had been announced in February 2010, but the issues underlying the conflict remained unresolved, and the parties heavily armed.<sup>8</sup>

***Many of the early protests to demand President Saleh's resignation were led by women***

The protests in Tunisia that sparked the Arab Spring in early 2011 inspired small groups of protesters in Yemen to demand Saleh's resignation. Many of these early protests were led by women, among them Tawakkol Karman, who received the Nobel Peace prize in 2013.<sup>9</sup> Protests grew over the later months of 2011, as the violence of Yemeni security forces further undermined Saleh's legitimacy, and Saleh refused to accede to demands that he step down as President. The Yemeni military split into two factions, each affiliated to major tribal confederacies, one of which was loyal to Saleh, and the country was brought to the brink of armed conflict.

Saleh was induced to accept a transitional arrangement after he was badly wounded in a rocket attack on his compound. This arrangement was reached through an internationally backed process mediated by the Gulf Cooperation Council (GCC). It also involved the UN through its Special Envoy, Jamal Benomar.<sup>10</sup> The GCC proposed an initiative in April 2011.<sup>11</sup> In November, the National Coalition (the GPC and its allies) and the National Council, made of the opposition coalition, the Joint Meeting Parties (JMP), and partners, signed an agreement in Riyadh. This Agreement on the Implementation Mechanism for the Transition Process in Yemen was based on the Gulf Cooperation Council Initiative (GCCCI).<sup>12</sup> The agreement set out the handover of power to Saleh's deputy, Abd Rabbu Mansour Hadi, and the formation of a Government of National Unity led by the GPC and the JMP. It mandated a National Dialogue (ND) Conference, to initiate an "open conversation about the future of the country," and produce recommendations to inform the work of an inclusive Constitution Drafting Commission.<sup>13</sup> This Commission would be established within six months of the conclusion of the work of the ND Conference.<sup>14</sup> The Constitution Drafting Commission would then set out the conditions for new presidential and parliamentary elections, which would take place in early 2014 (within two years of the inauguration of President Hadi), ending the transition period.<sup>15</sup>

The National Dialogue Conference was held from March 2013 to January 2014, gathering more than 500 Yemenis from across the political spectrum. A draft constitution was finalized in January 2015. However, despite reaching consensus on guiding principles for the future of the Yemeni state, neither the ND Conference nor the Constitution Drafting Commission were able to find unanimously acceptable resolutions to several major issues, including transitional justice, demobilization and reintegration of the country's various armed forces, and the political structure and geography of a post-transition federal Yemeni state.<sup>16</sup>

***The transition process was derailed before a referendum could be held on the draft constitution***

Ultimately, the transition process was derailed before a referendum could be held on the draft constitution, as specified in the initial agreement, and before new elections could take place. In September 2014, Ansar Allah, who had been expanding territorial control throughout the ND process, escalated their armed conflict against the government of Yemen. Saleh and his allies in the military and among Yemen's tribes

joined Ansar Allah, and together these forces seized the capital, Sana'a. After a failed peace agreement, Hadi escaped to Aden in the south, and open warfare resumed.

The complex armed conflict has been assimilated into a regional proxy conflict. The Ansar Allah–Saleh coalition received technical and logistical support from Iran. Forces loyal to President Hadi, including al Hirak, are fighting alongside a Saudi-led coalition and have received support from France, the United Kingdom, and the United States (known as Operation Decisive Storm). A UN-mediated peace process has brokered a number of ceasefires that have been abandoned. The ongoing armed conflict and the use of siege warfare tactics have provoked a grave humanitarian emergency.<sup>1</sup>

## Actors Involved in the Process

The principal actors involved in the GCCI process were Yemen's major political parties: the GPC and the constituent parties of the opposition JMP. These were the two largest opposition parties, the Yemeni Congregation for Reform (al-Islah) and the Yemeni Socialist Party (YSP), as well as the Popular Nasserist Unity Organization, the Union of Popular Forces, and the conservative Hizb al-Haqq (Party of Truth).<sup>18</sup> Two other major actors that were not political parties were Ansar Allah and al-Hirak. Al-Hirak formed in 2007 as a loosely organized social movement with the goal of ending the relative deprivation of southern Yemen, including through secession.<sup>19</sup> The United Nations Department of Political Affairs was also an important actor.

