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## Strengthening Parliaments in Conflict/Post-conflict Situations

### Case Study on Yemen

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#### 1. Introduction

Parliaments are among the most disputed political institutions in newly emerging democracies. They have received low priority in academic studies compared with other political components. Parliaments, however, are the only viable forum for political participation and representation at national level and act as councils capable of accommodating conflict and legitimizing the political system. In addition, they can play an important role in setting the direction of policies for political and economic development. In this sense, this study presents the Yemeni Parliament as a case study; it explores the dynamics and mechanisms that facilitate or weaken the role of the Parliament in resolving or pre-empting domestic conflict. Since the unification in 1990 Yemen has had four parliaments, the last three ones were fully elected.

Though had some power, legislatures in both former Yemen states – the Yemen Arab Republic (YAR), and the People’s Democratic Republic of Yemen (PDRY) – functioned merely to endorse policies that had already been formulated by executive bodies. Nonetheless, awareness of the need for legitimacy and national integration forced the leadership in both states to attend to the setting up of legislatures. Since the 1990 unification, the legislature has gained importance because of the adoption of democracy, and the aim of developing a multiparty system. However, democratization requires that judicial, legislative and executive authorities exist and are organized constitutionally. This has enhanced the existence of the legislature by linking the legitimacy of the regime with the existence of these authorities. Moreover, relaxation of the laws legalizing political parties and introducing freedom of the press has enhanced the role of the legislature, while the redistribution of power following unification has favored the legislative and relatively weakened the executive, which can no longer regard Parliament as a rubber stamp. Though parliaments play several functions, this study, however, explores only the functions of the Yemeni Parliament in preventing, mediating and/or resolving political conflicts in the political context in Yemen. Parliaments in general contribute in conflict management by providing an opportunity for recruiting opposing political elites as well as an arena in which debate is legitimate, conditions are provided in which conflict is prevented from spilling into the street.<sup>1</sup>

#### 2. Methodology

In this study both quantitative and qualitative data were used. Therefore, both interviews and questionnaires were applied in conducting the field study. The study was constructed by using three types of instrument – a documentary survey, questionnaire, and interviews. The questionnaire targeted

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<sup>1</sup> Hoskin, Gary, 'Dimensions of Conflict in the Colombian National Legislature', chapter six in Boynton and Kim (eds.), *Legislative Systems in Developing Countries*, Durham, North Carolina: Duke University Press, 1975, pp. 143-180.

the MPs. Parliament consists of 301 members, and the questionnaire covered the MPs of the first three Parliaments by quota sampling in accordance with representation of the political parties. A questionnaire was chosen here since it was difficult to conduct a large number of interviews. The questionnaire used open and closed questions. In closed questions the respondents are provided with a series of answers from which to choose those that most closely represent their views.<sup>2</sup> A problem with closed questions is that the researcher may not be able to anticipate some important dimensions and some of prime concern to many respondents may be omitted.<sup>3</sup> Open questions, on the other hand, allow respondents the freedom to express their attitudes in their own way and reveal different things that are important to them. However, open questions are difficult to answer and still more difficult to analyze.<sup>4</sup> Therefore, to overcome certain drawbacks both types of open and closed questions were used. The questionnaire has covered legislators' background and aspirations, legislation, relations with the government, parties and electorates, and public policies. The questionnaire was devoted to collecting data from the MPs. Therefore, all percentages in this study refer to the MPs. Because it was difficult to get access to all the MPs of all Parliaments and due to the difficulty of analyzing a large numbers of questionnaires, sampling here was desirable. The questionnaire was tested in a pilot study.<sup>5</sup> The technique used for sampling was quota samples. It aims to select a sample that is as similar as possible to the sampling population.<sup>6</sup> Quota samples, therefore, were taken from the three Parliaments according to the political parties' representation, as shown in (Table 1).

Table 1  
Quota Sampling of the MPs

	First Parliament		Second Parliament		Third Parliament		Total Samples
	% of seats won	N° of samples	% of seats won	N° of samples	% of seats won	N° of samples	
GPC	53	26					
YSP	37	18					
Independents	10	5					
<b>Total</b>	<b>100</b>	<b>49</b>					<b>49</b>
GPC			40.9	20			
YSP			18.7	9			
Islah			20.9	10			
Ba'ath			2.3	1			
Al-Haqq			0.7	1			
Nasserites 3 factions			0.99	1			
Independents			15.6	8			
<b>Total</b>			<b>100</b>	<b>50</b>			<b>99</b>
GPC					62.1	31	
Islah					17.6	8	
Nasserite					1	1	
Ba'ath					0.7	1	
Independents					18.6	9	
<b>Total</b>					<b>100</b>	<b>50</b>	<b>149</b>

The interviews targeted the politicians, executives, Speakers, parliamentary leaders, and intellectuals. The sample design used is the purposive samples (often called judgment samples). The sampling units were selected subjectively by the researcher, who attempted to obtain a sample that appears to be

<sup>2</sup> Sheskin, Ira M., *Survey Research*, Washington, DC: Association of American Geographers, 1985, p. 56.

<sup>3</sup> *Ibid.*, p. 57.

<sup>4</sup> Nachmias Chava F. and David Nachmias, *Research Methods in the Social Science*, Kent: Edward Arnold, 4<sup>th</sup> ed., 1992, p. 243.

<sup>5</sup> To ensure the validity of the chosen instrument, the Face Validity measurement was used. After constructing the questionnaire, the researcher reviewed each statement in both English and Arabic versions. Then asked experts to assess the extent to which it is related to the research. There was an agreement among the experts; therefore, the researcher presumed that the questionnaire has faced validity.

<sup>6</sup> Nachmias, *Research Methods....*, Op. Cit., p. 176.

representative of the population.<sup>7</sup> Sampling in this method involves the selection of actions, events and people. The selection based on certain criteria such as age, sex, occupation, previous experience that endows special knowledge, past or existing influence, and the participation in the making of Yemeni politics.

### 3. The State of Democratic Governance in the Pre-Unified Yemens

The contemporary history of Yemen can be divided into three distinct stages. The first stage, which was that of the absolutist *Imamate* in the North and British colonialism in the South, extended over the periods 1918-1962 and 1839-1967 respectively. The second stage was characterised by the 1962 revolution in the North and the 1964-67 revolution in the South. These events established an authoritative republican rule in both states, which ended in the declaration of unification and the emergence of the unified Republic of Yemen on 22nd May 1990. Finally, there is the stage of consolidation of that unification since 1990, and the evolution of the multi-party system and modern political institutions as a precursor for development of a democratic political system. At times in history, there were turning points that gave each stage its own characteristics. The observation that takes into account the evolution and burgeoning of civil structures, legality and institutionalisation, is that the North has moved in an ascending curve from absolutism (*Imamate*) and authoritarianism (YAR), to the current manipulated democracy. The South, by contrast, has moved in a fluctuating curve, having witnessed a flourishing civil society, some legislative councils in Aden, political activities and a relatively well-established legal framework under British colonial rule. This margin of freedom was abolished after independence under the Stalinist-style rule of the National Liberation Front (NLF) during 1967-78, and the Yemeni Socialist party (YSP) during the period 1978-1990. Therefore, it is sensible to divide Yemeni contemporary history into the above three stages.

#### 2.1 *The Representative Councils in the Yemen Arab Republic (YAR)*

During the period of the YAR from 1962 to 1990 many political orientations overlapped, which was reflected in a struggle for power. This was exacerbated by external intervention. The weak state and fragmented society and the structure of power that was buttressed by external factors all made Yemeni politics a continuous struggle and compromise between modernists and traditionalists, while the other factions traded off between them. It started with the nationalist regime of al-Sallal backed by Egyptians from 1962 to 1967. This regime was ousted and replaced by a wide coalition of traditionalists and reformers headed by al-Iryani from 1967 to 1974. The modernists assumed power in the bloodless coup of al-Hamdi, who ruled until his assassination in 1977, followed by the brief eight-month tenure of al-Ghashmi, who was also assassinated. A new coalition came with the reign of Ali Abdullah Salih, who survived until after the unification. His reign was characterised by the co-existence of rivals via series of accommodation and incorporation processes.

Burrowes points out that the new institutions were pale carbon copies of those in Cairo in the early 1960s, and they were often ill-suited to conditions in Yemen. Some remained inoperative paper organisations and others were hastily staffed by a few survivors from the *Imamate*, who knew nothing about modern government, and by young republicans, who lacked prior experience with any form of

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<sup>7</sup> The population of the research is the political elite and comprises those who have participated in political activities since 1990. Participation could be either by assuming a post in one of the three authorities (Judicial, Legislative, and Executive), or contributing mentally and morally, such as the intellectuals.

governance.<sup>8</sup> The ongoing civil war after the 1962 revolution denied the government access to over half the country, and affected its legitimacy.<sup>9</sup>

Because of the regime's critical position in the civil war and the coincident need for tribal power<sup>10</sup> a "Council of *Sheikhs*" was established, which was a quasi-legislative body and would express the wishes of the major tribes. Even when the regime tried to strip tribes their power out they responded aggressively as was the case in Amran, Khamir, and Harad conferences. Even the leading royalists *Sheikhs* were called to attend these conferences. This reinvigorated tribal power through reviving tribal coalition *vis-à-vis* the central government. This strengthened the position of tribal leaders (*sheikhs*) and for the first time they were formally incorporated into the government and held important posts at the expense of the leftists and the nationalists. This resulted in forming representative councils consist of the powerful *Sheikhs*. Of course, this has characterised the state bureaucracy to be filled, up to day, with non-meritocracy. The representative councils by virtue were assemblies of notables. In the absence of explicit party organisation and ideology, the members were grouped into shifting factions and skewed toward rural and tribal areas, where the majority of the MPs were tribal *sheikhs* or other notables with conservative orientation and connections. These councils nonetheless did have power to withdraw confidence from the government<sup>11</sup> and to refuse to give assent to proposed legislation and the budget.<sup>12</sup> Most of councils asserted their prerogatives and became increasingly powerful institutions.<sup>13</sup>

## 2.2 *The Representative Councils in the People's Democratic Republic of Yemen (PDRY)*

The new state came into being with the High Command of the NLF as its sovereign body.<sup>14</sup> In the absence of a legitimate legislative authority and given the difficulty, due to the lack of registers, of holding immediate elections to consolidate the NLF's power over the country, it was decided that the NLF's General Command would temporarily assume legislative power. It was also decided that the NLF was to be the only authorised political organisation.<sup>15</sup>

In May 1971, the Provisional Supreme People's Council (SPC) met. Though no elections had been held, 86% of the members of the SPC were nominated by the government among the high ranks of the NLF and the remainder were elected by the Trade Unions.<sup>16</sup> According to Article 134 of the 1970 constitution, the provisional SPC would last only for one year during preparations for general elections; however this council lasted until 1978, which was replaced by an elected one, and the

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<sup>8</sup> Burrowes, Robert, 'State-Building and Political Construction in the Yemen Arab Republic 1962-77', in Peter J. Chelkowski and Robert J. Pranger (eds.), *Ideology and Power in the Middle East*, Durham and London: Duke University Press, 1988, p. 213.

<sup>9</sup> The matter of legitimacy was vital, due to the strong autonomous tribal society *vis-à-vis* the weak state. The *Imamate* ruled over the last thousand years had derived its legitimacy through enforcing the principles of *Zaydi* Islamic jurisprudence, which was carried out by *Zaydi* institutions. The *Zaydi Imamate* was introduced into Yemen in 897 and lasted until it was removed by revolution in 1962. During this time, many royal families succeeded each other, but all were from *Zaydi* sect and drawn from the same strata '*Sada*: who claim they are descendants of the Prophet'. They ruled according to *Zaydi* codes. The last royal family was al-Hamid al-Din, and the last *Imam* (king) was al-Badr who ruled for only six days. For details on this history see Paul Dresch, *Tribes, Government and History in Yemen*, Oxford: Clarendon Press, 2<sup>nd</sup> ed., 1993.

<sup>10</sup> Abd al-Ilah B. Abdullah, *Naksat al-Thawrah fi-l-Yaman*, [Relapse of the Revolution in North Yemen], no place of publication indicated, 1964, pp. 130-1. Quoted in Dresch, *Tribes, Government...*, Op. Cit., p. 249.

<sup>11</sup> During 1971-75, five governments had lost the parliamentary confidence and were forced to resign. See the Parliament, *Al-Majalis al-Niabbyah fi al-Yaman 1969-97* [The Yemeni Representative Councils 1969-97], Documentary Series, no. 1, Sana'a: The Parliament's Press, 1998, p. 15.

<sup>12</sup> Burrowes, Robert, *The Yemen Arab Republic: The Politics of Development 1062-86*, Londond: Croom Helm, 1987, p. 34.

<sup>13</sup> *Ibid.*, Loc.. Cit.

<sup>14</sup> Lackner, Helen, *P.D.R. Yemen: Outpost of Development in Arabia*, London: Ithaca Press, 1985, p. 53.

<sup>15</sup> *Ibid.*, Loc. Cit.

<sup>16</sup> This contradicted Article 9 of the 1970 Constitution which stated that the SPC must be created through free, general and direct elections.

second and last elected one was in 1986 after the civil war. The highest organ of state power was the SPC as the Presidium, the Council of Ministers and the People's Local Councils were organs of the SPC, and they all implemented the policies of the state as laid down by the SPC.<sup>17</sup>

The SPC exercised a powerful role because of the conformity between the organs of the NLF, the only permitted political organisation. Unlike other Arab regimes, the top state officials were not drawn from the army and the NLF was an independent force that controlled the state apparatus by itself. The army played a less prominent role in public life than it did in other Arab countries.<sup>18</sup> The security forces were also very strongly linked to the NLF and had such a great influence on society that it was hard to distinguish between class struggle and sordid vendettas.<sup>19</sup> The regime appeared to have established effective control over the masses, when questions of personal rivalry arose under ideological pretexts. Because of the massive power the SPC had, the struggle revolved around who controls it, therefore; SPC was part of the problem rather than being an organ prevents or solves conflicts.

#### 4. The Unified State, the Republic of Yemen

In the late 1980s, the end of the Cold War and the demise of the Soviet bloc, together with an inter-Arab atmosphere of pacification after the end of the Iran-Iraq war, brought a new geopolitical environment among regional, Western, and Eastern states that was sympathetic to the Yemeni unity.<sup>20</sup>

From the southern leaders' point of view, unification would legitimise the new PDRY elite which had come to power by winning the 1986 internal war, but which still lacked deep-rooted popular support. There were also economic reasons for unity. The PDRY had failed to achieve the promised economic prosperity and this combined with a general recession in the Gulf countries that caused the PDRY's remittances to South Yemen to fall by almost half. Therefore, unity was viewed as the means to alleviate, if not solve, the economic problems. To facilitate unification, the PDRY embarked on a programme of reform in various areas, which was announced on 30 July 1989. Elections to provincial government councils were announced for the end of the year, and permission was given for the formation and functioning of other political parties.<sup>21</sup> These efforts were to set the stage for Arab and Western investment, and to prepare for the unification process. At the same time, the YAR's leaders were encouraged by post-Cold War conditions to embark on unification with South Yemen. They perceived that the weakened PDRY, the insecurity of its leaders after the Soviet evacuation, and the more densely populated YAR could easily absorb the PDRY and become the dominant player in a united Yemen. Also, unification was seen as enhancing the image of President Salih after social and political unrest.<sup>22</sup> The economic motives were much more important. The economic difficulties faced by the YAR and natural population increase made unity a way of solving these difficulties. New oil and gas discoveries and the expectations of a massive reservoir in the South and the mutual boundaries were good inducements for proceeding towards unification.

Formally, structures of an integrated polity were established: constitution, Parliament, elections and bureaucratic mergers. An arena for freer political expression was opened up; there was proliferation of the press, the establishment of political parties and associations and the convening of public

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<sup>17</sup> Shamiry, Naguib, 'The Judicial System in Democratic Yemen'. Chapter 12 in B. R. Pridham(ed.), *Contemporary Yemen: Politics and Historical Background*, London & Sydney and Exeter: Croom Helm, 1984, p. 176.

<sup>18</sup> Halliday, Fred, 'Yemen's Unfinished Revolution: Socialism in the South', *MERIP*, no. 81 (1979) pp. 3-20, pp. 4-10.

<sup>19</sup> Abu-Amr, Ziad M., 'The People's Democratic Republic of Yemen: The Transformation of Society', PhD Thesis, Georgetown University, 1986, p. 178.

<sup>20</sup> For details on the motives and catalysts for the unity see Kostiner, Joseph, *Yemen: The Tortuous Quest for Unity 1990-94*, London: The Royal Institute of International Affairs, 1996, pp. 5-13.

<sup>21</sup> *Ibid.*, Loc. Cit.

<sup>22</sup> Kostiner, *Yemen: The Tortuous....*, Op. Cit., pp. 10-11.

conferences. However, in practice, the two former authoritarian regimes approached the merger with a lack of good faith and trust in each other.<sup>23</sup> The GPC (the ruling party of the YAR) and the YSP (the ruling party of the PDRY) had ostensibly agreed to a power-sharing formula on a roughly 50-50 basis, although there was an 80-20 ratio in the population.<sup>24</sup>

The unification of 1990 was received with great enthusiasm among the population; however, unity and democracy were the elite's choice. Democratisation in Yemen is attributable to a combination of factors. Some of these factors were specific to the needs of the unification process and domestic politics, while others were related to external influences.<sup>25</sup>

The focal point here is that both representative councils in both states stood against the merging process of the two states and called instead for a gradual integration, but their efforts were pre-empted by the ruling establishments on both sides. The tribal/Islamist faction in the GPC, who dominated the Consultative Council in the YAR, resisted any merging, which would have given leading positions to the progressives. Given the population disparities and a considerable number of hostile exiled southerners to the YSP the leaders in the north thought the fragmented YSP and its weak leadership would be easily diminished. All these factors were envisaged by the resisters to merging who thought that they would predominate in the near future. Therefore, why should they give the YSP the chance to survive?

By contrast, the opponents in the Supreme Peoples' Council in the PDRY became increasingly afraid of sinking into the complicated networks of kinship and nepotism that characterised the YAR's regime. But the leaders in the south also perceived that they had a clear agenda for state building, especially after the political and ideological reforms that it had implemented. Therefore, YSP could mobilise people all over the unified country. Finally, in a contingency step, the YSP insisted on permission for the formation of political parties; as political parties are tools for political education and modernisation, the YSP thought they would enhance its position by balancing the traditional-based GPC.

In summary, the camp advocated a quick unification prevailed on both sides and democratization was inevitable rather than being a free choice. Both parties were driven by a combination of factors that they had to accommodate in order to survive, and popular pressure was completely absent from the process.

