

**Country/entity** Yemen

**Region** Middle East and North Africa

**Agreement name** Final Decision on the delimitation of the Federal Regions

**Date** 10 Feb 2014

**Agreement status** Unilateral document

**Interim arrangement** Yes

**Agreement/conflict level** Intrastate/intrastate conflict

### **Yemeni Civil Wars (1994) (2011 - )**

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

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

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

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|------------------------|--|
| <b>Stage</b>           | Implementation/renegotiation   |
| <b>Conflict nature</b> | Government   |
| <b>Peace process</b>   | Yemen peace process  |
| <b>Parties</b>         | <p>Regional Delimitation Committee (Government of President Hadi):</p> <p>Dr ‘ Abd al-Kariīm ‘ Ali ‘ al-Iryānī ‘<br/> Muhammad Muhammad Qahtañ<br/> Abu ‘ Bakr ‘ Abd al-Rizaq Baḏhiḅ<br/> Sultañ Hizañ al- ‘ Atwañi ‘<br/> Yaḥṣiñ ‘ Umar Makaḡi ‘<br/> Saḡih Ahmad Hubrah<br/> Ghaḡib ‘ Abd Allah Matliq al-Daḡ ‘ ai ‘<br/> Dr ‘ Abd Allah Saḡim Lamliṣ<br/> Naḡiyyah ‘ Abd al- ‘ Aziḡ al-Saqaf<br/> Dr Afrañ ‘ Abd al- ‘ Aziḡ al-Zubah<br/> Khaḡid Abu ‘ Bakr Baḡaṣ<br/> ‘ Abd al-Qaḡr ‘ Ali ‘ Hilaḡ<br/> Muhammad ‘ Ali ‘ Abu ‘ Lahuñ<br/> Dr M ‘ aiñ ‘ Abd al-Malik S ‘ aiḡ<br/> Ahmad Abu ‘ Bakr Baḡr ‘ ah<br/> Yaḥṣar Ahmad Saḡim al- ‘ Awaḡi ‘<br/> S ‘ aiḡ Saḡim Baḡiqiḅah<br/> Dr al- ‘ Azzi Hibah Allah ‘ Ali ‘ Shariñ<br/> Muḡbil Naṣr Lakrash<br/> ‘ Awad Muhammad bin al-Waziḡ al-Awlaqi ‘<br/> Ahmad Muhammad al-Qard ‘ ai ‘<br/> Dr Ahmad ‘ Awad bin Mubaḡak – Rapporteur of the Committee<br/> Approved by: ‘ Abdrabbuh Mansuḡ Haḡi, ‘ President of the Republic Chairman</p> |

**Third parties** -

**Description** Agreement outlines the creation of six federal regions as a means of devolving power from Sanaa by the Region Delimitation Committee, which was created by Presidential decree outside the framework of the National Dialogue Conference. The agreement states that six regions will be created - four in the north and two in the south.

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**Agreement document** [YE\\_140210\\_Final Decision on the delimitation of the Federal Regions.pdf \(opens in new tab\) | Download PDF](#)

**Agreement document (original language)** [YE\\_140210\\_Final Decision on the delimitation of the Federal Regions\\_AR.pdf \(opens in new tab\)](#)

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## **Groups**

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

**Racial/ethnic/  
national group** No specific mention.

**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

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

**Social class** No specific mention.

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## **Gender**

**Women, girls and  
gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

### **Nature of state (general)**

Page 2, Principles:

The Committee adopted the principles, agreed on in this document and with the decorum of the Comprehensive National Dialogue Conference, as follows:

... - Positive rivalry between the regions

- Integration, which ensures the efficient employment of resources in each region and integration with other regions.

- Homogeneity to ensure stability of society and economy to meet the needs of the people for quality of life.

- All levels enjoy levels of rule with reforms outlined in the constitution within the framework of a unitary state.