***Women, youth, and civil society all secured access as so-called independent delegations***

The constituencies that had distinguished themselves in the protest movement, namely women, youth, and civil society, all secured access as so-called independent delegations to the preparatory commissions, the National Dialogue Conference, and the Constitution Drafting Commission. Within the National Dialogue Conference, youth, women, and southerners also benefited from a quota system that applied to the political parties, al-Hirak, and Ansar Allah.

## Women Involved in the Process

The first women involved in the process were leaders of protest movements. For example, Tawakkol Karman had led some of the earliest protests of 2011 calling for the resignation of President Saleh.<sup>20</sup> She was awarded a Nobel Peace Prize for her activism. Other prominent women involved in the process include Nadia al-Sakkaf, Rasha Jarhum, Raqiya Humaidan, and Amal Basha.

***The gender quotas meant that women participated as members of political parties as well as of civil society***

The gender quotas that applied to most of the mechanisms of the GCCI, with the notable exception of the transitional government, meant that women participated both as members of the political parties and movements as well as members of civil society. The women included in the various modalities mainly represented the urban and educated parts of the Yemeni population; this was a general feature of all participants in the transition process.

## Modalities of Inclusion of Women's Groups

*Through concerted activism, women were able to secure their inclusion in all stages of the process*

Women played an important role in the protest movement that brought about the resignation of President Saleh. Through concerted activism, they were able to translate this role into inclusion in all stages of the GCCI process, despite their longstanding marginalization from formal politics in Yemen. However, they were not included in the transitional Government of National Unity.

Yemeni women, supported by the UN and individual countries, were members of the preparatory commissions for the National Dialogue Conference, where they contributed to putting a women's quota in place for the various factional delegations to the National Dialogue, as well as ensuring that one of the three independent delegations would be composed of women. Women were also represented in consultations held by the UN Special Envoy and by some of the Conference's working groups, and in most of the inclusive commissions, including the Constitution Drafting Commission.

### 1 | Mass Action

*Yemeni women led demonstrations, organized a field hospital, and helped to feed and house protestors*

Women played a key role in the protest movement that precipitated the resignation of President Saleh and the GCCI. In one important example, the Watan Coalition for Social Peace, a network of women civil society activists from the north and the south, marched to Change Square in the capital Sana'a to join the peaceful sit-in protest.<sup>21</sup> Yemeni women led demonstrations, organized a field hospital in a mosque near to Change Square to treat wounded demonstrators, and helped to feed and house protestors.<sup>22</sup>

### 2 | Consultations

In addition to the many bilateral meetings that formed part of the political negotiations, UN Special Envoy Benomar held meetings with all of the constituencies that were members of the conference, especially women, youth, and civil society.<sup>23</sup> In the preparatory phase of the conference, he met with a number of women's groups.<sup>24</sup> These consultations were an important opportunity for women to push for their inclusion in the Technical Preparatory Committee for the National Dialogue, which was an important precondition for women's subsequent influence in the process. During the Conference, Benomar did not hold consultations outside the capital, but did meet with all constituencies at least two or three times during the first months of the process. Additionally, Benomar held three televised town hall meetings with women representatives.

### 3 | Pre-National Dialogue Inclusive Commissions

Two inclusive commissions were established to prepare for the National Dialogue Conference. The first was the eight-member Liaison Committee, tasked with continuing dialogue between the various factions involved in the transition.<sup>25</sup> Two members of the Liaison Committee were women: Nadia al-Sakkaf and Raqiya Humaidan.<sup>26</sup> The second commission was the Technical Committee to Prepare for the Comprehensive National Dialogue Conference. This Committee was tasked with devising the selection criteria

for the National Dialogue (applications were reviewed by a subcommittee, the Selection Committee).<sup>27</sup> After a preparatory workshop and the consultations mentioned above, women were successful in achieving a 30 percent quota for women in the Technical Preparatory Committee. In practice, there were only six women out of 31 total members (i.e. 19 percent), but this 30 percent quota set an important precedent for subsequent bodies.<sup>28</sup> Women involved in these early committees also participated in later modalities.<sup>29</sup>

#### **4 | Direct Representation at the Negotiation Table**

*The political delegations were mandated to include a 30 percent quota of women*

Women, civil society, and youth each had an independent delegation at the National Dialogue Conference, and each delegation was seven percent of the 565 seats.<sup>30</sup> The political delegations were mandated to include a 30 percent quota of women.<sup>31</sup> This commitment was not achieved by all parties in all committees, and the total proportion of women in the National Dialogue Conference was less than it should have been if the quotas had been filled (29 percent instead of 37 percent).<sup>32</sup>