With regard to the Legislative Authority (LA) in the new state, the constitution provided for a unicameral chamber with a fixed term of four years. The 1990 constitution did not specify the number of MPs and it was later agreed at 301, all of whom were to be elected in a secret, free and direct vote. The constitution, however, specified the duties, authorities, power, and rights of the parliament in detail, but the constitution does not mention resolving disputes among the parliament's functions. The reason is obvious according to the democratic philosophy by adopting democracy it entails resolving political disputes through legitimate and constitutional means. The problem, therefore, lies in Parliament's role in decision-making. To address this problem it is necessary to look at three different aspects of that role. First, Parliament acts as an agency for setting goals for state and society. Secondly it plays a part in managing conflict. Lastly, it involves itself in the integration of the political system. Parliaments in general contribute in conflict management by providing an opportunity for recruiting opposing political elites as well as an arena in which debate is legitimate, conditions are provided in which conflict is prevented from spilling into the street. Hoskin, who described the recruitment of the new elite in the Colombian Parliament, showed that the older groups were more supportive of the prevailing political arrangements and were ideologically more conservative, while the new groups

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<sup>23</sup> Ibid., Loc. Cit.

<sup>24</sup> For demographic figures see David Munro, *The Oxford Dictionary of the World*, Oxford: Oxford University Press, 1995, p. 657.

<sup>25</sup> For more details see Ahmed A. Saif, *A Legislature in Transition: the Yemeni Parliament*, Aldershot: Ashgate, 2001, pp. 69-71.

were more liberal. However, the major consequence was to centre political influence in the hands of the executive and reduce the influence of the Parliament. Thus, the changing pattern of recruitment made Parliament an arena for opposition at the same time that it was losing its influence in policy-making.<sup>26</sup>

The 1994 constitution adds another form of representation called the Consultative Council to establish a bicameral chamber. The latter, however, had no legislative power in the beginning<sup>27</sup> and was merely a consultative body to the president. Its resolutions were non-binding, and its members were appointed by the President of the Republic.<sup>28</sup> Initially, the council consisted of 59 members, expanded later to 111, who were appointed by the President. With regard to the political consequences that led to the creation of the Consultative Council, it can thus be viewed not as a process of the institutionalisation of a new organ, but merely a process of formalising and codifying the existing practices. The Yemen is familiar with consultation, so observers can see a traditional institution adopting new practices. Nevertheless, the issue still is not the founding of participant institutions, but the actual exercise of power. The Consultative Council, therefore, works both as a cushion that absorbs the frustrations of different influential groups and individuals who lost part of their power as a result of the democratisation process, and as a tool of incorporation and co-opting of rivals. At first, it was intended to absorb southern grievances that resulted from the loss of the 1993 elections and the 1994 war. This might have been the reason for legislation of the Council in September 1994, though it was not enforced then because of the resistance of the Islamists Islah party, who backed the GPC in the war. The Islah loss in the 1997 elections made the creation of the Council possible and more in demand than ever, and it was established in May 1997. The Council consists of senior political figures from political parties, individuals who have lost some of their power, and tribal and religious leaders. In effect it can be described as a council of notables. To broaden this base, it was announced in February 2000 that the membership of the Council would be increased to 99 members, then later to 111 including two women.<sup>29</sup>

## 5. Political Sphere

The short span since the establishment of the Yemeni Parliament does not permit extensive institutionalisation and consolidation. Furthermore, the Parliament has functioned in an unstable political environment. Political life has been characterised by a struggle for power, swinging from co-operation to a large-scale war. Rivals used all means they had to cultivate their power and they sought power even beyond the national boundaries.

Depending on the level of tension between different parties, power distribution, and the impact on the Parliament, the political arena since the unification can be divided into four different phases: 1990-93, 1993-94, 1994-97, and since 1997. The first covers the interim period 1990-93. This period was intended to provide a space for resolving the outstanding problems of unity such as merging the state institutions of the former entities, and preparing for parliamentary elections. In reality, there was little further integration of the institutions of the two parts of Yemen beyond what had already been agreed before unification. The central issue revolved around the mechanism for transferring legitimate authority from the two old states to the new one. This matter was dealt with in three documents: the Aden Accord of 1989, the Sana'a Accord of April 1990 and the draft constitution of the new republic. The Aden Accord envisaged a three-stage process of unification. The first stage was the approval of the draft constitution by both legislatures within six months. The second stage was a referendum on

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<sup>26</sup> Hoskin, Gary, 'Dimensions of Conflict in the Colombian National Legislature'. Chapter Six in Boynton and Kim (eds.), *Legislative Systems...*, Op. Cit., pp. 143-180.

<sup>27</sup> After 2003, the Consultative Council has gained more legislative power as an upper chamber and on certain issues it convenes a plenary session with the Parliament and laws and decisions passed by majority votes.

<sup>28</sup> See the Presidential Decree no. 4 on May 24, 1990.

<sup>29</sup> *Yemen Times*, February 1-7, 2000, p. 1.

the constitution. The final stage was election of a unified Parliament under the new constitution.<sup>30</sup> Consequently, al-Baydh and Salih met in Sana'a on 22 April 1990, and accepted a revised set of proposals entitled "Proclamation of the Yemeni Republic and Arrangements for the Interim Period", which is known as the Sana'a Agreement. This agreement turned the process upside down in order to speed up the unification. They agreed that unification would take place first and be followed by a transitional period of 30 months, during which the referendum and parliamentary elections would be held.<sup>31</sup> The constitution would become operative from the moment of unification, pending the referendum, but with certain temporary modifications:<sup>32</sup>

1. From the day of unification until the elections, Yemen would have a transitional Parliament comprising the existing legislatures of the two states. There would be also 31 members, mainly representing ex-southerners appointed by the Presidential Council.
2. A special commission drawn from both legislatures would elect the Presidential Council for the interim period.
3. The Presidential Council would elect from among themselves a Chairman and Vice-chairman (President and Vice-president).
4. The Presidential Council would assume all the prerogatives granted to it by the constitution, as well as the power granted to the government by the constitution.
5. The referendum on the constitution would be held no later than November 20, 1990. Consequently, on 22 May 1990, the Republic of Yemen was declared as a new entity and the new Parliament was established comprised 159 members from the north, 111 from the south, and 31 appointees.

The 1990 constitution adopted for the unified state had, in the main, been drafted ten years earlier as a result of the efforts of the Joint Committee for Unification. During the unity negotiations in 1989 and 1990, the constitutional committee used this draft, amending it where necessary. The constitution was subject to public discussion and on 15-16 May 1991 the Yemeni people were asked to approve the constitution, which they did by a majority of 98.3 per cent of voters who took part in the referendum.<sup>33</sup>

However, the joint committee that drew up the constitution was influenced by four factors. The first was foreign experiences; they were always aware of major systems in other countries. The second was the past Yemeni constitutions in both parts of Yemen. The third was the prevalent culture and religion, and finally was the different perceptions of the two ruling parties toward state building.<sup>34</sup> The 1990 constitution, therefore, shows some degree of inconsistency. In some parts it looks very ambitious and liberal and in others reflects codification of Islamic and customary laws. It also consists of juxtaposed contradictory Articles to meet the wishes of major political actors. The drafters were more concerned with short-term political issues, the aim being to bridge the gap between the two different former systems to establish a unified state in the hope of resolving disputed issues and eliminating contradictory Articles in the future. By contrast, the 1994 constitution emerged after the GPC won the 1994 war. Thus, not surprisingly some amendments favour the winners. However, the GPC was restricted from going further by three elements. Firstly, the composition of the special parliamentary committee involved in presenting the draft to the floor comprised MPs from across political spectrum and leaders of parliamentary blocs (see Table 6-1). This committee resisted with some success the GPC's attempts to redirect amendments for its interests.<sup>35</sup>

Table 2  
The Special Committee for Considering and Drawing up Constitutional Amendments

Party	Number
GPC	8

<sup>30</sup> Aden Agreement, 30 November 1989.

<sup>31</sup> Sana'a Agreement, 22 April 1990.

<sup>32</sup> *Ibid.*, Loc. Cit.

<sup>33</sup> Less than 50 per cent of eligible voters were registered for the referendum. See Iris Glosemeyer, 'The First Yemeni Parliamentary Elections in 1993: practicing democracy', *Orient (Opladen)*, vol. 34, 1993, pp. 439-51; see also Robin Bidwell, 'Yemen', *Middle East and North Africa*, 1993, pp. 948-88.

<sup>34</sup> Interview with Mr. Justice Nageeb Shamiri, Sana'a, 9 January 1999.

<sup>35</sup> *Al-Wahdawi*, issue 148, 27 September 1994, pp. 1-2.



YSP	4
Islah	4
Ba'ath	2
Nasserite	1
Independents	2
Total	21

Secondly, the GPC was aware of its legitimacy, so it did not push too far and discredit its popular image, and in this way it also avoided instigation of resistance that could spill into the streets. Finally, the need for international financial and political support forced the GPC to maintain a veneer of democracy.

The two former ruling parties, the GPC and the YSP, failed to merge into a unified political organisation,<sup>36</sup> a matter that made them mistrust each other. So, each party retained its means of power hoping to achieve a sweeping victory in the 1993 parliamentary election. Meanwhile, each party prepared contingency plans for the predicted conflict. Each, therefore, tried to build up its power and weaken its counterpart by different means.<sup>37</sup> This phase, though it had commenced with enthusiastic co-operation, ended with escalated tension.

The balance of power between rivals provided the Parliament with reasonable room to manoeuvre, and the two ruling parties tried to reach a compromise over many issues. In the process, they delegated considerable authority to the Parliament and 58.4 per cent of the MPs believe that it had high autonomy and 20.8 per cent say it had reasonable degree of autonomy. The Parliament, therefore, emerged as a powerful institution to the extent that it was prepared to withdraw confidence from the government in 1991 for raising diesel prices, whereupon the government retreated.<sup>38</sup>

The second phase extended from 27 April 1993, the date of the first parliamentary election, to the start of the May-July 1994 war. The elections changed the power-sharing formula between the GPC and the YSP. Consequently, the YSP fell back to the third position, behind the GPC and its ally the Islah party, in the number of occupied seats in the Parliament. To maintain the united Yemen framework, the three parties agreed to form a coalition government. Because of the military power the YSP had, it was given more ministerial and administrative posts than was the Islah, the second party. Nevertheless, the YSP was dissatisfied by the election results and became more vulnerable. Given these results and assassination attempts against its activists,<sup>39</sup> the YSP assumed this was the beginning of a process to abandon it by gradually stripping its power. The YSP therefore advocated constitutional reforms and new perception for state building as a strategy to bring its rivals down to its level.

A deep conflict emerged which, because of the gap between differing perceptions of the course of future development for Yemen and the declining balance of power between the ruling parties, resulted in the failure to create a joint platform for co-operation. The YSP's only solid support for its position was its control over the army in the south. As time went by, a bitter struggle erupted for governmental, economic, and military power.

<sup>36</sup> For the efforts to create a unified political organization and the reasons for failure see; Hassan Abu-Talib, *Al Wihdah al-Yamaniyyah: Dirasat fi Amaliyat at-Tahawul min al-Tashtir ila al-Wahda* [Yemeni Unification: Studies in the Process of Transformation from Separation to Unity], Beirut: Center for Arab Unity Studies, 1994, pp. 195-9.

<sup>37</sup> For details of the power struggle see Ahmed A. Saif, *The Politics of Survival and the Structure of Control in the Unified Yemen 1990-97*, MA Dissertation, University of Exeter, 1997.

<sup>38</sup> Interview with Yasin Sa'id Numa'n, Speaker of the Parliament 1990-83 (former Prime Minister of the PDRY 1986-90), Abu Dhabi, December 12, 1998.

<sup>39</sup> According to Ali Salim al-Baydh, the YSP Secretary General, 150 members of the YSP had been assassinated by late 1993. Quoted in Gerd Nonneman, 'The Yemen Republic: From Unification and Liberalization to Civil War and Beyond'. Chapter Four in Haifa A. Jawad (ed.), *The Middle East in the New World Order*, London: Macmillan, 1997, 2<sup>nd</sup> edn., p. 79.

This rivalry had its impact on the Parliament. Although the Parliament was more representative than the previous one, it appeared less powerful (48.3 per cent of the MPs believe that it had high autonomy and 40.3 per cent report it had reasonable degree of autonomy), having been affected by the disputing parties who were controlling state administration. The Parliament failed to resolve the political disputes, so concerned Yemenis from across the political spectrum, including parliamentary and extra-parliamentary members, met in a National Dialogue Committee (NDC) to try to work out a formula agreeable to the power centres in both Sana'a and Aden. After months of deliberations, the NDC drew up the Document of the Pledge & Accord (DPA), which spelt out comprehensive reforms and set the operational mechanisms (see appendix for the text of DPA). Theoretically the DPA surmounted any single institution, including the parliament, as it constituted a national consensus. The DPA received publicly with a great enthusiasm and support and all political parties declared their support to it but the real power was manipulated by the main three parties who for the different reasons mentioned above preferred to go to war.

The third phase began shortly after the DPA had been signed in Amman by the leaders of all Yemeni political parties (including the three ruling parties) under the auspices of King Hussein of Jordan in February 1994. Despite this, war seemed inevitable and rivals saw the signing of the DPA as merely a temporary truce. The YSP believed that if war broke out it would be restricted to skirmishes on the former international borders and a cease-fire would soon be brokered by regional and international mediators. This would pave the way for the re-creation of the south as a separate entity. On the other hand the GPC and the Islah expected, and were prepared well beforehand for, a large-scale conflict, which eventually broke out on 5 May 1994. By 7 July 1994 the GPC and its allies had swept through the south and destroyed the military and security capabilities of the YSP.<sup>40</sup>

As the situation deteriorated, the Parliament found itself crippled by the lack of power. On the eve of the war on 5 May 1994, the Parliament declared a state of emergency and issued a statement condemning the war, placing responsibility at the feet of the secessionist's faction in the YSP. On this basis, the Parliament withdrew legitimate status from al-Baydh, the YSP Secretary General and Vice-President. Moreover, the Parliament, acting on a request from the Prosecutor General, nullified the parliamentary immunity of six YSP MPs who were accused of supporting the war. However, it is worth noting that the Parliament remained the only functioning unitary institution (including the YSP MPs) during the civil war at a time when all other state institutions had splintered between the two parties.

However, the Parliament lost its relative autonomy during and shortly after the war. Most YSP MPs continued their duties, but they were subjected to a state of fear and lost their organisational coherence. They dealt with different issues individually and in inconsistent manner.<sup>41</sup> The GPC and the Islah parties found it easy, therefore, to pass their desired constitutional amendments. On 28 September 1994, the Parliament approved these amendments (1994 Constitution). On 1 October 1994, according to the amendments, the Parliament abolished the Presidential Council in favour of a one-man presidency and Ali Abdullah Salih was re-elected by the MPs as the president of the republic for a five-year term.

After fending off the YSP threat, both the GPC and the Islah started rethinking the formula of power distribution. They approached each other cautiously. Overtly, they claimed to be close allies, but in reality they were competing to build up their power. Fortunately, this allowed the Parliament to resume some of its power.

Finally, the fourth phase started with the 1997 parliamentary election, which resulted in a landslide victory for the GPC; nearly the same results were repeated in 2003 elections. Despite the majority Parliament, it showed some degree of autonomy stemming from decreasing the threat imposed on the

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<sup>40</sup> For details on the war see the BBC, World Broadcasting Summary (WBS) April 27-July 7, 1994. Also see Joseph Kostiner, *Yemen: the Tortuous Quest for Unity...*, loc.cit, pp. 79-85.

<sup>41</sup> Interview with Yasin Sa'id Numa'n, Op. Cit..

GPC, the fluid nature of the GPC organisation, lack of internal discipline, and the feeling of the MPs that they owed nothing to their party to be in the Parliament. Among the MPs, 47 per cent believe that the Parliament has low autonomy, while only 22.8 per cent believe it has reasonable degree of autonomy. This led the Parliament to generate unpredicted decisions as long as the core interests of the ruling establishment remain untouched.

## 6. Executive-Legislative Relations

The way the Parliament worked over disputed issues that later led to war had been affected to a large extent by the relation with the executive. Therefore, it is justifiable to examine the relations between the two branches to evaluate the relations between the two branches and the patterns they had adopted. The real power of the executive was held by the Presidential Council and later by the president after 1994. The presidency has leverage over the Parliament, as will be seen, though this power was not constant during the period 1990-2005. The power of the presidency fluctuates according to a number of factors, such as the coalition in government, the number of parties in the Parliament and their cohesion, MPs' professionalism, economic circumstances, cleavages in the executive leadership, and the constitutional arrangements.

Table 3  
Presidential and Parliamentary Powers

Presidential Powers	Conditions	Parliamentary Powers	Conditions
1. Dissolve Parliament	Nation-wide referendum and calls to elect a new one.	1. Withdraw confidence	After interpellation, 1/3 vote of Parliament to uphold.
2. Appoints Premier and ministers	Cannot be dismissed.	2. Inquisition	For grand treason, violation of law or Constitution. 1/2 vote of Parliament to uphold and verdict needs 2/3 vote.
3. Appoints Supreme Court		3. Impeachment of the President	
4. Appoints judges and Prosecutor General.			
5. Appoints army commanders			
6. Announces state of emergency	Needs Parliament approval.		
7. Decrees legislation 'presidential ordinances'	Only during Parliament recession and required Parliament approval after resuming its sessions.	4. Place Premier and ministers under investigation	Motion needs 1/5 vote and verdict needs 2/3 vote.
8. Asks Parliament to Review a bill Approved by the Parliament	If the requested review is not heeded, the bill is then approved once again and be considered a law.		

The Parliament business is handled in different ways. All bills and presidential ordinances, loans, and Parliament statements have to be referred to the standing committees after the first reading. Treaties, public issues, resolutions, and recommendations may have been referred or decided by the chamber simultaneously, as suits each single case.

### 6.1 Pattern of Relations during the First Parliament (1990-93)

The 1990 constitution created a collective presidency in the form of a five-member council. This combined with forming a coalition government made up mainly from two parties (GPC 17, YSP 12, Ba'ath 1, and 3 independents). This was based on an agreement of power sharing, which is reflected also in the minority Parliament (GPC 159, YSP 111, and 31 independents). This was accompanied by an increase in the prominence and power of the Parliament. The disputed top executive leadership, balance of power, and exacerbated economic situation gave a great deal of manoeuvring room to the Parliament. This was enhanced also by professional MPs. Unlike the 1993, 1997 and 2003 Parliaments, the MPs in the 1990 Parliament were appointed, so ruling parties were concerned with both expertise and loyalty. Party loyalty entails, by virtue, disciplined MPs that provides weak parliament. The case was different in Yemen because the rival executives delegated considerable

power to their representatives in the Parliament. The government thus succumbed to both a relatively strong Parliament and a fragmented presidency. Thus, during the first Parliament and in spite of the presence of reasons for dispute no war was erupted due to the power Parliament had in which would delegitimised the ruling parties. Yet, as an appointed chamber, the Parliament was less representative but was effective because of the fragmentation of the executive. Among the MPs 62.4 per cent depicted the Parliament as strong and only 37.6 per cent said it was representative.