Page 2, Committee Work Outcomes:

First: Delineate the number of regions

Building upon data and political visions that were discussed in depth during the period in which the Comprehensive National Dialogue Conference was held. And enquire in the principles which were decided by Yemenis to adopt in order to create a unitary state that aims to ensure a fair partnership in the revolution and the authority and to preserve the security and confirm unity, security and the stability of Yemen, most members of the committee agreed to adopt 6 options for the regions wherein there will be two regions in the south and four in the north.

### **State configuration**

Page 1, Preamble:

Building on the Presidential Decision no. 2 for the year 2014 on the matter of creating a Region Defining Committee tasked to study and approve a choice of six regions – four in the north and two in the south – or the option of two provinces, or any decision between these two options which may achieve an effective consensus. The Committee will also delineate a number of provinces and states (governorates) which will be formed taking into account the current situation, geographic delimitations and aspects of culture and history. ...

Page 1, Preamble:

... In light of the special importance of the two city municipalities of Sana'a and Aden, presentations were presented designed to give an overview of the situation of these two cities and the expected central and fundamental role they will play in the unified state.

...

Page 2, Committee Work Outcomes:

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### **Self determination**

No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/  
secession** No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** Page 3, Secondly: General Provisions  
1. The formation of current borders for the governorates, 'states', within each region, constitute the total boundaries of that region.

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

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## **Governance**

**Political  
institutions (new or  
reformed)** No specific mention.

**Elections** Page 4, Secondly: General Provisions  
... 3. The law of the regions should determine that the borders of the regions may be reviewed after the election cycle or more, and this is regulated by federal law.

**Electoral  
commission** No specific mention.

**Political parties  
reform** No specific mention.

**Civil society** No specific mention.

**Traditional/  
religious leaders** No specific mention.

**Public  
administration** No specific mention.

**Constitution** No specific mention.

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Proportionality in legislature  
State level

Page 4, Secondly: General Provisions

... 4. To ensure a true partnership in the legislative authority, each region must ensure rotation of the Head of the Legislative Council, as well as ensure fair representation for each state in the Federal Parliament.

**Territorial power sharing**

Power sharing→Territorial power sharing→Federal or similar sub-divided government

Page 2, Committee Work Outcomes:

First: Delineate the number of regions

Building upon data and political visions that were discussed in depth during the period in which the Comprehensive National Dialogue Conference was held. And enquire in the principles which were decided by Yemenis to adopt in order to create a unitary state that aims to ensure a fair partnership in the revolution and the authority and to preserve the security and confirm unity, security and the stability of Yemen, most members of the committee agreed to adopt 6 options for the regions wherein there will be two regions in the south and four in the north.

Page 3, [Summary] Table contains the details of the new regions.

Page 4, Secondly: General Provisions

... 2. Regional laws must containing the possibility of a return to the internal borders of current constituencies within each Administrative region according to specific rules [to come into force] after the election cycle or more, and this is regulated and issued by the legislature of each region.

Power sharing→Territorial power sharing→Local/municipal government

Page 3, Secondly: Delineating the following state (governorate) for each region and the naming of the regions and appointing of their capitals:

... Everyone agreed on:

1. The Capital Sana'a: A federal city not subject to the authority of any region, special arrangements to ensure its neutrality and independence will be included in the Constitution.
2. The City of Aden: an administrative and economic city holding a special situation in the framework of the Aden region, to enjoy legislative powers and executive independence.

Page 4, Secondly: General Provisions

... 5. To ensure a true partnership in the executive authority, each region must ensure a lack of state control over the jurisdiction of government formation in the region.

**Economic power sharing**

Power sharing→Economic power sharing→Sharing of resources

Page 4, Secondly: General Provisions

... 6. To ensure a fair distribution of the revenues of wealth, in consultation with the regions and the states, [the committee] drafted a standardised and fair distribution of natural and non-natural resource revenues in a transparent manner, fair to all the people and taking into account the needs of the producing region and states, in particular the allocation of revenue from the federal government.