The National Dialogue Conference operated through nine working groups, with additional special working groups and committees established during the process.<sup>33</sup> All of the working groups had women members and three were chaired by women, including the working group on Sa'ada (the region of northwestern Yemen beset by conflict in the years before the dialogue).<sup>34</sup> Women were also included in the special committees. The Consensus Committee, which coordinated among the working groups, and brought consensus on disputed issues, included six women out of 24 members; the Standards and Order Committee had two women out of seven; and the Guarantees' Committee had four women out of 19.<sup>35</sup>

*173 of the National Dialogue's approximately 1,200 proposals related specifically to gender*

Women from across the various factions and independent delegations pushed for proposals on women's rights and gender equality within the National Dialogue. 173 of the National Dialogue's approximately 1,200 proposals—divided into constitutional guidelines and recommendations—related specifically to gender. The major achievements of women in the ND Conference included provisions forbidding discrimination on the basis of gender; guaranteeing equality before the law; a 30 percent quota for women in government; protections against child marriage, gender-based violence, sex trafficking, and genital mutilation; and a mandate for the state to provide women with access to health and education.<sup>36</sup>

#### **5 | Post-National Dialogue Inclusive Commissions**

Following the conclusion of the National Dialogue Conference, a number of inclusive commissions were established to implement the National Dialogue's recommendations, and manage the next phase of the transition.

The Regions Identification Committee (two women out of 22 members, both from the independent women's delegation) was mandated to design the structure of a federal Yemeni state. It included 22 members from the various political factions of the National Dialogue Conference, among them one representative of Ansar Allah. The two women

who participated, Nadia al-Sakkaf and Afrah al Zouba, were included under the gender quota that applied to all mechanisms in the transition.<sup>37</sup> The Committee completed its mandate in just two weeks at the beginning of 2014, delineating six new federal regions. It did not hold broad consultation or investigation, and produced a document that was contrary to the preferences of Ansar Allah, who wanted the regions in which their bases of support were situated to include access to Yemen's oil fields and to a seaport.

The Constitution Drafting Commission (four women out of 17 members) was tasked with drawing up a new constitution for Yemen, taking into consideration the recommendations of the National Dialogue Conference.<sup>38</sup> Its members included representatives of all the constituencies in the ND. The Commission's work was conducted in secret and its operations eventually moved to Abu Dhabi after a spate of political assassinations and the attempted assassination of the Commission's chair.<sup>39</sup> Two of the four women were from the political groups and two were independent. A focused civil society campaign and the continued presence of women in the Constitution Drafting Commission helped to result in a draft constitution that includes 14 articles that reference women.<sup>40</sup> These articles cover women's access to justice, the rights of women, political representation of women, as well as the economic opportunities and welfare of women.<sup>41</sup>

***Women's presence  
in the Constitution  
Drafting Commission  
helped to result  
in 14 articles  
referencing women***

The National Authority for Monitoring the Implementation of the National Dialogue Conference Outcomes (22 women out of 82 members) was an extension of the National Dialogue's Consensus Committee.<sup>42</sup> It was meant to oversee the transition after the end of the National Dialogue. It included representatives from all of the ND constituencies. One of its primary roles was to receive the draft constitution and evaluate whether it was in accordance with the ND's recommendations. The National Authority was hindered in its work by the deteriorating political situation in Yemen: the renewal of major armed conflict effectively ended the Authority's work.<sup>43</sup>

## II. Analysis of Women's Influence: Enabling and Constraining Factors

The influence of women in the Yemeni transition process started from an adverse position, in terms of the attitudes of political elites, and the lack of previous participation of women in the formal politics of Yemen. This was offset to some extent by the strategic coordination of women, their preparation and organization, as well as the strong support of the UN advisory team. The influential participation of women in the initial protest movement precipitating the transition also gave legitimacy to their further involvement in various bodies such as the ND Conference and various commissions. However, women were only able to exert a moderate level of influence in these bodies, mostly due to resistance from elites within the political parties and factions. Moreover, the armed conflict has placed any contribution on hold and left the status of the new constitution in doubt.

The following section distinguishes between a number of process and context factors that either enabled or constrained the influence of women in the Yemeni transition process.