To show how strong the Parliament was, among 32 presidential ordinances submitted to the Parliament only 7 were approved and three of them were initially rejected.<sup>42</sup> The remaining 25 centred on the budget, public resources, the army, and security forces were rejected or withdrawn by the government and this indicates where the core of dispute lied. From the type of rejected bills, the issues separating the executive and the Parliament lie in three main areas: the army, the security forces, and allocation of state resources. These three issues were crucial for the rivals in their struggle for power; that explains the dispute centred around them. Most of the passed bills concentrated on establishing the newly required laws and institutions for the new state. All government bills were amended before being passed. It addressed the government by 15 binding resolutions and released 6 statements, all directed to international politics. The attendance of executives on the floor responding to Parliament's request was reasonable: the president attended once, the Prime Minister on 14 occasions, and ministers 27. The disciplined MPs and the balanced chamber in terms of the size of majority made a minor defection lead to defeat. This led to both impeded the work of government and reduced the Parliament's production.

Considering the struggle for power, the time was important for rivalled parties and that shaped MPs' relations with their parties. Both the GPC and the YSP viewed the interim period (1990-93) not only as time to prepare for the election, but also to consolidate their own power and weaken the other parties. Thus, both parties re-arranged their priorities to achieve dominance in different perspectives.

The YSP perceived the establishment of law and order as the main tool to undermine the patrimonial GPC's networks and that would diminish its power in favour of the YSP. So, activating the role of the Parliament to legislate all required laws was the main task on the YSP's agenda. On the other side, the GPC was satisfied to distract its rival while builds its security, military, and patronage capacities, which was the GPC's priority. At the beginning the GPC made efforts to ensure that its MPs follow its agenda, but later when the power shifted to favour the GPC it did little to influence its MPs and preferred to reach deals with the YSP at the top executive level outside the Parliament. As Ali S. Obad argues, the GPC was confident of achieving the upper hand in the 1993 election for three factors. The first was the population disparities between the north and south. The second was the GPC control of state resources, which enabled it to cement its patronage networks. The third was the continuous efforts the GPC exerted to build up its military capacity. For that the GPC ensured winning the race either through the ballot box or on the battlefield.<sup>43</sup>

These approaches of the two parties fragmented the executive, allowing the MPs a good deal of space with a relatively low level of effective pressure from government intervention. For example, in December 15, 1991, the Parliament adopted the National Constructive and Reform Programme (NCRP). This programme in its essence strips both ruling parties of their power. As time went by, it became clear that the YSP was declining; thus it embraced the NCRP. In contrast, the GPC was gaining power, so it ignored the NCRP completely. Nonetheless, no party dared challenging the

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<sup>42</sup> These three presidential ordinances are: No. 62/1991 for establishment of the National Defense Council, No. 63/1991 for diplomatic passports, and No. 1/1992 for foreign trade. The published Parliament documentary series no. 1, 1998, mentioned that there were only two presidential ordinances submitted to the Parliament. However, based on the Parliament's records and the sessions minutes it has been found that there are another five passed presidential ordinances, which are listed in the Parliament series as bills. Moreover, the rejected or withdrawn 25 presidential ordinances had been ignored completely in the published documentary series.

<sup>43</sup> Interview with Ali Salih Obad, the Secretary General of the YSP (since 1994), Sana'a, January 19, 1999.

powerful Parliament or overlooked it that in part explains why conflict erupted only later during the second Parliament.

## 6.2 Pattern of Relations during the Second Parliament (1993-97)

Unlike the first Parliament, this was the first to be elected. It was characterised by eight parties entering the Parliament: the GPC won 123 seats, the Islah 62, the YSP 56, the Arab Socialist Ba'ath 7, al-Haqq 2, the Nasserite factions 3 and the independents 48.

Despite the accumulation of disputed issues since the union in 1990, grievances were mitigated in the hopes of securing victory through the ballot box. In light of the military power they had, stability depended to a large extent on co-operation between the GPC and the YSP. Therefore, the GPC raised the divisive issue indirectly through its ally, the Islah. On the other side, the five small parties formed a front with the YSP.

The political agenda dominated by constitutional reform, merging of the two armies, and economic and administrative reforms. Based on these issues the vote of confidence passed to al-Attas's government in August 2, 1993. A coalition government was made up from the GPC (15 ministers), the YSP (9), the Islah (6), and the Ba'ath (1). The Parliament was able, until the 1994 war, to establish a balanced, effective, and representative chamber, but not strong as was the first one. Loss of balance after the war explains the flux of the passed measures. Among the MPs 89.9 per cent asserted that it was the most representative Parliament in Yemen, and 61.7 per cent said it was moderate in its strength while 26.8 per cent said strong.

Eventually, the war broke out in May 5, 1994. During the war the Parliament remained the only functioning unitary institution. The reason is that the disputed parties were concerned to mobilise public support and to acquire the recognition and support of the Parliament, therefore, all parties preferred to maintain the existing status of the chamber. For the GPC, the Parliament meant the legitimacy and it viewed the war was approved by it to maintain the unity. For that on May 5, 1994, Parliament declared state of emergency and waived the legitimate status of the vice-president, the YSP Secretary General and on May 29, 1994 it suspended parliamentary immunity of 6 MPs (YSP members) based on a request by the Prosecutor General. In contrast, because the Parliament released on March 26, 1994 a decision binding the government to the DPA and as the YSP called upon the same it portrayed the Parliament the venue to delegitimised the GPC. For that, the Parliament continued holding its sessions, including the MPs belonging to the YSP, and the Parliament still called for reconciliation until the declaration of secession in May 21, 1994. Consequently, the Parliament, including the YSP bloc, denounced the secession and announced that they supported the legitimate unionist leadership in Sana'a.<sup>44</sup>

The notable work after the war was the constitutional amendments, which were approved in September 28, 1994. With the military victory of the GPC, the socialist MPs appeared passive and vulnerable. President Ali Salih appeared as a national hero and more powerful than ever. So he translated his bargaining power into favourable institutional outcomes. The Presidential Council was abolished in favour of a one-man presidency. In October 1, 1994, the Parliament elected Ali Salih for a five-year term. He won easily with 253 votes out of 259 present. Among other amendments were ones stating that the next presidential election must be direct by the people and a president is not allowed to hold office more than twice.<sup>45</sup> In November 15, 1994, vote of confidence in the government of Abdul-Ghani was passed, which made up from 16 GPC, 9 Islah, and 2 independents.

The Parliament aftermath of 1994 was shaped by the tone of the relationships between the GPC and the Islah. The divided and weak YSP alerted the GPC to the potential threat from its former ally the

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<sup>44</sup> Most of the YSP MPs and a considerable number of the YSP leaders denounced the war and refused the decision of secession. For that the Parliament and the president accused only a faction within the YSP. The legal status of the YSP as a whole has not been affected and is still recognized in Yemen. See the Parliament declaration of May 30, 1994.

<sup>45</sup> 1994 Constitution, Articles 107 and 111.

Islah. Ideological hostility between the YSP and the Islah made the socialist MPs lean slightly to the GPC. However, the rejection of the 5 presidential ordinances was led by the Islah's bloc, where these ordinances targeted the trade companies and mining controlled mainly by Islamists. The Parliament during this period of time kept calling powerlessly for reconciliation. As the Parliament's tenure approached its end and parties started preparing for the next election, the parliamentary activity became more intense because of processes of bargaining between the GPC and the Islah for election arrangements.

### 6.3 Pattern of Relations during the Third Parliament (1997-2003)

The difficulties the GPC had in the past with coalition governments made it contest to achieve a majority in the 1997 parliamentary election held on 27<sup>th</sup> April. For that end, the GPC used a complex combination of legitimacy and authority. The GPC's appeal to people was based on frequent emphasis of the role of the president and of its party in maintaining a legitimate system.<sup>46</sup> The GPC claims that legitimacy is translated by holding two consecutive free and fair parliamentary elections, defending the unity in 1994, having a president elected by the Parliament in 1994 and by the people in 1999, and maintaining democratic safeguards.<sup>47</sup>

The GPC used different means to influence the electorate by financial handouts to societal leaders, to influence the political parties by bilateral agreements,<sup>48</sup> and to influence the election process itself by dominating the Supreme Election Committee (SEC) and using mobile military camps to vote in uncertain constituencies.<sup>49</sup> The boycotting of the election by the YSP and the other three small parties enhanced the GPC's opportunities to win a sweeping victory, though the boycotting limited the credibility of the election.

The GPC won 187 seats, Islah 53, independents 56, Popular Union Nasserite Organisation 3 and Ba'ath 2. By defeating the YSP in the war the threat imposed on the GPC and Islah decreased; therefore, policy issues dominated. Thus, a confidence vote was passed in May 1997 for the government of Faraj Bin-Ghanim based on an economic and administrative reform programme. As a majority party, the GPC formed the government. To show an inclusionary tendency, the president appointed an independent southern technocrat, Bin-Ghanim, as Prime Minister, 3 other independent ministers, and the Secretary General of the al-Haqq party as Minister of Religious Endowments, while the rest of the government was composed of GPC members.<sup>50</sup> However, the president emphasised that these appointments were on a personal basis and with the intention of implementing the GPC's policies.<sup>51</sup>

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<sup>46</sup> For deep analysis and discussion of parties' manifestos and political discourse see Ahmed A. Saif, 'Yemeni Parliamentary Elections: A Critical Analysis', *Yemen Studies*, Issue 2, 2004, pp. 1-55.

<sup>47</sup> To compare the GPC's standards for free and fair elections and democracy safeguards with those accepted universally see Guy S. Goodwin-Gill, *Codes of Conduct for Elections*, Geneva: Inter-Parliamentary Union, 1998; Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice*, Geneva: Inter-Parliamentary Union, 1994; The Inter-Parliamentary Union, *Democracy: Its Principles and Achievements*, Geneva: Inter-Parliamentary Union, 1998; and Michael Saward, *The terms of Democracy*, Oxford: Polity Press, 1998.

<sup>48</sup> There were several bilateral party agreements, some to organize competition in determined constituencies, as the case was with the agreement signed in January 25, 1997, between the GPC and the Islah. Others provided guarantees of conducting free and fair elections, as the agreement signed in March 8, 1997, between the GPC and the YSP.

<sup>49</sup> The National Democratic Institute for International Affairs (NDI), *The 1997 Parliamentary Election in Yemen*, Washington, DC: NDI, 1997, pp. 24-6.

<sup>50</sup> The Prime Minister and the Minister of Religious Endowments resigned later for the same reasons. They said that bureaucratic interests impeded them of doing their tasks. See *al-Watheiqa*, issue 72, June 15, 1998, p. 9 and *al-Umah*, issue 70, September 3, 1998, p. 1.

<sup>51</sup> *Middle East Mirror*, May 1, 1997, p. 15.

Only the Islamic faction of the Islah MPs and the other MPs representing the Ba'ath and Nasserite parties have showed disciplinary behaviour, while other MPs have created a fluid Parliament. The fluid nature of the Parliament stems from a number of factors. The first is the consolidation of the constitutional power of the president. The second is the diminishing threat of the YSP. Finally, there is the low level of discipline within the GPC, which is enhanced by socially powerful MPs either nominated by or affiliated later to the GPC. This means the vital issue to the GPC and the president in particular is the GPC's MPs vote in accordance with party interests. On other issues, the MPs of the GPC vote according to their own predilections.

Compared with the previous Parliament, there was a decrease in the number of presidential ordinances and an increase in the members' bills. This, however, does not mean an increase in Parliament's strength, for two reasons. The GPC majority provides a comfortable alternative for presidential ordinances, which explains the increase in members' bills. Secondly, pro-system opposition of the Islah party supports the system, while it opposes specific measures related mainly to policy issues. In contrast the YSP opposition in the second Parliament was anti-system opposition and disagreed with the basic norms of the political system, and therefore concentrated on constitutional arrangements.<sup>52</sup> This is why 71.1 per cent of the MPs said this Parliament is weak, while only 24.8 per cent said that it is reasonably representative. The weakness of the Parliament is illustrated for example in the failure of the opposition nominee (the Secretary General of the YSP) in the presidential election of 1999 to secure 30 votes in the Parliament in order to become a candidate.<sup>53</sup> He got only 7 votes, while the president got 182 votes and the other presidential candidate (from the GPC as well) got 31 votes.

Nonetheless, the Parliament does not easily rubber-stamp government proposals. There is a distinction between the ruling establishment and the government, which is represented by the GPC. So, the Parliament rejected, delayed, and amended many government bills. The relatively autonomous MPs practised their functions on wide range of issues freely. For example, until the end of 2000 the Parliament refused to pass the bill on Local Administration, requesting a considerable number of amendments. In another example, the Parliament had suspended the government's bill on privatisation. The MPs sought to amend Article 5 in Privatisation Bill to oblige the transfer of ownership of state-owned enterprises to public shares rather than leave it unconditional in order to prevent the creation of a monopoly.<sup>54</sup>

#### 6.4 Pattern of Relations during the Fourth Parliament (2003-2009)

The current phase has started with the latest parliamentary elections on 27<sup>th</sup> of April 2003, which again resulted in a landslide victory for the GPC 241 seats of the 301 seats and Islah came in the second with 41 seats and YSP with 7 seat and independents and other small parties (Ba'ath and Nasserite) divided the remaining seats. These were the third elections held in Yemen since the 1990. They are of special importance being the first Arab-wide following the invasion of Iraq and the escalating American pressure to democratise the region. In this context, the GPC accused Islah of being the Taliban of Yemen in order to weaken its base and link it with terrorism. The other point was that of relative security calm in comparison with the local elections in 2001 when 16 persons were killed. After the elections, Abdulqader Bajamal was called to form the new government that consists 35 ministers all from the GPC. In accommodative move, the President appointed Salem Salih Mohamed, a former rival politician from the YSP, as his special advisor. In another reconciliation move, on 22 May the President issued a decision pardoning leaders of secession attempt in 1994. This amnesty, however, covers five leaders who were sentenced to death in 1997. Three days later on May 25, the President in Abu Dhabi met with 50 officials from the opposition living in exile, including separatists, who he had

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<sup>52</sup> For the argument of pro and anti system opposition, see Fred W. Riggs, 'Legislative Structures: Some Thoughts on Elected National Assemblies'. Chapter Two in Allan Kornberg (ed.), *Legislatures in Comparative Perspective*, New York: David Mckay, 1973, p. 58.

<sup>53</sup> The 1994 Constitution, Article 107, states that all candidates for presidential election must be approved by at least 10 per cent (30 votes) of the MPs.

<sup>54</sup> Interview with Sultan al-Barakani, leader of the GPC parliamentary bloc, London, August 24, 1999.

pardoned. Although these moves were received with a great relief amongst some of the opposition, other figures have refused the pardon under the justification that the case was not criminal but political thus necessitating national dialogue and radical reform.

It is worth noting that the Parliament had no part in these moves at all. The current fourth Parliament, however, is similar to a great extent to the third one in its characteristics and its relation with the executive. As illustrated by Table 4, MPs believe that the government dominates the current Parliament, therefore; it overlooks the Parliament and makes policies outside the house.

Table 4

**Do you believe that the government dominates parliament**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid yes	122	81.9	81.9	81.9
no	27	18.1	18.1	100.0
Total	149	100.0	100.0	

The international arena that wages a war against terrorism has also been exploited by the regime to consolidate its power at the expense of various powers using the pretext of combating terrorism, which has negative ramifications on the freedom. Under this pretext the government arrests and detentions many alleged suspects and waged a war on Al-Houthi between June-September 2004 and against his father in April 2005. The Parliament formed a delegation to negotiate and mediate, but its attempt was thwarted by the government.

*Assessment*

The case of the Yemeni Parliament reveals three main variables determining the executive-legislative relationships and hence affect the capability of the Parliament to prevent or mediate conflict: the degree of discipline within parliamentary parties; type of government minority/majority; and the threat imposed on the ruling parties.

1. Party Discipline

Discipline within a party in Yemen is determined by party organisation and the degree of certainty of the political future of its MPs. Taking the GPC and the YSP as examples, the YSP is centrally organised and highly disciplined. In contrast, the GPC is a loose party and sanctions are seldom applied to its members. The certainty of future of MPs can be measured by the socio-economic situation of an MP if he/she retires from or abandons politics. Most of GPC's MPs are wealthy and powerful socially. This means they have a more certain future, while those of the YSP come from middle and lower social strata and their political future is linked to a great extent to the future of the party. Among the GPC's MPs 33 per cent said they are representing their constituencies, while all the YSP's MPs said they are representing their party. The impact of these two characteristics reflected on the YSP's behaviour in the Parliament. Although it was a partner in both governments in 1990 and 1993, it was vulnerable so its MPs performed anti-system opposition. That is why issues separated the MPs and the government were mainly constitutional, the MPs of the YSP tried to alter the system to be more certain for their future. The case was different in 1997 with the Islah party, which shares many characteristics with the GPC. MPs, therefore, adopted pro-system opposition and disputed issues were mainly policy ones.

2. Majority/Minority Government

The Yemeni Parliament shows that its efficiency and autonomy increased with the forming of a minority government that lacks a clear majority in the Parliament, as was the case with the 1990 Parliament and 1993 Parliament before the war. It can be viewed from the angle of presidency: a fragmented presidency concomitant with the relatively strong first two Parliaments, and a strong



presidency coincided with the weak third and fourth Parliaments. This is enhanced by the number of parties in the Parliament combined with their internal cohesion, many and fluid parties means more strong chamber. The case of Yemen shows that MPs with more parties in the Parliament (fluid chamber) were able to reconciled disputes easily away from ideology or conflict at executive level, particularly in the standing committees. The measurement of this is by the number of presidential ordinances and government bills passed. However, such measurement is not very reliable because of the continuous political crisis, which required frequent bargaining and compromise outside the Parliament.

### 3. Imposing Threats on Ruling Parties

The establishment of the Parliament in 1990 combined with the creation of the unified Yemen that required a new formula of power redistribution. Therefore, from the outset both the GPC and the YSP perceived the Parliament as a potential threat in the hands of the other party. This perception of threat went along with the two party interventions in parliamentary business to alter the danger. As time went by, the power imbalance made the YSP more vulnerable such that it became more concerned with the Parliament than the GPC did.

Intervention differs in the four Parliaments. During the balanced 1990 Parliament and the first half of the 1993 Parliament, intervention took direct forms through excessive presidential ordinances and direct influence on MPs. During the third and fourth unbalanced Parliaments, with the threat diminishing to its lowest level, intervention has been changed to take indirect forms through influencing the Presidium, Standing Committees, and sometimes instead of intervention, the government overlooks the Parliament.