**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** Rights related issues→Citizenship→Citizens, specific rights  
Page 1-2, Principles:  
The Committee adopted the principles, agreed on in this document and with the decorum of the Comprehensive National Dialogue Conference, as follows:  
- All Yemeni citizens enjoy rights and obligations including equal citizenship.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** Page 4, Secondly: General Provisions  
...7. To ensure the freedom of trade and economic activity as a means of promoting integration between the regions and facilitate the movement of citizens, goods, services, and money, either directly or indirectly, and not impose any barriers, obstacles, restrictions, customs [tax], tax, or administrative fees when passing from one region to another.

**Protection measures** No specific mention.

**Other** No specific mention.

## **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** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 4, Secondly: General Provisions  
... 8. Each region has a leading role in economic development and to ensure equal living conditions in all regions through the strengthening of cooperation and solidarity between the regions.

**National economic plan** No specific mention.

**Natural resources** Page 4, Secondly: General Provisions  
... 6. To ensure a fair distribution of the revenues of wealth, in consultation with the regions and the states, [the committee] drafted a standardised and fair distribution of natural and non-natural resource revenues in a transparent manner, fair to all the people and taking into account the needs of the producing region and states, in particular the allocation of revenue from the federal government.

**International funds** No specific mention.

|                 |   |
|-----------------|---|
| <b>Business</b> | Page 4, Secondly: General Provisions<br>...7. To ensure the freedom of trade and economic activity as a means of promoting integration between the regions and facilitate the movement of citizens, goods, services, and money, either directly or indirectly, and not impose any barriers, obstacles, restrictions, customs [tax], tax, or administrative fees when passing from one region to another.  |
| <b>Taxation</b> | Socio-economic reconstruction→Taxation→Reform of taxation<br>Page 4, Secondly: General Provisions<br>...7. To ensure the freedom of trade and economic activity as a means of promoting integration between the regions and facilitate the movement of citizens, goods, services, and money, either directly or indirectly, and not impose any barriers, obstacles, restrictions, customs [tax], tax, or administrative fees when passing from one region to another. |
| <b>Banks</b>    | 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** Land, property and environment→Cultural heritage→Other  
Page 3, Secondly: Delineating the following state (governorate) for each region and the naming of the regions and appointing of their capitals:  
The Committee adopted the following criteria:  
... - Societal, cultural and historical factors

**Environment** No specific mention.

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

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## Security sector

|   |   |
|---|---|
| <b>Security Guarantees</b>                          | Page 2, Committee Work Outcomes:<br>First: Delineate the number of regions<br>Building upon data and political visions that were discussed in depth during the period in which the Comprehensive National Dialogue Conference was held. And enquire in the principles which were decided by Yemenis to adopt in order to create a unitary state that aims to ensure a fair partnership in the revolution and the authority and to preserve the security and confirm unity, security and the stability of Yemen, most members of the committee agreed to adopt 6 options for the regions wherein there will be two regions in the south and four in the north. |
| <b>Ceasefire</b>                                    | No specific mention.  |
| <b>Police</b>                                       | No specific mention.  |
| <b>Armed forces</b>                                 | No specific mention.  |
| <b>DDR</b>  | No specific mention.  |
| <b>Intelligence services</b>                        | No specific mention.  |
| <b>Parastatal/rebel and opposition group forces</b> | No specific mention.  |
| <b>Withdrawal of foreign forces</b>                 | No specific mention.  |
| <b>Corruption</b>                                   | No specific mention.  |
| <b>Crime/organised crime</b>                        | No specific mention.  |
| <b>Drugs</b>  | No specific mention.  |
| <b>Terrorism</b>                                    | No specific mention.  |

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## Transitional justice

|                                     |                      |
|-------------------------------------|----------------------|
| <b>Transitional justice general</b> | No specific mention. |
| <b>Amnesty/pardon</b>               | No specific mention. |

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|-------------------------|----------------------|
| <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>   | No specific mention. |

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#### **Implementation**

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|--|----------------------|
| <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>                              | Dustour.net          |

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