***Resistance from the  
elites meant women  
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in the ND Conference  
and commissions***

This influence consisted of advocating for the resignation of Saleh and the beginning of a negotiated transition, as well as contributing to the structure and content of negotiations of the National Dialogue, the constitution drafting process, and the implementation of these outcome documents.

## Process Factors

### 1 | Early Involvement of Women in the Process

The inclusion of women in the National Dialogue process benefited from two forms of prior involvement with the transition. First, women were heavily involved in the 2011 protest movement that contributed to the resignation of President Saleh. This helped to legitimize women's claim for continued representation throughout the transition process, despite the longstanding exclusion of women from Yemeni political life.<sup>44</sup>

Second, through early and concerted advocacy, and with the support of UN Special Envoy Jamal Benomar and UNSC Resolution 2014 of 2011,<sup>45</sup> women became part of the Technical Preparatory Committee to prepare for the National Dialogue (6 out of 25 members were women).<sup>46</sup> These women were influential in securing the independent women's delegation of 7 percent as well as the 30 percent gender quota in the National Dialogue, and in placing women's rights prominently in the negotiation agenda.<sup>47</sup> This early involvement also helped women to build knowledge of the process, as well as credibility among the other actors in the process. Women involved in these early components of the process also participated in subsequent components, such as the Consensus Committee or the National Authority for Monitoring the Implementation of the National Dialogue Conference Outcomes.

*Early involvement helped women to build knowledge, as well as credibility*

### 2 | Inclusive Selection Criteria and Procedures

The significant quota for women, and the independent delegation of women, were extremely important in bringing numbers of women into the National Dialogue Conference. As not all factions filled their quota obligations (in particular the smaller political parties), the total representation of women in the National Dialogue was approximately 29 percent (164 out of 565 seats), still an unprecedented level of representation for women in the history of Yemen.<sup>48</sup> The specific process design, the combination of an independent delegation of women and a quota for women in each of the political factions' delegations, allowed the possibility of an independent women's voice, as independent women were able to take the lead in developing proposals, and building coalitions with women and others in the political factions.<sup>49</sup>

*Independent women were able to take the lead in developing proposals, and building coalitions*

### 3 | Narrowing Decision-making Procedures

Decision-making procedures in the ND Conference required a minimum consensus of 90 percent of voters in a working group in favor of a provision. The 37 percent total quota for women across all factions theoretically gave women a potential veto



**Women were comparatively underrepresented on important decision-making Committees**

over first-round decisions in the working groups; however, this was rarely exercised, as women voted as a bloc on only a limited number of issues.<sup>50</sup>

Women were comparatively underrepresented on important decision-making committees, relative to their share of seats in the ND Conference as a whole. The members of these committees were hand-picked by President Hadi. In the last months of the ND Conference, most decisions were made in small committees, such as the 16-person North-South Committee tasked with resolving the deadlock on the issue of the federal structure of the Yemeni state, as well as the Consensus Committee, which had the final say over many of the issues that had not been decided in the working groups.<sup>51</sup>

#### **4 | Limited Joint Positions**

Women did cooperate and coordinate on several important issues during the National Dialogue Conference. They coordinated protest activities such as sit-ins, petitions, and withdrawals from working group meetings.<sup>52</sup> The combination of a 30 percent quota for the political factions on the one hand and an independent delegation representing seven percent of all seats on the other provided the opportunity for women to vote in a bloc and thereby send any proposal from the working groups and the plenary back for review. However, the participating women made limited use of this potential. They were hampered from exercising the power of voting in a bloc by competing loyalties to political parties, elite attempts to push a more conservative agenda, and the diversity of women's politics, which meant they agreed on some issues, such as the prohibition of child marriage, but not others.<sup>53</sup>

**Competing loyalties, elite resistance, and the diversity of women's politics hampered bloc voting**

Women from civil society and political parties, including some women who had participated in the National Dialogue Conference, did build and maintain coalitions during the constitution drafting process. Two important coalitions were those involved in the Our Constitution campaign, established by Rasha Jarhum and organized through an instant messaging group, which included 99 members from a variety of political parties, including Ansar Allah, al-Islah, the GPC and the Socialist Party, and the Constitutionalizing Women's Rights campaign.<sup>54</sup> These campaigns made important contributions to the presence of provisions on women's rights and gender equality in the draft constitution.