In all Parliaments the executive has had the upper hand over the Parliament, which has greatly affected its functions. Among the MPs 76.1 per cent said the distribution of policy-making is too much in the government's favour and 81.9 per cent believed that the government dominates the Parliament. The government has used different tools in order to establish its supremacy over the Parliament. These tools, however, have been affected by changes to the balance of power at the executive level, and by changes of Parliament from a balanced into an unbalanced chamber. In this regard, the Parliament is divided into two spans: the first extends from May 1990 to July 1994 and the second covers the period since 1994. In the first span, there was a sort of balance at both the executive and legislative levels. The main tools the government used were the presidential ordinances and rushing bills. Presidential ordinances were limited by the ability of the Parliament to amend or reject them. Yet, the problem lies in the implementation of a presidential ordinance during the parliamentary recess that create sequences of rights and liabilities in people's life. Thus, when the Parliament resumed its sessions and nullified this presidential ordinance, it caused turbulence in these rights and liabilities. The surge in using this tool occurred shortly after the war, to amend the previous laws and to reintroduce the rejected ones. Similarly, rushing through bills is a tool that has been excessively used by the government. It has been found that the important bills for the government are quite often submitted to the Parliament towards the end of the Legislative Round. The government then presses for the passing of the bill before the Parliament goes into recess. Because of time constraints and pressure of work, the bill passes without or with little amendment.

In the second span, the government continued using the above-mentioned tools but with less frequency. The change in balance of power for the GPC and the forming of a majority Parliament, especially after 1997, make the government resort to indirect tools to dominate the Parliament. Having a majority in the Parliament makes things easier, both in voting on the floor or in the Standing Committees. The other tool is controlling the debate on the floor. *Shaykh* al-Ahmar, the leader of the Islah party, has been the Speaker of the Parliament since 1993. Differentiating between the ruling

establishment and the ruling party is important here.<sup>55</sup> Al-Ahmar and the president are the most influential figures in the ruling establishment, but at the same time al-Ahmar is the leader of the opposition party, the Islah, and the president is the leader of the ruling party, the GPC. Therefore, as a Speaker he controls the debate not to affect the core interests of the ruling establishment. Meanwhile, he does not refrain from criticising or even condemning the ruling party, the GPC.

## **7. Internal Institutional Factors that Enhance/Weaken Parliament's Role in Preventing and/or Resolving Conflict**

### **7.1 Stability and Representation**

Eulau *et al.* designate three types of legislators: the trustee, who is concerned with issues of national scope; the delegate, who promotes strictly local issues; and the politico, who combines both styles.<sup>56</sup> Ainsworth argues that most new Parliaments produce legislators who adopt the 'delegate' style of representation.<sup>57</sup> Personalism and localism in Yemen are the prevalent patterns in recruiting most of the MPs. Only 45.6 per cent of the MPs said they ran the election according to party instruction, whilst 78.5 per cent maintained that the major motive behind their candidacy was to serve their people, and this has an impact on their relations with their constituencies. 'Serving people' here means the general population and not a particular constituency, since only 18.8 per cent said their main concern was local. However, MPs may have given misleading responses to this question because they wanted to reflect their national roles.

With regard to stability, a lower turnover is useful for the new Parliament. This would lead to a larger number of full-time professional MPs with limited options for employment outside of Parliament and therefore, as Norton and Wood argue, these MPs will work more diligently.<sup>58</sup> Membership stability is measured either by turnover or by average number of years of service.<sup>59</sup> It has been found that 64 MPs had served since the pre-unification period and some of them were incumbent since the first Parliament in 1969. Sixty-seven of the 301 elected MPs in 1997(22 per cent) were related to one or more present or former MPs. The political base is easily inherited through family connections. Since the first Parliament of 1969 up to the current one, sons or relatives of deceased MPs filled most of the vacant seats caused by death.

Among the MPs there are 39.6 per cent incumbents and the higher incumbency rates were among independents (because of their established social power base) and ideologue parties (because of their internal rigidity) (see Table 5). This means the turnover rate is 60.4 per cent. This high turn over percentage meant most of MPs lack of the required experience to work out conflict outside the Parliament in an effective way. New MPs also were in a status of building up and consolidating their political position through finding ways to strengthen their ties mainly with the presidency; therefore, they would not and could not take explicit political stance that may portrayed hostile or against the establishment of the presidency. In doing so, the MPs were in a vulnerable or uncertain position to

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<sup>55</sup> To know more on the differences see Ahmed A. Saif, 'Yemen: State Weakness and Society Alienation', *Al-Masar*, vol.1, no. 2, Summer 2000, pp. 3-13.

<sup>56</sup> Eulau, Heinz, *et al.*, 'The Role of the Representatives', *American Political Science Review*, vol. 53, 1959, pp. 742-56.

<sup>57</sup> Ainsworth, Scott H., 'Representation and Institutional Stability', *Theoretical Politics*, vol. 9, no. 2, April 1997, pp. 147-65, p. 148.

<sup>58</sup> Quoted in Michael L. Mezey, 'New Perspectives on Parliamentary Systems: A Review Article', *Legislative Studies Quarterly*, vol. XIX, no. 3, August 1994, pp. 429-41, p. 437.

<sup>59</sup> Squire, Peverill, 'Career Opportunities and Membership Stability in Legislatures', *Legislative Studies Quarterly*, vol. X111, no. 1, February 1988, pp. 65-82, p. 66.

take a concrete rapid motion to intervene in political conflict, which negatively affected their role in preventing and/or mediating the conflict. This made political conflict to a large extent a business of executives. That explains why tension was high at bureaucratic and military levels. By comparison, during the 1950s-60s the turnover percentage in the USA was 10-19 per cent, in Canada 20-25 per cent, and in Switzerland 28 per cent. The history of legislatures suggests that turnover tends to decrease over time.<sup>60</sup>

Table 5  
Incumbency by Political Parties

Political Affiliation	Whether MP is Incumbent or not			Total
	Yes	No	Missing Data	
Independents	8	7		15
GPC	25	56	1	82
YSP	15	12		27
Islah	9	11		20
Ba'ath [Arab Socialist]	1			1
Ba'ath [National Arab Socialist]		1		1
Unioist Popular Nasserite	1	1		2
Al-Haqq		1		1
Total	59	89	1	149

In sum, the Yemeni Parliament is dominated by poorly-educated, middle-aged, upper and upper-middle strata males. Personalism and localism predominate; however, because of economic austerity and political instability, national issues appear to be pre-eminent. Parochial characteristics are represented by the inherited political base and by the serving of local communities from outside Parliament through personal connections with bureaucracy.

Regarding MPs' behaviour, the Parliament is divided into two main groups, with a small third portion (8 per cent) seeing themselves as being frustrated and expressing dissatisfaction with their work as MPs. The first main group consists of those MPs who aspire to ministerial or high-ranking office. These MPs view the Parliament as a springboard to secure a political future and regard the Parliament as a transitional bridge. In general, this behaviour has not produced government supporters as expected, due to the strong social status of the MPs, which has given them relative autonomy and enabled them to resist government and party policies. This relative autonomy, however, is confined to challenge the government over public policies but as long as the MPs are ministerial aspirants they have been reluctant to challenge the government over political and security issues. The second main group comprises career MPs, who view the Parliament as full-time employment for financial benefits and the channel of access it provides to state agencies. These MPs prepare themselves for long service and are therefore conscientious about serving their constituencies in order to be re-elected. Both main groups produce an increase in voting independence that consolidates the position of the policy advocate. This unique feature of Yemeni Parliament suggests an active role for the Parliament to intervene in various conflicts and to initiate pre-emptive steps to prevent disputes, but we have not seen such expected role. The reasons, in part, because of localism that dominates MPs that make MPs aware about their constituencies at the expense of national issue. High turn over also deprives accumulation of experience and does not allow MPs an adequate time to establish a distinguished independent legislative power. Moreover, aspirant MPs continuously polarised b the government that weakened the role of Parliament in this regard. Finally, the inclination of power in favour of the executive particularly with the unfavourable arena after the September 11, 2001 negatively impacted the margin of freedom in Yemen, which reflected in minimising the role can be played by the Parliament.

<sup>60</sup> Blondel, Jean, *Comparative Legislatures*, Englewood Cliffs, N. J.: Prentice-Hall, 1973, pp. 86-7.

However, cross-voting has less effect because of the size of the government's overall majority, especially in the third and fourth Parliaments, and the influence of external characteristics. Another feature is that members of these two groups, through web-like kinship networks, have established good ties with ministers and high bureaucrats but have also to some degree maintained their autonomy over the issues that do not affect the direct interests of the ruling establishment.

7.2 Parliamentary Parties

The role played by the Parliament in preventing or solving conflict is determined in part by its parties, who either activate or neglect this role. Four characteristics are especially important in formulating the main pattern of parliamentary parties: the number of parties in the Parliament, their origins, their internal unity and cohesion, and the electoral system. In all four Parliaments during 1990-2009, only eight parties have had representation out of fifteen existing parties. Three parties are distinguished in terms of number of MPs and the role they play in politics: the GPC, the YSP, and the Islah. The conventional hypothesis supposes that less party discipline and more parties in the Parliament are associated with a more prominent Parliament.<sup>61</sup> The low number of representatives of the remaining parties has substantially reduced their effect. Thus, for simplification, analysis will mainly be confined to the three major parties.

Table 6  
Parliamentary Seats by Party

Party	Parliamentary Elections 1993		Parliamentary Elections 1997		Parliamentary Elections 2003	
	Seats	%	Seats	%	Seats	%
GPC	123	40.9	187	62.1	241	80
IND.	47	15.6	56	18.6	8	2.6
YSP	56	18.7	B	B	7	2.3
Islah	63	20.9	53	17.6	41	13.7
ANB	7	2.3	0	0	-	-
ASB	NE	NE	2	0.7	2	0.7
Haqq	2	0.7	0	0	-	-
CN	1	0.33	0	0	-	-
DN	1	0.33	0	0	-	-
PUNO	1	0.33	3	1	2	.07
Total	301	100	301	100	301	100

Keywords: B (boycotted); NE (did not exist then).

Both the GPC and the YSP were organised outside Parliament and sought to control the government from outside the legislature before unity. In contrast, the Islah party was founded in 1991 to control or share control of the government through Parliament. For historical, political, and social reasons in terms of discipline and central organisation the YSP comes at the left, the GPC at the right, and the Islah at mid-point between the left and right. Finally, the Yemeni electoral system is based on the single-member district, which deprives parties of a powerful device for candidate selection and for imposing ideological and policy conformity on their MPs. This has resulted in the domination of traditional kinship preferences, which has led to the reproduction of the dominant social groups within the Parliament.

General Election Law No. 27/1996 has adopted the first-past-the-post (FPP) system with single-member constituencies.<sup>62</sup> All election affairs are organised technically by the Supreme Election Committee (SEC), a body charged with the task of preparing for and conducting all elections. This system formula states that the candidate who obtains the most votes wins and all votes for the other

<sup>61</sup> See Mezey, Michael L., 'New Perspectives on Parliamentary Systems: A Review Article', *Legislative Studies Quarterly*, vol. XIX, no. 3, August 1994, pp. 429-41, p. 436.

<sup>62</sup> In this regard it does not differ from General Election Law No. 41/1992.

candidates are effectively wasted.<sup>63</sup> The 1993, 1997 and 2003 parliamentary elections showed that the FPP system favours the largest parties. Supporters of this electoral system contend it suits Yemen's circumstances. With the high rate of illiteracy, voters can recognise and choose their candidates on a personal basis. This also provides transparent, easy, and straightforward elections. Moreover, this gives room for independents to be represented in the Parliament.<sup>64</sup> Findings suggest that 69.8 per cent of the MPs support the existing electoral system, which brought them in. Opponents contend that such a system in a traditional society like Yemen's would increase the importance of kinship preferences, which would deepen the sub-national identity at the expense of party electoral programmes. This downgrading the level of Parliament's professionalism. This system also disfavors small parties, depriving them of representation in Parliament. Opponents instead call for proportional representation (PR), claiming that it minimises personal and financial influences, allows political parties to form coalitions, gives priority to programmes, and enables parties to choose the most qualified, not the most socially influential, candidates.<sup>65</sup>

With regard to representation, however, the existing FPP system shows shortcomings. For example, in the 1997 election, at the constituency level, 116 MPs won with less than half (some as few as 23 per cent) of all votes in their constituencies. At the national level when adding up all the constituencies' results to get an overall state of the Parliament, all MPs got 55 per cent of all votes cast and 33.5 per cent of all registered eligible voters. To highlight the state of the parties in the Parliament after the 1997 election, it has been found that regarding the ratio of seats to votes, the GPC got 62.1 per cent of seats based on achieving 43.2 per cent of total votes. By comparison, the Islah party got 17.6 per cent of seats and 23.4 per cent of votes.<sup>66</sup> It is obvious the FPP system enables large parties to win every seat with a simple majority, leaving the minority totally underrepresented. In this sense, elections could be free but not fair. Based upon a simple majority, a candidate could win by a slight edge, as little as 23 per cent of the vote in a constituency.<sup>67</sup> Having gained a landslide victory, the GPC seeks no change in the electoral system. The only hope left for small parties lies in a concentration of support in certain regions rather than distribution across the country. The FPP system produces a majority government. In all elections held in Yemen small parties won 12, 5 and 4 seats in the 1993, 1997 and 2003 elections, respectively. However, in a nascent democracy such as Yemen's, this system probably provides a stable majoritarian government that allows for a certain co-operation between the Parliament and the government. In the short run this is possibly desirable to allow democratic institutions to consolidate and institutionalise further.

### 7.2.1 Party Leadership

The MPs have little say in the selection of their party leaders and usually a party leader's power increases when he occupies an executive position. In this case the leader becomes strong enough to settle disputes that arise between MPs and party bodies. For example, the Islah top leadership decided not to nominate a candidate for the presidential election of 1999; instead, they supported the nomination of the incumbent president, A. Salih. The MPs of the Islah party rejected this decision and asked their party to enter a candidate representing their party. The dispute between the party leadership and its MPs was settled by the mediation of the party leader, al-Ahmar, who used rewards and sanctions to persuade the MPs to obey. Generally, the parties have little say in the nomination of their candidates for Parliament. The social structure and electoral system decrease the efficacy of tools available to a party in controlling the selection of its candidates. Moreover, in the case of availability of a role for a party, the local party organisation has leverage in selection over the national party organisation. The MPs maintain a great influence over party organisation at the local level. This again

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<sup>63</sup> Robinson, Chris, *Voting Behavior and Electoral Systems*, London: Hodder & Stoughton, 1998, pp. 63, 65.

<sup>64</sup> Interview with Sultan al-Barakani, leader of the GPC's parliamentary bloc, London, August 24, 1999.

<sup>65</sup> Interview with Abdul-Rahman al-Jifri, Head of the RAY (League of the Sons of Yemen) party and President of the National Front for Opposition, London, July 10, 1999.

<sup>66</sup> These figures are before considering the swing of the independent MPs to affiliate with political parties.

<sup>67</sup> Two GPC candidates won their seats in the Parliament in the 1997 election by 23 per cent of the vote in constituencies number 143 and 212.

redirects MPs towards concentration on local issues and deprives them a power to influence national one. Consequently, as political conflict occurs nationally, MPs have little to say over it.

### 7.2.2 Interactions on Policy Making

Within the same party, public office holders differ from MPs in approaching policy matters. Those in office have the basis for policy-making authority and are accountable for outcomes before different bodies such as the Parliament, the president, courts and so on. By contrast, MPs base their claim on responsibility to their electorate. These two different bases and views may conflict, not over ideological or normative questions of control, but over specific policy issues and opinions.

The patterns of recruitment and selection of MPs contribute to either widening or bridging the gap between the MPs and their party colleagues in the executive. For example, the ideological parties such as the YSP experienced less conflict between their MPs and external party bodies because recruitment to the party and selection of candidates for Parliament is based on ideological persuasion. This congruency is most likely. Conversely, the GPC, for example, tends to recruit into the party and select for the Parliament influential local figures, regardless of their conformity with the party ideologically and programmatically. The GPC aims to expand its dominion over society and to ensure the winning of seats in the Parliament. A large number of members affiliated to the GPC, in contrast, want either to use the GPC's power base for their own political ambitions and to build up their influence through access to public offices, or to use their relations within the GPC to facilitate and maximise their commercial business and all of these cripple the MPs from consolidating the role of Parliament in intervening actively and objectively in political conflict.

It was found that the MPs of the GPC were extreme critics of the GPC's policies in the Parliament. The policy agenda of the GPC was mainly drawn up by its top leadership (the General Committee or *politburo*), and its MPs and other party bodies ratified the agenda only in the national convention. That is why many MPs of the GPC complain that the party and the government have ignored them when making policy, thus, MPs do not commit themselves to supporting the government in Parliament over public policies.<sup>68</sup> The GPC has mitigated the opposition of its MPs by different means. It provides facilities through state agencies for business groups, development projects to constituencies for career groups, and preferment promises and financial handouts for aspirants.<sup>69</sup> In addition, the GPC threatens its dissident MPs particularly over political and security issues.

The opposition is crippled by two factors. The first is the GPC majority in the Parliament, which occurred after the 1994 war, and which minimised the number of opposition parties and their MPs in the Parliament. The second factor is the passive opposition role played by the Islah party in the Parliament. Islah is the largest opposition party in the Parliament, but it has been affected by two factors, the role of its leader as a partner in the ruling establishment, and the privileges the party gains by acting the role of passive opponent. The Islah party finds it politically advantageous to share a part of the GPC's governing power without being burdened by the responsibility of governing. Paradoxically, the behaviour of GPC MPs is one of vociferous opposition, so it appears that the GPC governs and opposes at the same time. Meanwhile, the bloc of small parties and independents becomes effective whenever they co-operate over certain issues or policies with the GPC backbenchers and/or sometimes with the MPs of the Islah party.

### 7.3 Standing Committees SCs

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<sup>68</sup> Interview with Ahmed al-Kuhlani, a GPC MP and the rapporteur of the Public Services Standing Committee, Sana'a, December 17, 1998.

<sup>69</sup> For example, the chairman of the Financial Standing Committee (GPC) has been rewarded by being appointed the governor of Lahij province for his efforts to pass the state budget 1998-99.

Over a century ago Woodrow Wilson stated “It is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work.”<sup>70</sup> A mass meeting of MPs is not the optimum place to get things done; parliamentary committees on the other hand provide a specialised and institutional context in which to work on different issues.<sup>71</sup> In the Yemeni Parliament, there are nineteen standing committees (SCs).<sup>72</sup> All bills, presidential ordinances, loans, and parliamentary statements have to be referred to the SCs after first reading. Moreover, the state budget, Parliament's budget, and government programmes have to be referred to special (ad hoc) committees. Thus, the workload is mainly laid on the SCs. As Table 7 demonstrates, parliamentary activity revolves primarily around the committees.

Table 7  
Parliamentary Activity in the Chamber and the SCs (1990 - 2003)

Location	Parliaments Number of Sessions Held		
	The First, 1990-93	The Second, 1993-97	The Third, 1997-2003
In Chamber	317	481	247
In SCs	1'959	2'932	4231

The average of hours spent per session in both chamber and SCs is roughly the same, about 2.5.