#### **5 | Effective Transfer, Communication, and Advocacy Strategies**

The presence of the UN Special Envoy at the consultations with women activists enabled transfer, as Benomar then communicated the results of the consultations to the political factions. The substance of these conversations included the perspectives of women on the upcoming negotiation process.

The operation of the Constitution Drafting Commission behind closed doors, as well as its location in Abu Dhabi after October 2014, made it very difficult for women's groups outside the Committee to monitor and advocate for the draft constitution's inclusion of provisions on women's right and gender equality that featured in the National Dialogue

recommendations. Before the Commission moved to Abu Dhabi, women activists from civil society arranged meetings with women members of the Constitution Drafting Commission. After the Commission moved to Abu Dhabi, civil society advocates used information technology such as instant messaging and online voice and video call services to advocate for women's issues and support the women in the Committee.<sup>55</sup> The Constitutionalizing Women Rights campaign and the Our Constitution campaign advocated for the inclusion of National Dialogue recommendations prohibiting child marriage and for mandating a 30 percent quota for women in various authorities and bodies of government. Both sets of issues were addressed in the final constitution.<sup>56</sup>

## 6 | Strong Support Structures for Women

*A team of experts supported women members of the ND conference*

UN Special Envoy Jamal Benomar established a forum, known as the Youth and Women Forum, to facilitate coordination between the independent factions (youth, women, and civil society) within the National Dialogue Conference. This forum provided a space for these groups to meet and coordinate. It helped women in particular by recruiting a team of experts to support women members of the ND Conference to identify important outcomes of the working groups with particular relevance for women.

### Context Factors

*Men elites in the established parties did not view women's participation as legitimate*

#### 1 | Elite Resistance

Women's participation in the ND Conference was constrained by the resistance of men elites in the established political parties, who did not view women's participation as legitimate. Benomar, describing his early meeting with political elites at the outset of the Dialogue, notes that "when the parties met for the negotiations, the last thing on their minds was women's rights."<sup>57</sup> Rasha Jarhum notes that men elites "would disagree with each other about everything but agree always about women."<sup>58</sup> One consequence of this attitude was the failure to comply with the gender quota in the smaller committees that covered controversial issues, such as the Consensus Committee, the Regions Committee, the National Authority to Monitor Implementation of the National Dialogue Conference Outcomes, and the Constitution Drafting Commission. The achievements of women as part of the National Dialogue Conference were also undermined by elite actors subsequently being able to present women's representation as a less urgent priority in the context of a deteriorating security environment.

#### 2 | Pre-existing Women's Organizations and Networks

*The 2011 protest movement was made possible by a generation of interconnected women civil society leaders*

The 2011 protest movement was made possible by a generation of interconnected women civil society leaders, with a history of working together on civil society initiatives and sometimes political movements, making them capable of effective mobilization. Among these leaders is Tawakkol Karman, whose leadership role developed out of long experience organizing protests in Sana'a.<sup>59</sup> Important movements include the Watan Coalition-Women for Social Peace, founded to promote a gender quota in elections, and the Shaima network, founded to combat violence against women.<sup>60</sup>

Women's participation in religious and secular civil society dates back several decades in Yemen, but was given renewed impetus by the rejection of women in the run-up to the (anticipated but never held) 2009 parliamentary elections. The abandonment of women's formal political participation drove many ambitious, politically active women into civil society and helped to give women's activism a bipartisan character.<sup>61</sup>

### **3 | Instrumentalization of Gender Roles to Both Enable and Resist Women's Influence**

Traditional gender roles and expectations were deployed by a number of actors to oppose the participation of women in the Yemeni transition process, but women also actively instrumentalized these traditional expectations to advance their cause and influence the political transition.

*Women delegates were publicly threatened, and even physically attacked*

In 2011, President Saleh claimed that the protests were illegal because, among other things, men and women were marching together.<sup>62</sup> Traditional actors, along with fundamentalist religious movements, opposed demands by women and youth that challenged cultural practices and historical narratives. Women's rights not only proved to be highly contentious issues in discussions during the National Dialogue Conference, but women delegates were in many cases publicly threatened for participating, and even physically attacked. There are reports of women delegates being singled out by name and in pictures on the internet calling them "dishonorable" for going to dialogue meetings unaccompanied and at night.