7.3.1 SCs Membership

Table (7) suggests that the workload of the Parliament is carried out by SCs; therefore, the composition, internal mechanisms and dynamics and outcomes of the SCs shape the role played by the Parliament in political conflict. Eulau defines the assignment process as “the interaction between leaders and their strategies and members and their career aspirations.”<sup>73</sup> There is no rule of seniority by which committee membership is awarded to members with long-standing service in the Parliament. Despite this, there are two patterns of assignment to SCs. The first is assignment based on party preference, by which a party's most loyal members compete for committees that are perceived to be important by the party.<sup>74</sup> For example, the GPC has ensured that its loyal members control the SCs of Defence, Finance, and Foreign Affairs, which are the most pertinent committees to formulate the Parliament's role in conflict as was seen above these areas, in addition to the constitution, were the most disputed issues at executive level between the GPC and YSP. The Islah, by contrast, has ensured its members are assigned to the Education, Constitution, Justice, and Islamic Codification SCs. The second pattern of assignment is based on member preference. For instance, for each committee session each attending member receives YR 2,000; therefore, MPs incline to SCs that hold more sessions, such as Finance, Economic and Development, and Trade. Some MPs prefer the prestigious committee of Foreign Affairs, in which they can enjoy both frequent travel and generous allowances. Yet, the committees most preferred by MPs are still the Public Services and the Local Governance SCs, not only for their numerous sessions but also for the frequent contacts with state agencies that enable MPs to form connections to garner construction and developmental projects for their constituencies.

By dividing SCs into technical committees, such as Public Services and Transportation, and more political committees, such as Foreign Affairs and Defence, the pattern of assignment becomes clear. Findings show that party preference assignment goes mostly with political committees, whereas member preference assignment mostly goes with technical committees. The explanation is simply that the outcomes of technical committees have a direct impact on constituents' demands, whilst outcomes

<sup>70</sup> Wilson, Woodrow, *Congressional Government*, Gloucester, MA: Peter Smith, [1885] 1973, p. 69.  
<sup>71</sup> Eulau, Heinz and Vera McCluggage, 'Standing Committees in Legislatures: Three Decades of Research', *Legislative Studies Quarterly*, vol. 1X, no. 2, May 1984, pp. 195-270, p. 196.  
<sup>72</sup> A new Standing Committee for the environment was created in 2005 to form 20 SCs.  
<sup>73</sup> Eulau, Heinz, 'Legislative Committee Assignments', *Legislative Studies Quarterly*, vol. 1X, no. 4, November 1984, pp. 587-633, p. 599.  
<sup>74</sup> The party parliamentary bloc plays a crucial role in this regard.

of political committees tend to deal with more abstract policies that have a less direct impact on constituents' demands and involve policy choice reflecting the political division in the country. The trend among the MPs is that aspirants are inclined to political committees, whilst career and re-election-motivated MPs are inclined to technical committees. Again as we have seen above that aspirant MPs are less likely to challenge the presidency and they dominate political SCs; thus it is expected to find the outcomes of these SCs tempered and sometimes passive *vis-à-vis* the ruling establishment.<sup>75</sup>

### 7.3.2 Dynamics of the SCs

From the referred measures to different committees shown in Table 8 the domination of institutional issues in the first Parliament and of constitutional issues in the second Parliament, where political rivalry was reflected in the composition and outputs of SCs. The controversial political issues between the YSP and the Islah party found an outlet after the share of the YSP was diminished in the second Parliament. This caused an increase in the passage of the disputed issues in the following SCs: Higher Education and Youth, Justice and Religious Endowments, and Islamic Codification. In spite of its importance, the committee of Local Governance produced the lowest output throughout the four Parliaments, because the three big parties perceived local governance as a threat to their power at the centre. Apart from the committee of Petition and Complaints, the three favoured committees of Economic Development and Oil, Finance, and Public Services scored the highest rate of sessions held.

Table 8  
Standing Committees' Activities

Standing Committees	First Parliament, 1990-93					Second Parliament, 1993-97					Third Parliament, 1997-Oct.98				
	members	% of attendn.	No. sessions	referred issue	passed issues	members	% of attendn.	No. sessions	referred issue	passed issues	members	% of attendn.	No. sessions	referred issue	passed issues
Constitutional	12	58	149	14	7	15	60	225	34	30	15	45	85	20	14
Econ. Dev & oil	13	65	238	29	23	15	45	243	37	30	17	56	126	32	22
Trade & Indust.	9	55	91	11	8	15	41	140	11	9	16	59	121	11	6
Finance	17	51	347	29	18	16	37	227	53	32	15	54	137	37	12
Education	15	39	96	3	3	14	52	120	4	3	15	64	114	10	6
H. Edu.&Youth	12	36	93	5	5	15	45	172	18	18	15	52	87	6	3
Inform. Culture	9	57	14	3	1	14	35	102	8	7	14	63	122	9	5
Public Services	14	32	146	25	15	15	29	298	32	28	15	71	124	25	10
Health & Envir.	Did not Exist					Did not Exist					13	Newly Created			
Transp. & Com.	Did not Exist					Did not Exist					13	Newly Created			
Agriculture	14	39	139	9	4	15	34	65	8	6	15	42	99	18	13
Workforce	11	41	106	9	4	14	41	127	18	16	14	58	94	15	11
Foreign Affairs	14	53	50	5	4	15	42	63	3	2	15	45	36	8	3
Justice	10	47	73	2	1	15	33	287	18	10	15	49	130	11	5
Islamic Codific.	7	58	21	8	1	11	61	194	28	22	15	52	99	16	11
Defence, Securi.	18	44	80	19	10	16	39	90	16	14	15	48	80	12	6
Local Governm.	16	28	30	2	1	14	46	57	3	1	15	58	48	3	—
Petition, Comp.	16	19	231	990	990	15	26	426	1916	1916	15	50	150	762	762
Human Rights	12	41	55	6	5	16	41	96	7	5	15	51	88	4	3
Environment	Did not Exist					Did not Exist					Did not Exist				
Total	219	45 %	1'959	1'169	1'100	250	41.6 %	2'932	2'214	2'149	282	54 %	1'740	999	892

<sup>75</sup> This phenomenon was emphasized by a number of interviewees from different political parties: Yasin Sa'id Numa'n (YSP), Speaker of the Parliament 1990-93, Abu Dhabi, December 6, 1998; Abdullah al-Ahmar (Islah), Speaker of the Parliament 1993-2001, Sana'a, December 9, 1998; Ahmed Sharaf-al-Din (Islah), chairman of the Trade & Industry SC, Sana'a, December 21, 1998; and Muhsin R. Abu-Luhum (GPC), chairman of the Public Services SC, Sana'a, January 2, 1999.



Another significant statistic is the increase in number of sessions, referred measures, and passed measures over the three Parliaments as illustrated in Table 9.

Table 9  
Average Activity of SCs (*per month*)

Category	First Parliament	Second Parliament	Third Parliament
No. of Sessions	54	61	96
No. of Referred Measures	32	46	55
No. of Passed Measures	30	45	49

Table 9 reveals the correlation between the activity of SCs and the external political environment. Increasing stability of the political system leads to increasing SC production. Measures are commonly referred to a single committee. Multiple referral, however, is used and the most frequent multiple referral type is the sequential, where a measure reported to a committee is then assigned to one or more additional committees. Joint referral is mainly used when assigning a bill related to more than one committee and this type is less frequent, while split referral is rare. The committee of Constitutional Affairs is the one that most often receives multiple-referred measures because of its broad jurisdictional mandate and because of the constitution was a controversial issue. The chances of passage for multiple-referred measures were less than for single-referred measures because of the use of the multiple referral mechanism as a tool to defeat, modify, or delay the measure. This was the case during the first and second Parliaments in the SCs of Defence and security, Constitution, Finance, Islamic Codification and Local Governance, which were the most disputed ones. The hindrance of SCs work because of their composition and mechanism of assignment contributed to decreasing the influence of the Parliament in preventing political conflict, because institutionally and procedurally the Parliament has to follow up the work of SCs. In this regard, SCs were and will be used to cripple the Parliament by rival parties through their members in the SCs.

The other statistic of note is the type of sessions held. SCs are expected to perform a variety of functions ranging from scrutinising legislation to overseeing of the government. Findings suggest that activities of the SCs consisted of 65 per cent legislation, 20 per cent overseeing, and 15 per cent policy sessions. The predomination of legislative sessions means the SCs have been diverted from other functions. This also reflects MPs' perception of their function: 85 per cent of them said legislating is the most important function they perform. In addition, 75.2 per cent of the MPs believe legislation is the area in which the Parliament has achieved the most success. The rise of legislative activity is simply because nearly all legislative bills originated at the highest levels of the bureaucracy and the government, and they were ratified by the Parliament. By contrast, 67.7 per cent of the MPs believe the Parliament has failed significantly in oversight. Findings support that the government purposely deluges the Parliament with abundant unnecessary bills to distract the Parliament from other functions and in many cases the governmental proposed bills were withdrawn after a considerable time was consumed by the Parliament working on them. In return, the committees have no formal sanctions to force the government to act on their recommendations.

The other aspect that decreases the efficiency of the Parliament in getting positively involved in preventing and mediating political conflict is the allocation of its resources. In spite of the relative abundant resources enjoyed by the Parliament,<sup>76</sup> SCs have been suffering from financial shortages, in particular when forming sub-committees for investigation and fact-finding.<sup>77</sup> In addition, the MPs' perception of their roles has affected the Parliament function to reach amicable and peaceful compromise for political disputes. Another factor that has affected the committees' work is the high rate of absence. Timing of sessions is one reason for this, but additionally some members (mainly not

<sup>76</sup> The budget of the Parliament in 1999 reached 1'742'838'000 Yemeni Riyals (\$ 11'629'000), which is a huge amount in the Yemeni standards. See the 'Parliament's Budget for the Fiscal Year 1999' Sana'a, parliamentary records, September 30, 1998, p. 1.

<sup>77</sup> Interview with Ahmed Sharaf-al-Din (Islah), chairman of the Trade & Industry SC, Sana'a, December 21, 1998, and Muhsin R. Abu-Luhum (GPC), chairman of the Public Services SC, Sana'a, January 2, 1999.

politically committed) are not satisfied with their assignments, and therefore boycott committee sessions leaving the space for political-oriented members to direct the work towards political ends.<sup>78</sup> Moreover, participation of some active committee members in the special and sub-committees has a great impact on committee efficacy.<sup>79</sup> A low level of education and lack of specialist knowledge in most SCs has also contributed to decreased committee effectiveness.

Finally, there are many deferred bills and presidential ordinances and the committees have brought them from one legislative cycle to another and from one legislative term to another. Al-Sharki points out that deferment occurred because the government did not rush these measures and the parliamentary presidium did not follow up the SCs.<sup>80</sup> However, most of the neglected measures are controversial and some are very sensitive to the government, such as the Bill of Local Governance and Presidential Ordinance No. 37/1991 for the maritime borders and continental shelf with Saudi Arabia. Another possibility is that the government submitted some measures either to enhance its negotiation power with external parties, such as with maritime borders, or to influence domestic politics and mobilise people. In contrast, the government always rushes through oil agreements and loans. In conclusion, the activity of SCs is proportionate with the political stability of the country. Political tension existed during the first Parliament and the first cycle of the second one. The number of sessions held, number of referred issues, and number of measures passed were higher in the third and fourth Parliaments and lower in the first one. This illustrates the impact of the external political arena on the SCs, and they have not yet freed themselves from the effects of external political reflections.

## **8. Policy Interaction**

In the transitional Yemeni democracy the importance of the Parliament lies in having a popular support that enhances the continuity of the democratic process. It is therefore important to match legislative policy output with public demands. As a result, the influence of the Parliament has to be assessed in relation to broad policies. Typically, the broad policies are the fields in which executives have different means of influence at their disposal. But the international and regional antipathy towards Yemen after the Gulf War, domestic political rivalry, the interests of bureaucracy, and the weakness of state agencies have all constrained the freedom of the executive and reduced its ability to initiate and implement policies. The Parliament could have done more than it has to strengthen its position and to promote public policies and democracy, but it has also been constrained by its external political context and by its own characteristics.

### **8.1 The Dynamics of Public Policies**

The attempt to achieve unification and democratisation concurrently in 1990 necessitated constitutional changes and the merging of the institutions of the two former states. This was concomitant with the Yemeni economy performing poorly in the late 1980s and early 1990s. These difficult tasks were exacerbated by the elite struggle for power and by repercussions of the Gulf War. In such a context, the Parliament needed to work on issues in co-operation with effective and unified institutions that first of all required constitutional and institutional changes. Because of the balance of power and the lack of trust and faith, the ruling parties maintained their control over the separated institutions. The executive and Parliament impeded each other, which meant that the government was handicapped and parliamentary output was reduced. Therefore, they avoided working on the most important laws that desperately needed to be passed. It was not until after the 1994 war that the two armies, the two central banks, the currencies, the airways companies, and other key institutions were merged.

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<sup>78</sup> See the report written by Yahya al-Sharki, the Director of SCs Administration, to the Speaker of the Parliament about activities and obstacles of the SCs, parliamentary records, January 5, 1998.

<sup>79</sup> Ibid.

<sup>80</sup> Interview with Yahya al-Sharki, Director of SCs Administration, Sana'a, January 3, 1999.

## 8.2 Policy Content

The way that the government and the Parliament work varies according to the type of issue. The Parliaments were active on issues affecting distribution of benefits, such as public works, and were less active on security and foreign affairs.<sup>81</sup> This was because of the feasibility of distributive policies and their direct impact on people, and Parliament responded positively, especially to collective demands expressed through the media or in the street by demonstrators. In terms of policy content the four Parliaments, in general, differ by the major inclinations that characterised each of them. The first Parliament (1990-93) contended to legislate for the establishment of basic foundations for the newly created state. Therefore, reshaping the old regime and institutional issues dominated its activity.

During the first three years, the amalgamation instead of integration of the two former regimes created multiple centres of decision-making. In spite of economic austerity and the desperate need for effective policies, the lack of trust and the political rivalry of the two parties, the GPC and the YSP, prevented the filtering down of the governmental policies and further fragmented the executive leadership. Another factor that contributed to the regression of policies was the demographic structure. The majority of the population (76.1 per cent) lives in the countryside on subsistence agriculture and forms the decisive (mainly tribal) social power that can influence the centre. The economic recession struck urban areas first and was felt in rural areas somewhat later, so there was less effective popular pressure to concentrate on public policies rather than institutional and constitutional issues.

The second Parliament (1993-97), by comparison, witnessed two factors that made it active on constitutional legislation. The first was the declining power of the YSP after the 1993 election, which enabled the coalition of the GPC and the *Islah* to pass the necessary constitutional amendments. The second factor was the deterioration of the economic situation to its worst state in terms of budget deficit, economic recession, unemployment, and inflation. This escalated people's grievances to the extent that various political and social forces debated publicly the possibility of ousting the ruling coalition and forming a national salvation front to administer the country in order to reorganise the political, economic, and legal frameworks. This declared public desire neither met any support from the Parliament, which was dominated by, and polarised among, the three major parties, nor supported by the government for obvious reason. The only advocates for this public demand were the small political parties that had little influence on the public. It was a missed opportunity that did not find a mobilising force to organise the public pressure, so it evaded away. This, among other factors mentioned previously, led the GPC and its allies to espouse the conclusive decision of the war in 1994. Winning the war gave the GPC unrivalled power that facilitated constitutional changes.

In the third and fourth Parliaments (1997-2003 and 2003-2009) broad policies have dominated parliamentary output. The removal of the YSP from power, forming a single-party (GPC) government for the first time since unification, and having a parliamentary majority have combined to shift the Parliament towards public policies and abandon it from playing any significant role in shaping political life. The adoption of an economic reform programme in 1995 also enhanced Parliament's activity on public policies. Economic reform has exposed most issues to the public, creating transparency, and giving Parliament the opportunity to be proactive. Yet, all Parliaments were active on issues affecting benefits distribution, such as economics and public works. Nonetheless, this relative effectiveness does not extend to tackle the sensitive political issues that might affect the centre of power, which strips the Parliament its role in resolving disputes as shown in Table 10, almost 60 per cent of MPs see Parliament unsuccessful in this regard.

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<sup>81</sup> Apart from border disputes and the release condemning and supporting statements, foreign affairs were among the least areas handled by the Parliament. Interview with Abdul-Aziz al-Dali, Minister of State for Foreign Affairs 1990-93, and Foreign Minister of the PDRY 1986-90, Abu Dhabi, December 7, 1998.

Table 10

**The parliament has successful procedures for resolving political disputes**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid strongly agree	6	4.0	4.0	4.0
agree	50	33.6	33.6	37.6
disagree	4	2.7	2.7	40.3
strongly disagree	83	55.7	55.7	96.0
do not know	6	4.0	4.0	100.0
Total	149	100.0	100.0	

### 8.3 Policy Stages and Circumstances

The Yemeni Parliament does not usually get involved in early stages of the preparation of policy proposals made by the government, which diminishes parliamentary input. Parliamentary review of policies after their implementation would therefore create less change to the policy than scrutiny at earlier stages. Linking Parliament's properties with policy output suggests a certain degree of relationship. For example, the first Parliament was appointed among loyal partisans, so that the MPs often knew what the government's policies would be through their parties in power. This led to most government policies being submitted to parliamentary scrutiny before implementation, thereby delaying, and sometimes impeding, policy implementation. By contrast, because of the electoral and party system, many MPs in the next three Parliaments came from the non-partisan pool and when they affiliated to a party they were less committed to the party policies. This made parties in general exclude their MPs from the process of policy making. Though MPs were still active, their activity became less effective in bringing about change, especially if the policies had been implemented during the parliamentary recess, using device such as presidential ordinances.

Another factor related to policy circumstances is the *type* of policy. The four Parliaments have responded actively when the policy is new or controversial, but passively when the policy is less controversial. For example, unification and democratisation represented both new and controversial issues in terms of how to approach them; therefore, the first Parliament was more active on these policies. Economic reform, on the other hand, represented the new and controversial issue for the next three Parliaments, so their activities were mostly shifted to this area, while economic and security issues become the watermark of the current one. For further elaboration, many bills and presidential ordinances that were rejected by the first Parliament were reintroduced and passed during the next Parliaments.<sup>82</sup> This was not only because of changes in the political context, but also because these measures became less controversial politically and publicly, therefore, MPs became less interested in them.

Circumstances are not only subject to change over time but also depend on the degree of feasibility of the policy and the degree of its direct impact on people. All four Parliaments here have shared the same characteristic: they were active on the more direct and clear policies that had a significant impact on people and were less active or even passive on hidden policies that implicitly or indirectly had an impact on people.

<sup>82</sup> For example, the following measures were rejected but were later passed after re-introduction in subsequent Parliaments (square brackets indicate the date of re-introduction and passage of the measures): Prison Regulation was rejected in 1991 [1996]; Insurance Law 1991 [1996]; Telecommunication Law 1991 [1996]; Regulations for Residency of Foreigners 1991 [1996]; Law of Commercial Registration 1991 [1996]; Law of Intellectual Property 1994 [1996]; and Law of Juvenile Sponsorship 1992 [1996].

## 9. Policy Effectiveness and Implementation

The importance of policy output depends on the degree of responsiveness of these policies to public needs. Alleviation of poverty, providing fundamental services, such as health care and education, and promoting the productive sectors, such as agriculture,<sup>83</sup> are the most urgently required policies, while conflict between political rivals retreated back in its degree of importance to the people. Effectiveness means producing or approving the required policies and must be enhanced by implementation of the policies and relevant decisions taken by the Parliament. Implementation, however, is the task of the government, the bureaucracy, and the courts, and depends on the Parliament's power in relation to the executive. The four Parliaments differ in this regard according to their external context, strength or weakness of the executive, and cohesion of parliamentary parties. Although the government has, in general, had the upper hand over all Parliaments, differences in the above-mentioned criteria has created variation in the degrees of efficiency and autonomy in making policies in the four Parliaments as shown in (Table 11).

Table 11  
Parliaments' Efficiency and Autonomy According to MPs' Attitudes (percentages)

Parliaments	Degree of Efficiency	Degree of Autonomy
1990-93	62.4 strong 20.1 moderate	58.4 high autonomy 20.8 reasonable degree of autonomy
1993-97	26.8 strong 61.7 moderate	48.3 high autonomy 40.3 reasonable degree of autonomy
1997-2003	71.1 weak 12.1 moderate	47.0 low autonomy 22.8 reasonable degree of autonomy
2003-2009	75.2 weak 9.0 moderate	62.1 low autonomy 10.3 reasonable degree of autonomy

However, two criteria have been adopted here in order to evaluate the degree of policy effectiveness and implementation: the type of policy output and the amount of money allocated for different categories of substantive policy. Therefore, the five-year development plan 1996-2000 (FYDP), government programmes, and state budgets were considered and all of them were approved by the Parliament. Based on its programme, each government has to acquire the confidence of the Parliament.<sup>84</sup> All social and economic development plans have also to be approved by parliamentary legislation.<sup>85</sup> The state budget must be submitted to the Parliament at least two months before the beginning of the fiscal year. A vote is taken on each part of the budget and a law enacts it.<sup>86</sup>

After reviewing its programme, the Parliament expressed its confidence in the first government after unification in 16 June 1990. This approval bound the government to complete the integration of the state institutions, to decrease taxation on agricultural production, control pricing, provide free health care and education, reduce current expenditures, and increase investment expenditures.<sup>87</sup> It is obvious that Parliament reflected people's grievances under the prevailing economic difficulties. The Parliament emphasised its orientation towards supporting public needs in the National Constructive Reform Programme (NCRP), which it approved in December 1991.

The balanced Parliament, a fragmented executive and popular support all gave the first Parliament a reasonable level of efficiency in producing policies and pressing for their implementation. However, the completion of the merging of key institutions, in particular the armies, failed because it was

<sup>83</sup> The agricultural sector employs most of the population. In 1996 (56.1 per cent) of the population worked in this sector. See the Food and Agriculture Organization of the U. N. (F.A.O), *The Annual Book*, issue 50, 1996.

<sup>84</sup> The 1990 Constitution, Article 104, and the 1994 Constitution, Article 130.

<sup>85</sup> The 1990 Constitution, Article 71, and the 1994 Constitution, Article 86.

<sup>86</sup> The 1990 Constitution, Article 50, and the 1994 Constitution, Article 87.

<sup>87</sup> Council of Ministers, *The Government's Program and the Parliamentary Review*, Sana'a, June 1990, pp. 51-69.

beyond the capacity of both the government and the Parliament. The decision was entirely of the top executive leadership of the GPC and the YSP. Military and security issues were the ones that were most disputed between the executive and the Parliament, and the failure to co-operate on these issues was the major failure of the first Parliament.

After the 1993 parliamentary election a new government presented its programme to the Parliament on 4 July 1993. On 2 August 1993, the Parliament requested the government to enforce the system of local governance, deal with widespread corruption, stop economic deterioration, reform the judicial system, and merge military and security forces.<sup>88</sup> The government failed to deliver on all of these requests and it was soon replaced when the war broke out.

After the 1994 war, a new government was formed and presented its programme to the Parliament on 31 October 1994. On 15 November 1994, the Parliament bound the government to the following: to improve living standards; protect the environment; solve the problem of confiscated properties in the south, which originated before unity; eradicate corruption; decrease government expenditures; annul the fees added illegally to electricity and water bills; submit the organisation of Intelligence to the approval of Parliament; and pay special attention to health, education, and agriculture.<sup>89</sup>

Parliament's reviews of all government's programmes reveal a strong parliamentary orientation in favour of the public. Matching this with the implemented governmental policies shows great deviation from Parliament's decisions. For example, expenditures on military and security forces for the years 1994, 1995, 1996, and 1997 were increased to 43.9 per cent, 45.1 per cent, 43.9 per cent, and 43.9 per cent out of the total state expenditures, respectively.<sup>90</sup> Moreover, after the Parliament had approved the state budget of 1996, the government re-allocated resources and increased the credit for the presidential office by 146.6 per cent over what had been approved.<sup>91</sup> There were also many incidents where the government spent contrary to the state budget without authorisation from the Parliament.<sup>92</sup> Comparison of the state budgets of 1996 and 1997 shows a decrease in resources allocated for education by 31.4 per cent, for health by 34.9 per cent, for electricity and water by 9.3 per cent, and for agriculture by 14.4 per cent.<sup>93</sup>

More seriously, an ad hoc parliamentary committee reported some revenues that never appeared in state budgets and that were spent for political ends.<sup>94</sup> In the same vein, there were non-itemised articles in the budget representing 30 per cent of the total expenditures; these came under 'central credit', an ambiguous category used as a loophole.<sup>95</sup> Compared with 1998, taxes in 1999 on consumption were increased by 40 per cent, on individual profits by 80 per cent, and on individual income by 46 per cent.<sup>96</sup> Finally, the report said there was a strong centrality in allocating resources and projects in favour of main cities at the expense of rural areas and within the cities in favour of

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<sup>88</sup> The Parliament, *Bayan al-Hakoumah al-i-Itilafiyah wa-Ta'geeb Majlis al-Nuwab* [Programme of the Coalition Government and the Parliamentary Review], parliamentary records, Sana'a, August 2, 1993, pp. 7-112.

<sup>89</sup> The Parliament, *Barnamij al-Hakoumah al-A'am wa-Ta'geeb Majlis al-Nuwab* [General Programme of the Government and the Parliamentary Review] parliamentary records, Sana'a, November 15, 1994, pp. 73-95.

<sup>90</sup> Arab League *et al.*, *Arab Joint Economic Report*, Abu Dhabi: AMF, 1998, p. 276.

<sup>91</sup> The Parliament, *Tagrir al-Lijnah al-Maliyyah Houk Mukhalafat al-Hakoumah al-Maliyyah* [Report of the Finance Committee on Government Financial Violations], parliamentary records, Sana'a, October 21, 1996, p. 8.

<sup>92</sup> The Parliament, *Tagrir Lijnat al-Muwazanah 1998* [Report of the Ad Hoc Committee on the State Budget of 1998], parliamentary records, Sana'a, December 27, 1997, pp. 14-17.

<sup>93</sup> Ministry of Finance, *State Budgets of 1996 and 1997*, Sana'a.

<sup>94</sup> The Parliament, *Tagrir al-Lijnah al-Khasah bi-Dirasat Mashari'i al-Muwazanat al-A'amah 1999* [Report of the Ad Hoc Committee on Scrutiny of the Proposal of State Budget for the Fiscal Year 1999], parliamentary records, Sana'a, December 3, 1998, pp. 7-23.

<sup>95</sup> *Ibid.*, p. 24.

<sup>96</sup> *Ibid.*, pp. 35-44.

districts inhabited by rich people at the expense of poor districts.<sup>97</sup> On 5 December 1998, the government asked for a vote on the 1999 budget, but the Parliament requested another proposal that would take its review into account. The government's promise to abide by Parliament's review during the implementation made the opposition frontbenchers, including the Islah party, withdraw from the chamber as an expression of their objection to this unconstitutional motion. Consequently, the government with its majority was able to defeat the backbenchers and approved the budget.<sup>98</sup>

The four Parliaments were reasonably responsive to people's demands as reflected in the public policies they produced, though they differed in the pressure they exerted on the government for the implementation of the approved policies. The means of pressure available to Parliament to influence public policies were voting, timetable of the chamber, and scrutiny in standing committees. In addition, each of the Parliaments used different means of oversight – reports, inquisitions, and questions. Despite this, implementation of the approved policies was a problem. Nevertheless, since 1990 not one government bill has been passed without amendment, and standing committees usually influence the government indirectly through providing information to the chamber and public media. For example, when the government submitted the local governance bill to Parliament, the loopholes in the bill found their way into the media, which led extra-parliamentary opposition to publish an alternative proposal, with the result that the government withdrew its bill.

Although the degree of Parliament's responsiveness to broad policies seems reasonable, the third and fourth Parliaments incline more to policy issues and have been less effective than their predecessors. However, all four Parliaments showed a lack of effectiveness on foreign and security issues. The implementation of approved policies and decisions depends on the type of issue and the degree of weakness or strength of the executive. On security issues the government has been unrivalled, especially on matters dealing with the core of power. On public policies, by contrast, there has been an inverse relationship between government response and the solidarity of the executive. During the first Parliament, when the executive was fragmented, the government responded to and implemented Parliament's decisions more frequently than it did during the third and fourth Parliaments, when the executive was more united.

### 9.1 Parliament's Control

Restructuring the economy and a largely free media have increased the transparency of government's policies. This suggests an increasing in Parliament's activities, among them preventing and resolving conflicts, which has not happened so far for the following reasons. The Parliament has not become institutionalised yet because of its brief existence. This is exacerbated by an unfavourable political environment characterised by violent struggle. Secondly, it has been argued that data are available for the MPs, but the problem related to the requirement for massive political reform including genuine local governance and the patch-up tactic does not work anymore.<sup>99</sup> Others have argued that the Parliament often receives vague and ambiguous reports. For example, the reports were submitted to the Parliament on insurgencies of Al-Houthi in June-September 2004 and in April 2005, which presented the case as rebellion then linked it to external parties and finally depicted that as an attempt to revive the *Imamate*. In both occasions, the government thwarted the Parliament's efforts to mediate in favour of military solution. Another example on misleading information, whilst discussing the state budget of 1999, the independents withdrew from the floor protesting the skewed figures, the vagueness of the budget, and the reloading of the budget with figures that had already been loaded last year.<sup>100</sup>

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<sup>97</sup> Ibid., pp. 45-6.

<sup>98</sup> See for example *al-Shura*, issue 301, December 6, 1998, pp. 1 and 14; *al-Watheiqah*, issue 85, December 15-31, 1998, p. 1; and *al-Thawri*, issue 1556, December 31, 1998, p. 4.

<sup>99</sup> Interview with Yasin Sa'id Numa'n, the Speaker of the Parliament 1990-93, Abu Dhabi, December 6, 1998.

<sup>100</sup> Interview with Abdullah Mahdi Abdo, leader of the independent parliamentary bloc, Sana'a, December 20, 1998.

Thirdly, although Law No. 6/1995 regulates procedures of impeachment and trial of executives, its enforcement is beyond the control of the Parliament. For example, the report of the Standing Committee for Public Services and the Central Organisation for Comptrollership and Accountability (COCA's) annual report of 1996/97 disclosed fraudulence and embezzlements worth 27 billion riyals (\$ 200 million) in five ministries; in spite of this no one has been impeached or tried.<sup>101</sup> Finally, the Parliament finds it difficult to establish or abolish a governmental body. For example, the Parliament called for the abolition of the Ministry of Information and to associate the COCA to it instead of to the president, but to no avail. Abdurabbah al-Arifi says the main reason behind the president's refusal to associate the COCA to the Parliament is the presidential expenditures. He claims that there is an unknown amount of money coming directly from the Ministry of Finance and the Central Bank to the president. This amount does not appear in the budget. If the COCA was attached to the Parliament, the COCA would have to know and announce the sum, sources and channels of presidential expenditures.<sup>102</sup>

## 10 Lessons Learned

The Parliament in Yemen has not been straightforward. It has been affected by, and benefited from, historical, social, economic, and political conditions. Although the Parliament is structurally and procedurally similar to well-established legislatures, crucially it operates in a different environment that impact on the type and output of the Parliament. The findings reinforce the importance of placing the Parliament in a context that shows how it reflects its socio-political surroundings.

The Parliament's ability to develop is promising. The real problems that threaten the Parliament include poverty and mismanagement of resources. The state becomes the main source of wealth and power; competition for authority between rivals has to be zero-sum, decreasing the possibility of resolving political disputes through systematic institutional processes. Therefore, the state is characterised by the politics of survival and is perceived as a prize for which the political elites compete. In this context, and based on the power distribution, inclusionary and exclusionary policies are prevalent.

Because unity between two different political elites with opposing interests and different perceptions of state building was approached superficially, the unified Yemen has been burdened with the aggregation of the contradictory features of the two former states, instead of transcending previous conflicts and divisions. This is why Yemen exercises democracy and implements structural adjustment selectively, with the result that the state is present as a coercive force and has limited capacity in the productive, distributive and service functions. By contrast, society is unlike other Arab societies, being for historical reasons relatively strong *vis-à-vis* a weak state that lacks a heavy repressive hand over the society. Whilst this enhances the process of democratisation, it represents an obstacle because of the tribal and kinship ties that characterise the society and which are reflected in the composition of the Parliament. Because of the state's weak institutions and its limited financial and administrative capabilities, it is not penetrating and regulating society. Nor, because of the multiple divisions from which it suffers, is society capable of forming organised powers to exert sufficient pressure in the public interest.

There are three factors whose impact on the Parliament has been of particular importance: social structures, distribution of power, and weakness of the state. The social structure accounts for the distribution of power, and the two together account for the weakness of the state. The country's social structure is tribally based, and the evolution of the state coincided with an external intervention that led to a strengthening of the tribes and incorporation of their leaders into the government. This resulted in the creation of a ruling establishment, based on kinship ties and patronage allegiances, which always requires a distribution of privileges so as to maintain its solidarity. This, of course, has

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<sup>101</sup> *Al-Shura*, issue 296, November 1, 1998, p. 7. Also see COCA, *The Annual Report 1996/97*, Sana'a, 1998.

<sup>102</sup> Interview with Abdurabbah al-Arifi, Ombudsman in the COCA, Sana'a, January 26, 1999.



further weakened the state and has prevented delivery of sustainable development, since resources have been redirected as they filter down to the society. Social structure is also a major determinant of the type of MPs, and has an impact in creating fluid parties and in deflecting the electoral system into parochial tribal orientation. All these factors have affected the political parties in terms of their structure, policies, and expansion. Inevitably, too, Parliament has been affected by the environment in which it works, which mirrors the political and social arena.

As power has become balanced between rivals at the executive level, so the degree of autonomy of the Parliament has increased. Depending on the level of tension and power distribution between different parties, the impact on the Parliament differs accordingly. However, the efficiency and autonomy of the Yemeni Parliament increases with the forming of a minority government, as was the case with the 1990 and 1993 Parliaments. It can be viewed from the angle of the Presidency: a fragmented presidency coincided with the relatively strong first two Parliaments and a strong presidency coincided with the weak third and fourth Parliaments. This was enhanced by the number of parties in the Parliament, combined with their internal cohesion: a number of fluid parties meant a stronger Parliament. In all Parliaments, however, the executive has to various degrees had the upper hand over the Parliament, which has greatly affected its functioning in preventing and resolving conflicts.

In conclusion, the Parliament did less than it could have done to promote democracy, prevent disputes and consolidate its efficiency. Missed opportunities were clear during the first Parliament, when the fragmented executive gave it relative autonomy. The Parliament failed to free its own agenda from government influence, and was deluged with poorly-drafted governmental bills that prevented it from conducting balanced functions, where legislating predominated over other parliamentary functions. Furthermore, and in order to maintain the burgeoning unity, it did not press hard for the merger of military and security units, hoping that over time confidence between the coalition ruling parties would develop. This deprived it of the crucial and popularly supported opportunity that was at its disposal. During the political crisis that followed unity, dialogue and compromises were limited to the ruling coalition, and the opposition parties were excluded. Thus, when the balance of power within the coalition shifted towards the GPC after the 1993 election, Parliament's previously-enjoyed margin of autonomy decreased. The 1994 war and 1997 and 2003 elections further decreased this margin of which gave the GPC an unrivalled position in terms of military power, parliamentary seats, and financial assets.

As Parliament's efficiency decreases, policy implementation is becoming distorted, socio-economic conditions worsen, and the public apparently perceives that the Parliament produces what it wants and the government implements what it wants. The prevailing impression among the public is that the ruling party is no longer threatened by and that none of its rivals has the ability to use the Parliament against its interests. The ruling party benefits from the Parliament by reflecting a democratic image for the international community and legitimising the political system. Parliament has, therefore, begun to lose its popular image and people's support. Even so, there is a degree of institutionalisation in the Parliament through a slow but steady accumulation of experience, procedures, and behavioural norms. Further development of the Parliament is highly dependent on the continuity of its existence and the availability of a favourable socio-political environment. The major impediment is the instability of the political system.

The Parliament has also provided an opportunity for recruiting opposing political elites and an arena for legitimate debate that helps to prevent conflict from spilling into the streets. However, the major consequence has been the concentration of political power in the hands of the executive and the consequent reducing of Parliament's influence. However, the changing pattern of recruitment made Parliament an arena for opposition at the same time that it was losing its influence in policy-making. Nonetheless, rather than suppressing the opposition, the leaders in Yemen have found it easier to contain it by establishing a forum for dialogue through a legislature. This process, especially after 1994, has provided an arena for bargaining and compromise, in which violent acts are reduced and the durability and stability of the regime is enhanced.

This paper emphasise the applicability and usefulness of linking the features of the Parliament with the nature of the surrounding environment. The paper shows that different responses by the Parliament depend on changes taking place in Parliament's external environment, as well as its internal characteristics. Thus, the study's findings suggest further research questions. The methodological approach maintains that the criteria which should be used to judge the ability of any Parliament to prevent and/or resolve political conflicts should be clearly defined in the political and social context of the country. Another theoretical implication of the experience of the Yemeni Parliament is the increasing need for theories that address the nature of tribal society, and spell out in a much more obvious fashion the need to emphasise the democratic genesis and diversity inherent in this phenomenon. In spite of the fact that Yemen's web-like society, in which kinship and tribal connections prevail, is an obstacle to national integration and modernisation, the study found that this feature ensures a relatively autonomous society and limits the state's capacity for repression, which is positively reflected on the Parliament. This means that the Parliament if strengthened it can be a good agency that can prevent disputes beforehand. Strengthening the Parliament, therefore, necessitates reforming the state-society relations at large and empowering the civil society, which can be done through building on the existing traditional institutions that over time will evolve and develop in a way pertinent to the Yemeni context. Finally, by reviewing the contemporary political history of Yemen it shows a great susceptibility and thus the regime gives a high degree of responsiveness to western hemisphere that can remarkably contribute in promoting a democratic and peaceful political life in Yemen.