Women used cultural roles and expectations to political effect during the protest movement and after. In Tai'z, women placed themselves at the front of protests marches, using the stigma and shame attached to attacking women to protect other protesters from violence. In Sana'a, hundreds of women set fire to their veils. This was a signal of desperation recognized in tribal custom, which helped to engage men tribal leaders in support of the protests.<sup>63</sup> The prominence of women in organizing and leading action influenced the preponderance of non-violent forms of protest in the early period of demonstrations in Yemen.<sup>64</sup>

### **4 | Supportive Role of International Actors**

International actors, such as the EU, United Kingdom (involved outside the framework of EU), and the United States, were instrumental in supporting the participation of women in the transition period, both financially and politically.<sup>65</sup> Women activists secured meetings with UN Special Envoy Benomar early in the process by referring to UN Security Council resolutions, such as UNSC Resolution 1325 and UNSC Resolution 2014.<sup>66</sup> After these meetings, the Special Envoy's office promoted the participation of women as an important feature of the National Dialogue process. This was vital to overcoming the continued antipathy of the political factions in this

*The Special Envoy's office promoted the participation of women*

respect and ensuring the widespread representation of women in the Dialogue.

### III. Conclusion

***The ND Conference was a dramatic break with the prior practice of women's exclusion from Yemeni politics***

Women played a major role in the protest movement leading to the resignation of Ali Abdullah Saleh in 2011, which gave legitimacy to their demands for continued participation in the subsequent political dialogue forums. Through this early participation in the protest movement, and participation in the preparatory committees for the Conference, women gained considerable representation in the ND Conference, both within political factions' delegations and as an independent delegation. This represented a dramatic break with the prior practice of women's exclusion from Yemeni politics. There was considerable resistance by Yemeni men to the participation of women, as well as to the inclusion of many of the provisions favored by women, in particular the quota provisions for participation in state authorities. Women faced threats and violence from parties opposed to their participation in the National Dialogue Conference. Nevertheless, women's inclusion was pushed by the UN and the international community. Women were able to ensure significant reform proposals within the National Dialogue recommendations.

Despite the remarkable achievements of women in catalyzing and then participating in the transition process after the 2011 GCC agreement, their political representation had already begun to be undermined before the renewal of armed conflict in September 2014. Women were not represented in the post-National Dialogue implementation commissions at levels consistent with the 30 percent quota established in the National Dialogue's recommendations. Nonetheless, many of the gender-related recommendations from the National Dialogue Conference were reflected in the 2014 draft constitution.

Women's influence was further constrained by the breakdown of the transition process in 2014, and since then the situation for Yemeni women has deteriorated even further. Armed conflict has increased insecurity and poverty; many political issues, including those related to women and gender, have been sidelined. As of August 2017, 60 percent of Yemenis (approximately 17 million people) are food insecure, of which 10 million are at risk of famine.<sup>67</sup> By December 2017, the conflict had claimed at least 10,000 lives directly, left more than 40,000 people injured, devastated the country's economy, and led to a cholera epidemic that had killed 17,000 people.<sup>68</sup> The fracturing of government has left the 2015 constitution in draft form. Women have not been included to a significant degree in any of the post-2014 peace negotiations. They have attempted to influence negotiations from outside, through campaigns such as the Yemeni Women Pact for Peace and Security, and have met with mediators and negotiators from both sides, but have failed to secure a significant increase in representation in any negotiation attempt.

Nevertheless, women's participation in the National Dialogue process has set an important precedent, and there is the potential for these gains to be revived in the future.

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- <sup>8</sup> April Longley Alley, "Yemen's Multiple Crises," *Journal of Democracy* 21, no. 4 (2010): 73.
- <sup>9</sup> Tom Finn, "After the Revolution: The Struggle for Women's Rights in Yemen," *Dissent* 62, no. 1 (2015): 91.
- <sup>10</sup> The GCC is a regional organization made up of the Gulf monarchies (Bahrain, Kuwait, Oman, Qatar, the United Arab Emirates) and dominated by Saudi Arabia.
- <sup>11</sup> See Gulf Cooperation Council Initiative (translated from Arabic),  
[https://osesgy.unmissions.org/sites/default/files/6-gcc\\_initiative\\_yemen\\_english.pdf](https://osesgy.unmissions.org/sites/default/files/6-gcc_initiative_yemen_english.pdf) (p.1)
- <sup>12</sup> Agreement on the Implementation Mechanism for the Transition Process in Yemen in accordance with the Initiative of the Gulf Cooperation Council (GCC), 5 December 2011,  
[https://peacemaker.un.org/sites/peacemaker.un.org/files/YE\\_111205\\_Agreement%20on%20the%20implementation%20mechanism%20for%20the%20transition.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/YE_111205_Agreement%20on%20the%20implementation%20mechanism%20for%20the%20transition.pdf).
- <sup>13</sup> *Ibid.*, 5.
- <sup>14</sup> *Ibid.*, 7.
- <sup>15</sup> *Ibid.*, 8.
- <sup>16</sup> The structure of the state encompasses the distribution of oil revenues.
- <sup>17</sup> United Nations Office for the Coordination of Humanitarian Affairs, *The Humanitarian Situation in Yemen in Facts and Figures* (2017).
- <sup>18</sup> Vincent Durac, "The Joint Meeting Parties and the Politics of Opposition in Yemen," *British Journal of Middle Eastern Studies* 38, no. 3, 2011: 343-65.
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- <sup>22</sup> Maryam Ahmad and James Deshaw Rae, "Women, Islam, and Peacemaking in the Arab Spring," *Peace Review* 27, no. 3 (2015): 317.

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- <sup>24</sup> Amal Basha, "Excelling in Transition," 14.
- <sup>25</sup> Helen Lackner, "Yemen's 'Peaceful' Transition from Autocracy: Could It Have Succeeded?" (Stockholm: International Institute for Democracy and Electoral Assistance (International IDEA), 2016), 31.
- <sup>26</sup> Written comment by Nadia al-Sakkaf, 7 December 2017.
- <sup>27</sup> Nadia al-Sakkaf, "Negotiating Women's Empowerment in the NDC," in *Yemen and the Search for Stability: Power, Politics and Society After the Arab Spring*, edited by Marie-Christine Heinze (I.B. Tauris, Forthcoming), 157.
- <sup>28</sup> Nadia al-Sakkaf, "Yemen's Women and the Quest for Change Political Participation after the Arab Revolution," *Perspective* (Berlin: Friedrich-Ebert-Stiftung, 2012), 4.
- <sup>29</sup> Written comment by Nadia al-Sakkaf, 8 December 2017.
- <sup>30</sup> Tom Finn, "After the Revolution: The Struggle for Women's Rights in Yemen," *Dissent* 62, no. 1 (2015): 98.
- <sup>31</sup> Basha, "Excelling in Transition," 20.
- <sup>32</sup> Ibid.
- <sup>33</sup> Al-Sakkaf, "Negotiating Women's Empowerment in the NDC," 136.
- <sup>34</sup> Basha, "Excelling in Transition," 21.
- <sup>35</sup> Ibid., 22-3.
- <sup>36</sup> "National Dialogue Conference Outcomes Document" (Sana'a, 2014).
- <sup>37</sup> Written comment by Nadia al-Sakkaf, 8 December 2017.
- <sup>38</sup> Basha, "Excelling in Transition," 15.
- <sup>39</sup> Ibid., 34.
- <sup>40</sup> Written comment by Rasha Jarhum, 7 October 2017.
- <sup>41</sup> For the relevant articles and provisions, see "Yemen: Draft Constitution of 2015," unofficial translation by the United Nations, <http://www.constitutionnet.org/vl/item/yemen-draft-constitution-2015>.
- <sup>42</sup> Basha, "Excelling in Transition," 34-5.
- <sup>43</sup> Written comment by Nadia al-Sakkaf, 7 December 2017.
- <sup>44</sup> Lackner, "Yemen's 'Peaceful' Transition from Autocracy," 28.
- <sup>45</sup> UNSCR 2014 from 2011 is specific to Yemen and emphasized the requirement that UN offices foster the participation of women in peace and transition processes. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2014\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2014(2011)).
- <sup>46</sup> Written comment by Nadia al-Sakkaf, 8 December 2017.
- <sup>47</sup> Jamal Benomar, "Is Yemen a New Model? An Interview with Jamal Benomar," *Journal of International Affairs* 67, no. 1 (2013): 199.
- <sup>48</sup> Basha, "Excelling in Transition," 15.
- <sup>49</sup> For detailed examples of how this worked in practice for some of the most important issues for women in the NDC, see al-Sakkaf, "Negotiating Women's Empowerment in the NDC," 134-59.
- <sup>50</sup> Proposals rejected in the first round of voting were sent to the Consensus Committee for modification. These modified proposals were then voted on by the Committees, where they needed to secure 75 percent of votes in favor, and then re-submitted to the working groups for a third vote, where a 75 percent threshold was required for the proposal to pass. Proposals rejected at this stage were returned to the Consensus Committee for further modification and then re-submitted to the working groups for a final vote, where they needed to secure 55 percent of votes in favor. Proposals rejected in this vote were forwarded to