## **11. Recommendations**

Studying Yemeni Parliament shows the need to work at multiple levels to improve the capacity of the Parliament in preventing and resolving conflicts. A structural, procedural and technical long-term plan is needed. The plan should begin with something tangible. Producing visible results early in the program can be helpful toward building support for longer-term goals. This plan however should take into account that while benefiting from other parliamentary experiences we should focus on some peculiarities and try to institutionalize some traditional practices that not always necessary impede modernity and development. The drafted plan should avoid copying other training and programs were implemented elsewhere. Program objectives are often far too broad in scope, so they should be clear and focused with planned specific results that can be measured.

The Parliament in Yemen suffers from a weak management structure and inadequate facilities and parliamentarians and staff required training in legislative procedures, roles and responsibilities, which all can be provided by international institutions. Training for MPs however should take place shortly after election to ensure the highest benefit for the rest of its tenure.

Strengthening the capacity of the Parliament secretariat to enable it to carry out its responsibilities effectively by: (a) revising the functions, structure, management and systems of the parliament secretariat; (b) establishing a computerized information management system for parliamentarians and the parliament secretariat; (c) training staff to use the computer system; and (d) training staff of standing committees in organization and administration techniques. The Yemeni Parliament lacks of a modern IT at equipment and personnel. So, strengthening the capacity of the human resources in managing Parliament, developing proficiency in English and computer literacy and implementing an IT solution are needed. But this would require a change in organizational structure and human resources policy.

This case study illustrates the supremacy of executive over the Parliament, which has greatly affected the role of Parliament in managing conflict. It also approves that no matter how good the constitution is as long as there is unfavorable environment. Therefore, a program is needed to focus on the poor communication between the executive and legislative branches. This program should also address the imbalance of power between the legislature and how to improve the capacity of the latter, which should contribute to a shift in power from the executive to the legislative. Thus, it is critical to the

success that there is broad multi-partisan political support and at the same time not to threaten the ruling establishment. This fear can be mitigated by including the ruling party in the process, and the program must be neutral politically. Programming must give greater consideration to political institutions - the structure of the legislature, the distribution of power and authorities between the executive and legislature, the electoral system, and the structure of political parties and their fragmentation within the system.

Because such program takes long time in implementation and to ensure a high national commitment it is likely desired to invite local trainers and local institutions on board to give the flavor of ownership. But this brings with it some problems related to the speed pace of implementation and the level of professionalism, let alone the inclination to favor the ruling party.

The other point is timing which is also crucial particularly after conflicts, where expectations would be high and willingness to cooperate would be available officially and publicly. Thus, launching this program in Yemen will be received enthusiastically after several conflicts the country witnessed.

The study also shows there is imbalance in conducting various parliamentary functions. Legislating outweighs oversight, representation, constituency relations, budget negotiations and national goal setting. By the same token, a survey of legislative assistance shows an emphasis on legislative assistance programs at the expense of other functions. Thus, international institutions should reconsider this orientation when designing new program for Yemen.

This case reveals a correlation between surrounding political environment and weakness of the chamber. For that, support for the legislature needs to be given with the objective of promoting democratic development - institutional development is not sufficient. This would include such things as encouraging participation of citizens in expressing their views on legislative decisions, promoting anti-corruption activities and strengthening oversight capacity of the legislature. To maintain a continuous work on these various issues and to give the work a regional color, and to push these political reforms ahead, a prompt strike is needed by establishing a legislative research centre (LRC) in the region, which will be capable to take the initiative to provide training and consultations over parliamentary affairs in conjunction with international institutions. This project will serve the whole region. This will include the followings:

- To provide a centre of academic excellence and innovative research on the related issues,
- To provide consultations over structuring and re-structuring legislatures; either representative or consultative councils in a way pertinent and appropriate to every single case,
- To provide the required experience in drawing constitutions and constitutional documents,
- To facilitate efficiency of these councils in terms of legislation, scrutiny and oversight,
- To compile politician data bank that would publish and distribute throughout the nation, which would include academic, political, professional, and financial background of candidates running for parliament.
- To arrange regular meetings between legislators and the media, which will help journalists to better understand and report on the legislature and politicians.
- To provide training for journalists on covering the legislature on topics including how the legislature functions to promote more accurate reporting of the legislature.
- To disseminate Information on the Legislature to help journalists to write more accurate and substantive articles.
- To work on allowing citizens access to the parliament to see the legislature and to meet their representatives.
- To promote local legislative linkages.
- To increase women's participation in legislatures if necessary by quota.
- To organise and re-organise Standing Committees. This also includes:
  - How to investigate certain issues
  - How to form and conduct fact-finding sub-committees

- How to scrutinise governmental proposals
- How to handle various budgets
- How to implement and follow-up enacted bills
- To train and re-train MPs on the followings:
  - How to conduct parliamentary business
  - How to organise parliamentary blocks; backbenchers and frontbenchers
  - How to prepare bills, suggestions and motions
  - How to inquest executives and bureaucrats
  - How to handle discussion on the floor effectively and meticulously
  - How to acquire the required skills for manoeuvring and bargaining and learning various tactics
  - How to strengthen MPs relations with their constituents
  - How to prepare for next elections
  - How to promote MPs' career for those who are aspired for ministerial posts

What Should LRC Review:

Set of broad questions have proven useful in orienting an assessment and for determining specific legislative needs. A legislative needs assessment is essentially needed to obtain answers to the following questions:

1. How much power do the laws grant to the legislature? (formal legislative powers)
  - What are the legislature's lawmaking powers?
  - What are the legislature's budget powers?
  - What oversight power does the legislature possess?
2. How much political space does the system allow to the legislature?
  - How willing are those already exercising power to cede some of it, or at least be willing to share it? Both the willingness of other power holders to grant the legislature a strengthened role, and the level and source of demand for an empowered legislature will be factors in determining whether or not, and how to assist a legislature.
3. How much do legislators want to do to advance the institution as a significant actor in the political system?
4. How well does the legislature interact with society? (Representation)
  - To what extent are citizens able to observe their legislature in operation?
  - Do citizens interact with their legislature? And by what means?
  - What is the level of access to information on the legislature?
  - Do civil society, constituencies and the media understand and interact with the legislature?
5. How well does the legislature perform its lawmaking/oversight functions?
  - How the average of bills are adopted in legislative cycle and how many are initiated in or amended by the legislature?
  - How long is the legislative duration?
  - Are legislators equipped to draft legislation?
  - Does the legislature have professional staff – either partisan or non-partisan to assist them in developing and drafting legislation?
  - Is the staff adequately trained?
  - Do committees hold public hearings to obtain citizen input and information on proposed legislation?
  - Does the legislature have adequate information upon which to base decisions?
  - Are computer information systems sufficient for helping legislators fulfill their lawmaking functions?
6. How well do systems of legislative management and infrastructure help the legislature perform its oversight functions?

- Does the legislature have adequate procedural and financial resources for carrying out its oversight responsibilities effectively?
  - Are legislators willing to exercise the oversight authority they possess?
  - Are staff and information resources sufficient for the legislature to exercise effective oversight?
  - Do political concerns preclude legislators utilizing the powers they possess?
  - Do legislative rules and procedures tend to help or hinder the legislature from performing effectively?
  - Does the legislature keep accurate records, and are they available to the public?
  - Are there regular policies in place for the management of the legislature?
  - Does the legislature have sufficient space and equipments to carry out its responsibilities?
7. Legislative Scrutiny
- Do public and intellectuals contribute to legislation by publishing the bills draft after the first reading?

Methods of Fulfilling LRC's Mandate:

LRC can deliver its mission and fulfill its mandate through different means:

1. Academic Side:
  - Conducting fieldwork survey to gather data and documents. This comprises distributing and collecting questionnaires, documentary surveys and interviews;
  - Convening conferences, symposiums and workshops;
  - Publishing books, journals, bulletins and newsletters and;
  - In advance stage, running a postgraduate course in parliamentary studies.
2. Consultancy Side
  - Helping in designing the structures of legislatures
  - Advising on the most efficient mechanism for various functions of a legislature
  - Delivering training programs for the MPs and the members of Standing Committees on:
    - Legislation and reducing the time needed for legislation
    - Discussion on the floor
    - Methods of inquisition
    - Scrutinizing budgets
    - Bargaining techniques
    - Forming coalition
    - Strengthening relations with constituents
    - Dealing with media

**Appendix**  
**Document of Pledge and Accord**  
 Issued by the Political Forces Dialogue Committee,  
 18 January 1994

During the period from 23/11/93 till 18/1/1994), the Dialogue Committee of the Political Forces held steady and continued meetings in Sanaa and Aden in a national and sincere effort to contain the crisis which the nation has witnessed, and to arrive at real outlets for the unification procession which started on 22/5/1990, and to promote the process of consolidation of unity, democracy, stability, and construction of a state based on law and order and institutions.

This important document contains the following important issues:

Part 1: A. Regarding the Persons Accused of Disturbing the Security of the Nation

1. To take the decisive measures to arrest the persons accused of disturbing the security of the nation by being involved in assassinations and assassination attempts, highway robbery, and other such violations; and to initiate their immediate trials which should be fair and open to ensure a just trial for the accused and a swift punishment accordingly.
2. The Dialogue Committee reaffirms the statement of the government regarding the steps specially taken to confront terrorism, and to abide the policy of Yemen internally and externally in confronting terrorism and to extradite all non-Yemenis against whom there is evidence of involvement in terroristic activities, support thereof or even encouragement or publicizing them.
3. The Dialogue committee declares its opposition to any procrastination of softening in applying the law against persons involved in terrorism or sabotage.
4. Any party which gives refuge or safe haven to any person wanted by the law or who fled from jail will be considered as law-breaker against whom all the legal measures may be taken according to the law.
5. To put into effect a plan to arrest whether through the Interpol or diplomatic channels for non-Yemenis or for Yemenis outside the country those persons fleeing from the law.
6. Prompt completion of all investigations of persons arrested for crimes of terrorism and sabotage, and to entrust the investigation and interrogation to specialized, qualified and non-partisan persons, and their files have to be passed on to the prosecutor-general's office promptly.
7. The Dialogue Committee stresses the need to issue guidelines for carrying firearms, and to revise the current law on firearms to make it firmer in carrying prevalence and trade in firearms.
8. Steps shall be taken to verify whether there are military camps and training grounds (in Yemen) for violence, and to take appropriate measures towards them.
9. The implementation plan should not exceed three months.
10. All procedures stipulated above are to be carried out according to the laws and justice.

#### Implementation:

1. The Ministry of Interior shall present, within one week, to the Council of Ministers for approval, a plan for the arrest of the criminals who are wanted by the law or those who have fled the prisons, or those who have helped them. The Ministry of Interior may obtain firepower and/or personnel from the Ministry of Defense to be under the command of the Minister of Interior.
2. The Minister of Interior and Justice shall present to the Prime Minister for approval a list of the persons to engage in the investigations and interrogations.
3. All trials shall be carried out in the area of jurisdiction of the crime, and the prosecutor-general shall look for connections among the various crimes. The prosecutor-general's office and representatives in the governorates shall present the cases to the courts promptly.
4. The Minister of Interior and Justice shall present a fortnightly (bi-weekly) report to the Council of Ministers on the progress of the cases, and stiff action shall be taken against any procrastination.

#### B. Regarding the Security and Military

1. To remove all the checkpoints inside the cities or outside of them whether they are part of the Ministry of Interior or Defense or joint.
2. The Ministry of Interior shall determine the locations of check-points to be erected for security reasons, and to cooperate with the Ministry of Interior to determine the joint military/security checkpoints. A committee for this purpose shall be named by the Council of Ministers within two weeks, which will be responsible for presenting the cabinet a proposal according to which a cabinet resolution shall be issued specifying:
  - a) The checkpoints under the control of the Ministry of Interior,
  - b) The checkpoints under the control of the Ministry of Defense.
  - c) The checkpoints under joint control.
3. A comprehensive reconciliation among the tribes is to be concluded in order to terminate actions of vengeance, and according to which any person taking revenge will be deemed outside of the law. and who will be pursued by the organizations of the state. The state shall finance the resolution of any pending cases of revenge settled by the said reconciliation, as follows:
  - a) The state shall call for a comprehensive reconciliation in a national conference in which all the political and social forces and the ulema shall participate and to be signed by all.
  - b) The conference shall name a committee, which will list all pending cases until the date of the announcement.
  - c) The reconciliation shall be concluded within one month, and shall run into effect upon announcement, and any person to personally avenge himself is outside the law and subject to legal action.

d) To preserve the standing and prestige of the armed forces, and to protect their long struggle for the nation, the military forces, which are based in what, were border governorates (Taiz, Lahej, Ibb, Abyan, Shabwah, Al-Baidha, Marib) shall be withdrawn from these governorates and redistributed in other places as dictated by the strategic defense requirements of the nation. A technical military committee shall determine the new redistribution locations, and the Ministry of Defense shall execute the same.

A resolution shall be issued in this regard within one week, and implementation shall be immediate.

5. It is forbidden to have military patrols on the city streets or in highways. A police force shall take up this duty as called for by security requirements.

6. An intelligence organization shall be set up according to a (new) law that will specify its responsibilities and duties and role in protecting the sovereignty of the nation. A committee from the government and Dialogue Committee shall draft the law proposal to be presented to the Council of Ministers within one month.

7. The search for a means to end the military hardware outside the official system, and to forbid the distribution of arms to citizens under whatever pretext, which must be seen as a crime against the security of the nation.

8. The merger of all security forces, including the Central Security, under the control of the Ministry of Interior. No financial allocations shall be made outside the formal channels of the Ministry of Interior.

The Council of Ministers shall set up a committee for this purpose within 2 weeks.

9. All armed forces shall be evacuated from the cities within two months as part of a unified, central plan to be presented by the Ministry of Defense, to be approved by the cabinet, and to be ratified by the presidential council as a step towards merging and re-organizing them within four months.

The end result of this process shall be the emergence of a national and modern army, well aware of the democratic commitment of the nation, and void of any sectarian, regional, familial or tribal influence.

Implementation shall begin immediately upon the signing of this document.

10. To stop movement of any military hardware or personnel, or reinforcements, to freeze any training, or mobilization programs, until the conditions are stabilized, and according to a decision by the cabinet and ratified by the presidential council.

Such decision shall then be communicated to the Ministry of Defense and the Military Committee shall be responsible for the follow it up of the same.

11. The role of the Military Police is limited to the security and lawful behavior of the military units, and it shall cease to carry out any patrolling or other activities which conflict with the role of the general security forces.

12. It is forbidden to undertake any action that indicates different treatment of military personnel.

13. The soldiers and officers of the armed forces are forbidden from interfering in civilian affairs, or doing anything that interferes with the work of the local authorities or judicial and executives bodies.

14. To terminate all recruitment or mobilization or arming of new units, militias.

border patrols, popular guards or any carrying such names, and all that has been introduced shall be terminated.

15. The Ministries of Defense and Interior shall undertake to ensure supplies and provisions through their own special organizations.

16. All illegal promotions that were made since the beginning of 1993 shall be cancelled.

Implementation: A committee from the Council of Ministers and certain military and political personalities shall be established to implement the above, and to set out a timetable for their work to be approved by the cabinet.

C: Regarding Specifying Powers and Authorities

1. To reflect the constitution, the laws and regulations in execution of the duties of the presidential council, its chairman, vice chairman, and to revise the duties and functions of the office of the presidential council accordingly.

2. It is forbidden to spend from the treasury resources except as stipulated in the government budget both in the current and development expenditures as approved by the House of Representatives.

The power of expenditure of the senior officials is to be specified.

3. It is forbidden to refuse or delay of payment of amounts stipulated in the budget, or to divert their expenditures by any authority not responsible for the same according to the law.

4. Not to interfere in the work of the Ministry of Civil Service or Military Personnel and not to issue instructions contrary to the laws and which create confusion because they differentiate among the people in their rights to employment and promotion.

5. To enact a law that specifies the salaries of the chairman of the presidential council, vice chairman, members of the council, prime ministers, his deputies. the ministers and vice ministers as stipulated in the constitution.

Implementation: A total and immediate commitment from all sides not to order payment or to interfere in the affairs of the state apparatus.

The Council of Ministers a committee to prepare drafts of laws and regulations within two months.

## Part II: Foundations for Building a Modern State

The main task ahead is to build and reform the distortions developed over the recent past, as the period since the 22nd May 1990 proves that the way in which the affairs of the state was managed represented an obstacle in the merger of the two former systems and in building a unified state.

Therefore, the Dialogue Committee has sought to get the nation out of the crisis atmosphere to the serious and democratic atmosphere, which will achieve stability, balanced economic and social development, which will deepen national unity.

On this basis, the document focused on the foundations and general principles, which define the central and local authorities, and to specify their authorities and duties in a way that will avoid overlap and confusion and possibly crisis.

### 1. The Foundations and General Principles

The following foundations and general principles will be the building blocks for the state and its institutions to create a stable system based on law and order with full guarantees of a modern Yemen founded on:

a) Islam as a faith and sharia.

b) The people are owners and source of all powers and exercises them directly through referendums and elections, and exercises them indirectly through the legislative, executive and judicial authorities and through the local elected councils.

c) The Republic of Yemen is an Arab and Islamic state and Arabic is its official language.

d) Unified Yemen and Republican Yemen.

e) National unity is the base to protect to protect Yemeni unity.

f) Democracy, peaceful transfer of power, political and part), pluralism.



g) Financial and Administrative decentralization is one of the basis of government h) Protection of the general liberties.

i) Respect for human rights.

j) Liberty of unionization and freedom of forming professional, intellectual and cultural associations.

k) Encouraging scientific research in all aspects of life.

## 2. State Institutions

Building the institutions of the central and local authorities, by enacting the proper laws and regulations is a major undertaking. The Dialogue Committee has determined the need for correcting the democratic process of our unity state based on local government.

### 2.1. Institutions of the Central Authority

1. The House of Representatives is the legislative body of the Republic of Yemen. It is elected directly by the people in free and secret balloting.

The constitution determines its duties, powers, duration conditions for membership, and methods of contesting and electing.

2. The Senate/Upper House (Majlis Al-Shoura) is formed by an equal number of members representing the units of local administration. These are elected by the councils of the regions.

The constitution determines the number of members from each administrative unit, membership conditions, methods of contesting, and elections, duties and powers according to the following:

a) To comments on the drafts of basic laws, especially those related to local government, which are referred by the Presidential Council prior to their enactment and after the House of Representatives' approval.

b) Participates with the House of Representatives in electing the Presidential Council.

c) To give comments on the proposals of the government budget and socioeconomic development plans which are referred to it by the government prior to sending them for approval to the House of Representatives.

d) Elects the members of the Supreme Court on whose appointment a presidential decree is issued. The Majlis is presented with a list with double the number of members of the Supreme Court from among whom it chooses.

e) Elects the member of the Information Council and the Council of the General Authority for Civil Service.

The government sends the list of candidates.

f) Looks into the issues on local government referred to it by the government or any of the units of local government.

g) Provides opinion on agreements and border issues referred to it by the government prior to their presentation to the House of Representatives.

h) Any issues referred to it by the government.

## 3. Head of State

The sovereign head of state is represented by the presidential council, which is made up of five members elected by the House of Representatives, and Majlis Al-Shoura combined, and the council then elects its chairman and vice chairman from among its members.

The term of membership in the presidential council cannot exceed two electoral terms.

It is forbidden for the members of the presidential council to engage in any partisan politics during their term. This condition does not apply to this council in this term.

The constitution specifies the authorities and duties of the presidential council as under:

- a) To represent the Republic inside and outside.
- b) To call for elections at the scheduled time for elections.
- c) To dissolve the House of Parliament following consultation with the Council of Ministers as called for in the relevant article in the current constitution.
- d) To call for a general referendum.
- e) To nominate a person to form the government, and to issue a presidential decree naming the cabinet members who were chosen by the person nominated to form the government.
- f) To participate with the government in discussing its program before presenting the same to the House of Representatives for the vote of confidence.
- g) To receive periodic reports from the prime minister h) Consulting with the prime minister in naming the members of the Defense Council who are nominated by the cabinet, according to the law.
- i) To issue the laws approved by the House of Representatives.
- j) The right to ask for a review of the laws approved by the House of Representative.
- k) To sign the appointment, promotion and dismissal orders of senior military and security officers of the rank of colonel or 'higher based on the approval of the cabinet.
- l) To ratify the decisions of the cabinet to 'introduce new military ranks award citations and honors specified by the law.
- m) To grant approval to wear citations and honors awarded by other countries.
- n) When the House of Representatives is in recess, to issue presidential laws based on the proposal of the cabinet on exceptional cases which cannot be delayed and do not contradict the constitution. These have to be presented to the House of Representative in its first meeting following the recess.
- o) To ratify (enact) the laws approved by the House of Representatives.
- p) To ratify the agreements approved by the House of Representatives.
- q) To establish diplomatic relations and to name/recall ambassadors based on the approval of the cabinet.
- r) To accredit the representatives of other countries and organizations.
- s) To grant political asylum.
- t) To declare emergency situations and general mobilization according to the law.

Duties and Powers of the Chairman: Based on the duties and powers of the Presidential Council. its chairman exercises the following:

To chair the meetings of the Council.

To represent the nation abroad

To sign the documents accrediting ambassadors and receives them.

To sign the laws.

To sign the decisions of the Presidential Council.

To request reports from the Prime Minister to present them to the Presidential Council on the issues which the government executes.

To sign the presidential decrees and presidential laws along with the prime minister.

To chair the National Defense Council when the nation is at war.

Duties and Powers of the Vice Chairman:

To assist the chairman in his duties, especially as related to the following: Perform the functions of the chairman if he is absent on a visit abroad or due to a serious sickness which forces him to stay in bed.

To request reports from the prime minister to present them to the Presidential Council in the issues related to local government.

Serves as Vice Chairman of the National Defense Council when the nation is at war.

Duties and Powers of the Members of the Presidential Council: To participate in the functions of the Council.

They assist the chairman and vice chairman in their duties as called for in the bylaws which regulate the affairs of the Presidential Council.

#### 4. The Government

The Council of Ministers (cabinet) is the government of the Republic of Yemen, And it is the most supreme executive and administrative body of the state. and all executive state apparatus, administrations, organization, follow it without exception.

The government, on the basis of a decentral financial and administrative system, is responsible for foreign affairs, armed and security matters, the currency, sovereign revenues, fiscal, and monetary policies, plans for economic, social, and cultural development. and to propose drafts and laws and to supervise their implementation.

The government is totally and collectively responsible in front of the House of Representatives.

The Judicial Authority: The Judicial Authority is made up of the Supreme Court of the Republic. the court system as specified in the law, and the office of the general prosecution. The Judicial Authority enjoys full independence.

The members of the Supreme Court are elected by Al-Shoura Council for life or until he (she?) is incapable of performing the duties, or desecrates the honor of the profession in which case he is dismissed and is not allowed to serve in the justice system elected from among the qualified judges, and lawyers especially those versed in the sharia and the laws.

The constitution specifies the duties and authorities, and the methods for electing and dismissing the members of the Supreme Court.

2-2: Local Government: The local government which is to be set up is based on administrative and financial decentralization in a unified state, and on the broad-based popular participation in government and on the principle of democracy that strengthens national unity in which all citizens exercise their constitutional rights and duties in a way that would allow them to compete positively in building the unified state of Yemen by enriching its administrative, economic, and social units, and by upholding justice, sovereignty, security, stability and progress.

2-2-1: Administrative Divisions: Local Administration is to be based on new administrative units which by-pass the current divisions. and in a way that will fully unify the country and will remove the signs of the partition days and re-affirm the new Yemen.

The new divisions shall be scientifically based, and will take the factors of population, geography, economic and social conditions, services, etc., into account, all of which will serve as a (strong) base for a balanced development for Yemen.

On this basis, the republic shall be divided into regions to be known as "makhaleef." Sanaa, the political capital, and Aden, the economic and commercial capital, represent independent administrative units (general secretariats) as full legal, financial and administrative entities which have their own elected councils according to a law that will provide the guidelines for the same.

The status of Aden as a free zone shall be taken into consideration.

2-2-2: Authorities of Local Government: Local Government is based on direct and equal elections based on which Local Councils are established.

These Councils enjoy full financial and administrative powers in managing the affairs of their geographic units and to compete positively to serve and construct.

The centre of authority shall shift in a number of issues in managing the affairs of these regions from the centre to the Local Authorities, which are responsible for:

1. Administrative Affairs: The local authorities are responsible in a full way for managing the affairs of the geographic unit, especially in aspects related to labor, education, health, municipalities, social and economic affairs, and cultural activities, in accordance with the overall policy of state. It is also responsible for road building, urban planning, and other tasks, as well as in coordinating these activities with the central government based on:

a Overall national planning and inspection is the responsibility of the central government.

b Participating in the overall national planning and planning for the geographic unit as well as full implementation is the task of the local authority.

2. Financial Affairs: Financial decentralization is a basic component of local government, and it is supposed to lead to better mobilization and more efficient use of resources. To clarify further, it is necessary to distinguish between local and central sources of revenue as follows:

i Central Revenues: Customs Duty, Income tax on Profit of Companies operating at the national level.

The share of the state in the profits of government corporations operating at the national level.

Revenues from the exploitation of oil, gas, minerals and fisheries.

Other sources of national/ sovereign nature stipulated by the law.

Water resources are considered of national nature.

Therefore, water use and development in a rational way is a necessity of life, according to guidelines which stipulate where the central responsibilities end and where the local authorities come in.

ii Local Revenues: Local Fees which are enacted by decision of the Local Councils as per a law which specifies the basis and allocation procedures.

Payroll taxes, taxes on professional services, and on commercial activities in the geographic unit.

Company taxes on companies registered in the unit.

Return on Economic Activities in the unit.

Zakat.

Qat Taxes and Fees.

Real Estate Taxes

Fees on Vehicles, Transportation, Land.

Support from the Central Budget.

Taxes on Environment Protection

This listing is not exhaustive, but is given as example.

As regards expenditures, they are the allocations in the annual budget of the geographic unit covering social services and economic activities, and other items in the local jurisdiction. Excluded are expenditures on inter-region highways and strategic projects such as oil, gas and mineral projects.

The Central Bank is to establish branches in all regions to handle the accounts of these regions in all fields except in foreign loans. issue of currency, and advance to the government.

3. Economic Affairs: Within the tenet of free market economics, the geographic units compete to create their economic base in production., distribution.

employment. investment options, and to improve services and to care for the citizens.

This competition will induce each local government to push to better performance so that an increasingly improved model of government which cannot lay blame on the Central Authorities for any short comings, as the case is now, because of unclear responsibilities..

Two factors will facilitate the success of the local authorities:

i The general objectives are going to laid out on the basis of the local needs.

ii Supervision of implementation will be local, and the public who elected the local officials will be close enough to watch them.

4. General Security: General security is the responsibility of the local authorities within their regions. but it falls within the overall security of the state.

Thus, the local authorities shall exercise their duties within the guidelines put together by the Ministry of Interior. All local security apparati are under the order and command of the local authorities. and they are armed in a uniform way all over the country. The size of the security apparatus will depend on local needs.

The Ministry of Interior shall supervise and keep track of implementation schedules.

5. Education:

i A unified educational system is to be implemented for the whole nation, And the local authorities shall be responsible for implementation.

ii The technical and vocational institutes and training centres are the direct responsibility of the local authorities, including teacher training, and making available the needs of schools.

iii The Quranic schools are to be established by the local authorities.

iv The local authorities shall abide by the policy and plan of higher education and the development requirements in all fields.

6. Health & Other Services:

i With the exception of handling epidemics at large scale and national medical policies handled in a unified way, all medical issues, including management of hospitals and appointment of doctors, licensing clinics, laboratories, drugstores, pharmacies, x-ray centres, etc. are the jurisdiction of local authorities.

ii All such arrangements also apply in the relations of the central organs with the local authorities in all social and other services.

#### 7. A Civil Service System within the Public Service and System of Work:

i All government employed persons are subject to the same laws.

ii The local authorities have the right to create local incentives, as needed by the local conditions.

iii The local authorities shall keep files of all employees in their geographic unit, and they have full powers to employ, promote, dismiss, and order retirement, and to award leaves, and to grant training locally and abroad.

iv Judicial authorities have their independent system.

8: Board for Calamities: Each geographic unit has its independent emergency board for natural calamities and disasters, with its independent resources.

## II: THE STRUCTURES OF LOCAL AUTHORITY

1. The geographic units are managed by elected local councils, which have the power of administrative decision-making, supervision, and holding people accountable within their region, according to the law.

2. An executive office is created in the region which is elected by the elected council members from among them or from outside the councils. A presidential decree is then issued to appoint the person elected by the local council to head the executive office. The law defines the structure of the executive office.

3. The decisions of the local councils are enforced within the geographic unit, and they should not take decisions beyond their units.

4. The decisions of the central government are compulsory to the local councils, provided they do not contradict or undermine the authorities of the local councils.

The law stipulates central supervision of the local councils and their methodology.

5. The laws enacted by the House of Representatives and issued by the head of state are compulsory to all local councils in the republic.

6. All citizens enjoy equal and full rights in all the geographic units, including the right to vote and contest for the organs of the local government. The birth place or place of residence are the base for exercising such rights.

7. The regions of the republic are sub-divided into units (provinces, cantons and districts, respectively) each with its own administrative organs whose duties and responsibilities are to be delineated by the law.

8. The administrative organs of these sub-divisions elect the heads and members of their executive bodies, and a decree of the prime minister is issued on the heads of these organs.

#### 2-3 Reconstruction and Organizing the Armed Forces:

The reconstruction and organization of the armed forces is one of the major issues, and they are directly controlled by the government. It is illegal to establish a military or para-military force part of any organization. A general plan shall be developed to reform, merge, reconstruct and organize the armed forces according to the following principles:

1. The armed forces are for the defense of the borders (land, water and air) of the republic and to defend the sovereignty of the nation.

2. To bring the budget of the Ministry of Defense under control in a way that will enable it to perform its functions in defending the Republic of Yemen.

3. The size of the armed forces is to be determined, and the men distributed to army, navy and air force. No other forces shall be established.

4. To determine the formations of the armed forces according to the potential requirements as stipulated by specialists within the needs of defense of the independence and sovereignty of the nation.

5. To complete the physical and manpower needs of the formations of the armed forces (#4 above), through as restructuring of the current formations.

6. The positioning and location of the armed forces should be based on their size, formation, and completion of physical and manpower needs, according to the following priorities: a) To position the armed forces in the borders.

b) To protect the economic activities of the companies.

c) To re-organize and locate the rest of the units in the regions providing strategic depth as needed, as well as reserve forces.

And in accordance with the principle of reducing the size of the current army, the following principles are to be observed:

Compulsory retirement of all military personnel according to the retirement law

To initiate the possibility of resignations and voluntary early retirement

To transfer all military personnel serving in civilian posts to civilian status.

To implement the law of political parties forbidding military personnel to belong to political parties.

To divide the republic into military zones

To revise the conditions for recruitment in the armed forces by stressing:

a) To serve in the armed forces is a right and duty of all Yemenis, which should be reflected in the structure and enrollment without preferential treatment.

b) To limit to a five-year period the term of all high military personnel in senior command posts.

c) The armed forces must serve as a model for national cohesion based on qualifications and experience, not influenced by factors of politics, familial and tribal ties, sectarian or geographic affiliation. All armed forces are to be restructured so that they are freed from the above factors.

2-4: The Official Media: A national board of the qualified media persons are to be formed to supervise the planning for the official media which replaces the Ministry of Information, so that it serves the media organs by distancing them from any political party, and in a way that will enable them to perform their information/cultural messages.

2-5: Education: To stress the unification of the curricula in all the schools, colleges, institutes, and to remove any distortions, and to work hard to modernize the curricula to produce a unified and capable generation.

2-6: The Supreme Council for National Security:

1. A Supreme Council for National Security is to be formed with the purpose of carrying out studies and research, and to prepare advice to the head of state and government as to how to protect national sovereignty, and the means to consolidate relations between Yemen and the Arab countries and the world, based on the new

world conditions. The council shall study ways and means to enable our country avoid the shocks and crisis that have overwhelmed most of the Third World.

2. A law shall be enacted stipulating the guidelines for the duties and functions of the Council.

3. The Council shall be formed of specialists in the political, military, security, economic and social fields.

2-7: The Audit and Control Organization: The Central Organization for Audit and Control has to be activated to carry out independently its responsibilities to supervise and audit. It shall be affiliated directly to the House of Representatives, and its reports shall be available to the public.

The government may establish its control and audit organ for itself.

The persons to manage this organization have to be well qualified, strong, and neutral, and which can withstand any pressure, and can overcome any efforts to block its work or to use its efforts for partisan or favoritism purposes.

2-8: Reform in Public Post: Reform in the public post shall be based on a thorough study of the current situation and the laws on which it is based, the procedures, and all the way up to measuring the performance. Since human beings are the basic element in any management, the efforts for reform have to be addressed to the personnel according to the following guidelines:

- a) Simplification and clarification of the systems so that they are understood and implemented easily.
- b) Defining clearly the duties, responsibilities and authorities of each post.
- c) Defining clear laws for delegation of authority from the senior to the lower posts.
- d) To formulate the by-laws and guidelines clearly.
- e) To put together a guide for formalities regarding the required documents and procedures.

Stressing the role of the human element requires:

- 1) Intensifying the continued training programs of the personnel.
- 2) To pay attention to the work environment, and to create more work opportunities.
- 3) To neutralize the public post from any external influences by stressing that the public post should be filled according to the laws of the Civil Service. Posts of Vice Minister and above are political appointments.
- 4) To set up administrative courts within three months, and a maximum of five months, to look into administrative violations.
- 5) A General Board for Civil Service attached to the cabinet shall be set up to replace the Ministry of Civil Service.

### III: THE ECONOMIC AND FINANCIAL ORGANIZATION:

The fact that the structures of the state have not been completed has impacted the economic and financial situations directly. One of the main symptoms has been the absence of an economic and financial policy, which regulates this vital sector.

Since the birth of our unified republic, although the stated policy was a free-market system, the necessary requirements for this system have not been put in place.

Thus, chaos and anxiety reigned, and public expenditure became one of the factors, which contributed to this anarchy.



All of this has reflected itself on the value of the currency, which has deteriorated so markedly, and which has affected all productive activities in agriculture and industry, and which has led to ever higher cost of living leading to a fall in the real value of salaries. Then there is the dominant effect of the deficit in the government budget.

It is in this light that economic reform becomes an urgent matter within a free market system. To reform the system, the following steps have to be taken:

1. To abide by the allocations for expenditures and revenues in the state budget in a way that will gradually remove the deficit.

Expenditures have to be reduced to the bare minimum, and revenues have to be mobilized.

2. To implement balanced development plans and an annual investment program.

3. To reform the monetary policy by activating the role of the Central Bank of Yemen in a way that does not contradict the activities and role of the commercial banks, and in order to control the deterioration in the value of the local currency. Efforts must be exerted to combat forgery of currency, to organize money changing, and to issue the agreed-upon new currency.

4. To combat corruption, bribery, smuggling of goods, arms, drugs, and administrative negligence, and to make all accountable for their violations.

5. To implement the decisions concerning setting up the Aden Free Zone immediately, and to complete all necessary formalities by the end of this year.

6. To organize and supervise the activities of the government companies and corporations, especially those involving the purchase of foreign exchange to finance activities, which have become a drain and a burden on the economy.

7. Taking a swift decision according to which all the raw material for industrial production and inputs for agricultural and fisheries production and other outputs will be treated in the same way as the Central Bank finances the import of basic foodstuffs, so that their price-rise are brought under control, as well as to shore up these sectors.

#### IV: AMENDING THE CONSTITUTION:

Given the exceptional importance of the constitution in our lives, it is important to:

1. Abide by the current constitution until it is amended.

2. Given the needed amendments to take the tents of this document into account, serious efforts is to be exerted to amend the constitution within a period of three months, and a maximum of five months. To prepare the draft for the required amendments, a committee is to formed from among the Ulema, members of the Dialogue Committee, and some specialists from Sanaa and Aden universities as well as other public and social personalities. The committee shall work full time on this project, so that it can fulfil its duties within the prescribed period.

3. To revise the parliamentary and local elections law in a full way, especially those aspects based on proportional listing and according to a scientific study of the Yemen and other human experiences in this regard. The elections law shall be revised based on the findings of this stud),.

#### V: IMPLEMENTATION TOOL

To implement the contents of this documents, which aims to correct the course of the unified Yemen and modern state-building based on law and order, all national official and popular efforts have to be mobilized, by:

1. Giving the government full powers and putting an end to all interference in its activities.

2. The government has to present an implementation timetable within one month

3. All aspects of this document that require constitutional amendments shall be implemented immediately once those amendments are carried out. Those aspects, which do not require constitutional amendments, shall be implemented at once.

4. All implementation of this document's requirements by the government are public.

#### V: FOLLOW-UP TOOL:

1. The Dialogue Committee shall follow-up the implementation of the decisions stipulated in this document.

2. Decrees are to be issued to provide the Dialogue Committee the following: a) To obtain information from any source to enable it carry out its work.

b) The right to use the official media in announcing its statements and communiqués related to the progress of work, and whether any side is blocking implementation.

c) The government provides administrative and office requirements.

#### VI: SPECIAL SECURITY REQUIREMENTS TO SIGN AND IMPLEMENT THE DOCUMENT:

A committee from the Dialogue Committee shall be formed to discuss with the president and vice president the necessary security measures to sign and start implementation of this document. The time shall be specified according to these arrangements.

#### CONCLUSION:

The completion of this document, and in agreement among the various parties, represents a strong foundation to reform and correct our political and economic conditions.

Yes, completion of this work required a strong will in words and deeds, un beholden to any side in our effort to protect the unity, republic and democratic, and the needs of our people for security, stability, prosperity, and other goals.