- President Hadi to decide on how to proceed. Cf. Erica Gaston, *Process Lessons Learned in Yemen's National Dialogue* (Washington DC: United States Institute of Peace, USIP, 2014), 16.
- <sup>51</sup> Gaston, *Process Lessons Learned in Yemen's National Dialogue*.
- <sup>52</sup> Basha, "Excelling in Transition," 23-4.
- <sup>53</sup> Nadia al-Sakkaf, "Negotiating Women's Empowerment in the NDC," in Heinze, *Yemen and the Search for Stability*.
- <sup>54</sup> Written comment by Rasha Jarhum, 7 October 2017. See also Wameedh Shakir, *Women and Peacemaking in Yemen: Mapping the Realities* (Crisis Management Initiative, September 2015).
- <sup>55</sup> Written comment by Rasha Jarhum, 17 October 2017.
- <sup>56</sup> These issues are covered by articles 124 and 76, respectively, 2015 Draft Constitution, finalized on 15 January 2015.
- <sup>57</sup> Benomar, "Is Yemen a New Model?" 198.
- <sup>58</sup> Written comment by Rasha Jarhum, 17 October 2017.
- <sup>59</sup> Kuhlow, "The Differential Impact of Women's Participation in the Arab Spring," (Master's thesis, Naval Postgraduate School, Monterey, CA, 2013).
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- <sup>61</sup> Stacey Philbrick Yadav, "Antecedents of the Revolution: Intersectoral Networks and Post-Partisanship in Yemen," *Studies in Ethnicity and Nationalism* 11, no. 3 (2011): 559.
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- <sup>63</sup> Saleem Haddad, *Women's Rights and Revolution in Yemen: A Local Perspective* (2012); Finn, "After the Revolution," 98.
- <sup>64</sup> Kuhlow, "The Differential Impact of Women's Participation in the Arab Spring," 63.
- <sup>65</sup> Manea, "The Arab Popular Uprisings from a Gender Perspective," *Zeitschrift für Politik* 61, no.1, 2014: 86; Lackner, "Yemen's 'Peaceful' Transition from Autocracy," 35.
- <sup>66</sup> Manea, "The Arab Popular Uprisings from a Gender Perspective," 86.
- <sup>67</sup> OCHA, *The Humanitarian Situation in Yemen in Facts and Figures*, 2017. [https://www.unocha.org/sites/unocha/files/dms/FF\\_updated\\_15082017.pdf](https://www.unocha.org/sites/unocha/files/dms/FF_updated_15082017.pdf) [accessed 01.09.2017]
- <sup>68</sup> OCHA, "Humanitarian Bulletin: Yemen" (2016).

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## Women in Peace and Transition Processes

Case studies in this series are based on findings of the “Broadening Participation in Political Negotiations and Implementation” research project (2011-2017), a multi-year comparative research project led by Dr. Thania Paffenholz at the Graduate Institute of International and Development Studies, Geneva. The Broadening Participation project examined how and under which conditions various actors participated in and influenced peace and political transition processes. The project’s dataset comprises 40 mainly qualitative case studies of negotiation and implementation processes, covering 34 countries, and ranging from 1989 to 2014. These cases are categorized according to a range of groups of included actors and a framework of seven inclusion modalities developed by Thania Paffenholz. Among the case studies under review for this project, 28 included measurable involvement of women. In this context, women were defined as relatively organized groups, including delegations of women, women’s civil society organizations, coalitions or networks, which sought inclusion in peace negotiations and the implementation of agreements. The project did not investigate the role of women as mediators. For more information, see: [www.inclusivepeace.org](http://www.inclusivepeace.org).

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The Inclusive Peace & Transition Initiative (IPTI) is dedicated to evidence-based research and its transfer to policy and practice. The objective of the initiative is to support sustainable peace by providing expertise and information on the inclusion of diverse actors in peace and transition processes. This expertise is drawn from a collection of research projects that have been conducted for nearly a decade at the Graduate Institute of International and Development Studies in Geneva under the lead of Dr. Thania Paffenholz.

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